

Volume 1

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

2000

Constitution of 1879 as Amended

Measures Submitted to Vote of Electors,
Primary Election, March 7, 2000
and General Election, November 7, 2000

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

1999–2000 Regular Session



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EFFECTIVE DATES

Regular Session

The 1999–2000 Regular Session reconvened on January 3, 2000, and adjourned *sine die* on November 30, 2000. Statutes enacted in 2000, other than those taking immediate effect, will become effective January 1, 2001.

The effective date of a joint or concurrent resolution is the date it is filed with the Secretary of State.

An initiative statute or referendum or a constitutional amendment proposed by the Legislature and adopted by the people takes effect the day after the election unless the measure provides otherwise.

Statutes Which Take Effect Immediately. An urgency statute, and a statute calling an election, providing for a tax levy, or making an appropriation for the usual current expenses of the state may take effect immediately. Such a statute becomes *effective* on the date it is filed with the Secretary of State.

Operative Date. The provisions of a statute normally become operative on the date it takes effect. However, any statute may, by its own terms, delay the *operation* of its provisions until the happening of some contingency or until a specified time. Also, a later statute or a general provision in a particular code may delay the operation of a statute to a time after its effective date.

CONSTITUTIONAL AMENDMENTS

Adopted Since Publication of Statutes of 1999

NOTE: Since the publication of the Statutes of 1999, the following changes were adopted at the Primary Election, March 7, 2000, and the General Election, November 7, 2000:

<i>Article</i>	<i>Section</i>	<i>Change</i>	<i>Constitutional amendment number</i>	<i>Year</i>	<i>Resolution chapter number</i>	<i>Proposition number</i>	<i>Subject</i>
IV	19	Amendment	SCA 11	1999	142	1A	Gambling on Tribal Lands.
	19	Amendment	SCA 4	1999	123	17	Lotteries. Charitable Raffles.
XIII A	1	Amendment	Initiative Measure	2000	—	39	School Facilities. 55% Local Vote. Bonds, Taxes. Accountability Requirements.
XVI	18	Amendment	Initiative Measure	2000	—	39	School Facilities. 55% Local Vote. Bonds, Taxes. Accountability Requirements.
XXII	1	Addition	Initiative Measure	2000	—	35	Public Works Projects. Use of Private Contractors for Engineering and Architectural Services.
	2	Addition	Initiative Measure	2000	—	35	Public Works Projects. Use of Private Contractors for Engineering and Architectural Services.

PROPOSED CHANGES IN CONSTITUTION

**NOTE: The following proposed changes were defeated at the Primary Election, March 7, 2000,
and the General Election, November 7, 2000:**

<i>Article</i>	<i>Section</i>	<i>Proposed Change</i>	<i>Constitutional amendment number</i>	<i>Year</i>	<i>Resolution chapter number</i>	<i>Proposition number</i>	<i>Subject</i>
IV	4.5	Amendment	ACA 12	2000	83	33	Legislature. Participation in Public Employees' Retirement System.
IX	8.1	Addition	Initiative Measure	2000	—	38	School Vouchers. State-Funded Private and Religious Education. Public School Funding.
	8.3	Addition	Initiative Measure	2000	—	38	School Vouchers. State-Funded Private and Religious Education. Public School Funding.
	8.5	Addition	Initiative Measure	2000	—	38	School Vouchers. State-Funded Private and Religious Education. Public School Funding.
	8.7	Addition	Initiative Measure	2000	—	38	School Vouchers. State-Funded Private and Religious Education. Public School Funding.
	8.8	Addition	Initiative Measure	2000	—	38	School Vouchers. State-Funded Private and Religious Education. Public School Funding.
XIII A	1	Amendment	Initiative Measure	2000	—	26	School Facilities. Local Majority Vote. Bonds, Taxes.
	3	Amendment	Initiative Measure	2000	—	37	Fees. Vote Requirements. Taxes.

PROPOSED CHANGES IN CONSTITUTION—Continued

<i>Article</i>	<i>Section</i>	<i>Proposed Change</i>	<i>Constitutional amendment number</i>	<i>Year</i>	<i>Resolution chapter number</i>	<i>Proposition number</i>	<i>Subject</i>
XIII C	1	Amendment	Initiative Measure	2000	—	37	Fees. Vote Requirements. Taxes.
XVI	18	Amendment	Initiative Measure	2000	—	26	School Facilities. Local Majority Vote. Bonds, Taxes.

**CONSTITUTION OF THE STATE
OF CALIFORNIA**

1879

CONSTITUTION OF THE STATE OF CALIFORNIA *

AS AMENDED AND IN FORCE NOVEMBER 7, 2000

PREAMBLE

We, the People of the State of California, grateful to Almighty God for our freedom, in order to secure and perpetuate its blessings, do establish this Constitution.

ARTICLE I

DECLARATION OF RIGHTS

SECTION 1. [*Repealed November 5, 1974. See Section 1, below.*]

[*Inalienable Rights*]

SECTION 1. All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy. [*New section adopted November 5, 1974.*]

[*Liberty of Speech and of the Press—Newspersons' Refusal to Disclose Information Sources Not Adjudged in Contempt*]

SEC. 2. (a) Every person may freely speak, write and publish his or her sentiments on all subjects, being responsible for the abuse of this right. A law may not restrain or abridge liberty of speech or press.

(b) A publisher, editor, reporter, or other person connected with or employed upon a newspaper, magazine, or other periodical publication, or by a press association or wire service, or any person who has been so connected or employed, shall not be adjudged in contempt by a judicial, legislative, or administrative body, or any other body having the power to issue subpoenas, for refusing to disclose the source of any information procured while so connected or employed for publication in a newspaper, magazine or other periodical publication, or for refusing to disclose any unpublished information obtained or prepared in gathering, receiving or processing of information for communication to the public.

Nor shall a radio or television news reporter or other person connected with or employed by a radio or television station, or any person who has been so connected or employed, be so adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed for news or news commentary purposes on radio or television, or for refusing to disclose any unpublished information obtained or prepared in gathering, receiving or processing of information for communication to the public.

* Adopted by the people on May 7, 1879. Certain spelling and capitalization variances reflect State Printer's style in effect at time of adoption of amendments.

As used in this subdivision, “unpublished information” includes information not disseminated to the public by the person from whom disclosure is sought, whether or not related information has been disseminated and includes, but is not limited to, all notes, outtakes, photographs, tapes or other data of whatever sort not itself disseminated to the public through a medium of communication, whether or not published information based upon or related to such material has been disseminated. [*As amended June 3, 1980.*]

[*Right to Assemble and to Petition*]

SEC. 3. The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good. [*New section adopted November 5, 1974.*]

SEC. 4. [*Repealed November 5, 1974. See Section 4, below.*]

[*Liberty of Conscience*]

SEC. 4. Free exercise and enjoyment of religion without discrimination or preference are guaranteed. This liberty of conscience does not excuse acts that are licentious or inconsistent with the peace or safety of the State. The Legislature shall make no law respecting an establishment of religion.

A person is not incompetent to be a witness or juror because of his or her opinions on religious beliefs. [*New section adopted November 5, 1974.*]

SEC. 5. [*Repealed November 5, 1974. See Section 5, below.*]

[*The Military*]

SEC. 5. The military is subordinate to civil power. A standing army may not be maintained in peacetime. Soldiers may not be quartered in any house in wartime except as prescribed by law, or in peacetime without the owner’s consent. [*New section adopted November 5, 1974.*]

SEC. 6. [*Repealed November 5, 1974. See Section 6, below.*]

[*Slavery Prohibited*]

SEC. 6. Slavery is prohibited. Involuntary servitude is prohibited except to punish crime. [*New section adopted November 5, 1974.*]

[*Due Process of Law—Use of Pupil School Assignment or Pupil Transportation*]

SEC. 7. (a) A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws; provided, that nothing contained herein or elsewhere in this Constitution imposes upon the State of California or any public entity, board, or official any obligations or responsibilities which exceed those imposed by the Equal Protection Clause of the 14th Amendment to the United States Constitution with respect to the use of pupil school assignment or pupil trans-

portation. In enforcing this subdivision or any other provision of this Constitution, no court of this State may impose upon the State of California or any public entity, board, or official any obligation or responsibility with respect to the use of pupil school assignment or pupil transportation, (1) except to remedy a specific violation by such party that would also constitute a violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution, and (2) unless a federal court would be permitted under federal decisional law to impose that obligation or responsibility upon such party to remedy the specific violation of the Equal Protection Clause of the 14th Amendment of the United States Constitution.

Except as may be precluded by the Constitution of the United States, every existing judgment, decree, writ, or other order of a court of this State, whenever rendered, which includes provisions regarding pupil school assignment or pupil transportation, or which requires a plan including any such provisions shall, upon application to a court having jurisdiction by any interested person, be modified to conform to the provisions of this subdivision as amended, as applied to the facts which exist at the time of such modification.

In all actions or proceedings arising under or seeking application of the amendments to this subdivision proposed by the Legislature at its 1979–80 Regular Session, all courts, wherein such actions or proceedings are or may hereafter be pending, shall give such actions or proceedings first precedence over all other civil actions therein.

Nothing herein shall prohibit the governing board of a school district from voluntarily continuing or commencing a school integration plan after the effective date of this subdivision as amended.

In amending this subdivision, the Legislature and people of the State of California find and declare that this amendment is necessary to serve compelling public interests, including those of making the most effective use of the limited financial resources now and prospectively available to support public education, maximizing the educational opportunities and protecting the health and safety of all public school pupils, enhancing the ability of parents to participate in the educational process, preserving harmony and tranquility in this State and its public schools, preventing the waste of scarce fuel resources, and protecting the environment.

[Privileges and Immunities]

(b) A citizen or class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens. Privileges or immunities granted by the Legislature may be altered or revoked. *[As amended November 6, 1979.]*

[*Sex, Race, Etc., Not a Disqualification for Business*]

SEC. 8. A person may not be disqualified from entering or pursuing a business, profession, vocation, or employment because of sex, race, creed, color, or national or ethnic origin. [*Former Section 18 of Article XX, as renumbered and amended November 5, 1974.*]

SEC. 9. [*Repealed November 5, 1974. See Section 9, below.*]

[*Bill of Attainder—Ex Post Facto Law—Obligation of Contract*]

SEC. 9. A bill of attainder, ex post facto law, or law impairing the obligation of contracts may not be passed. [*New section adopted November 5, 1974.*]

SEC. 10. [*Repealed November 5, 1974. See Section 10, below.*]

[*Detention of Witnesses—No Imprisonment for Debt*]

SEC. 10. Witnesses may not be unreasonably detained. A person may not be imprisoned in a civil action for debt or tort, or in peacetime for a militia fine. [*New section adopted November 5, 1974.*]

SEC. 11. [*Repealed November 5, 1974. See Section 11, below.*]

[*Suspension of Habeas Corpus*]

SEC. 11. Habeas corpus may not be suspended unless required by public safety in cases of rebellion or invasion. [*New section adopted November 5, 1974.*]

[*Bail—Release on Own Recognizance*]

SEC. 12. A person shall be released on bail by sufficient sureties, except for:

- (a) Capital crimes when the facts are evident or the presumption great;
- (b) Felony offenses involving acts of violence on another person, or felony sexual assault offenses on another person, when the facts are evident or the presumption great and the court finds based upon clear and convincing evidence that there is a substantial likelihood the person's release would result in great bodily harm to others; or
- (c) Felony offenses when the facts are evident or the presumption great and the court finds based on clear and convincing evidence that the person has threatened another with great bodily harm and that there is a substantial likelihood that the person would carry out the threat if released.

Excessive bail may not be required. In fixing the amount of bail, the court shall take into consideration the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearing at the trial or hearing of the case.

A person may be released on his or her own recognizance in the court's discretion. [*As amended November 8, 1994.*]

SEC. 13. [Repealed November 5, 1974. See Section 13, below.]

[Unreasonable Seizure and Search—Warrant]

SEC. 13. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches may not be violated; and a warrant may not issue except on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized. [New section adopted November 5, 1974.]

SEC. 14. [Repealed November 5, 1974. See Section 14, below.]

[Felony Defendant Before Magistrate—Prosecutions]

SEC. 14. Felonies shall be prosecuted as provided by law, either by indictment or, after examination and commitment by a magistrate, by information.

A person charged with a felony by complaint subscribed under penalty of perjury and on file in a court in the county where the felony is triable shall be taken without unnecessary delay before a magistrate of that court. The magistrate shall immediately give the defendant a copy of the complaint, inform the defendant of the defendant's right to counsel, allow the defendant a reasonable time to send for counsel, and on the defendant's request read the complaint to the defendant. On the defendant's request the magistrate shall require a peace officer to transmit within the county where the court is located a message to counsel named by defendant.

A person unable to understand English who is charged with a crime has a right to an interpreter throughout the proceedings. [New section adopted November 5, 1974.]

[Felony—Prosecution by Indictment]

SEC. 14.1. If a felony is prosecuted by indictment, there shall be no postindictment preliminary hearing. [New section adopted June 5, 1990. Initiative measure.]

SEC. 14½. [Repealed November 5, 1974.]

SEC. 15. [Repealed November 5, 1974. See Section 15, below.]

[Criminal Prosecutions—Rights of Defendant—Due Process of Law—Jeopardy—Depositions—Assistance of Counsel]

SEC. 15. The defendant in a criminal cause has the right to a speedy public trial, to compel attendance of witnesses in the defendant's behalf, to have the assistance of counsel for the defendant's defense, to be personally present with counsel, and to be confronted with the witnesses against the defendant. The Legislature may provide for the deposition of a witness in the presence of the defendant and the defendant's counsel.

Persons may not twice be put in jeopardy for the same offense, be compelled in a criminal cause to be a witness against themselves, or be deprived of life, liberty, or property without due process of law. [*New section adopted November 5, 1974.*]

[*Trial by Jury*]

SEC. 16. Trial by jury is an inviolate right and shall be secured to all, but in a civil cause three-fourths of the jury may render a verdict. A jury may be waived in a criminal cause by the consent of both parties expressed in open court by the defendant and the defendant's counsel. In a civil cause a jury may be waived by the consent of the parties expressed as prescribed by statute.

[*Number of Jurors in Civil Trials*]

In civil causes the jury shall consist of 12 persons or a lesser number agreed on by the parties in open court. In civil causes other than causes within the appellate jurisdiction of the court of appeal the Legislature may provide that the jury shall consist of eight persons or a lesser number agreed on by the parties in open court.

[*Number of Jurors in Criminal Trials*]

In criminal actions in which a felony is charged, the jury shall consist of 12 persons. In criminal actions in which a misdemeanor is charged, the jury shall consist of 12 persons or a lesser number agreed on by the parties in open court. [*As amended June 2, 1998.*]

SEC. 17. [*Repealed November 5, 1974. See Section 17, below.*]

[*Unusual Punishment—Excessive Fines*]

SEC. 17. Cruel or unusual punishment may not be inflicted or excessive fines imposed. [*New section adopted November 5, 1974.*]

SEC. 18. [*Repealed November 5, 1974. See Section 18, below.*]

[*Treason*]

SEC. 18. Treason against the State consists only in levying war against it, adhering to its enemies, or giving them aid and comfort. A person may not be convicted of treason except on the evidence of two witnesses to the same overt act or by confession in open court. [*New section adopted November 5, 1974.*]

SEC. 19. [*Repealed November 5, 1974. See Section 19, below.*]

[*Eminent Domain*]

SEC. 19. Private property may be taken or damaged for public use only when just compensation, ascertained by a jury unless waived, has first been paid to, or into court for, the owner. The Legislature may provide

for possession by the condemnor following commencement of eminent domain proceedings upon deposit in court and prompt release to the owner of money determined by the court to be the probable amount of just compensation. [*New section adopted November 5, 1974.*]

SEC. 20. [*Repealed November 5, 1974. See Section 20, below.*]

[*Rights of Noncitizens*]

SEC. 20. Noncitizens have the same property rights as citizens. [*New section adopted November 5, 1974.*]

SEC. 21. [*Repealed November 5, 1974. See Section 21, below.*]

[*Separate Property of Husband and Wife*]

SEC. 21. Property owned before marriage or acquired during marriage by gift, will, or inheritance is separate property. [*Former Section 8 of Article XX, as renumbered November 5, 1974.*]

SEC. 22. [*Repealed November 5, 1974. See Section 22, below.*]

[*No Property Qualification for Electors*]

SEC. 22. The right to vote or hold office may not be conditioned by a property qualification. [*New section adopted November 5, 1974.*]

SEC. 23. [*Repealed November 5, 1974. See Section 23, below.*]

[*Grand Juries*]

SEC. 23. One or more grand juries shall be drawn and summoned at least once a year in each county. [*New section adopted November 5, 1974.*]

[*Constitutional Rights—Rights Reserved*]

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. [*As amended June 5, 1990. Initiative measure.*]

[*Right to Fish*]

SECTION 25. The people shall have the right to fish upon and from the public lands of the State and in the waters thereof, excepting upon lands set aside for fish hatcheries, and no land owned by the State shall ever be sold or transferred without reserving in the people the absolute right to fish thereupon; and no law shall ever be passed making it a crime for the people to enter upon the public lands within this State for the purpose of fishing in any water containing fish that have been planted therein by the State; *provided*, that the Legislature may by statute, provide for the season when and the conditions under which the different species of fish may be taken. [*New section adopted November 8, 1910.*]

SEC. 26. [*Renumbered Section 1 of Article II June 8, 1976. See Section 26, below.*]

[*Constitution Mandatory and Prohibitory*]

SEC. 26. The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise. [*Former Section 28, as renumbered June 8, 1976.*]

SEC. 26a. [*Repealed November 8, 1949.*]

[*Death Penalty*]

SEC. 27. All statutes of this State in effect on February 17, 1972, requiring, authorizing, imposing, or relating to the death penalty are in full force and effect, subject to legislative amendment or repeal by statute, initiative, or referendum.

The death penalty provided for under those statutes shall not be deemed to be, or to constitute, the infliction of cruel or unusual punishments within the meaning of Article 1, Section 6 nor shall such punishment for such offenses be deemed to contravene any other provision of this constitution. [*New section adopted November 7, 1972. Initiative measure.*]

[*“The Victims’ Bill of Rights”*]

SEC. 28. (a) The People of the State of California find and declare that the enactment of comprehensive provisions and laws ensuring a bill of rights for victims of crime, including safeguards in the criminal justice system to fully protect those rights, is a matter of grave statewide concern.

The rights of victims pervade the criminal justice system, encompassing not only the right to restitution from the wrongdoers for financial losses suffered as a result of criminal acts, but also the more basic expectation that persons who commit felonious acts causing injury to innocent victims

will be appropriately detained in custody, tried by the courts, and sufficiently punished so that the public safety is protected and encouraged as a goal of highest importance.

Such public safety extends to public primary, elementary, junior high, and senior high school campuses, where students and staff have the right to be safe and secure in their persons.

To accomplish these goals, broad reforms in the procedural treatment of accused persons and the disposition and sentencing of convicted persons are necessary and proper as deterrents to criminal behavior and to serious disruption of people's lives.

(b) Restitution. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to restitution from the persons convicted of the crimes for losses they suffer.

Restitution shall be ordered from the convicted persons in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss, unless compelling and extraordinary reasons exist to the contrary. The Legislature shall adopt provisions to implement this section during the calendar year following adoption of this section.

(c) Right to Safe Schools. All students and staff of public primary, elementary, junior high and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful.

(d) Right to Truth-in-Evidence. Except as provided by statute hereafter enacted by a two-thirds vote of the membership in each house of the Legislature, relevant evidence shall not be excluded in any criminal proceeding, including pretrial and post conviction motions and hearings, or in any trial or hearing of a juvenile for a criminal offense, whether heard in juvenile or adult court. Nothing in this section shall affect any existing statutory rule of evidence relating to privilege or hearsay, or Evidence Code, Sections 352, 782 or 1103. Nothing in this section shall affect any existing statutory or constitutional right of the press.

(e) Public Safety Bail. A person may be released on bail by sufficient sureties, except for capital crimes when the facts are evident or the presumption great. Excessive bail may not be required. In setting, reducing or denying bail, the judge or magistrate shall take into consideration the protection of the public, the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearing at the trial or hearing of the case. Public safety shall be the primary consideration.

A person may be released on his or her own recognizance in the court's discretion, subject to the same factors considered in setting bail. However, no person charged with the commission of any serious felony shall be released on his or her own recognizance.

Before any person arrested for a serious felony may be released on bail, a hearing may be held before the magistrate or judge, and the prosecuting attorney shall be given notice and reasonable opportunity to be heard on the matter.

When a judge or magistrate grants or denies bail or release on a person's own recognizance, the reasons for that decision shall be stated in the record and included in the court's minutes.

(f) Use of Prior Convictions. Any prior felony conviction of any person in any criminal proceeding, whether adult or juvenile, shall subsequently be used without limitation for purposes of impeachment or enhancement of sentence in any criminal proceeding. When a prior felony conviction is an element of any felony offense, it shall be proven to the trier of fact in open court.

(g) As used in this article, the term "serious felony" is any crime defined in Penal Code, Section 1192.7(c). [*New section adopted June 8, 1982. Initiative measure.*]

[*Criminal Cases—Due Process of Law—Speedy and Public Trial*]

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. [*New section adopted June 5, 1990. Initiative measure.*]

[*Criminal Cases—Jointure-Hearsay Evidence—Discovery*]

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. [*New section adopted June 5, 1990. Initiative measure.*]

[*Prohibition Against Discrimination or Preferential Treatment*]

SEC. 31. (a) The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

(b) This section shall apply only to action taken after the section's effective date.

(c) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex which are reasonably necessary to the normal operation of public employment, public education, or public contracting.

(d) Nothing in this section shall be interpreted as invalidating any court order or consent decree which is in force as of the effective date of this section.

(e) Nothing in this section shall be interpreted as prohibiting action which must be taken to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the State.

(f) For the purposes of this section, "State" shall include, but not necessarily be limited to, the State itself, any city, county, city and county, public university system, including the University of California, community college district, school district, special district, or any other political subdivision or governmental instrumentality of or within the State.

(g) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of then-existing California antidiscrimination law.

(h) This section shall be self-executing. If any part or parts of this section are found to be in conflict with federal law or the United States Constitution, the section shall be implemented to the maximum extent that federal law and the United States Constitution permit. Any provision held invalid shall be severable from the remaining portions of this section. [*New section adopted November 5, 1996. Initiative measure.*]

ARTICLE II. [*Repealed November 7, 1972. See Article II, below.*]

ARTICLE II*

VOTING, INITIATIVE AND REFERENDUM, AND RECALL

[*Heading as amended June 8, 1976.*]

SEC. 1. [*Renumbered Section 2 June 8, 1976. See Section 1, below.*]

[*Purpose of Government*]

SECTION 1. All political power is inherent in the people. Government is instituted for their protection, security, and benefit, and they have the right to alter or reform it when the public good may require. [*Former Section 26 of Article I, as renumbered June 8, 1976.*]

SEC. 1½. [*Repealed November 7, 1972.*]

SEC. 2. [*Renumbered Section 3 June 8, 1976. See Section 2, below.*]

[*Right to Vote*]

SEC. 2. A United States citizen 18 years of age and resident in this State may vote. [*Former Section 1, as renumbered June 8, 1976.*]

* New Article II adopted November 7, 1972.

SEC. 2.5. [Repealed November 7, 1972.]

SEC. 2³/₄. [Repealed November 7, 1972.]

SEC. 3. [Renumbered Section 4 June 8, 1976. See Section 3, below.]

[Residence—Registration—Free Elections]

SEC. 3. The Legislature shall define residence and provide for registration and free elections. [Former Section 2, as renumbered June 8, 1976.]

SEC. 4. [Renumbered Section 5 June 8, 1976. See Section 4, below.]

[Improper Practices That Affect Elections—Mentally Incompetent, Etc.]

SEC. 4. The Legislature shall prohibit improper practices that affect elections and shall provide for the disqualification of electors while mentally incompetent or imprisoned or on parole for the conviction of a felony. [Former Section 3, as renumbered June 8, 1976.]

SEC. 5. [Renumbered Section 6 June 8, 1976. See Section 5, below.]

[Primary Elections for Partisan Offices—Open Presidential Primary]

SEC. 5. The Legislature shall provide for primary elections for partisan offices, including an open presidential primary whereby the candidates on the ballot are those found by the Secretary of State to be recognized candidates throughout the nation or throughout California for the office of President of the United States, and those whose names are placed on the ballot by petition, but excluding any candidate who has withdrawn by filing an affidavit of noncandidacy. [Former Section 4, as renumbered June 8, 1976.]

[Nonpartisan Offices]

SEC. 6. (a) All judicial, school, county, and city offices shall be nonpartisan.

(b) No political party or party central committee may endorse, support, or oppose a candidate for nonpartisan office. [As amended June 3, 1986.]

[Voting—Secret]

SEC. 7. Voting shall be secret. [Former Section 6, as renumbered June 8, 1976.]

[Initiative]

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) An initiative measure may not include or exclude any political subdivision of the State from the application or effect of its provisions based upon approval or disapproval of the initiative measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of that political subdivision.

(f) An initiative measure may not contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure. [*As amended June 2, 1998.*]

[*Referendum*]

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. [*As amended June 5, 1990.*]

[*Initiative and Referendum—Vote and Effective Date—Conflicts—Legislative Repeal or Amendment—Titling*]

SEC. 10. (a) An initiative statute or referendum approved by a majority of votes thereon takes effect the day after the election unless the

measure provides otherwise. If a referendum petition is filed against a part of a statute the remainder shall not be delayed from going into effect.

(b) If provisions of 2 or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail.

(c) The Legislature may amend or repeal referendum statutes. It may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without their approval.

(d) Prior to circulation of an initiative or referendum petition for signatures, a copy shall be submitted to the Attorney General who shall prepare a title and summary of the measure as provided by law.

(e) The Legislature shall provide the manner in which petitions shall be circulated, presented, and certified, and measures submitted to the electors. [*Former Section 24 of Article IV, as renumbered June 8, 1976.*]

[*Initiative and Referendum—Cities or Counties*]

SEC. 11. (a) Initiative and referendum powers may be exercised by the electors of each city or county under procedures that the Legislature shall provide. Except as provided in subdivisions (b) and (c), this section does not affect a city having a charter.

(b) A city or county initiative measure may not include or exclude any part of the city or county from the application or effect of its provisions based upon approval or disapproval of the initiative measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of the city or county or any part thereof.

(c) A city or county initiative measure may not contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure. [*As amended June 2, 1998.*]

[*Naming Individual or Private Corporation to Office or Duty Prohibited*]

SEC. 12. No amendment to the Constitution, and no statute proposed to the electors by the Legislature or by initiative, that names any individual to hold any office, or names or identifies any private corporation to perform any function or to have any power or duty, may be submitted to the electors or have any effect. [*Former Section 26 of Article IV, as renumbered June 8, 1976.*]

[*Recall Defined*]

SEC. 13. Recall is the power of the electors to remove an elective officer. [*New section adopted June 8, 1976.*]

[*Recall Petitions*]

SEC. 14. (a) Recall of a state officer is initiated by delivering to the Secretary of State a petition alleging reason for recall. Sufficiency of reason is not reviewable. Proponents have 160 days to file signed petitions.

(b) A petition to recall a statewide officer must be signed by electors equal in number to 12 percent of the last vote for the office, with signatures from each of 5 counties equal in number to 1 percent of the last vote for the office in the county. Signatures to recall Senators, members of the Assembly, members of the Board of Equalization, and judges of courts of appeal and trial courts must equal in number 20 percent of the last vote for the office.

(c) The Secretary of State shall maintain a continuous count of the signatures certified to that office. [*New section adopted June 8, 1976.*]

[*Recall Elections*]

SEC. 15. (a) An election to determine whether to recall an officer and, if appropriate, to elect a successor shall be called by the Governor and held not less than 60 days nor more than 80 days from the date of certification of sufficient signatures.

(b) A recall election may be conducted within 180 days from the date of certification of sufficient signatures in order that the election may be consolidated with the next regularly scheduled election occurring wholly or partially within the same jurisdiction in which the recall election is held, if the number of voters eligible to vote at that next regularly scheduled election equal at least 50 percent of all the voters eligible to vote at the recall election.

(c) If the majority vote on the question is to recall, the officer is removed and, if there is a candidate, the candidate who receives a plurality is the successor. The officer may not be a candidate, nor shall there be any candidacy for an office filled pursuant to subdivision (d) of Section 16 of Article VI. [*As amended November 8, 1994.*]

[*Legislature to Provide for Petitions, Etc.*]

SEC. 16. The Legislature shall provide for circulation, filing, and certification of petitions, nomination of candidates, and the recall election. [*New section adopted June 8, 1976.*]

[*Recall of Governor or Secretary of State*]

SEC. 17. If recall of the Governor or Secretary of State is initiated, the recall duties of that office shall be performed by the Lieutenant Governor or Controller, respectively. [*New section adopted June 8, 1976.*]

[*Reimbursement of Recall Election Expenses*]

SEC. 18. A state officer who is not recalled shall be reimbursed by the State for the officer's recall election expenses legally and personally in-

curred. Another recall may not be initiated against the officer until six months after the election. [*New section adopted June 8, 1976.*]

[*Recall of Local Officers*]

SEC. 19. The Legislature shall provide for recall of local officers. This section does not affect counties and cities whose charters provide for recall. [*New section adopted June 8, 1976.*]

[*Terms of Elective Offices*]

SEC. 20. Terms of elective offices provided for by this Constitution, other than Members of the Legislature, commence on the Monday after January 1 following election. The election shall be held in the last even-numbered year before the term expires. [*New section adopted June 8, 1976.*]

ARTICLE III. [*Repealed November 7, 1972. See Article III, below.*]

ARTICLE III*

STATE OF CALIFORNIA

[*United States Constitution Supreme Law*]

SEC. 1. The State of California is an inseparable part of the United States of America, and the United States Constitution is the supreme law of the land. [*New section adopted November 7, 1972.*]

[*Boundaries of the State—Sacramento Seat of Government*]

SEC. 2. The boundaries of the State are those stated in the Constitution of 1849 as modified pursuant to statute. Sacramento is the capital of California. [*New section adopted November 7, 1972.*]

[*Separation of Powers*]

SEC. 3. The powers of state government are legislative, executive, and judicial. Persons charged with the exercise of one power may not exercise either of the others except as permitted by this Constitution. [*New section adopted November 7, 1972.*]

[*Administrative Agencies: Declaration Statute Unenforceable or Unconstitutional Prohibited*]

SEC. 3.5. An administrative agency, including an administrative agency created by the Constitution or an initiative statute, has no power:

(a) To declare a statute unenforceable, or refuse to enforce a statute, on the basis of it being unconstitutional unless an appellate court has made a determination that such statute is unconstitutional;

* New Article III adopted November 7, 1972.

(b) To declare a statute unconstitutional;

(c) To declare a statute unenforceable, or to refuse to enforce a statute on the basis that federal law or federal regulations prohibit the enforcement of such statute unless an appellate court has made a determination that the enforcement of such statute is prohibited by federal law or federal regulations. [*New section adopted June 6, 1978.*]

[*Salaries of Elected State Officers—Salaries of Judges*]

SEC. 4. (a) Except as provided in subdivision (b), salaries of elected state officers may not be reduced during their term of office. Laws that set these salaries are appropriations.

(b) Beginning on January 1, 1981, the base salary of a judge of a court of record shall equal the annual salary payable as of July 1, 1980, for that office had the judge been elected in 1978. The Legislature may prescribe increases in those salaries during a term of office, and it may terminate prospective increases in those salaries at any time during a term of office, but it shall not reduce the salary of a judge during a term of office below the highest level paid during that term of office. Laws setting the salaries of judges shall not constitute an obligation of contract pursuant to Section 9 of Article I or any other provision of law. [*As amended November 4, 1980.*]

[*Suits Against State*]

SEC. 5. Suits may be brought against the State in such manner and in such courts as shall be directed by law. [*New section adopted November 7, 1972.*]

[*Official State Language*]

SEC. 6. (a) Purpose.

English is the common language of the people of the United States of America and the State of California. This section is intended to preserve, protect and strengthen the English language, and not to supersede any of the rights guaranteed to the people by this Constitution.

(b) English as the Official Language of California.

English is the official language of the State of California.

(c) Enforcement.

The Legislature shall enforce this section by appropriate legislation. The Legislature and officials of the State of California shall take all steps necessary to insure that the role of English as the common language of the State of California is preserved and enhanced. The Legislature shall make no law which diminishes or ignores the role of English as the common language of the State of California.

(d) Personal Right of Action and Jurisdiction of Courts.

Any person who is a resident of or doing business in the State of California shall have standing to sue the State of California to enforce this section, and the Courts of record of the State of California shall have jurisdiction to hear cases brought to enforce this section. The Legislature may provide reasonable and appropriate limitations on the time and manner of suits brought under this section. [*New section adopted November 4, 1986. Initiative measure.*]

[*Retirement Benefits for Elected Constitutional Officers*]

SEC. 7. (a) The retirement allowance for any person, all of whose credited service in the Legislators' Retirement System was rendered or was deemed to have been rendered as an elective officer of the State whose office is provided for by the California Constitution, other than a judge and other than a Member of the Senate or Assembly, and all or any part of whose retirement allowance is calculated on the basis of the compensation payable to the officer holding the office which the member last held prior to retirement, or for the survivor or beneficiary of such a person, shall not be increased or affected in any manner by changes on or after November 5, 1986, in the compensation payable to the officer holding the office which the member last held prior to retirement.

(b) This section shall apply to any person, survivor, or beneficiary described in subdivision (a) who receives, or is receiving, from the Legislators' Retirement System a retirement allowance on or after November 5, 1986, all or any part of which allowance is calculated on the basis of the compensation payable to the officer holding the office which the member last held prior to retirement.

(c) It is the intent of the people, in adopting this section, to restrict retirement allowances to amounts reasonably to be expected by certain members and retired members of the Legislators' Retirement System and to preserve the basic character of earned retirement benefits while prohibiting windfalls and unforeseen advantages which have no relation to the real theory and objective of a sound retirement system. It is not the intent of this section to deny any member, retired member, survivor, or beneficiary a reasonable retirement allowance. Thus, this section shall not be construed as a repudiation of a debt nor the impairment of a contract for a substantial and reasonable retirement allowance from the Legislators' Retirement System.

(d) The people and the Legislature hereby find and declare that the dramatic increase in the retirement allowances of persons described in subdivision (a) which would otherwise result when the compensation for those offices increases on November 5, 1986, or January 5, 1987, are not benefits which could have reasonably been expected. The people and the Legislature further find and declare that the Legislature did not intend to

provide in its scheme of compensation for those offices such windfall benefits. [*New section adopted November 4, 1986.*]

[*California Citizens Compensation Commission*]

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 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. [New section adopted June 5, 1990.]

ARTICLE IV

LEGISLATIVE

[Heading as amended November 8, 1966.]

SECTION 1. *[Repealed November 8, 1966. See Section 1, below.]*

[Legislative Power]

SEC. 1. 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. *[New section adopted November 8, 1966.]*

SEC. 1a. *[Renumbered Section 20 of Article XIII and amended November 8, 1966.]*

SEC. 1b. *[Repealed November 8, 1966.]*

SEC. 1c. *[Repealed November 8, 1966.]*

SEC. 1d. *[Repealed November 8, 1966.]*

[Legislators—Limitation on Incumbency—Restriction of Retirement Benefits— Limitation of Staff and Support Services—Number of Terms]

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. *[New section adopted November 6, 1990. Initiative measure.]*

[Senate and Assembly—Membership—Elections—Number of Terms—Qualifications—Vacancies]

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. [*As amended November 6, 1990. Initiative measure.*]

[Legislative Sessions—Regular and Special Sessions]

SEC. 3. (a) The Legislature shall convene in regular session at noon on the first Monday in December of each even-numbered year and each house shall immediately organize. Each session of the Legislature shall adjourn sine die by operation of the Constitution at midnight on November 30 of the following even-numbered year.

(b) On extraordinary occasions the Governor by proclamation may cause the Legislature to assemble in special session. When so assembled it has power to legislate only on subjects specified in the proclamation but may provide for expenses and other matters incidental to the session. [*As amended June 8, 1976.*]

[Legislators—Conflict of Interest—Prohibited Compensation—Earned Income]

SEC. 4. (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.

[Legislators—Travel and Living Expenses]

(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.

[Legislators—Retirement]

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

When computing the retirement allowance of a 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. However, the Legislature may provide that no Member shall be deprived of a cost of living adjustment based on a monthly salary of five hundred dollars (\$500) which has accrued prior to the commencement of the 1967 Regular Session of the Legislature. *[As amended June 5, 1990.]*

[Legislators—Retirement]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[*Legislators—Qualifications—Expulsion*]

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

[*Legislators—Honoraria*]

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

[*Legislators—Gifts—Conflict of Interest*]

(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.

[*Legislators—Prohibited Compensation or Activity*]

(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 be-

fore 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.

[Legislators—Lobbying]

(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.

[Legislators—Conflict of Interest]

(f) The Legislature shall enact new laws, and strengthen the enforcement of existing laws, prohibiting Members of the Legislature from engaging in activities or having interests which conflict with the proper discharge of their duties and responsibilities. However, the people reserve to themselves the power to implement this requirement pursuant to Article II. *[As amended June 5, 1990. Subdivision (b) operative December 3, 1990.]*

SEC. 6. *[Repealed June 3, 1980. See Section 6, below.]*

[Senatorial and Assembly Districts]

SEC. 6. For the purpose of choosing members of the Legislature, the State shall be divided into 40 Senatorial and 80 Assembly districts to be called Senatorial and Assembly Districts. Each Senatorial district shall choose one Senator and each Assembly district shall choose one member of the Assembly. *[New section adopted June 3, 1980.]*

[House Rules—Officers—Quorum]

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.

[Journals]

(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.

[Public Proceedings—Closed Sessions]

(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. If there is a conflict between a concurrent resolution and statute, the last adopted or enacted shall prevail.

[*Recess*]

(d) Neither house without the consent of the other may recess for more than 10 days or to any other place. [*As amended June 5, 1990. Subdivision (c) operative December 3, 1990.*]

[*Legislature—Total Aggregate Expenditures*]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[*Bills and Statutes—30-day Waiting Period*]

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.

[Bills and Statutes—3 Readings]

(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.

[Bills and Statutes—Effective Date]

(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.

[Bills and Statutes—Urgency Statutes]

(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. *[As amended June 5, 1990.]*

[*Ballot Measures—Application*]

SEC. 8.5. An act amending an initiative statute, an act providing for the issuance of bonds, or a constitutional amendment proposed by the Legislature and submitted to the voters for approval may not do either of the following:

(a) Include or exclude any political subdivision of the State from the application or effect of its provisions based upon approval or disapproval of the measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of that political subdivision.

(b) Contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure. [*New section adopted June 2, 1998.*]

SEC. 9. [*Repealed November 8, 1966. See Section 9, below.*]

[*Statutes—Title—Section*]

SEC. 9. A statute shall embrace but one subject, which shall be expressed in its title. If a statute embraces a subject not expressed in its title, only the part not expressed is void. A statute may not be amended by reference to its title. A section of a statute may not be amended unless the section is re-enacted as amended. [*New section adopted November 8, 1966.*]

[*Governor's Veto—Bill Introduction in Biennial Session*]

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.

(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 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.

(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. [*As amended June 5, 1990.*]

[*Committees*]

SEC. 11. The Legislature or either house may by resolution provide for the selection of committees necessary for the conduct of its business, including committees to ascertain facts and make recommendations to the Legislature on a subject within the scope of legislative control. [*As amended November 7, 1972.*]

[*Governor's Budget—Budget Bill—Other Appropriations*]

SEC. 12. (a) Within the first 10 days of each calendar year, the Governor shall submit to the Legislature, with an explanatory message, a budget for the ensuing fiscal year containing itemized statements for recommended state expenditures and estimated state revenues. If recommended expenditures exceed estimated revenues, the Governor shall recommend the sources from which the additional revenues should be provided.

(b) The Governor and the Governor-elect may require a state agency, officer or employee to furnish whatever information is deemed necessary to prepare the budget.

(c) The budget shall be accompanied by a budget bill itemizing recommended expenditures. The bill shall be introduced immediately in each

house by the persons chairing the committees that consider appropriations. The Legislature shall pass the budget bill by midnight on June 15 of each year. Until the budget bill has been enacted, the Legislature shall not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the budget bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature.

(d) No bill except the budget bill may contain more than one item of appropriation, and that for one certain, expressed purpose. Appropriations from the General Fund of the State, except appropriations for the public schools, are void unless passed in each house by rollcall vote entered in the journal, two thirds of the membership concurring.

(e) The Legislature may control the submission, approval, and enforcement of budgets and the filing of claims for all state agencies. [*As amended June 4, 1974, and November 5, 1974.*]

[*Legislators—Ineligible for Certain Offices*]

SEC. 13. A member of the Legislature may not, during the term for which the member is elected, hold any office or employment under the State other than an elective office. [*As amended November 5, 1974.*]

SEC. 14. [*Repealed November 8, 1966. See Section 14, below.*]

[*Members—Not Subject to Civil Process*]

SEC. 14. A member of the Legislature is not subject to civil process during a session of the Legislature or for 5 days before and after a session. [*New section adopted November 8, 1966.*]

[*Influencing Action or Vote of a Member—Felony*]

SEC. 15. A person who seeks to influence the vote or action of a member of the Legislature in the member's legislative capacity by bribery, promise of reward, intimidation, or other dishonest means, or a member of the Legislature so influenced, is guilty of a felony. [*As amended November 5, 1974.*]

[*Uniform Operation of General Laws—Special Statute—Invalid*]

SEC. 16. (a) All laws of a general nature have uniform operation.

(b) A local or special statute is invalid in any case if a general statute can be made applicable. [*As amended November 5, 1974.*]

SEC. 17. [*Repealed November 8, 1966. See Section 17, below.*]

[*Grant of Extra Compensation or Allowance Prohibited*]

SEC. 17. The Legislature has no power to grant, or to authorize a city, county, or other public body to grant, extra compensation or extra allowance to a public officer, public employee, or contractor after service has

been rendered or a contract has been entered into and performed in whole or in part, or to authorize the payment of a claim against the State or a city, county, or other public body under an agreement made without authority of law. [*New section adopted November 8, 1966.*]

SEC. 18. [*Repealed November 8, 1966. See Section 18, below.*]

[*Impeachment*]

SEC. 18. (a) The Assembly has the sole power of impeachment. Impeachments shall be tried by the Senate. A person may not be convicted unless, by rollcall vote entered in the journal, two thirds of the membership of the Senate concurs.

(b) State officers elected on a statewide basis, members of the State Board of Equalization, and judges of state courts are subject to impeachment for misconduct in office. Judgment may extend only to removal from office and disqualification to hold any office under the State, but the person convicted or acquitted remains subject to criminal punishment according to law. [*New section adopted November 8, 1966.*]

[*Lotteries—Horse Races Regulated—Bingo Games and Raffles for Charitable Purposes—Gaming on Tribal Lands*]

SEC. 19. (a) The Legislature has no power to authorize lotteries and shall prohibit the sale of lottery tickets in the State.

(b) The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results.

(c) Notwithstanding subdivision (a), the Legislature by statute may authorize cities and counties to provide for bingo games, but only for charitable purposes.

(d) Notwithstanding subdivision (a), there is authorized the establishment of a California State Lottery.

(e) The Legislature has no power to authorize, and shall prohibit, casinos of the type currently operating in Nevada and New Jersey.

(f)* Notwithstanding subdivisions (a) and (e), and any other provision of state law, the Governor is authorized to negotiate and conclude compacts, subject to ratification by the Legislature, for the operation of slot machines and for the conduct of lottery games and banking and percentage card games by federally recognized Indian tribes on Indian lands in California in accordance with federal law. Accordingly, slot machines, lottery games, and banking and percentage card games are hereby permitted to be conducted and operated on tribal lands subject to those compacts.

(f)† Notwithstanding subdivision (a), the Legislature may authorize private, nonprofit, eligible organizations, as defined by the Legislature, to conduct raffles as a funding mechanism to provide support for their own or another private, nonprofit, eligible organization's beneficial and chari-

* Ballot Proposition 1A (SCA 11) March 7, 2000.

† Ballot Proposition 17 (SCA 4) March 7, 2000.

table works, provided that (1) at least 90 percent of the gross receipts from the raffle go directly to beneficial or charitable purposes in California, and (2) any person who receives compensation in connection with the operation of a raffle is an employee of the private nonprofit organization that is conducting the raffle. The Legislature, two-thirds of the membership of each house concurring, may amend the percentage of gross receipts required by this subdivision to be dedicated to beneficial or charitable purposes by means of a statute that is signed by the Governor. [*As amended March 7, 2000.*]

SEC. 20. [*Repealed November 8, 1966. See Section 20, below.*]

[*Fish and Game—Districts and Commission*]

SEC. 20. (a) The Legislature may provide for division of the State into fish and game districts and may protect fish and game in districts or parts of districts.

(b) There is a Fish and Game Commission of 5 members appointed by the Governor and approved by the Senate, a majority of the membership concurring, for 6-year terms and until their successors are appointed and qualified. Appointment to fill a vacancy is for the unexpired portion of the term. The Legislature may delegate to the commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. A member of the commission may be removed by concurrent resolution adopted by each house, a majority of the membership concurring. [*New section adopted November 8, 1966.*]

[*War- or Enemy-Caused Disaster*]

SEC. 21. To meet the needs resulting from war-caused or enemy-caused disaster in California, the Legislature may provide for:

(a) Filling the offices of members of the Legislature should at least one fifth of the membership of either house be killed, missing, or disabled, until they are able to perform their duties or successors are elected.

(b) Filling the office of Governor should the Governor be killed, missing, or disabled, until the Governor or the successor designated in this Constitution is able to perform the duties of the office of Governor or a successor is elected.

(c) Convening the Legislature.

(d) Holding elections to fill offices that are elective under this Constitution and that are either vacant or occupied by persons not elected thereto.

(e) Selecting a temporary seat of state or county government. [*As amended November 5, 1974.*]

[*Accountability—Session Goals and Objectives*]

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. [*New section adopted June 5, 1990.*]

SEC. 22a. [*Repealed November 8, 1966.*]

SEC. 23. [*Renumbered Section 9 of Article II June 8, 1976.*]

SEC. 23a. [*Repealed November 8, 1966.*]

SEC. 23b. [*Repealed November 8, 1966.*]

SEC. 24. [*Renumbered Section 10 of Article II June 8, 1976.*]

SEC. 25. [*Renumbered Section 11 of Article II June 8, 1976.*]

SEC. 25a. [*Repealed November 8, 1966.*]

SEC. 25^{1/2}. [*Repealed November 8, 1966.*]

SEC. 25^{5/8}. [*Renumbered Section 22 of Article XIII and amended November 8, 1966.*]

SEC. 25^{3/4}. [*Renumbered Section 25.7 and amended November 6, 1962.*]

SEC. 25.7. [*Repealed November 8, 1966.*]

SEC. 26. [*Renumbered Section 12 of Article II June 8, 1976.*]

SEC. 27. [*Repealed June 3, 1980.*]

[*State Capitol Maintenance—Appropriations*]

SEC. 28. (a) Notwithstanding any other provision of this Constitution, no bill shall take effect as an urgency statute if it authorizes or contains an appropriation for either (1) the alteration or modification of the color, detail, design, structure or fixtures of the historically restored areas of the first, second, and third floors and the exterior of the west wing of the State Capitol from that existing upon the completion of the project of restoration or rehabilitation of the building conducted pursuant to Section 9124 of the Government Code as such section read upon the effective date of this section, or (2) the purchase of furniture of different design to replace that restored, replicated, or designed to conform to the historic period of the historically restored areas specified above, including the legislators' chairs and desks in the Senate and Assembly Chambers.

(b) No expenditures shall be made in payment for any of the purposes described in subdivision (a) of this section unless funds are appropriated expressly for such purposes.

(c) This section shall not apply to appropriations or expenditures for ordinary repair and maintenance of the State Capitol building, fixtures and furniture. [*New Section adopted June 3, 1980.*]

SEC. 29. [*Renumbered Section 23 of Article XIII and amended November 8, 1966.*]

SEC. 30. [*Renumbered Section 24 of Article XIII and amended November 8, 1966.*]

SEC. 31. [*Renumbered Section 25 of Article XIII and amended November 8, 1966.*]

SEC. 31a. [*Renumbered Section 26 of Article XIII and amended November 8, 1966.*]

SEC. 31b. [*As adopted by Assembly Constitutional Amendment 14 of 1931, repealed November 6, 1956.*]

SEC. 31b. [*As adopted November 8, 1932, renumbered Section 27 of Article XIII and amended November 8, 1966.*]

SEC. 31c. [*As adopted November 3, 1936, renumbered Section 28 of Article XIII and amended November 8, 1966.*]

SEC. 31c. [*As adopted November 3, 1942, repealed November 6, 1956.*]

SEC. 31d. [*Repealed November 6, 1956.*]

SEC. 32. [*Repealed November 8, 1966.*]

SEC. 33. [*Repealed November 8, 1966.*]

SEC. 34. [*Repealed November 8, 1966.*]

SEC. 34a. [*Repealed November 8, 1966.*]

SEC. 35. [*Repealed November 8, 1966.*]

SEC. 36. [*Repealed November 8, 1966.*]

SEC. 37. [*Repealed November 8, 1966.*]

SEC. 38. [*Repealed November 8, 1966.*]

ARTICLE V. [*Repealed November 8, 1966. See Article V, below.*]

ARTICLE V*

EXECUTIVE

[*Executive Power Vested in Governor*]

SECTION 1. The supreme executive power of this State is vested in the Governor. The Governor shall see that the law is faithfully executed. [*As amended November 5, 1974.*]

[*Election—Eligibility—Number of Terms*]

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

* New Article V adopted November 8, 1966.

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. [*As amended November 6, 1990. Initiative measure.*]

[*Report to Legislature—Recommendations*]

SEC. 3. The Governor shall report to the Legislature each calendar year on the condition of the State and may make recommendations. [*As amended November 7, 1972.*]

SEC. 4. [*Repealed November 8, 1966. See Section 4, below.*]

[*Information From Executive Officers, Etc.*]

SEC. 4. The Governor may require executive officers and agencies and their employees to furnish information relating to their duties. [*New section adopted November 8, 1966.*]

[*Filling Vacancies—Confirmation by Legislature*]

SEC. 5. (a) Unless the law otherwise provides, the Governor may fill a vacancy in office by appointment until a successor qualifies.

(b) Whenever there is a vacancy in the office of the Superintendent of Public Instruction, the Lieutenant Governor, Secretary of State, Controller, Treasurer, or Attorney General, or on the State Board of Equalization, the Governor shall nominate a person to fill the vacancy who shall take office upon confirmation by a majority of the membership of the Senate and a majority of the membership of the Assembly and who shall hold office for the balance of the unexpired term. In the event the nominee is neither confirmed nor refused confirmation by both the Senate and the Assembly within 90 days of the submission of the nomination, the nominee shall take office as if he or she had been confirmed by a majority of the Senate and Assembly; provided, that if such 90-day period ends during a recess of the Legislature, the period shall be extended until the sixth day following the day on which the Legislature reconvenes. [*As amended November 2, 1976.*]

SEC. 6. [*Repealed November 8, 1966. See Section 6, below.*]

[*Executive Assignment and Agency Reorganization*]

SEC. 6. Authority may be provided by statute for the Governor to assign and reorganize functions among executive officers and agencies and their employees, other than elective officers and agencies administered by elective officers. [*New section adopted November 8, 1966.*]

[*Commander of Militia*]

SEC. 7. The Governor is commander in chief of a militia that shall be provided by statute. The Governor may call it forth to execute the law. [*As amended November 5, 1974.*]

[*Reprieves—Pardons—Commutations*]

SEC. 8. (a) Subject to application procedures provided by statute, the Governor, on conditions the Governor deems proper, may grant a reprieve, pardon, and commutation, after sentence, except in case of impeachment. The Governor shall report to the Legislature each reprieve, pardon, and commutation granted, stating the pertinent facts and the reasons for granting it. The Governor may not grant a pardon or commutation to a person twice convicted of a felony except on recommendation of the Supreme Court, 4 judges concurring.

(b) No decision of the parole authority of this State with respect to the granting, denial, revocation, or suspension of parole of a person sentenced to an indeterminate term upon conviction of murder shall become effective for a period of 30 days, during which the Governor may review the decision subject to procedures provided by statute. The Governor may only affirm, modify, or reverse the decision of the parole authority on the basis of the same factors which the parole authority is required to consider. The Governor shall report to the Legislature each parole decision affirmed, modified, or reversed, stating the pertinent facts and reasons for the action. [*As amended November 8, 1988.*]

[*Lieutenant Governor—Qualifications—Casting Vote*]

SEC. 9. The Lieutenant Governor shall have the same qualifications as the Governor. The Lieutenant Governor is President of the Senate but has only a casting vote. [*As amended November 5, 1974.*]

[*Succession*]

SEC. 10. The Lieutenant Governor shall become Governor when a vacancy occurs in the office of Governor.

The Lieutenant Governor shall act as Governor during the impeachment, absence from the State, or other temporary disability of the Governor or of a Governor-elect who fails to take office.

The Legislature shall provide an order of precedence after the Lieutenant Governor for succession to the office of Governor and for the temporary exercise of the Governor's functions.

The Supreme Court has exclusive jurisdiction to determine all questions arising under this section.

Standing to raise questions of vacancy or temporary disability is vested exclusively in a body provided by statute. [*As amended November 5, 1974.*]

[*Other State Officers—Election—Number of Terms*]

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. [*As amended November 6, 1990. Initiative measure.*]

SEC. 12. [*Repealed June 5, 1990.*]

[*Attorney General—Chief Law Officer*]

SEC. 13. Subject to the powers and duties of the Governor, the Attorney General shall be the chief law officer of the State. It shall be the duty of the Attorney General to see that the laws of the State are uniformly and adequately enforced. The Attorney General shall have direct supervision over every district attorney and sheriff and over such other law enforcement officers as may be designated by law, in all matters pertaining to the duties of their respective offices, and may require any of said officers to make reports concerning the investigation, detection, prosecution, and punishment of crime in their respective jurisdictions as to the Attorney General may seem advisable. Whenever in the opinion of the Attorney General any law of the State is not being adequately enforced in any county, it shall be the duty of the Attorney General to prosecute any violations of law of which the superior court shall have jurisdiction, and in such cases the Attorney General shall have all the powers of a district attorney. When required by the public interest or directed by the Governor, the Attorney General shall assist any district attorney in the discharge of the duties of that office. [*As amended November 5, 1974.*]

[*State Officers—Conflict of Interest—Prohibited Compensation—Earned Income*]

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 gen-

erally or a significant segment of the public in a similar manner. As used in this subdivision, “public generally” includes an industry, trade, or profession.

[State Officers—Honoraria]

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

[State Officers—Gifts—Conflict of Interest]

(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.

[State Officers—Prohibited Compensation or Activity]

(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.

[State Officers—Lobbying]

(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.

[State Officer—Definition]

(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. *[New section adopted June 5, 1990. Subdivision (b) operative December 3, 1990.]*

SEC. 15. *[Repealed November 8, 1966.]*

SEC. 16. *[Repealed November 8, 1966.]*

SEC. 17. *[Repealed November 8, 1966.]*

SEC. 18. *[Repealed November 8, 1966.]*

SEC. 20. *[Repealed November 8, 1966.]*

SEC. 21. *[Repealed November 8, 1966.]*

SEC. 22. *[Repealed November 8, 1966.]*

ARTICLE VI. *[Repealed November 8, 1966. See Article VI, below.]*

ARTICLE VI*

JUDICIAL

[Judicial Power Vested in Courts]

SEC. 1. The judicial power of this State is vested in the Supreme Court, courts of appeal, superior courts, and municipal courts, all of which are courts of record. *[As amended June 2, 1998.]*

SEC. 1a. *[Repealed November 8, 1966.]*

SEC. 1b. *[Repealed November 8, 1966.]*

SEC. 1c. *[Repealed November 8, 1966.]*

[Supreme Court—Composition]

SEC. 2. The Supreme Court consists of the Chief Justice of California and 6 associate justices. The Chief Justice may convene the court at any time. Concurrence of 4 judges present at the argument is necessary for a judgment.

An acting Chief Justice shall perform all functions of the Chief Justice when the Chief Justice is absent or unable to act. The Chief Justice or, if the Chief Justice fails to do so, the court shall select an associate justice as acting Chief Justice. *[As amended November 5, 1974.]*

[Judicial Districts—Courts of Appeal]

SEC. 3. The Legislature shall divide the State into districts each containing a court of appeal with one or more divisions. Each division con-

* New Article VI adopted November 8, 1966.

sists of a presiding justice and 2 or more associate justices. It has the power of a court of appeal and shall conduct itself as a 3-judge court. Concurrence of 2 judges present at the argument is necessary for a judgment.

An acting presiding justice shall perform all functions of the presiding justice when the presiding justice is absent or unable to act. The presiding justice or, if the presiding justice fails to do so, the Chief Justice shall select an associate justice of that division as acting presiding justice. [*As amended November 5, 1974.*]

[*Superior Courts*]

SEC. 4. In each county there is a superior court of one or more judges. The Legislature shall prescribe the number of judges and provide for the officers and employees of each superior court. If the governing body of each affected county concurs, the Legislature may provide that one or more judges serve more than one superior court.

In each superior court there is an appellate division. The Chief Justice shall assign judges to the appellate division for specified terms pursuant to rules, not inconsistent with statute, adopted by the Judicial Council to promote the independence of the appellate division. [*As amended June 2, 1998.*]

SEC. 4a. [*Repealed November 8, 1966.*]

SEC. 4b. [*Repealed November 8, 1966.*]

SEC. 4c. [*Repealed November 8, 1966.*]

SEC. 4d. [*Repealed November 8, 1966.*]

SEC. 4e. [*Repealed November 8, 1966.*]

SEC. 4½. [*Repealed November 8, 1966.*]

SEC. 4¾. [*Repealed November 8, 1966.*]

[*Municipal, Superior, and Justice Courts*]

SEC. 5. (a) Each county shall be divided into municipal court districts as provided by statute, but a city may not be divided into more than one district. Each municipal court shall have one or more judges. Each municipal court district shall have no fewer than 40,000 residents; provided that each county shall have at least one municipal court district. The number of residents shall be determined as provided by statute.

(b) On the operative date of this subdivision, all existing justice courts shall become municipal courts, and the number, qualifications, and compensation of judges, officers, attachés, and employees shall continue until changed by the Legislature. Each judge of a part-time municipal court is deemed to have agreed to serve full time and shall be available for assignment by the Chief Justice for the balance of time necessary to comprise a full-time workload.

(c) The Legislature shall provide for the organization and prescribe the jurisdiction of municipal courts. It shall prescribe for each municipal court the number, qualifications, and compensation of judges, officers, and employees.

(d) Notwithstanding subdivision (a), any city in San Diego County may be divided into more than one municipal court district if the Legislature determines that unusual geographic conditions warrant such division.

(e) Notwithstanding subdivision (a), the municipal and superior courts shall be unified upon a majority vote of superior court judges and a majority vote of municipal court judges within the county. In those counties, there shall be only a superior court. [*As amended June 2, 1998.*]

SEC. 5.5. [*Repealed June 8, 1976.*]

[*Judicial Council—Membership and Powers*]

SEC. 6. The Judicial Council consists of the Chief Justice and one other judge of the Supreme Court, 3 judges of courts of appeal, 5 judges of superior courts, 5 judges of municipal courts, 2 nonvoting court administrators, and such other nonvoting members as determined by the voting membership of the council, each appointed by the Chief Justice for a 3-year term pursuant to procedures established by the council; 4 members of the State Bar appointed by its governing body for 3-year terms; and one member of each house of the Legislature appointed as provided by the house. Vacancies in the memberships on the Judicial Council otherwise designated for municipal court judges shall be filled by judges of the superior court in the case of appointments made when fewer than 10 counties have municipal courts.

Council membership terminates if a member ceases to hold the position that qualified the member for appointment. A vacancy shall be filled by the appointing power for the remainder of the term.

The council may appoint an Administrative Director of the Courts, who serves at its pleasure and performs functions delegated by the council or the Chief Justice, other than adopting rules of court administration, practice and procedure.

To improve the administration of justice the council shall survey judicial business and make recommendations to the courts, make recommendations annually to the Governor and Legislature, adopt rules for court administration, practice and procedure, and perform other functions prescribed by statute. The rules adopted shall not be inconsistent with statute.

The Chief Justice shall seek to expedite judicial business and to equalize the work of judges. The Chief Justice may provide for the assignment of any judge to another court but only with the judge's consent if the court is of lower jurisdiction. A retired judge who consents may be assigned to any court.

Judges shall report to the council as the Chief Justice directs concerning the condition of judicial business in their courts. They shall cooperate with the council and hold court as assigned. [*As amended June 2, 1998.*]

SEC. 7. [*Repealed November 8, 1966. See Section 7, below.*]

[*Commission on Judicial Appointments—Membership*]

SEC. 7. The Commission on Judicial Appointments consists of the Chief Justice, the Attorney General, and the presiding justice of the court of appeal of the affected district or, if there are 2 or more presiding justices, the one who has presided longest or, when a nomination or appointment to the Supreme Court is to be considered, the presiding justice who has presided longest on any court of appeal. [*New section adopted November 8, 1966.*]

[*Commission on Judicial Performance—Membership*]

SEC. 8. (a) The Commission on Judicial Performance consists of one judge of a court of appeal, one judge of a superior court, and one judge of a municipal court, each appointed by the Supreme Court; 2 members of the State Bar of California who have practiced law in this State for 10 years, each appointed by the Governor; and 6 citizens who are not judges, retired judges, or members of the State Bar of California, 2 of whom shall be appointed by the Governor, 2 by the Senate Committee on Rules, and 2 by the Speaker of the Assembly. Except as provided in subdivisions (b) and (c), all terms are for 4 years. No member shall serve more than 2 4-year terms, or for more than a total of 10 years if appointed to fill a vacancy. A vacancy in the membership on the Commission on Judicial Performance otherwise designated for a municipal court judge shall be filled by a judge of the superior court in the case of an appointment made when fewer than 10 counties have municipal courts.

(b) Commission membership terminates if a member ceases to hold the position that qualified the member for appointment. A vacancy shall be filled by the appointing power for the remainder of the term. A member whose term has expired may continue to serve until the vacancy has been filled by the appointing power. Appointing powers may appoint members who are already serving on the commission prior to March 1, 1995, to a single 2-year term, but may not appoint them to an additional term thereafter.

(c) To create staggered terms among the members of the Commission on Judicial Performance, the following members shall be appointed, as follows:

(1) Two members appointed by the Supreme Court to a term commencing March 1, 1995, shall each serve a term of 2 years and may be reappointed to one full term.

(2) One attorney appointed by the Governor to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(3) One citizen member appointed by the Governor to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(4) One member appointed by the Senate Committee on Rules to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(5) One member appointed by the Speaker of the Assembly to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(6) All other members shall be appointed to full 4-year terms commencing March 1, 1995. [*As amended June 2, 1998.*]

SEC. 9. [*Repealed November 8, 1966. See Section 9, below.*]

[*State Bar*]

SEC. 9. The State Bar of California is a public corporation. Every person admitted and licensed to practice law in this State is and shall be a member of the State Bar except while holding office as a judge of a court of record. [*New section adopted November 8, 1966.*]

SEC. 10. [*Repealed November 8, 1966. See Section 10, below.*]

[*Jurisdiction—Original*]

SEC. 10. The Supreme Court, courts of appeal, superior courts, and their judges have original jurisdiction in habeas corpus proceedings. Those courts also have original jurisdiction in proceedings for extraordinary relief in the nature of mandamus, certiorari, and prohibition. The appellate division of the superior court has original jurisdiction in proceedings for extraordinary relief in the nature of mandamus, certiorari, and prohibition directed to the superior court in causes subject to its appellate jurisdiction.

Superior courts have original jurisdiction in all other causes except those given by statute to other trial courts.

The court may make such comment on the evidence and the testimony and credibility of any witness as in its opinion is necessary for the proper determination of the cause. [*As amended June 2, 1998.*]

SEC. 10a. [*Repealed November 8, 1966.*]

SEC. 10b. [*Repealed November 8, 1966.*]

[*Jurisdiction—Appellate*]

SEC. 11. (a) The Supreme Court has appellate jurisdiction when judgment of death has been pronounced. With that exception courts of appeal have appellate jurisdiction when superior courts have original juris-

diction in causes of a type within the appellate jurisdiction of the courts of appeal on June 30, 1995, and in other causes prescribed by statute. When appellate jurisdiction in civil causes is determined by the amount in controversy, the Legislature may change the appellate jurisdiction of the courts of appeal by changing the jurisdictional amount in controversy.

(b) Except as provided in subdivision (a), the appellate division of the superior court has appellate jurisdiction in causes prescribed by statute.

(c) The Legislature may permit courts exercising appellate jurisdiction to take evidence and make findings of fact when jury trial is waived or not a matter of right. [*As amended June 2, 1998.*]

[*Transfer of Causes—Jurisdiction—Review of Decisions*]

SEC. 12. (a) The Supreme Court may, before decision, transfer to itself a cause in a court of appeal. It may, before decision, transfer a cause from itself to a court of appeal or from one court of appeal or division to another. The court to which a cause is transferred has jurisdiction.

(b) The Supreme Court may review the decision of a court of appeal in any cause.

(c) The Judicial Council shall provide, by rules of court, for the time and procedure for transfer and for review, including, among other things, provisions for the time and procedure for transfer with instructions, for review of all or part of a decision, and for remand as improvidently granted.

(d) This section shall not apply to an appeal involving a judgment of death. [*As amended November 6, 1984. Operative May 6, 1985.*]

[*Judgment—When Set Aside*]

SEC. 13. No judgment shall be set aside, or new trial granted, in any cause, on the ground of misdirection of the jury, or of the improper admission or rejection of evidence, or for any error as to any matter of pleading, or for any error as to any matter of procedure, unless, after an examination of the entire cause, including the evidence, the court shall be of the opinion that the error complained of has resulted in a miscarriage of justice. [*New section adopted November 8, 1966.*]

SEC. 14. [*Repealed November 8, 1966. See Section 14, below.*]

[*Supreme Court and Appellate Court—Published Opinions*]

SEC. 14. The Legislature shall provide for the prompt publication of such opinions of the Supreme Court and courts of appeal as the Supreme Court deems appropriate, and those opinions shall be available for publication by any person.

Decisions of the Supreme Court and courts of appeal that determine causes shall be in writing with reasons stated. [*New section adopted November 8, 1966.*]

[Judges—Eligibility]

SEC. 15. A person is ineligible to be a judge of a court of record unless for 5 years immediately preceding selection to a municipal court or 10 years immediately preceding selection to other courts, the person has been a member of the State Bar or served as a judge of a court of record in this State. A judge eligible for municipal court service may be assigned by the Chief Justice to serve on any court. *[As amended November 8, 1994. Operative January 1, 1995.]*

SEC. 15.5. *[Repealed January 1, 1995.]*

[Judges—Elections—Terms—Vacancies]

SEC. 16. (a) Judges of the Supreme Court shall be elected at large and judges of courts of appeal shall be elected in their districts at general elections at the same time and places as the Governor. Their terms are 12 years beginning the Monday after January 1 following their election, except that a judge elected to an unexpired term serves the remainder of the term. In creating a new court of appeal district or division the Legislature shall provide that the first elective terms are 4, 8, and 12 years.

(b) (1) In counties in which there is no municipal court, judges of superior courts shall be elected in their counties at general elections except as otherwise necessary to meet the requirements of federal law. In the latter case the Legislature, by two-thirds vote of the membership of each house thereof, with the advice of judges within the affected court, may provide for their election by the system prescribed in subdivision (d), or by any other arrangement. The Legislature may provide that an unopposed incumbent's name not appear on the ballot.

(2) In counties in which there is one or more municipal court districts, judges of superior and municipal courts shall be elected in their counties or districts at general elections. The Legislature may provide that an unopposed incumbent's name not appear on the ballot.

(c) Terms of judges of superior courts are 6 years beginning the Monday after January 1 following their election. A vacancy shall be filled by election to a full term at the next general election after the second January 1 following the vacancy, but the Governor shall appoint a person to fill the vacancy temporarily until the elected judge's term begins.

(d) Within 30 days before August 16 preceding the expiration of the judge's term, a judge of the Supreme Court or a court of appeal may file a declaration of candidacy to succeed to the office presently held by the judge. If the declaration is not filed, the Governor before September 16 shall nominate a candidate. At the next general election, only the candidate so declared or nominated may appear on the ballot, which shall present the question whether the candidate shall be elected. The candidate shall be

elected upon receiving a majority of the votes on the question. A candidate not elected may not be appointed to that court but later may be nominated and elected.

The Governor shall fill vacancies in those courts by appointment. An appointee holds office until the Monday after January 1 following the first general election at which the appointee had the right to become a candidate or until an elected judge qualifies. A nomination or appointment by the Governor is effective when confirmed by the Commission on Judicial Appointments.

Electors of a county, by majority of those voting and in a manner the Legislature shall provide, may make this system of selection applicable to judges of superior courts. [*As amended June 2, 1998.*]

[*Judges—Restrictions, Other Employment, and Benefits*]

SEC. 17. A judge of a court of record may not practice law and during the term for which the judge was selected is ineligible for public employment or public office other than judicial employment or judicial office, except a judge of a court of record may accept a part-time teaching position that is outside the normal hours of his or her judicial position and that does not interfere with the regular performance of his or her judicial duties while holding office. A judge of a trial court of record may, however, become eligible for election to other public office by taking a leave of absence without pay prior to filing a declaration of candidacy. Acceptance of the public office is a resignation from the office of judge.

A judicial officer may not receive fines or fees for personal use.

A judicial officer may not earn retirement service credit from a public teaching position while holding judicial office. [*As amended November 8, 1988.*]

[*Judges—Discipline*]

SEC. 18. (a) A judge is disqualified from acting as a judge, without loss of salary, while there is pending (1) an indictment or an information charging the judge in the United States with a crime punishable as a felony under California or federal law, or (2) a petition to the Supreme Court to review a determination by the Commission on Judicial Performance to remove or retire a judge.

(b) The Commission on Judicial Performance may disqualify a judge from acting as a judge, without loss of salary, upon notice of formal proceedings by the commission charging the judge with judicial misconduct or disability.

(c) The Commission on Judicial Performance shall suspend a judge from office without salary when in the United States the judge pleads guilty or no contest or is found guilty of a crime punishable as a felony under California or federal law or of any other crime that involves moral

turpitude under that law. If the conviction is reversed, suspension terminates, and the judge shall be paid the salary for the judicial office held by the judge for the period of suspension. If the judge is suspended and the conviction becomes final, the Commission on Judicial Performance shall remove the judge from office.

(d) Except as provided in subdivision (f), the Commission on Judicial Performance may (1) retire a judge for disability that seriously interferes with the performance of the judge's duties and is or is likely to become permanent, or (2) censure a judge or former judge or remove a judge for action occurring not more than 6 years prior to the commencement of the judge's current term or of the former judge's last term that constitutes willful misconduct in office, persistent failure or inability to perform the judge's duties, habitual intemperance in the use of intoxicants or drugs, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute, or (3) publicly or privately admonish a judge or former judge found to have engaged in an improper action or dereliction of duty. The commission may also bar a former judge who has been censured from receiving an assignment, appointment, or reference of work from any California state court. Upon petition by the judge or former judge, the Supreme Court may, in its discretion, grant review of a determination by the commission to retire, remove, censure, admonish, or disqualify pursuant to subdivision (b) a judge or former judge. When the Supreme Court reviews a determination of the commission, it may make an independent review of the record. If the Supreme Court has not acted within 120 days after granting the petition, the decision of the commission shall be final.

(e) A judge retired by the commission shall be considered to have retired voluntarily. A judge removed by the commission is ineligible for judicial office, including receiving an assignment, appointment, or reference of work from any California state court, and pending further order of the court is suspended from practicing law in this State. The State Bar may institute appropriate attorney disciplinary proceedings against any judge who retires or resigns from office with judicial disciplinary charges pending.

(f) A determination by the Commission on Judicial Performance to admonish or censure a judge or former judge of the Supreme Court or remove or retire a judge of the Supreme Court shall be reviewed by a tribunal of 7 court of appeal judges selected by lot.

(g) No court, except the Supreme Court, shall have jurisdiction in a civil action or other legal proceeding of any sort brought against the commission by a judge. Any request for injunctive relief or other provisional remedy shall be granted or denied within 90 days of the filing of the request for relief. A failure to comply with the time requirements of this section does not affect the validity of commission proceedings.

(h) Members of the commission, the commission staff, and the examiners and investigators employed by the commission shall be absolutely immune from suit for all conduct at any time in the course of their official duties. No civil action may be maintained against a person, or adverse employment action taken against a person, by any employer, public or private, based on statements presented by the person to the commission.

(i) The Commission on Judicial Performance shall make rules implementing this section, including, but not limited to, the following:

(1) The commission shall make rules for the investigation of judges. The commission may provide for the confidentiality of complaints to and investigations by the commission.

(2) The commission shall make rules for formal proceedings against judges when there is cause to believe there is a disability or wrongdoing within the meaning of subdivision (d).

(j) When the commission institutes formal proceedings, the notice of charges, the answer, and all subsequent papers and proceedings shall be open to the public for all formal proceedings instituted after February 28, 1995.

(k) The commission may make explanatory statements.

(l) The budget of the commission shall be separate from the budget of any other state agency or court.

(m) The Supreme Court shall make rules for the conduct of judges, both on and off the bench, and for judicial candidates in the conduct of their campaigns. These rules shall be referred to as the Code of Judicial Ethics. [*As amended November 8, 1994. Operative March 1, 1995.*]

[*Subordinate Judicial Officers—Discipline*]

SEC. 18.1. The Commission on Judicial Performance shall exercise discretionary jurisdiction with regard to the oversight and discipline of subordinate judicial officers, according to the same standards, and subject to review upon petition to the Supreme Court, as specified in Section 18.

No person who has been found unfit to serve as a subordinate judicial officer after a hearing before the Commission on Judicial Performance shall have the requisite status to serve as a subordinate judicial officer.

This section does not diminish or eliminate the responsibility of a court to exercise initial jurisdiction to discipline or dismiss a subordinate judicial officer as its employee. [*New section adopted June 2, 1998.*]

[*Disciplined Judge Under Consideration for Judicial Appointment*]

SEC. 18.5. (a) Upon request, the Commission on Judicial Performance shall provide to the Governor of any State of the Union the text of any private admonishment, advisory letter, or other disciplinary action together with any information that the Commission on Judicial Performance deems necessary to a full understanding of the commission's action, with

respect to any applicant whom the Governor of any State of the Union indicates is under consideration for any judicial appointment.

(b) Upon request, the Commission on Judicial Performance shall provide the President of the United States the text of any private admonishment, advisory letter, or other disciplinary action together with any information that the Commission on Judicial Performance deems necessary to a full understanding of the commission's action, with respect to any applicant whom the President indicates is under consideration for any federal judicial appointment.

(c) Upon request, the Commission on Judicial Performance shall provide the Commission on Judicial Appointments the text of any private admonishment, advisory letter, or other disciplinary action together with any information that the Commission on Judicial Performance deems necessary to a full understanding of the commission action, with respect to any applicant whom the Commission on Judicial Appointments indicates is under consideration for any judicial appointment.

(d) All information released under this section shall remain confidential and privileged.

(e) Notwithstanding subdivision (d), any information released pursuant to this section shall also be provided to the applicant about whom the information was requested.

(f) "Private admonishment" refers to a disciplinary action against a judge by the Commission on Judicial Performance as authorized by subdivision (c) of Section 18 of Article VI, as amended November 8, 1988. [*New section adopted November 8, 1994. Operative March 1, 1995.*]

[*Judges—Compensation*]

SEC. 19. The Legislature shall prescribe compensation for judges of courts of record.

A judge of a court of record may not receive the salary for the judicial office held by the judge while any cause before the judge remains pending and undetermined for 90 days after it has been submitted for decision. [*As amended November 5, 1974.*]

SEC. 20. [*Repealed November 8, 1966. See Section 20, below.*]

[*Judges—Retirement—Disability*]

SEC. 20. The Legislature shall provide for retirement, with reasonable allowance, of judges of courts of record for age or disability. [*New section adopted November 8, 1966.*]

SEC. 21. *[Repealed November 8, 1966. See Section 21, below.]*

[Temporary Judges]

SEC. 21. On stipulation of the parties litigant the court may order a cause to be tried by a temporary judge who is a member of the State Bar, sworn and empowered to act until final determination of the cause. *[New section adopted November 8, 1966.]*

[Appointment of Officers—Subordinate Judicial Duties]

SEC. 22. The Legislature may provide for the appointment by trial courts of record of officers such as commissioners to perform subordinate judicial duties. *[New section adopted November 8, 1966.]*

SEC. 23. *[Repealed November 8, 1966. See Section 23, below.]*

[Superior and Municipal Court Consolidation]

SEC. 23. (a) The purpose of the amendments to Sections 1, 4, 5, 6, 8, 10, 11, and 16, of this article, and the amendments to Section 16 of Article I, approved at the June 2, 1998, primary election is to permit the Legislature to provide for the abolition of the municipal courts and unify their operations within the superior courts. Notwithstanding Section 8 of Article IV, the implementation of, and orderly transition under, the provisions of the measure adding this section may include urgency statutes that create or abolish offices or change the salaries, terms, or duties of offices, or grant franchises or special privileges, or create vested rights or interests, where otherwise permitted under this Constitution.

(b) When the superior and municipal courts within a county are unified, the judgeships in each municipal court in that county are abolished and the previously selected municipal court judges shall become judges of the superior court in that county. The term of office of a previously selected municipal court judge is not affected by taking office as a judge of the superior court. The 10-year membership or service requirement of Section 15 does not apply to a previously selected municipal court judge. Pursuant to Section 6, the Judicial Council may prescribe appropriate education and training for judges with regard to trial court unification.

(c) Except as provided by statute to the contrary, in any county in which the superior and municipal courts become unified, the following shall occur automatically in each preexisting superior and municipal court:

(1) Previously selected officers, employees, and other personnel who serve the court become the officers and employees of the superior court.

(2) Preexisting court locations are retained as superior court locations.

(3) Preexisting court records become records of the superior court.

(4) Pending actions, trials, proceedings, and other business of the court become pending in the superior court under the procedures previously applicable to the matters in the court in which the matters were pending.

(5) Matters of a type previously within the appellate jurisdiction of the superior court remain within the jurisdiction of the appellate division of the superior court.

(6) Matters of a type previously subject to rehearing by a superior court judge remain subject to rehearing by a superior court judge, other than the judge who originally heard the matter.

(7) Penal Code procedures that necessitate superior court review of, or action based on, a ruling or order by a municipal court judge shall be performed by a superior court judge other than the judge who originally made the ruling or order. [*New section adopted June 2, 1998.*]

SEC. 24. [*Repealed November 8, 1966.*]

SEC. 26. [*Repealed November 8, 1966.*]

ARTICLE VII*

PUBLIC OFFICERS AND EMPLOYEES

[*Civil Service*]

SECTION 1. (a) The civil service includes every officer and employee of the State except as otherwise provided in this Constitution.

(b) In the civil service permanent appointment and promotion shall be made under a general system based on merit ascertained by competitive examination. [*New section adopted June 8, 1976.*]

[*Personnel Board—Membership and Compensation*]

SEC. 2. (a) There is a Personnel Board of 5 members appointed by the Governor and approved by the Senate, a majority of the membership concurring, for 10-year terms and until their successors are appointed and qualified. Appointment to fill a vacancy is for the unexpired portion of the term. A member may be removed by concurrent resolution adopted by each house, two-thirds of the membership of each house concurring.

(b) The board annually shall elect one of its members as presiding officer.

(c) The board shall appoint and prescribe compensation for an executive officer who shall be a member of the civil service but not a member of the board. [*New section adopted June 8, 1976.*]

[*Personnel Board—Duties*]

SEC. 3. (a) The board shall enforce the civil service statutes and, by majority vote of all its members, shall prescribe probationary periods and classifications, adopt other rules authorized by statute, and review disciplinary actions.

* New Article VII adopted June 8, 1976.

(b) The executive officer shall administer the civil service statutes under rules of the board. [*New section adopted June 8, 1976.*]

[*Exempt Positions*]

SEC. 4. The following are exempt from civil service:

(a) Officers and employees appointed or employed by the Legislature, either house, or legislative committees.

(b) Officers and employees appointed or employed by councils, commissions or public corporations in the judicial branch or by a court of record or officer thereof.

(c) Officers elected by the people and a deputy and an employee selected by each elected officer.

(d) Members of boards and commissions.

(e) A deputy or employee selected by each board or commission either appointed by the Governor or authorized by statute.

(f) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office, and the employees of the Lieutenant Governor's office directly appointed or employed by the Lieutenant Governor.

(g) A deputy or employee selected by each officer, except members of boards and commissions, exempted under Section 4(f).

(h) Officers and employees of the University of California and the California State Colleges.

(i) The teaching staff of schools under the jurisdiction of the Department of Education or the Superintendent of Public Instruction.

(j) Member, inmate, and patient help in state homes, charitable or correctional institutions, and state facilities for mentally ill or retarded persons.

(k) Members of the militia while engaged in military service.

(l) Officers and employees of district agricultural associations employed less than 6 months in a calendar year.

(m) In addition to positions exempted by other provisions of this section, the Attorney General may appoint or employ six deputies or employees, the Public Utilities Commission may appoint or employ one deputy or employee, and the Legislative Counsel may appoint or employ two deputies or employees. [*New section adopted June 8, 1976.*]

[*Temporary Appointments*]

SEC. 5. A temporary appointment may be made to a position for which there is no employment list. No person may serve in one or more positions under temporary appointment longer than 9 months in 12 consecutive months. [*New section adopted June 8, 1976.*]

[*Veterans' Preferences—Special Rules*]

SEC. 6. (a) The Legislature may provide preferences for veterans and their surviving spouses.

(b) The board by special rule may permit persons in exempt positions, brought under civil service by constitutional provision, to qualify to continue in their positions.

(c) When the State undertakes work previously performed by a county, city, public district of this State or by a federal department or agency, the board by special rule shall provide for persons who previously performed this work to qualify to continue in their positions in the state civil service subject to such minimum standards as may be established by statute. [*New section adopted June 8, 1976.*]

[*Dual Office Holding*]

SEC. 7. A person holding a lucrative office under the United States or other power may not hold a civil office of profit. A local officer or postmaster whose compensation does not exceed 500 dollars per year or an officer in the militia or a member of a reserve component of the armed forces of the United States except where on active federal duty for more than 30 days in any year is not a holder of a lucrative office, nor is the holding of a civil office of profit affected by this military service. [*New section adopted June 8, 1976.*]

[*Disqualification From Holding Office or Serving on Jury—Free Suffrage*]

SEC. 8. (a) Every person shall be disqualified from holding any office of profit in this State who shall have been convicted of having given or offered a bribe to procure personal election or appointment.

(b) Laws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries. The privilege of free suffrage shall be supported by laws regulating elections and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice. [*New section adopted June 8, 1976.*]

[*Persons or Organizations Advocating Overthrow of Government*]

SEC. 9. Notwithstanding any other provision of this Constitution, no person or organization which advocates the overthrow of the Government of the United States or the State by force or violence or other unlawful means or who advocates the support of a foreign government against the United States in the event of hostilities shall:

(a) Hold any office or employment under this State, including but not limited to the University of California, or with any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State; or

(b) Receive any exemption from any tax imposed by this State or any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State.

The Legislature shall enact such laws as may be necessary to enforce the provisions of this section. [*New section adopted June 8, 1976.*]

[*Elected Officials—Disqualification for Libelous or Slanderous Campaign Statements*]

SEC. 10. (a) No person who is found liable in a civil action for making libelous or slanderous statements against an opposing candidate during the course of an election campaign for any federal, statewide, Board of Equalization, or legislative office or for any county, city and county, city, district, or any other local elective office shall retain the seat to which he or she is elected, where it is established that the libel or slander was a major contributing cause in the defeat of an opposing candidate.

A libelous or slanderous statement shall be deemed to have been made by a person within the meaning of this section if that person actually made the statement or if the person actually or constructively assented to, authorized, or ratified the statement.

“Federal office,” as used in this section means the office of United States Senator and Member of the House of Representatives; and to the extent that the provisions of this section do not conflict with any provision of federal law, it is intended that candidates seeking the office of United States Senator or Member of the House of Representatives comply with this section.

(b) In order to determine whether libelous or slanderous statements were a major contributing cause in the defeat of an opposing candidate, the trier of fact shall make a separate, distinct finding on that issue. If the trier of fact finds that libel or slander was a major contributing cause in the defeat of an opposing candidate and that the libelous or slanderous statement was made with knowledge that it was false or with reckless disregard of whether it was false or true, the person holding office shall be disqualified from or shall forfeit that office as provided in subdivision (d). The findings required by this section shall be in writing and shall be incorporated as part of the judgment.

(c) In a case where a person is disqualified from holding office or is required to forfeit an office under subdivisions (a) and (b), that disqualification or forfeiture shall create a vacancy in office, which vacancy shall be filled in the manner provided by law for the filling of a vacancy in that particular office.

(d) Once the judgment of liability is entered by the trial court and the time for filing a notice of appeal has expired, or all possibility of direct attack in the courts of this State has been finally exhausted, the person

shall be disqualified from or shall forfeit the office involved in that election and shall have no authority to exercise the powers or perform the duties of the office.

(e) This section shall apply to libelous or slanderous statements made on or after the effective date of this section. [*New section adopted June 5, 1984.*]

[*Legislators' and Judges' Retirement Systems*]

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. [*As amended November 6, 1990. Initiative measure.*]

ARTICLE VIII. [*Repealed November 8, 1966.*]

ARTICLE IX

EDUCATION

[*Legislative Policy*]

SECTION 1. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.

[*Superintendent of Public Instruction—Election—Date of Office—Number of Terms*]

SEC. 2. A Superintendent of Public Instruction shall be elected by the qualified electors of the State at each gubernatorial election. The Super-

intendent 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. [*As amended November 6, 1990. Initiative measure.*]

[*Deputy and Associate Superintendents of Public Instruction*]

SEC. 2.1. The State Board of Education, on nomination of the Superintendent of Public Instruction, shall appoint one Deputy Superintendent of Public Instruction and three Associate Superintendents of Public Instruction who shall be exempt from state civil service and whose terms of office shall be four years.

This section shall not be construed as prohibiting the appointment, in accordance with law, of additional Associate Superintendents of Public Instruction subject to state civil service. [*New section adopted November 5, 1946.*]

[*County Superintendents of Schools*]

SEC. 3. A Superintendent of Schools for each county may be elected by the qualified electors thereof at each gubernatorial election or may be appointed by the county board of education, and the manner of the selection shall be determined by a majority vote of the electors of the county voting on the question; provided, that two or more counties may, by an election conducted pursuant to Section 3.2 of this article, unite for the purpose of electing or appointing one joint superintendent for the counties so uniting. [*As amended November 2, 1976.*]

[*County Superintendents of Schools—Qualifications and Salaries*]

SEC. 3.1. (a) Notwithstanding any provision of this Constitution to the contrary, the Legislature shall prescribe the qualifications required of county superintendents of schools, and for these purposes shall classify the several counties in the State.

(b) Notwithstanding any provision of this Constitution to the contrary, the county board of education or joint county board of education, as the case may be, shall fix the salary of the county superintendent of schools or the joint county superintendent of schools, respectively. [*As amended November 2, 1976.*]

[*Joint County Board of Education—Joint County Superintendent of Schools*]

SEC. 3.2. Notwithstanding any provision of this Constitution to the contrary, any two or more chartered counties, or nonchartered counties, or any combination thereof, may, by a majority vote of the electors of each such county voting on the proposition at an election called for that purpose in each such county, establish one joint board of education and one joint county superintendent of schools for the counties so uniting. A joint county board of education and a joint county superintendent of schools

shall be governed by the general statutes and shall not be governed by the provisions of any county charter. [*New section adopted November 2, 1976.*]

[*County Boards of Education—Qualifications and Terms of Office*]

SEC. 3.3. Except as provided in Section 3.2 of this article, it shall be competent to provide in any charter framed for a county under any provision of this Constitution, or by the amendment of any such charter, for the election of the members of the county board of education of such county and for their qualifications and terms of office. [*As amended November 2, 1976.*]

SEC. 4. [*Repealed November 3, 1964.*]

[*Common School System*]

SEC. 5. The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year in which a school has been established.

[*Public Schools—Salaries*]

SEC. 6. Each person, other than a substitute employee, employed by a school district as a teacher or in any other position requiring certification qualifications shall be paid a salary which shall be at the rate of an annual salary of not less than twenty-four hundred dollars (\$2,400) for a person serving full time, as defined by law.

[*Public School System*]

The Public School System shall include all kindergarten schools, elementary schools, secondary schools, technical schools, and state colleges, established in accordance with law and, in addition, the school districts and the other agencies authorized to maintain them. No school or college or any other part of the Public School System shall be, directly or indirectly, transferred from the Public School System or placed under the jurisdiction of any authority other than one included within the Public School System.

[*Support of Public School System—State Aid*]

The Legislature shall add to the State School Fund such other means from the revenues of the State as shall provide in said fund for apportionment in each fiscal year, an amount not less than one hundred eighty dollars (\$180) per pupil in average daily attendance in the kindergarten schools, elementary schools, secondary schools, and technical schools in the Public School System during the next preceding fiscal year.

The entire State School Fund shall be apportioned in each fiscal year in such manner as the Legislature may provide, through the school districts

and other agencies maintaining such schools, for the support of, and aid to, kindergarten schools, elementary schools, secondary schools, and technical schools except that there shall be apportioned to each school district in each fiscal year not less than one hundred twenty dollars (\$120) per pupil in average daily attendance in the district during the next preceding fiscal year and except that the amount apportioned to each school district in each fiscal year shall be not less than twenty-four hundred dollars (\$2,400).

Solely with respect to any retirement system provided for in the charter of any county or city and county pursuant to the provisions of which the contributions of, and benefits to, certificated employees of a school district who are members of such system are based upon the proportion of the salaries of such certificated employees contributed by said county or city and county, all amounts apportioned to said county or city and county, or to school districts therein, pursuant to the provisions of this section shall be considered as though derived from county or city and county school taxes for the support of county and city and county government and not money provided by the State within the meaning of this section. [*As amended November 5, 1974.*]

[*School Districts—Bonds*]

SEC. 6½. Nothing in this Constitution contained shall forbid the formation of districts for school purposes situate in more than one county or the issuance of bonds by such districts under such general laws as have been or may hereafter be prescribed by the Legislature; and the officers mentioned in such laws shall be authorized to levy and assess such taxes and perform all such other acts as may be prescribed therein for the purpose of paying such bonds and carrying out the other powers conferred upon such districts; *provided*, that all such bonds shall be issued subject to the limitations prescribed in section eighteen† of article eleven hereof. [*New section adopted November 7, 1922.*]

[*Boards of Education*]

SEC. 7. The Legislature shall provide for the appointment or election of the State Board of Education and a board of education in each county or for the election of a joint county board of education for two or more counties. [*As amended November 2, 1976.*]

[*Free Textbooks*]

SEC. 7.5. The State Board of Education shall adopt textbooks for use in grades one through eight throughout the State, to be furnished without cost as provided by statute. [*New section adopted June 2, 1970.*]

† Former Section 18 of Article XI added to Article XIII as Section 40, June 2, 1970 and repealed November 5, 1974.

[*Sectarian Schools—Public Money—Doctrines*]

SEC. 8. No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State.

[*University of California*]

SEC. 9. (a) The University of California shall constitute a public trust, to be administered by the existing corporation known as "The Regents of the University of California," with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university and such competitive bidding procedures as may be made applicable to the university by statute for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services. Said corporation shall be in form a board composed of seven ex officio members, which shall be: the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president and the vice president of the alumni association of the university and the acting president of the university, and 18 appointive members appointed by the Governor and approved by the Senate, a majority of the membership concurring; provided, however that the present appointive members shall hold office until the expiration of their present terms.

(b) The terms of the members appointed prior to November 5, 1974, shall be 16 years; the terms of two appointive members to expire as heretofore on March 1st of every even-numbered calendar year, and two members shall be appointed for terms commencing on March 1, 1976, and on March 1 of each year thereafter; provided that no such appointments shall be made for terms to commence on March 1, 1979, or on March 1 of each fourth year thereafter, to the end that no appointment to the regents for a newly commencing term shall be made during the first year of any gubernatorial term of office. The terms of the members appointed for terms commencing on and after March 1, 1976, shall be 12 years. During the period of transition until the time when the appointive membership is comprised exclusively of persons serving for terms of 12 years, the total number of appointive members may exceed the numbers specified in the preceding paragraph.

In case of any vacancy, the term of office of the appointee to fill such vacancy, who shall be appointed by the Governor and approved by the Senate, a majority of the membership concurring, shall be for the balance of the term for which such vacancy exists.

(c) The members of the board may, in their discretion, following procedures established by them and after consultation with representatives of faculty and students of the university, including appropriate officers of the academic senate and student governments, appoint to the board either or both of the following persons as members with all rights of participation: a member of the faculty at a campus of the university or of another institution of higher education; a person enrolled as a student at a campus of the university for each regular academic term during his service as a member of the board. Any person so appointed shall serve for not less than one year commencing on July 1.

(d) Regents shall be able persons broadly reflective of the economic, cultural, and social diversity of the State, including ethnic minorities and women. However, it is not intended that formulas or specific ratios be applied in the selection of regents.

(e) In the selection of the Regents, the Governor shall consult an advisory committee composed as follows: The Speaker of the Assembly and two public members appointed by the Speaker, the President Pro Tempore of the Senate and two public members appointed by the Rules Committee of the Senate, two public members appointed by the Governor, the chairman of the regents of the university, an alumnus of the university chosen by the alumni association of the university, a student of the university chosen by the Council of Student Body Presidents, and a member of the faculty of the university chosen by the academic senate of the university. Public members shall serve for four years, except that one each of the initially appointed members selected by the Speaker of the Assembly, the President Pro Tempore of the Senate, and the Governor shall be appointed to serve for two years; student, alumni, and faculty members shall serve for one year and may not be regents of the university at the time of their service on the advisory committee.

(f) The Regents of the University of California shall be vested with the legal title and the management and disposition of the property of the university and of property held for its benefit and shall have the power to take and hold, either by purchase or by donation, or gift, testamentary or otherwise, or in any other manner, without restriction, all real and personal property for the benefit of the university or incidentally to its conduct; provided, however, that sales of university real property shall be subject to such competitive bidding procedures as may be provided by statute. Said corporation shall also have all the powers necessary or convenient for the effective administration of its trust, including the power to sue and to be sued, to use a seal, and to delegate to its committees or to the faculty of the university, or to others, such authority or functions as it may deem wise. The Regents shall receive all funds derived from the sale of lands pursuant to the act of Congress of July 2, 1862, and any subsequent acts amendatory thereof. The university shall be entirely independent of all political or sec-

tarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs, and no person shall be debarred admission to any department of the university on account of race, religion, ethnic heritage, or sex.

(g) Meetings of the Regents of the University of California shall be public, with exceptions and notice requirements as may be provided by statute. [*As amended November 2, 1976.*]

SEC. 10. [*Repealed November 5, 1974.*]

SEC. 11. [*Repealed November 5, 1974.*]

SEC. 12. [*Repealed November 5, 1974.*]

SEC. 13. [*Repealed November 5, 1974.*]

[*School District Incorporation and Organization—Governing Board Powers*]

SEC. 14. The Legislature shall have power, by general law, to provide for the incorporation and organization of school districts, high school districts, and community college districts, of every kind and class, and may classify such districts.

The Legislature may authorize the governing boards of all school districts to initiate and carry on any programs, activities, or to otherwise act in any manner which is not in conflict with the laws and purposes for which school districts are established. [*As amended November 7, 1972. Operative July 1, 1973.*]

SEC. 15. [*Repealed November 5, 1974.*]

[*Boards of Education—City Charter Provisions*]

SEC. 16. (a) It shall be competent, in all charters framed under the authority given by Section 5 of Article XI, to provide, in addition to those provisions allowable by this Constitution, and by the laws of the State for the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards.

[*Charter Amendments—Approval by Voters*]

(b) Notwithstanding Section 3 of Article XI, when the boundaries of a school district or community college district extend beyond the limits of a city whose charter provides for any or all of the foregoing with respect to the members of its board of education, no charter amendment effecting a change in the manner in which, the times at which, or the terms for which the members of the board of education shall be elected or appointed, for their qualifications, compensation, or removal, or for the number which shall constitute such board, shall be adopted unless it is submitted to and approved by a majority of all the qualified electors of the school district or community college district voting on the question. Any such amendment,

and any portion of a proposed charter or a revised charter which would establish or change any of the foregoing provisions respecting a board of education, shall be submitted to the electors of the school district or community college district as one or more separate questions. The failure of any such separate question to be approved shall have the result of continuing in effect the applicable existing law with respect to that board of education. [*As amended June 6, 1978.*]

ARTICLE X*

WATER

[*State's Right of Eminent Domain*]

SECTION 1. The right of eminent domain is hereby declared to exist in the State to all frontages on the navigable waters of this State. [*New section adopted June 8, 1976.*]

[*Conservation and Beneficial Use of Water—Riparian Rights*]

SEC. 2. It is hereby declared that because of the conditions prevailing in this State the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare. The right to water or to the use or flow of water in or from any natural stream or water course in this State is and shall be limited to such water as shall be reasonably required for the beneficial use to be served, and such right does not and shall not extend to the waste or unreasonable use or unreasonable method of use or unreasonable method of diversion of water. Riparian rights in a stream or water course attach to, but to no more than so much of the flow thereof as may be required or used consistently with this section, for the purposes for which such lands are, or may be made adaptable, in view of such reasonable and beneficial uses; provided, however, that nothing herein contained shall be construed as depriving any riparian owner of the reasonable use of water of the stream to which the owner's land is riparian under reasonable methods of diversion and use, or as depriving any appropriator of water to which the appropriator is lawfully entitled. This section shall be self-executing, and the Legislature may also enact laws in the furtherance of the policy in this section contained. [*New section adopted June 8, 1976.*]

* New Article X adopted June 8, 1976.

[*Tidelands*]

SEC. 3. All tidelands within two miles of any incorporated city, city and county, or town in this State, and fronting on the water of any harbor, estuary, bay, or inlet used for the purposes of navigation, shall be withheld from grant or sale to private persons, partnerships, or corporations; provided, however, that any such tidelands, reserved to the State solely for street purposes, which the Legislature finds and declares are not used for navigation purposes and are not necessary for such purposes may be sold to any town, city, county, city and county, municipal corporations, private persons, partnerships or corporations subject to such conditions as the Legislature determines are necessary to be imposed in connection with any such sales in order to protect the public interest. [*New section adopted June 8, 1976.*]

[*Access to Navigable Waters*]

SEC. 4. No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people thereof. [*New section adopted June 8, 1976.*]

[*State Control of Water Use*]

SEC. 5. The use of all water now appropriated, or that may hereafter be appropriated, for sale, rental, or distribution, is hereby declared to be a public use, and subject to the regulation and control of the State, in the manner to be prescribed by law. [*New section adopted June 8, 1976.*]

[*Compensation for Water Use*]

SEC. 6. The right to collect rates or compensation for the use of water supplied to any county, city and county, or town, or the inhabitants thereof, is a franchise, and cannot be exercised except by authority of and in the manner prescribed by law. [*New section adopted June 8, 1976.*]

[*Acquisition of Real Property—Conformance to California Water Laws*]

SEC. 7. Whenever any agency of government, local, state, or federal, hereafter acquires any interest in real property in this State, the acceptance of the interest shall constitute an agreement by the agency to conform to the laws of California as to the acquisition, control, use, and distribution of water with respect to the land so acquired. [*New section adopted June 8, 1976.*]

ARTICLE X A*

WATER RESOURCES DEVELOPMENT

[Article X A has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982]

[Water Rights, Water Quality, and Fish and Wildlife Resources Guaranteed and Protected]

SECTION 1. The people of the State hereby provide the following guarantees and protections in this article for water rights, water quality, and fish and wildlife resources. *[New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.]*

[Statutes for Protection of Fish and Wildlife Resources, Delta, Etc.]

SEC. 2. No statute amending or repealing, or adding to, the provisions of the statute enacted by Senate Bill No. 200 † of the 1979–80 Regular Session of the Legislature which specify (1) the manner in which the State will protect fish and wildlife resources in the Sacramento-San Joaquin Delta, Suisun Marsh, and San Francisco Bay system westerly of the delta; (2) the manner in which the State will protect existing water rights in the Sacramento-San Joaquin Delta; and (3) the manner in which the State will operate the State Water Resources Development System to comply with water quality standards and water quality control plans, shall become effective unless approved by the electors in the same manner as statutes amending initiative statutes are approved; except that the Legislature may, by statute passed in each house by roll call vote entered in the journal, two-thirds of the membership concurring, amend or repeal, or add to, these provisions if the statute does not in any manner reduce the protection of the delta or fish and wildlife. *[New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.]*

[Appropriations of Water—Components of California Wild and Scenic Rivers System]

SEC. 3. No water shall be available for appropriation by storage in, or by direct diversion from, any of the components of the California Wild and Scenic Rivers System, as such system exists on January 1, 1981, where such appropriation is for export of water into another major hydrologic basin of the State, as defined in the Department of Water Resources Bulletin

* New Article X A adopted November 4, 1980.

† Chapter 632, Statutes of 1980.

160-74, unless such export is expressly authorized prior to such appropriation by: (a) an initiative statute approved by the electors, or (b) the Legislature, by statute passed in each house by roll call vote entered in the journal, two-thirds of the membership concurring. [*New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.*]

[*Statutes Amending, Repealing, or Adding to Delta Protection Act*]

SEC. 4. No statute amending or repealing, or adding to, the provisions of Part 4.5 (commencing with Section 12200) of Division 6 of the Water Code (the Delta Protection Act) shall become effective unless approved by the electors in the same manner as statutes amending initiative statutes are approved; except that the Legislature may, by statute passed in each house by roll call vote entered in the journal, two-thirds of the membership concurring, amend or repeal, or add to, these provisions if the statute does not in any manner reduce the protection of the delta or fish and wildlife. [*New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.*]

[*Eminent Domain Proceedings to Acquire Water Rights or Contract Rights for Water or Water Quality Maintenance in Delta Prohibited*]

SEC. 5. No public agency may utilize eminent domain proceedings to acquire water rights, which are held for uses within the Sacramento-San Joaquin Delta as defined in Section 12220 of the Water Code, or any contract rights for water or water quality maintenance in the Delta for the purpose of exporting such water from the Delta. This provision shall not be construed to prohibit the utilization of eminent domain proceedings for the purpose of acquiring land or any other rights necessary for the construction of water facilities, including, but not limited to, facilities authorized in Chapter 8 (commencing with Section 12930) of Part 6 of Division 6 of the Water Code. [*New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.*]

[*Actions and Proceedings*]

SEC. 6. (a) The venue of any of the following actions or proceedings brought in a superior court shall be Sacramento County:

(1) An action or proceeding to attack, review, set aside, void, or annul any provision of the statute enacted by Senate Bill No. 200 † of the 1979–80 Regular Session of the Legislature.

† Chapter 632, Statutes of 1980.

(2) An action or proceeding to attack, review, set aside, void, or annul the determination made by the Director of Water Resources and the Director of Fish and Game pursuant to subdivision (a) of Section 11255 of the Water Code.

(3) An action or proceeding which would have the effect of attacking, reviewing, preventing, or substantially delaying the construction, operation, or maintenance of the peripheral canal unit described in subdivision (a) of Section 11255 of the Water Code.

(4) An action or proceeding to require the State Water Resources Development System to comply with subdivision (b) of Section 11460 of the Water Code.

(5) An action or proceeding to require the Department of Water Resources or its successor agency to comply with the permanent agreement specified in subdivision (a) of Section 11256 of the Water Code.

(6) An action or proceeding to require the Department of Water Resources or its successor agency to comply with the provisions of the contracts entered into pursuant to Section 11456 of the Water Code.

(b) An action or proceeding described in paragraph (1) of subdivision (a) shall be commenced within one year after the effective date of the statute enacted by Senate Bill No. 200 † of the 1979–80 Regular Session of the Legislature. Any other action or proceeding described in subdivision (a) shall be commenced within one year after the cause of action arises unless a shorter period is otherwise provided by statute.

(c) The superior court or a court of appeals shall give preference to the actions or proceedings described in this section over all civil actions or proceedings pending in the court. The superior court shall commence hearing any such action or proceeding within six months after the commencement of the action or proceeding, provided that any such hearing may be delayed by joint stipulation of the parties or at the discretion of the court for good cause shown. The provisions of this section shall supersede any provisions of law requiring courts to give preference to other civil actions or proceedings. The provisions of this subdivision may be enforced by mandamus.

(d) The Supreme Court shall, upon the request of any party, transfer to itself, before a decision in the court of appeal, any appeal or petition for extraordinary relief from an action or proceeding described in this section, unless the Supreme Court determines that the action or proceeding is unlikely to substantially affect (1) the construction, operation, or maintenance of the peripheral canal unit described in subdivision (a) of Section 11255 of the Water Code, (2) compliance with subdivision (b) of Section 11460 of the Water Code, (3) compliance with the permanent agreement specified in Section 11256 of the Water Code, or (4) compliance with the provisions of the contracts entered into pursuant to Section 11456 of the

† Chapter 632, Statutes of 1980.

Water Code. The request for transfer shall receive preference on the Supreme Court's calendar. If the action or proceeding is transferred to the Supreme Court, the Supreme Court shall commence to hear the matter within six months of the transfer unless the parties by joint stipulation request additional time or the court, for good cause shown, grants additional time.

(e) The remedy prescribed by the court for an action or proceeding described in paragraph (4), (5), or (6) of subdivision (a) shall include, but need not be limited to, compliance with subdivision (b) of Section 11460 of the Water Code, the permanent agreement specified in Section 11256 of the Water Code, or the provisions of the contracts entered into pursuant to Section 11456 of the Water Code.

(f) The Board of Supervisors of the County of Sacramento may apply to the State Board of Control for actual costs imposed by the requirements of this section upon the county, and the State Board of Control shall pay such actual costs.

(g) Notwithstanding the provisions of this section, nothing in this Article shall be construed as prohibiting the Supreme Court from exercising the transfer authority contained in Article VI, Section 12 of the Constitution. [*New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.*]

[State Agencies' Exercise of Authorized Powers]

SEC. 7. State agencies shall exercise their authorized powers in a manner consistent with the protections provided by this article. [*New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.*]

[Force or Effect of Article]

SEC. 8. This article shall have no force or effect unless Senate Bill No. 200 † of the 1979–80 Regular Session of the Legislature is enacted and takes effect. [*New section adopted November 4, 1980. Section has no force or effect because Senate Bill No. 200 of the 1979–80 Regular Session of the Legislature was defeated by referendum vote June 8, 1982.*]

† Chapter 632, Statutes of 1980.

ARTICLE X B*

MARINE RESOURCES PROTECTION ACT OF 1990

[Title]

SECTION 1. This article shall be known and may be cited as the Marine Resources Protection Act of 1990. [*New section adopted November 6, 1990. Initiative measure.*]

[Definitions]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[Gill and Trammel Nets—Usage]

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 non-transferable 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. [*New section adopted November 6, 1990. Initiative measure.*]

[Gill and Trammel Nets—Usage]

SEC. 4. (a) Notwithstanding any other provision of law, gill nets and trammel nets may not be used to take any species of rockfish.

* New Article X B adopted November 6, 1990. Initiative measure.

(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. [*New section adopted November 6, 1990. Initiative measure.*]

[*Gill and Trammel Nets—Usage*]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[*Permit Fees*]

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

[*New section adopted November 6, 1990. Initiative measure.*]

[*Permitholder's Compensation for Discontinuing Fishing with Gill and Trammel Nets*]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[*Marine Resources Protection Account—Fees—Interest*]

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 ar-

ticle 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. [*New section adopted November 6, 1990. Inoperative January 1, 1995. Initiative measure.*]

[*Marine Resources Protection Account—Grants*]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[*Report to Legislature*]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[Violations]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[Commercial Fishing Daily Landings Monitoring and Evaluating Program]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[Penalties for Violations—Probation—Fine]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[New Ecological Reserves]

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. [*New section adopted November 6, 1990. Initiative measure.*]

[*Article not Preempting or Superseding Other Protective Closures*]

SEC. 15. This article does not preempt or supersede any other closures to protect any other wildlife, including sea otters, whales, and shorebirds. [*New section adopted November 6, 1990. Initiative measure.*]

[*Severability*]

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. [*New section adopted November 6, 1990. Initiative measure.*]

ARTICLE XI. [*Repealed June 2, 1970. See Article XI, below.*]

ARTICLE XI*

LOCAL GOVERNMENT

[*Counties—Formation, Boundaries, County Seat, Officers, and Governing Body*]

SEC. 1. (a) The State is divided into counties which are legal subdivisions of the State. The Legislature shall prescribe uniform procedure for county formation, consolidation, and boundary change. Formation or consolidation requires approval by a majority of electors voting on the question in each affected county. A boundary change requires approval by the governing body of each affected county. No county seat shall be removed unless two-thirds of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal. A proposition of removal shall not be submitted in the same county more than once in four years.

(b) The Legislature shall provide for county powers, an elected county sheriff, an elected district attorney, an elected assessor, and an elected governing body in each county. Except as provided in subdivision (b) of Section 4 of this article, each governing body shall prescribe by ordinance the compensation of its members, but the ordinance prescribing such compensation shall be subject to referendum. The Legislature or the governing body may provide for other officers whose compensation shall be prescribed by the governing body. The governing body shall provide for the number, compensation, tenure, and appointment of employees. [*As amended June 7, 1988.*]

* New Article XI adopted June 2, 1970.

SEC. 2. [*Repealed June 2, 1970. See Section 2, below.*]

[*Cities—Formation, Powers*]

SEC. 2. (a) The Legislature shall prescribe uniform procedure for city formation and provide for city powers.

(b) Except with approval by a majority of its electors voting on the question, a city may not be annexed to or consolidated into another. [*New section adopted June 2, 1970.*]

[*County or City—Charters*]

SEC. 3. (a) For its own government, a county or city may adopt a charter by majority vote of its electors voting on the question. The charter is effective when filed with the Secretary of State. A charter may be amended, revised, or repealed in the same manner. A charter, amendment, revision, or repeal thereof shall be published in the official state statutes. County charters adopted pursuant to this section shall supersede any existing charter and all laws inconsistent therewith. The provisions of a charter are the law of the State and have the force and effect of legislative enactments.

(b) The governing body or charter commission of a county or city may propose a charter or revision. Amendment or repeal may be proposed by initiative or by the governing body.

(c) An election to determine whether to draft or revise a charter and elect a charter commission may be required by initiative or by the governing body.

(d) If provisions of 2 or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail. [*As amended November 5, 1974.*]

[*County Charters—Provisions*]

SEC. 4. County charters shall provide for:

(a) A governing body of 5 or more members, elected (1) by district or, (2) at large, or (3) at large, with a requirement that they reside in a district. Charter counties are subject to statutes that relate to apportioning population of governing body districts.

(b) The compensation, terms, and removal of members of the governing body. If a county charter provides for the Legislature to prescribe the salary of the governing body, such compensation shall be prescribed by the governing body by ordinance.

(c) An elected sheriff, an elected district attorney, an elected assessor, other officers, their election or appointment, compensation, terms and removal.

(d) The performance of functions required by statute.

(e) The powers and duties of governing bodies and all other county officers, and for consolidation and segregation of county officers, and for the manner of filling all vacancies occurring therein.

(f) The fixing and regulation by governing bodies, by ordinance, of the appointment and number of assistants, deputies, clerks, attachés, and other persons to be employed, and for the prescribing and regulating by such bodies of the powers, duties, qualifications, and compensation of such persons, the times at which, and terms for which they shall be appointed, and the manner of their appointment and removal.

(g) Whenever any county has framed and adopted a charter, and the same shall have been approved by the Legislature as herein provided, the general laws adopted by the Legislature in pursuance of Section 1(b) of this article, shall, as to such county, be superseded by said charter as to matters for which, under this section it is competent to make provision in such charter, and for which provision is made therein, except as herein otherwise expressly provided.

(h) Charter counties shall have all the powers that are provided by this Constitution or by statute for counties. [*As amended June 7, 1988.*]

SEC. 5. [*Repealed June 2, 1970. See Section 5, below.*]

[*City Charters—Provisions*]

SEC. 5. (a) It shall be competent in any city charter to provide that the city governed thereunder may make and enforce all ordinances and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. City charters adopted pursuant to this Constitution shall supersede any existing charter, and with respect to municipal affairs shall supersede all laws inconsistent therewith.

(b) It shall be competent in all city charters to provide, in addition to those provisions allowable by this Constitution, and by the laws of the State for: (1) the constitution, regulation, and government of the city police force (2) subgovernment in all or part of a city (3) conduct of city elections and (4) plenary authority is hereby granted, subject only to the restrictions of this article, to provide therein or by amendment thereto, the manner in which, the method by which, the times at which, and the terms for which the several municipal officers and employees whose compensation is paid by the city shall be elected or appointed, and for their removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees. [*New section adopted June 2, 1970.*]

SEC. 5.1. [*Repealed June 2, 1970.*]

SEC. 6. [Repealed June 2, 1970. See Section 6, below.]

[Charter City and County]

SEC. 6. (a) A county and all cities within it may consolidate as a charter city and county as provided by statute.

(b) A charter city and county is a charter city and a charter county. Its charter city powers supersede conflicting charter county powers. [New section adopted June 2, 1970.]

SEC. 7. [Repealed June 2, 1970. See Section 7, below.]

[Local Ordinances and Regulations]

SEC. 7. A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws. [New section adopted June 2, 1970.]

SEC. 7½. [Repealed June 2, 1970.]

SEC. 7½b. [Repealed June 2, 1970.]

[Ballot Measures—Application]

SEC. 7.5. (a) A city or county measure proposed by the legislative body of a city, charter city, county, or charter county and submitted to the voters for approval may not do either of the following:

(1) Include or exclude any part of the city, charter city, county, or charter county from the application or effect of its provisions based upon approval or disapproval of the city or county measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of the city, charter city, county, charter county, or any part thereof.

(2) Contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.

(b) “City or county measure,” as used in this section, means an advisory question, proposed charter or charter amendment, ordinance, proposition for the issuance of bonds, or other question or proposition submitted to the voters of a city, or to the voters of a county at an election held throughout an entire single county. [New section adopted June 2, 1998.]

SEC. 8. [Repealed June 2, 1970. See Section 8, below.]

[Counties—Performance of Municipal Functions]

SEC. 8. (a) The Legislature may provide that counties perform municipal functions at the request of cities within them.

(b) If provided by their respective charters, a county may agree with a city within it to assume and discharge specified municipal functions. [New section adopted June 2, 1970.]

SEC. 8½. [Repealed June 2, 1970.]

[*Local Utilities*]

SEC. 9. (a) A municipal corporation may establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication. It may furnish those services outside its boundaries, except within another municipal corporation which furnishes the same service and does not consent.

(b) Persons or corporations may establish and operate works for supplying those services upon conditions and under regulations that the city may prescribe under its organic law. [*New section adopted June 2, 1970.*]

[*Local Government—Extra Compensation; City, County or District Employees—Residency*]

SEC. 10. (a) A local government body may not grant extra compensation or extra allowance to a public officer, public employee, or contractor after service has been rendered or a contract has been entered into and performed in whole or in part, or pay a claim under an agreement made without authority of law.

(b) A city or county, including any chartered city or chartered county, or public district, may not require that its employees be residents of such city, county, or district; except that such employees may be required to reside within a reasonable and specific distance of their place of employment or other designated location. [*As amended June 8, 1976.*]

SEC. 10.5. [*Repealed June 8, 1976.*]

[*Private Control of County or Municipal Functions—Deposit and Investment of Public Moneys*]

SEC. 11. (a) The Legislature may not delegate to a private person or body power to make, control, appropriate, supervise, or interfere with county or municipal corporation improvements, money, or property, or to levy taxes or assessments, or perform municipal functions.

(b) The Legislature may, however, provide for the deposit of public moneys in any bank in this State or in any savings and loan association in this State or any credit union in this State or in any federally insured industrial loan company in this State and for payment of interest, principal, and redemption premiums of public bonds and other evidence of public indebtedness by banks within or without this State. It may also provide for investment of public moneys in securities and the registration of bonds and other evidences of indebtedness by private persons or bodies, within or without this State, acting as trustees or fiscal agents. [*As amended November 8, 1988.*]

SEC. 12. [As amended June 27, 1933, added to Article XIII as Section 37, June 2, 1970. See Section 12, below.]

[Claims Against Counties or Cities, Etc.]

SEC. 12. The Legislature may prescribe procedure for presentation, consideration, and enforcement of claims against counties, cities, their officers, agents, or employees. [New section adopted June 2, 1970.]

SEC. 13. [Repealed June 2, 1970. See Section 13, below.]

[Distribution of Powers—Construction of Article]

SEC. 13. The provisions of Sections 1(b) (except for the second sentence), 3(a), 4, and 5 of this Article relating to matters affecting the distribution of powers between the Legislature and cities and counties, including matters affecting supersession, shall be construed as a restatement of all related provisions of the Constitution in effect immediately prior to the effective date of this amendment, and as making no substantive change.

The terms general law, general laws, and laws, as used in this Article, shall be construed as a continuation and restatement of those terms as used in the Constitution in effect immediately prior to the effective date of this amendment, and not as effecting a change in meaning. [New section adopted June 2, 1970.]

SEC. 13½. [As amended November 3, 1914, added to Article XIII as Section 37.5, June 2, 1970.]

[Local Government—Taxation]

SEC. 14. A local government formed after the effective date of this section, the boundaries of which include all or part of two or more counties, shall not levy a property tax unless such tax has been approved by a majority vote of the qualified voters of that local government voting on the issue of the tax. [New section adopted November 2, 1976.]

[Vehicle License Fee Allocations]

SEC. 15. (a) All revenues from taxes imposed pursuant to the Vehicle License Fee Law, or its successor, other than fees on trailer coaches and mobilehomes, over and above the costs of collection and any refunds authorized by law, shall be allocated to counties and cities according to statute.

(b) This section shall apply to those taxes imposed pursuant to that law on and after July 1 following the approval of this section by the voters. [New section adopted June 3, 1986.]

SEC. 16. [Added to Article XIII as Section 38, June 2, 1970.]

SEC. 16½. [As amended November 8, 1932, added to Article XIII as Section 39, June 2, 1970.]

SEC. 17. [*Repealed June 2, 1970.*]

SEC. 18. [*As amended November 8, 1949, added to Article XIII as Section 40, June 2, 1970.*]

SEC. 18¹/₄. [*Repealed June 2, 1970.*]

SEC. 19. [*Repealed June 2, 1970.*]

SEC. 20. [*Repealed June 2, 1970.*]

ARTICLE XII. [*Repealed November 5, 1974. See Article XII, below.*]

ARTICLE XII*

PUBLIC UTILITIES

[*Public Utilities Commission—Composition*]

SECTION 1. The Public Utilities Commission consists of 5 members appointed by the Governor and approved by the Senate, a majority of the membership concurring, for staggered 6-year terms. A vacancy is filled for the remainder of the term. The Legislature may remove a member for incompetence, neglect of duty, or corruption, two thirds of the membership of each house concurring. [*New section adopted November 5, 1974.*]

[*Public Utilities Commission—Powers and Duties*]

SEC. 2. Subject to statute and due process, the commission may establish its own procedures. Any commissioner as designated by the commission may hold a hearing or investigation or issue an order subject to commission approval. [*New section adopted November 5, 1974.*]

[*Public Utilities—Legislative Control*]

SEC. 3. Private corporations and persons that own, operate, control, or manage a line, plant, or system for the transportation of people or property, the transmission of telephone and telegraph messages, or the production, generation, transmission, or furnishing of heat, light, water, power, storage, or wharfage directly or indirectly to or for the public, and common carriers, are public utilities subject to control by the Legislature. The Legislature may prescribe that additional classes of private corporations or other persons are public utilities. [*New section adopted November 5, 1974.*]

[*Rates—Discrimination in Transportation Charges, Etc.*]

SEC. 4. The commission may fix rates and establish rules for the transportation of passengers and property by transportation companies, prohibit discrimination, and award reparation for the exaction of unrea-

* New Article XII adopted November 5, 1974.

sonable, excessive, or discriminatory charges. A transportation company may not raise a rate or incidental charge except after a showing to and a decision by the commission that the increase is justified, and this decision shall not be subject to judicial review except as to whether confiscation of property will result. [*New section adopted November 5, 1974.*]

[*Public Utilities Commission—Compensation in Eminent Domain Proceedings*]

SEC. 5. The Legislature has plenary power, unlimited by the other provisions of this constitution but consistent with this article, to confer additional authority and jurisdiction upon the commission, to establish the manner and scope of review of commission action in a court of record, and to enable it to fix just compensation for utility property taken by eminent domain. [*New section adopted November 5, 1974.*]

[*Public Utilities Commission—Powers and Duties*]

SEC. 6. The commission may fix rates, establish rules, examine records, issue subpoenas, administer oaths, take testimony, punish for contempt, and prescribe a uniform system of accounts for all public utilities subject to its jurisdiction. [*New section adopted November 5, 1974.*]

[*Free Passes, Public Officials—Conflict of Interest, Public Utilities Commissioner*]

SEC. 7. A transportation company may not grant free passes or discounts to anyone holding an office in this State; and the acceptance of a pass or discount by a public officer, other than a Public Utilities Commissioner, shall work a forfeiture of that office. A Public Utilities Commissioner may not hold an official relation to nor have a financial interest in a person or corporation subject to regulation by the commission. [*New section adopted November 5, 1974.*]

[*Public Utilities—Regulation*]

SEC. 8. A city, county, or other public body may not regulate matters over which the Legislature grants regulatory power to the Commission. This section does not affect power over public utilities relating to the making and enforcement of police, sanitary, and other regulations concerning municipal affairs pursuant to a city charter existing on October 10, 1911, unless that power has been revoked by the city's electors, or the right of any city to grant franchises for public utilities or other businesses on terms, conditions, and in the manner prescribed by law. [*New section adopted November 5, 1974.*]

[*Restatement*]

SEC. 9. The provisions of this article restate all related provisions of the Constitution in effect immediately prior to the effective date of this amendment and make no substantive change. [*New section adopted November 5, 1974.*]

- SEC. 10. [Repealed November 5, 1974.]
- SEC. 17. [Repealed November 5, 1974.]
- SEC. 18. [Repealed November 5, 1974.]
- SEC. 19. [Repealed November 5, 1974.]
- SEC. 20. [Repealed November 5, 1974.]
- SEC. 21. [Repealed November 5, 1974.]
- SEC. 22. [Repealed November 5, 1974.]
- SEC. 23. [Repealed November 5, 1974.]
- SEC. 23a. [Repealed November 5, 1974.]

ARTICLE XIII. [Repealed November 5, 1974. See Article XIII, below.]

ARTICLE XIII*

TAXATION

SECTION 1. [Repealed November 5, 1974. See Section 1, below.]

[Uniformity Clause]

SEC. 1. Unless otherwise provided by this Constitution or the laws of the United States:

(a) All property is taxable and shall be assessed at the same percentage of fair market value. When a value standard other than fair market value is prescribed by this Constitution or by statute authorized by this Constitution, the same percentage shall be applied to determine the assessed value. The value to which the percentage is applied, whether it be the fair market value or not, shall be known for property tax purposes as the full value.

(b) All property so assessed shall be taxed in proportion to its full value. [New section adopted November 5, 1974.]

- SEC. 1a. [Repealed November 5, 1974.]
- SEC. 1b. [Repealed November 5, 1974.]
- SEC. 1c. [Repealed November 5, 1974.]
- SEC. 1d. [Repealed November 5, 1974.]
- SEC. 1¼. [Repealed November 5, 1974.]
- SEC. 1¼a. [Repealed November 5, 1974.]
- SEC. 1¼b. [Repealed November 5, 1974.]
- SEC. 1½. [Repealed November 5, 1974.]
- SEC. 1½a. [Repealed November 5, 1974.]
- SEC. 1.60. [Repealed November 5, 1974.]

* New Article XIII adopted November 5, 1974.

SEC. 1.61. [Repealed November 5, 1974.]

SEC. 1.62. [Repealed November 5, 1974.]

SEC. 1.63. [Repealed November 5, 1974.]

SEC. 1.64. [Repealed November 5, 1974.]

SEC. 1.65. [Repealed November 5, 1974.]

SEC. 1.66. [Repealed November 5, 1974.]

SEC. 1.67. [Repealed November 5, 1974.]

SEC. 1.68. [Repealed November 5, 1974.]

SEC. 1.69. [Repealed November 5, 1974.]

SEC. 1³/₄. [Repealed November 5, 1974.]

SEC. 2. [Repealed November 5, 1974. See Section 2, below.]

[*Personal Property Classification*]

SEC. 2. The Legislature may provide for property taxation of all forms of tangible personal property, shares of capital stock, evidences of indebtedness, and any legal or equitable interest therein not exempt under any other provision of this article. The Legislature, two-thirds of the membership of each house concurring, may classify such personal property for differential taxation or for exemption. The tax on any interest in notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, or mortgages shall not exceed four-tenths of one percent of full value, and the tax per dollar of full value shall not be higher on personal property than on real property in the same taxing jurisdiction. [*New section adopted November 5, 1974.*]

SEC. 2.5. [Repealed November 5, 1974.]

SEC. 2.6. [Repealed November 5, 1974.]

SEC. 2.8. [Repealed November 5, 1974.]

[*Property Tax Exemptions*]

SEC. 3. The following are exempt from property taxation:

[*State Owned Property*]

(a) Property owned by the State.

[*Local Government Property*]

(b) Property owned by a local government, except as otherwise provided in Section 11(a).

[*Government Bonds*]

(c) Bonds issued by the State or a local government in the State.

[Public Property]

(d) Property used for libraries and museums that are free and open to the public and property used exclusively for public schools, community colleges, state colleges, and state universities.

[Educational Property]

(e) Buildings, land, equipment, and securities used exclusively for educational purposes by a nonprofit institution of higher education.

[Church Property]

(f) Buildings, land on which they are situated, and equipment used exclusively for religious worship.

[Cemetery Property]

(g) Property used or held exclusively for the permanent deposit of human dead or for the care and maintenance of the property or the dead, except when used or held for profit. This property is also exempt from special assessment.

[Growing Crops]

(h) Growing crops.

[Fruit and Nut Trees]

(i) Fruit and nut trees until 4 years after the season in which they were planted in orchard form and grape vines until 3 years after the season in which they were planted in vineyard form.

[Timber Exemption]

(j) Immature forest trees planted on lands not previously bearing merchantable timber or planted or of natural growth on lands from which the merchantable original growth timber stand to the extent of 70 percent of all trees over 16 inches in diameter has been removed. Forest trees or timber shall be considered mature at such time after 40 years from the time of planting or removal of the original timber when so declared by a majority vote of a board consisting of a representative from the State Board of Forestry, a representative from the State Board of Equalization, and the assessor of the county in which the trees are located.

The Legislature may supersede the foregoing provisions with an alternative system or systems of taxing or exempting forest trees or timber, including a taxation system not based on property valuation. Any alternative system or systems shall provide for exemption of unharvested immature trees, shall encourage the continued use of timberlands for the production of trees for timber products, and shall provide for restricting the use of timberland to the production of timber products and compatible uses with

provisions for taxation of timberland based on the restrictions. Nothing in this paragraph shall be construed to exclude timberland from the provisions of Section 8 of this article.

[Homeowners' Exemption]

(k) \$7,000 of the full value of a dwelling, as defined by the Legislature, when occupied by an owner as his principal residence, unless the dwelling is receiving another real property exemption. The Legislature may increase this exemption and may deny it if the owner received state or local aid to pay taxes either in whole or in part, and either directly or indirectly, on the dwelling.

No increase in this exemption above the amount of \$7,000 shall be effective for any fiscal year unless the Legislature increases the rate of state taxes in an amount sufficient to provide the subventions required by Section 25.

If the Legislature increases the homeowners' property tax exemption, it shall provide increases in benefits to qualified renters, as defined by law, comparable to the average increase in benefits to homeowners, as calculated by the Legislature.

[Vessels]

(l) Vessels of more than 50 tons burden in this State and engaged in the transportation of freight or passengers.

[Household Furnishings—Personal Effects]

(m) Household furnishings and personal effects not held or used in connection with a trade, profession, or business.

[Debt Secured by Land]

(n) Any debt secured by land.

[Veterans' Exemptions]

(o) Property in the amount of \$1,000 of a claimant who—

(1) is serving in or has served in and has been discharged under honorable conditions from service in the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or Revenue Marine (Revenue Cutter) Service; and—

(2) served either

(i) in time of war, or

(ii) in time of peace in a campaign or expedition for which a medal has been issued by Congress, or

(iii) in time of peace and because of a service-connected disability was released from active duty; and—

(3) resides in the State on the current lien date.

An unmarried person who owns property valued at \$5,000 or more, or a married person, who, together with the spouse, owns property valued at \$10,000 or more, is ineligible for this exemption.

If the claimant is married and does not own property eligible for the full amount of the exemption, property of the spouse shall be eligible for the unused balance of the exemption.

[*Veterans' Exemptions*]

(p) Property in the amount of \$1,000 of a claimant who—

(1) is the unmarried spouse of a deceased veteran who met the service requirement stated in paragraphs (1) and (2) of subsection 3(o), and

(2) does not own property in excess of \$10,000, and

(3) is a resident of the State on the current lien date.

[*Veterans' Exemptions*]

(q) Property in the amount of \$1,000 of a claimant who—

(1) is the parent of a deceased veteran who met the service requirement stated in paragraphs (1) and (2) of subsection 3(o), and

(2) receives a pension because of the veteran's service, and

(3) is a resident of the State on the current lien date.

Either parent of a deceased veteran may claim this exemption.

An unmarried person who owns property valued at \$5,000 or more, or a married person, who, together with the spouse, owns property valued at \$10,000 or more, is ineligible for this exemption.

[*Veterans' Exemptions*]

(r) No individual residing in the State on the effective date of this amendment who would have been eligible for the exemption provided by the previous section 1¼ of this article had it not been repealed shall lose eligibility for the exemption as a result of this amendment. [*As amended November 8, 1988.*]

[*Veterans' Exemptions—Change in Assessment Ratio—Adjustment*]

SEC. 3.5. In any year in which the assessment ratio is changed, the Legislature shall adjust the valuation of assessable property described in subdivisions (o), (p) and (q) of Section 3 of this article to maintain the same proportionate values of such property. [*New section adopted November 6, 1979.*]

[*Property Tax Exemption*]

SEC. 4. The Legislature may exempt from property taxation in whole or in part:

[*Home of Veteran or Surviving Spouse*]

(a) The home of a person or a person's spouse, including an unmarried surviving spouse, if the person, because of injury incurred in military service, is blind in both eyes, has lost the use of 2 or more limbs, or is totally disabled, or if the person has, as a result of a service-connected injury or disease, died while on active duty in military service, unless the home is receiving another real property exemption.

[*Religious, Hospital and Charitable Property*]

(b) Property used exclusively for religious, hospital, or charitable purposes and owned or held in trust by corporations or other entities (1) that are organized and operating for those purposes, (2) that are nonprofit, and (3) no part of whose net earnings inures to the benefit of any private shareholder or individual.

[*Specific College Exemptions*]

(c) Property owned by the California School of Mechanical Arts, California Academy of Sciences, or Cogswell Polytechnical College, or held in trust for the Huntington Library and Art Gallery, or their successors.

[*Church Parking Lots*]

(d) Real property not used for commercial purposes that is reasonably and necessarily required for parking vehicles of persons worshipping on land exempt by Section 3(f). [*As amended November 3, 1992.*]

[*Exemption of Buildings Under Construction*]

SEC. 5. Exemptions granted or authorized by Sections 3(e), 3(f), and 4(b) apply to buildings under construction, land required for their convenient use, and equipment in them if the intended use would qualify the property for exemption. [*New section adopted November 5, 1974.*]

SEC. 6. [*Repealed November 5, 1974. See Section 6, below.*]

[*Exemption Waivers*]

SEC. 6. The failure in any year to claim, in a manner required by the laws in effect at the time the claim is required to be made, an exemption or classification which reduces a property tax shall be deemed a waiver of the exemption or classification for that year. [*New section adopted November 5, 1974.*]

SEC. 7. [*Repealed November 5, 1974. See Section 7, below.*]

[*Real Property Taxes—Exemption by County Boards of Supervisors*]

SEC. 7. The Legislature, two-thirds of the membership of each house concurring, may authorize county boards of supervisors to exempt real property having a full value so low that, if not exempt, the total taxes and applicable subventions on the property would amount to less than the cost of assessing and collecting them. [*New section adopted November 5, 1974.*]

[*Open Space Land and Historical Property—Exemption*]

SEC. 8. To promote the conservation, preservation and continued existence of open space lands, the Legislature may define open space land and shall provide that when this land is enforceably restricted, in a manner specified by the Legislature, to recreation, enjoyment of scenic beauty, use or conservation of natural resources, or production of food or fiber, it shall be valued for property tax purposes only on a basis that is consistent with its restrictions and uses.

To promote the preservation of property of historical significance, the Legislature may define such property and shall provide that when it is enforceably restricted, in a manner specified by the Legislature, it shall be valued for property tax purposes only on a basis that is consistent with its restrictions and uses. [*As amended June 8, 1976.*]

[*Postponement of Property Taxes*]

SEC. 8.5. The Legislature may provide by law for the manner in which a person of low or moderate income who is 62 years of age or older may postpone ad valorem property taxes on the dwelling owned and occupied by him or her as his or her principal place of residence. The Legislature may also provide by law for the manner in which a disabled person may postpone payment of ad valorem property taxes on the dwelling owned and occupied by him or her as his or her principal place of residence. The Legislature shall have plenary power to define all terms in this section.

The Legislature shall provide by law for subventions to counties, cities and counties, cities and districts in an amount equal to the amount of revenue lost by each by reason of the postponement of taxes and for the reimbursement to the State of subventions from the payment of postponed taxes. Provision shall be made for the inclusion of reimbursement for the payment of interest on, and any costs to the State incurred in connection with, the subventions. [*As amended November 6, 1984.*]

SEC. 9. [*Repealed November 5, 1974. See Section 9, below.*]

[*Valuation of Certain Homes*]

SEC. 9. The Legislature may provide for the assessment for taxation only on the basis of use of a single-family dwelling, as defined by the Legislature, and so much of the land as is required for its convenient use and occupation, when the dwelling is occupied by an owner and located on land zoned exclusively for single-family dwellings or for agricultural purposes. [*New section adopted November 5, 1974.*]

SEC. 9a. [*Repealed November 5, 1974.*]

SEC. 9.5. [*Repealed November 5, 1974.*]

SEC. 10. [*Repealed November 5, 1974. See Section 10, below.*]

[*Golf Course Values*]

SEC. 10. Real property in a parcel of 10 or more acres which, on the lien date and for 2 or more years immediately preceding, has been used exclusively for nonprofit golf course purposes shall be assessed for taxation on the basis of such use, plus any value attributable to mines, quarries, hydrocarbon substances, or other minerals in the property or the right to extract hydrocarbons or other minerals from the property. [*New section adopted November 5, 1974.*]

SEC. 10½. [*Repealed November 5, 1974.*]

SEC. 11. [*Repealed November 5, 1974. See Section 11, below.*]

[*Taxation of Local Government Real Property*]

SEC. 11. (a) Lands owned by a local government that are outside its boundaries, including rights to use or divert water from surface or underground sources and any other interests in lands, are taxable if (1) they are located in Inyo or Mono County and (a) they were assessed for taxation to the local government in Inyo County as of the 1966 lien date, or in Mono County as of the 1967 lien date, whether or not the assessment was valid when made, or (b) they were acquired by the local government subsequent to that lien date and were assessed to a prior owner as of that lien date and each lien date thereafter, or (2) they are located outside Inyo or Mono County and were taxable when acquired by the local government. Improvements owned by a local government that are outside its boundaries are taxable if they were taxable when acquired or were constructed by the local government to replace improvements which were taxable when acquired.

(b) Taxable land belonging to a local government and located in Inyo County shall be assessed in any year subsequent to 1968 at the place where it was assessed as of the 1966 lien date and in an amount derived by multiplying its 1966 assessed value by the ratio of the statewide per capita assessed value of land as of the last lien date prior to the current lien date to

\$766, using civilian population only. Taxable land belonging to a local government and located in Mono County shall be assessed in any year subsequent to 1968 at the place where it was assessed as of the 1967 lien date and in an amount determined by the preceding formula except that the 1967 lien date, the 1967 assessed value, and the figure \$856 shall be used in the formula. Taxable land belonging to a local government and located outside of Inyo and Mono counties shall be assessed at the place where located and in an amount that does not exceed the lower of (1) its fair market value times the prevailing percentage of fair market value at which other lands are assessed and (2) a figure derived in the manner specified in this Section for land located in Mono County.

If land acquired by a local government after the lien date of the base year specified in this Section was assessed in the base year as part of a larger parcel, the assessed value of the part in the base year shall be that fraction of the assessed value of the larger parcel that the area of the part is of the area of the larger parcel.

If a local government divests itself of ownership of land without water rights and this land was assessed in Inyo County as of the 1966 lien date or in Mono County as of the 1967 lien date, the divestment shall not diminish the quantity of water rights assessable and taxable at the place where assessed as of that lien date.

(c) In the event the Legislature changes the prevailing percentage of fair market value at which land is assessed for taxation, there shall be used in the computations required by Section 11(b) of this Article, for the first year for which the new percentage is applicable, in lieu of the statewide per capita assessed value of land as of the last lien date prior to the current lien date, the statewide per capita assessed value of land on the prior lien date times the ratio of the new prevailing percentage of fair market value to the previous prevailing percentage.

(d) If, after March 1954, a taxable improvement is replaced while owned by and in possession of a local government, the replacement improvement shall be assessed, as long as it is owned by a local government, as other improvements are except that the assessed value shall not exceed the product of (1) the percentage at which privately owned improvements are assessed times (2) the highest full value ever used for taxation of the improvement that has been replaced. For purposes of this calculation, the full value for any year prior to 1967 shall be conclusively presumed to be 4 times the assessed value in that year.

(e) No tax, charge, assessment, or levy of any character, other than those taxes authorized by Sections 11(a) to 11(d), inclusive, of this Article, shall be imposed upon one local government by another local government that is based or calculated upon the consumption or use of water outside the boundaries of the government imposing it.

(f) Any taxable interest of any character, other than a lease for agricultural purposes and an interest of a local government, in any land owned by a local government that is subject to taxation pursuant to Section 11(a) of this Article shall be taxed in the same manner as other taxable interests. The aggregate value of all the interests subject to taxation pursuant to Section 11(a), however, shall not exceed the value of all interests in the land less the taxable value of the interest of any local government ascertained as provided in Sections 11(a) to 11(e), inclusive, of this Article.

(g) Any assessment made pursuant to Sections 11(a) to 11(d), inclusive, of this Article shall be subject to review, equalization, and adjustment by the State Board of Equalization, but an adjustment shall conform to the provisions of these Sections. [*New section adopted November 5, 1974.*]

[*Unsecured Property Tax Rate*]

SEC. 12. (a) Except as provided in subdivision (b), taxes on personal property, possessory interests in land, and taxable improvements located on land exempt from taxation which are not a lien upon land sufficient in value to secure their payment shall be levied at the rates for the preceding tax year upon property of the same kind where the taxes were a lien upon land sufficient in value to secure their payment.

(b) In any year in which the assessment ratio is changed, the Legislature shall adjust the rate described in subdivision (a) to maintain equality between property on the secured and unsecured rolls. [*As amended November 2, 1976.*]

SEC. 12³/₄. [*Repealed November 5, 1974.*]

SEC. 13. [*Repealed November 5, 1974. See Section 13, below.*]

[*Separate Land and Improvements Assessment*]

SEC. 13. Land and improvements shall be separately assessed. [*New section adopted November 5, 1974.*]

SEC. 14. [*Repealed November 5, 1974. See Section 14, below.*]

[*Tax Situs*]

SEC. 14. All property taxed by local government shall be assessed in the county, city, and district in which it is situated. [*New section adopted November 5, 1974.*]

SEC. 14⁴/₅. [*Repealed November 5, 1974.*]

SEC. 15. [*Repealed November 5, 1974. See Section 15, below.*]

[*Disaster Relief*]

SEC. 15. The Legislature may authorize local government to provide for the assessment or reassessment of taxable property physically damaged or destroyed after the lien date to which the assessment or reassessment relates. [*New section adopted November 5, 1974.*]

SEC. 16. [*Repealed November 5, 1974. See Section 16, below.*]

[*County Board of Equalization—Assessment Appeals Board*]

SEC. 16. The county board of supervisors, or one or more assessment appeals boards created by the county board of supervisors, shall constitute the county board of equalization for a county. Two or more county boards of supervisors may jointly create one or more assessment appeals boards which shall constitute the county board of equalization for each of the participating counties.

Except as provided in subdivision (g) of Section 11, the county board of equalization, under such rules of notice as the county board may prescribe, shall equalize the values of all property on the local assessment roll by adjusting individual assessments.

County boards of supervisors shall fix the compensation for members of assessment appeals boards, furnish clerical and other assistance for those boards, adopt rules of notice and procedures for those boards as may be required to facilitate their work and to insure uniformity in the processing and decision of equalization petitions, and may provide for their discontinuance.

The Legislature shall provide for: (a) the number and qualifications of members of assessment appeals boards, the manner of selecting, appointing, and removing them, and the terms for which they serve, and (b) the procedure by which two or more county boards of supervisors may jointly create one or more assessment appeals boards. [*New section adopted November 5, 1974.*]

[*Board of Equalization*]

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. [*As amended November 6, 1990. Initiative measure.*]

SEC. 18. [*Repealed November 5, 1974. See Section 18, below.*]

[*Intercounty Equalization*]

SEC. 18. The Board shall measure county assessment levels annually and shall bring those levels into conformity by adjusting entire secured local assessment rolls. In the event a property tax is levied by the State, however, the effects of unequalized local assessment levels, to the extent any remain after such adjustments, shall be corrected for purposes of distributing this tax by equalizing the assessment levels of locally and state-

assessed properties and varying the rate of the state tax inversely with the counties' respective assessment levels. [*New section adopted November 5, 1974.*]

SEC. 19. [*Repealed November 5, 1974. See Section 19, below.*]

[*State Assessment*]

SEC. 19. The Board shall annually assess (1) pipelines, flumes, canals, ditches, and aqueducts lying within 2 or more counties and (2) property, except franchises, owned or used by regulated railway, telegraph, or telephone companies, car companies operating on railways in the State, and companies transmitting or selling gas or electricity. This property shall be subject to taxation to the same extent and in the same manner as other property.

No other tax or license charge may be imposed on these companies which differs from that imposed on mercantile, manufacturing, and other business corporations. This restriction does not release a utility company from payments agreed on or required by law for a special privilege or franchise granted by a government body.

The Legislature may authorize Board assessment of property owned or used by other public utilities.

The Board may delegate to a local assessor the duty to assess a property used but not owned by a state assessee on which the taxes are to be paid by a local assessee. [*New section adopted November 5, 1974.*]

SEC. 20. [*Repealed November 5, 1974. See Section 20, below.*]

[*Maximum Tax Rates—Bonding Limits*]

SEC. 20. The Legislature may provide maximum property tax rates and bonding limits for local governments. [*New section adopted November 5, 1974.*]

SEC. 21. [*Repealed November 5, 1974. See Section 21, below.*]

[*School District Tax*]

SEC. 21. Within such limits as may be provided under Section 20 of this Article, the Legislature shall provide for an annual levy by county governing bodies of school district taxes sufficient to produce annual revenues for each district that the district's board determines are required for its schools and district functions. [*New section adopted November 5, 1974.*]

SEC. 21.5. [*Repealed November 5, 1974.*]

SEC. 22. [Repealed November 5, 1974. See Section 22, below.]

[State Property Tax Limitations]

SEC. 22. Not more than 25 percent of the total appropriations from all funds of the State shall be raised by means of taxes on real and personal property according to the value thereof. [New section adopted November 5, 1974.]

SEC. 23. [Repealed November 5, 1974. See Section 23, below.]

[State Boundary Change]

SEC. 23. If state boundaries change, the Legislature shall determine how property affected shall be taxed. [New section adopted November 5, 1974.]

SEC. 24. [Repealed November 5, 1974. See Section 24, below.]

[State Taxes for Local Purposes]

SEC. 24. The Legislature may not impose taxes for local purposes but may authorize local governments to impose them.

[State Funds for Local Purposes]

Money appropriated from state funds to a local government for its local purposes may be used as provided by law.

[Subventions]

Money subvented to a local government under Section 25 may be used for state or local purposes. [New section adopted November 5, 1974.]

SEC. 25. [Repealed November 5, 1974. See Section 25, below.]

[Homeowners' Exemption, Reimbursement of Local Government]

SEC. 25. The Legislature shall provide, in the same fiscal year, reimbursements to each local government for revenue lost because of Section 3(k). [New section adopted November 5, 1974.]

SEC. 25.5. [Repealed November 5, 1974.]

[Income Tax]

SEC. 26. (a) Taxes on or measured by income may be imposed on persons, corporations, or other entities as prescribed by law.

(b) Interest on bonds issued by the State or a local government in the State is exempt from taxes on income.

(c) Income of a nonprofit educational institution of collegiate grade within the State of California is exempt from taxes on or measured by income if both of the following conditions are met:

(1) The income is not unrelated business income as defined by the Legislature.

(2) The income is used exclusively for educational purposes.

(d) A nonprofit organization that is exempted from taxation by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, is exempt from any business license tax or fee measured by income or gross receipts that is levied by a county or city, whether charter or general law, a city and county, a school district, a special district, or any other local agency. [*As amended June 7, 1994.*]

[*Bank and Corporation Taxes*]

SEC. 27. The Legislature, a majority of the membership of each house concurring, may tax corporations, including state and national banks, and their franchises by any method not prohibited by this Constitution or the Constitution or laws of the United States. Unless otherwise provided by the Legislature, the tax on state and national banks shall be according to or measured by their net income and shall be in lieu of all other taxes and license fees upon banks or their shares, except taxes upon real property and vehicle registration and license fees. [*As amended June 8, 1976.*]

[*Taxation of Insurance Companies*]

SEC. 28. (a) “Insurer,” as used in this section, includes insurance companies or associations and reciprocal or interinsurance exchanges together with their corporate or other attorneys in fact considered as a single unit, and the State Compensation Insurance Fund. As used in this paragraph, “companies” includes persons, partnerships, joint stock associations, companies and corporations.

(b) An annual tax is hereby imposed on each insurer doing business in this State on the base, at the rates, and subject to the deductions from the tax hereinafter specified.

(c) In the case of an insurer not transacting title insurance in this State, the “basis of the annual tax” is, in respect to each year, the amount of gross premiums, less return premiums, received in such year by such insurer upon its business done in this State, other than premiums received for reinsurance and for ocean marine insurance.

In the case of an insurer transacting title insurance in this State, the “basis of the annual tax” is, in respect to each year, all income upon business done in this State, except:

- (1) Interest and dividends.
- (2) Rents from real property.
- (3) Profits from the sale or other disposition of investments.
- (4) Income from investments.

“Investments” as used in this subdivision includes property acquired by such insurer in the settlement or adjustment of claims against it but ex-

cludes investments in title plants and title records. Income derived directly or indirectly from the use of title plants and title records is included in the basis of the annual tax.

In the case of an insurer transacting title insurance in this State which has a trust department and does a trust business under the banking laws of this State, there shall be excluded from the basis of the annual tax imposed by this section, the income of, and from the assets of, such trust department and such trust business, if such income is taxed by this State or included in the measure of any tax imposed by this State.

(d) The rate of the tax to be applied to the basis of the annual tax in respect to each year is 2.35 percent.

(f) The tax imposed on insurers by this section is in lieu of all other taxes and licenses, state, county, and municipal, upon such insurers and their property, except:

(1) Taxes upon their real estate.

(2) That an insurer transacting title insurance in this State which has a trust department or does a trust business under the banking laws of this State is subject to taxation with respect to such trust department or trust business to the same extent and in the same manner as trust companies and the trust departments of banks doing business in this State.

(3) When by or pursuant to the laws of any other state or foreign country any taxes, licenses and other fees, in the aggregate, and any fines, penalties, deposit requirements or other material obligations, prohibitions or restrictions are or would be imposed upon California insurers, or upon the agents or representatives of such insurers, which are in excess of such taxes, licenses and other fees, in the aggregate, or which are in excess of the fines, penalties, deposit requirements or other obligations, prohibitions, or restrictions directly imposed upon similar insurers, or upon the agents or representatives of such insurers, of such other state or country under the statutes of this State; so long as such laws of such other state or country continue in force or are so applied, the same taxes, licenses and other fees, in the aggregate, or fines, penalties or deposit requirements or other material obligations, prohibitions, or restrictions, of whatever kind shall be imposed upon the insurers, or upon the agents or representatives of such insurers, of such other state or country doing business or seeking to do business in California. Any tax, license or other fee or other obligation imposed by any city, county, or other political subdivision or agency of such other state or country on California insurers or their agents or representatives shall be deemed to be imposed by such state or country within the meaning of this paragraph (3) of subdivision (f).

The provisions of this paragraph (3) of subdivision (f) shall not apply as to personal income taxes, nor as to ad valorem taxes on real or personal property nor as to special purpose obligations or assessments heretofore imposed by another state or foreign country in connection with particular

kinds of insurance, other than property insurance; except that deductions, from premium taxes or other taxes otherwise payable, allowed on account of real estate or personal property taxes paid shall be taken into consideration in determining the propriety and extent of retaliatory action under this paragraph (3) of subdivision (f).

For the purposes of this paragraph (3) of subdivision (f) the domicile of an alien insurer, other than insurers formed under the laws of Canada, shall be that state in which is located its principal place of business in the United States.

In the case of an insurer formed under the laws of Canada or a province thereof, its domicile shall be deemed to be that province in which its head office is situated.

The provisions of this paragraph (3) of subdivision (f) shall also be applicable to reciprocals or interinsurance exchanges and fraternal benefit societies.

(4) The tax on ocean marine insurance.

(5) Motor vehicle and other vehicle registration license fees and any other tax or license fee imposed by the State upon vehicles, motor vehicles or the operation thereof.

(6) That each corporate or other attorney in fact of a reciprocal or interinsurance exchange shall be subject to all taxes imposed upon corporations or others doing business in the State, other than taxes on income derived from its principal business as attorney in fact.

A corporate or other attorney in fact of each exchange shall annually compute the amount of tax that would be payable by it under prevailing law except for the provisions of this section, and any management fee due from each exchange to its corporate or other attorney in fact shall be reduced pro tanto by a sum equivalent to the amount so computed.

(g) Every insurer transacting the business of ocean marine insurance in this State shall annually pay to the State a tax measured by that proportion of the underwriting profit of such insurer from such insurance written in the United States, which the gross premiums of the insurer from such insurance written in this State bear to the gross premiums of the insurer from such insurance written within the United States, at the rate of 5 per centum, which tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon such insurer, except taxes upon real estate, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it. The Legislature shall define the terms "ocean marine insurance" and "underwriting profit," and shall provide for the assessment, levy, collection and enforcement of the ocean marine tax.

(h) The taxes provided for by this section shall be assessed by the State Board of Equalization.

(i) The Legislature, a majority of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates of taxes herein imposed upon insurers.

(j) This section is not intended to and does not change the law as it has previously existed with respect to the meaning of the words “gross premiums, less return premiums, received” as used in this article. [*As amended June 8, 1976.*]

[*Local Government Tax Sharing*]

SEC. 29. (a) The Legislature may authorize counties, cities and counties, and cities to enter into contracts to apportion between them the revenue derived from any sales or use tax imposed by them that is collected for them by the State. Before the contract becomes operative, it shall be authorized by a majority of those voting on the question in each jurisdiction at a general or direct primary election.

(b) Notwithstanding subdivision (a), on and after the operative date of this subdivision, counties, cities and counties, and cities may enter into contracts to apportion between them the revenue derived from any sales or use tax imposed by them pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, or any successor provisions, that is collected for them by the State, if the ordinance or resolution proposing each contract is approved by a two-thirds vote of the governing body of each jurisdiction that is a party to the contract. [*As amended November 3, 1998.*]

[*Tax Liens—Presumption of Payment of Taxes*]

SEC. 30. Every tax shall be conclusively presumed to have been paid after 30 years from the time it became a lien unless the property subject to the lien has been sold in the manner provided by the Legislature for the payment of the tax. [*New section adopted November 5, 1974.*]

[*Power to Tax*]

SEC. 31. The power to tax may not be surrendered or suspended by grant or contract. [*New section adopted November 5, 1974.*]

[*Proceedings Relating to Collection*]

SEC. 32. No legal or equitable process shall issue in any proceeding in any court against this State or any officer thereof to prevent or enjoin the collection of any tax. After payment of a tax claimed to be illegal, an action may be maintained to recover the tax paid, with interest, in such manner as may be provided by the Legislature. [*New section adopted November 5, 1974.*]

[*Legislature to Enact Laws*]

SEC. 33. The Legislature shall pass all laws necessary to carry out the provisions of this article. [*New section adopted November 5, 1974.*]

[*Food Products—Taxation*]

SEC. 34. Neither the State of California nor any of its political subdivisions shall levy or collect a sales or use tax on the sale of, or the storage, use or other consumption in this State of food products for human consumption except as provided by statute as of the effective date of this section. [*New section adopted November 3, 1992. Operative January 1, 1993. Initiative measure.*]

[*Local Public Safety Services*]

SEC. 35. (a) The people of the State of California find and declare all of the following:

(1) Public safety services are critically important to the security and well-being of the State's citizens and to the growth and revitalization of the State's economic base.

(2) The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.

(3) In order to assist local government in maintaining a sufficient level of public safety services, the proceeds of the tax enacted pursuant to this section shall be designated exclusively for public safety.

(b) In addition to any sales and use taxes imposed by the Legislature, the following sales and use taxes are hereby imposed:

(1) For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers at the rate of ½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this State on and after January 1, 1994.

(2) 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 and after January 1, 1994, for storage, use, or other consumption in this State at the rate of ½ percent of the sales price of the property.

(c) The Sales and Use Tax Law, including any amendments made thereto on or after the effective date of this section, shall be applicable to the taxes imposed by subdivision (b).

(d) (1) All revenues, less refunds, derived from the taxes imposed pursuant to subdivision (b) shall be transferred to the Local Public Safety Fund for allocation by the Legislature, as prescribed by statute, to counties in which either of the following occurs:

(A) The board of supervisors, by a majority vote of its membership, requests an allocation from the Local Public Safety Fund in a manner prescribed by statute.

(B) A majority of the county's voters voting thereon approve the addition of this section.

(2) Moneys in the Local Public Safety Fund shall be allocated for use exclusively for public safety services of local agencies.

(e) Revenues derived from the taxes imposed pursuant to subdivision (b) shall not be considered proceeds of taxes for purposes of Article XIII B or State General Fund proceeds of taxes within the meaning of Article XVI.

(f) Except for the provisions of Section 34, this section shall supersede any other provisions of this Constitution that are in conflict with the provisions of this section, including, but not limited to, Section 9 of Article II. *[New section adopted November 2, 1993.]*

SEC. 37. *[Repealed November 5, 1974.]*

SEC. 37.5. *[Repealed November 5, 1974.]*

SEC. 38. *[Repealed November 5, 1974.]*

SEC. 39. *[Repealed November 5, 1974.]*

SEC. 40. *[Repealed November 5, 1974.]*

SEC. 41. *[Repealed November 5, 1974.]*

SEC. 42. *[Repealed November 5, 1974.]*

SEC. 44. *[Repealed November 5, 1974.]*

ARTICLE XIII A*

TAX LIMITATION

[Maximum Ad Valorem Tax on Real Property—Apportionment of Tax Revenues]

SECTION 1. (a) The maximum amount of any ad valorem tax on real property shall not exceed One percent (1%) of the full cash value of such property. The one percent (1%) tax to be collected by the counties and apportioned according to law to the districts within the counties.

[Exceptions to Limitation]

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any of the following:

(1) Indebtedness approved by the voters prior to July 1, 1978.

(2) Bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.

(3) Bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of

* New Article XIII A adopted June 6, 1978. Operative for tax year beginning July 1, 1979. Initiative measure.

the district or county, as appropriate, voting on the proposition on or after the effective date of the measure adding this paragraph. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in Article XIII A, Section 1(b)(3), and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.

(C) A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.

(D) A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

(c) Notwithstanding any other provisions of law or of this Constitution, school districts, community college districts, and county offices of education may levy a 55 percent vote ad valorem tax pursuant to subdivision (b). [*As amended November 7, 2000. Initiative measure.*]

[*Valuation of Real Property—Appraised Value After 1975 Assessment—Replacement Dwelling*]

SEC. 2. (a) The “full cash value” means the county assessor’s valuation of real property as shown on the 1975–76 tax bill under “full cash value” or, thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment. All real property not already assessed up to the 1975–76 full cash value may be reassessed to reflect that valuation. For purposes of this section, “newly constructed” does not include real property that is reconstructed after a disaster, as declared by the Governor, where the fair market value of the real property, as reconstructed, is comparable to its fair market value prior to the disaster. Also, the term “newly constructed” does not include the portion of reconstruction or improvement to a structure, constructed of unreinforced masonry bearing wall construction, necessary to comply with any local ordinance relating to seismic safety during the first 15 years following that reconstruction or improvement.

However, the Legislature may provide that, under appropriate circumstances and pursuant to definitions and procedures established by the Leg-

islature, any person over the age of 55 years who resides in property that is eligible for the homeowner's exemption under subdivision (k) of Section 3 of Article XIII and any implementing legislation may transfer the base year value of the property entitled to exemption, with the adjustments authorized by subdivision (b), to any replacement dwelling of equal or lesser value located within the same county and purchased or newly constructed by that person as his or her principal residence within two years of the sale of the original property. For purposes of this section, "any person over the age of 55 years" includes a married couple one member of which is over the age of 55 years. For purposes of this section, "replacement dwelling" means a building, structure, or other shelter constituting a place of abode, whether real property or personal property, and any land on which it may be situated. For purposes of this section, a two-dwelling unit shall be considered as two separate single-family dwellings. This paragraph shall apply to any replacement dwelling that was purchased or newly constructed on or after November 5, 1986.

In addition, the Legislature may authorize each county board of supervisors, after consultation with the local affected agencies within the county's boundaries, to adopt an ordinance making the provisions of this subdivision relating to transfer of base year value also applicable to situations in which the replacement dwellings are located in that county and the original properties are located in another county within this State. For purposes of this paragraph, "local affected agency" means any city, special district, school district, or community college district that receives an annual property tax revenue allocation. This paragraph shall apply to any replacement dwelling that was purchased or newly constructed on or after the date the county adopted the provisions of this subdivision relating to transfer of base year value, but shall not apply to any replacement dwelling that was purchased or newly constructed before November 9, 1988.

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.

[Full Cash Value Reflecting Inflationary Rate]

(b) The full cash value base may reflect from year to year the inflationary rate not to exceed 2 percent for any given year or reduction as shown in the consumer price index or comparable data for the area under taxing jurisdiction, or may be reduced to reflect substantial damage, destruction, or other factors causing a decline in value.

[*“Newly Constructed”*]

(c) For purposes of subdivision (a), the Legislature may provide that the term “newly constructed” does not include 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, that 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 that is eligible for the homeowner’s exemption if the construction, installation, or modification is for the purpose of making the dwelling more accessible to a severely disabled person.

(4) The construction or installation of seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies, that 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 that qualify for exclusion pursuant to the last sentence of the first paragraph of subdivision (a).

(5) The construction, installation, removal, or modification on or after the effective date of this paragraph of any portion or structural component of an existing building or structure if the construction, installation, removal, or modification is for the purpose of making the building more accessible to, or more usable by, a disabled person.

[*“Change in Ownership”*]

(d) For purposes of this section, the term “change in ownership” does not include the acquisition of real property as a replacement for comparable property if the person acquiring the real property has been displaced from the property replaced by eminent domain proceedings, by acquisition by a public entity, or governmental action that has resulted in a judgment of inverse condemnation. The real property acquired shall be deemed comparable to the property replaced if it is similar in size, utility, and function, or if it conforms to state regulations defined by the Legislature governing the relocation of persons displaced by governmental actions. The provisions of this subdivision shall be applied to any property acquired after March 1, 1975, but shall affect only those assessments of that property that occur after the provisions of this subdivision take effect.

[*Disasters—Replacement Property*]

(e) (1) Notwithstanding any other provision of this section, the Legislature shall provide that the base year value of property that is substantially

damaged or destroyed by a disaster, as declared by the Governor, may be transferred to comparable property within the same county that is acquired or newly constructed as a replacement for the substantially damaged or destroyed property.

(2) Except as provided in paragraph (3), this subdivision shall apply to any comparable replacement property acquired or newly constructed on or after July 1, 1985, and to the determination of base year values for the 1985–86 fiscal year and fiscal years thereafter.

(3) In addition to the transfer of base year value of property within the same county that is permitted by paragraph (1), the Legislature may authorize each county board of supervisors to adopt, after consultation with affected local agencies within the county, an ordinance allowing the transfer of the base year value of property that is located within another county in the State and is substantially damaged or destroyed by a disaster, as declared by the Governor, to comparable replacement property of equal or lesser value that is located within the adopting county and is acquired or newly constructed within three years of the substantial damage or destruction of the original property as a replacement for that property. The scope and amount of the benefit provided to a property owner by the transfer of base year value of property pursuant to this paragraph shall not exceed the scope and amount of the benefit provided to a property owner by the transfer of base year value of property pursuant to subdivision (a). For purposes of this paragraph, “affected local agency” means any city, special district, school district, or community college district that receives an annual allocation of ad valorem property tax revenues. This paragraph shall apply to any comparable replacement property that is acquired or newly constructed as a replacement for property substantially damaged or destroyed by a disaster, as declared by the Governor, occurring on or after October 20, 1991, and to the determination of base year values for the 1991–92 fiscal year and fiscal years thereafter.

(f) For the purposes of subdivision (e):

(1) Property is substantially damaged or destroyed if it sustains physical damage amounting to more than 50 percent of its value immediately before the disaster. Damage includes a diminution in the value of property as a result of restricted access caused by the disaster.

(2) Replacement property is comparable to the property substantially damaged or destroyed if it is similar in size, utility, and function to the property that it replaces, and if the fair market value of the acquired property is comparable to the fair market value of the replaced property prior to the disaster.

[*Real Property Transfers between Spouses*]

(g) For purposes of subdivision (a), the terms “purchased” and “change in ownership” do not include the purchase or transfer of real property between spouses since March 1, 1975, including, but not limited to, all of the following:

(1) Transfers to a trustee for the beneficial use of a spouse, or the surviving spouse of a deceased transferor, or by a trustee of such a trust to the spouse of the trustor.

(2) Transfers to a spouse that take effect upon the death of a spouse.

(3) Transfers to a spouse or former spouse in connection with a property settlement agreement or decree of dissolution of a marriage or legal separation.

(4) The creation, transfer, or termination, solely between spouses, of any coowner’s interest.

(5) The distribution of a legal entity’s property to a spouse or former spouse in exchange for the interest of the spouse in the legal entity in connection with a property settlement agreement or a decree of dissolution of a marriage or legal separation.

[*Real Property Transfers between Family Members*]

(h) (1) For purposes of subdivision (a), the terms “purchased” and “change in ownership” do not include the purchase or transfer of the principal residence of the transferor in the case of a purchase or transfer between parents and their children, as defined by the Legislature, and the purchase or transfer of the first one million dollars (\$1,000,000) of the full cash value of all other real property between parents and their children, as defined by the Legislature. This subdivision shall apply to both voluntary transfers and transfers resulting from a court order or judicial decree.

(2) (A) Subject to subparagraph (B), commencing with purchases or transfers that occur on or after the date upon which the measure adding this paragraph becomes effective, the exclusion established by paragraph (1) also applies to a purchase or transfer of real property between grandparents and their grandchild or grandchildren, as defined by the Legislature, that otherwise qualifies under paragraph (1), if all of the parents of that grandchild or those grandchildren, who qualify as the children of the grandparents, are deceased as of the date of the purchase or transfer.

(B) A purchase or transfer of a principal residence shall not be excluded pursuant to subparagraph (A) if the transferee grandchild or grandchildren also received a principal residence, or interest therein, through another purchase or transfer that was excludable pursuant to paragraph (1). The full cash value of any real property, other than a principal residence, that was transferred to the grandchild or grandchildren pursuant to a purchase or transfer that was excludable pursuant to paragraph (1), and the full cash value of a principal residence that fails to qualify for exclu-

sion as a result of the preceding sentence, shall be included in applying, for purposes of subparagraph (A), the one million dollar (\$1,000,000) full cash value limit specified in paragraph (1).

[*Contaminated Property*]

(i) (1) Notwithstanding any other provision of this section, the Legislature shall provide with respect to a qualified contaminated property, as defined in paragraph (2), that either, but not both, of the following shall apply:

(A) (i) Subject to the limitation of clause (ii), the base year value of the qualified contaminated property, as adjusted as authorized by subdivision (b), may be transferred to a replacement property that is acquired or newly constructed as a replacement for the qualified contaminated property, if the replacement real property has a fair market value that is equal to or less than the fair market value of the qualified contaminated property if that property were not contaminated and, except as otherwise provided by this clause, is located within the same county. The base year value of the qualified contaminated property may be transferred to a replacement real property located within another county if the board of supervisors of that other county has, after consultation with the affected local agencies within that county, adopted a resolution authorizing an intercounty transfer of base year value as so described.

(ii) This subparagraph applies only to replacement property that is acquired or newly constructed within five years after ownership in the qualified contaminated property is sold or otherwise transferred.

(B) In the case in which the remediation of the environmental problems on the qualified contaminated property requires the destruction of, or results in substantial damage to, a structure located on that property, the term “new construction” does not include the repair of a substantially damaged structure, or the construction of a structure replacing a destroyed structure on the qualified contaminated property, performed after the remediation of the environmental problems on that property, provided that the repaired or replacement structure is similar in size, utility, and function to the original structure.

(2) For purposes of this subdivision, “qualified contaminated property” means residential or nonresidential real property that is all of the following:

(A) In the case of residential real property, rendered uninhabitable, and in the case of nonresidential real property, rendered unusable, as the result of either environmental problems, in the nature of and including, but not limited to, the presence of toxic or hazardous materials, or the remediation of those environmental problems, except where the existence of the environmental problems was known to the owner, or to a related individual or entity as described in paragraph (3), at the time the real property was ac-

quired or constructed. For purposes of this subparagraph, residential real property is “uninhabitable” if that property, as a result of health hazards caused by or associated with the environmental problems, is unfit for human habitation, and nonresidential real property is “unusable” if that property, as a result of health hazards caused by or associated with the environmental problems, is unhealthy and unsuitable for occupancy.

(B) Located on a site that has been designated as a toxic or environmental hazard or as an environmental cleanup site by an agency of the State of California or the federal government.

(C) Real property that contains a structure or structures thereon prior to the completion of environmental cleanup activities, and that structure or structures are substantially damaged or destroyed as a result of those environmental cleanup activities.

(D) Stipulated by the lead governmental agency, with respect to the environmental problems or environmental cleanup of the real property, not to have been rendered uninhabitable or unusable, as applicable, as described in subparagraph (A), by any act or omission in which an owner of that real property participated or acquiesced.

(3) It shall be rebuttably presumed that an owner of the real property participated or acquiesced in any act or omission that rendered the real property uninhabitable or unusable, as applicable, if that owner is related to any individual or entity that committed that act or omission in any of the following ways:

(A) Is a spouse, parent, child, grandparent, grandchild, or sibling of that individual.

(B) Is a corporate parent, subsidiary, or affiliate of that entity.

(C) Is an owner of, or has control of, that entity.

(D) Is owned or controlled by that entity.

If this presumption is not overcome, the owner shall not receive the relief provided for in subparagraph (A) or (B) of paragraph (1). The presumption may be overcome by presentation of satisfactory evidence to the assessor, who shall not be bound by the findings of the lead governmental agency in determining whether the presumption has been overcome.

(4) This subdivision applies only to replacement property that is acquired or constructed on or after January 1, 1995, and to property repairs performed on or after that date.

[Effectiveness of Amendments]

(j) Unless specifically provided otherwise, amendments to this section adopted prior to November 1, 1988, shall be effective for changes in ownership that occur, and new construction that is completed, after the effective date of the amendment. Unless specifically provided otherwise, amendments to this section adopted after November 1, 1988, shall be ef-

fective for changes in ownership that occur, and new construction that is completed, on or after the effective date of the amendment. [*As amended November 3, 1998.*]

[*Changes in State Taxes—Vote Requirement*]

SEC. 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. [*New section adopted June 6, 1978. Initiative measure.*]

[*Imposition of Special Taxes*]

SEC. 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. [*New section adopted June 6, 1978. Operative for tax year beginning July 1, 1979. Initiative measure.*]

[*Effective Date of Article*]

SEC. 5. This article shall take effect for the tax year beginning on July 1 following the passage of this Amendment, except Section 3 which shall become effective upon the passage of this article. [*New section adopted June 6, 1978. Operative for tax year beginning July 1, 1979. Initiative measure.*]

[*Severability*]

SEC. 6. If any section, part, clause, or phrase hereof is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected but will remain in full force and effect. [*New section adopted June 6, 1978. Operative for tax year beginning July 1, 1979. Initiative measure.*]

[*California Children and Families First Act of 1998*]

SEC. 7. Section 3 of this article does not apply to the California Children and Families First Act of 1998. [*New section adopted November 3, 1998. Initiative measure.*]

ARTICLE XIII B*

GOVERNMENT SPENDING LIMITATION

[Total Annual Appropriations]

SEC. 1. The total annual appropriations subject to limitation of the State and of each local government shall not exceed the appropriations limit of the entity of government for the prior year adjusted for the change in the cost of living and the change in population, except as otherwise provided in this article. *[As amended June 5, 1990. Operative July 1, 1990.]*

[Appropriations Limit Annual Calculation—Review]

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. *[New section adopted June 5, 1990. Operative July 1, 1990.]*

[Revenues in Excess of Limitation]

SEC. 2. (a)(1) Fifty percent of 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 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 returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.

(b) All revenues received by an entity of government, other than 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 entity in compliance with this 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. *[As amended June 5, 1990. Operative July 1, 1990.]*

[Appropriations Limit—Adjustments]

SEC. 3. The appropriations limit for any fiscal year pursuant to Sec. 1 shall be adjusted as follows:

(a) In the event that the financial responsibility of providing services is transferred, in whole or in part, whether by annexation, incorporation or

* New Article XIII B adopted November 6, 1979. Operative commencing first day of fiscal year following adoption. Initiative measure.

otherwise, from one entity of government to another, then for the year in which such transfer becomes effective the appropriations limit of the transferee entity shall be increased by such reasonable amount as the said entities shall mutually agree and the appropriations limit of the transferor entity shall be decreased by the same amount.

(b) In the event that the financial responsibility of providing services is transferred, in whole or in part, from an entity of government to a private entity, or the financial source for the provision of services is transferred, in whole or in part, from other revenues of an entity of government, to regulatory licenses, user charges or user fees, then for the year of such transfer the appropriations limit of such entity of government shall be decreased accordingly.

(c) (1) In the event an emergency is declared by the legislative body of an entity of government, the appropriations limit of the affected entity of government may be exceeded provided that the 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 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. [*As amended June 5, 1990. Operative July 1, 1990.*]

[*Appropriations Limit—Establishment or Change*]

SEC. 4. The appropriations limit imposed on any new or existing entity of government by this Article may be established or changed by the electors of such entity, subject to and in conformity with constitutional and statutory voting requirements. The duration of any such change shall be as determined by said electors, but shall in no event exceed four years from the most recent vote of said electors creating or continuing such change. [*New section adopted November 6, 1979. Operative commencing first day of fiscal year following adoption. Initiative measure.*]

[*Contingency, Emergency, Unemployment, Etc., Funds—Contributions—Withdrawals—Transfers*]

SEC. 5. Each entity of government may establish such contingency, emergency, unemployment, reserve, retirement, sinking fund, trust, or similar funds as it shall deem reasonable and proper. Contributions to any such fund, to the extent that such contributions are derived from the pro-

ceeds of taxes, shall for purposes of this Article constitute appropriations subject to limitation in the year of contribution. Neither withdrawals from any such fund, nor expenditures of (or authorizations to expend) such withdrawals, nor transfers between or among such funds, shall for purposes of this Article constitute appropriations subject to limitation. [*New section adopted November 6, 1979. Operative commencing first day of fiscal year following adoption. Initiative measure.*]

[*Prudent State Reserve*]

SEC. 5.5. *Prudent State Reserve.* The Legislature shall establish a prudent state reserve fund in such amount as it shall deem reasonable and necessary. Contributions to, and withdrawals from, the fund shall be subject to the provisions of Section 5 of this Article. [*New section adopted November 8, 1988. Initiative measure.*]

[*Mandates of New Programs or Higher Levels of Service—State Subvention—Exceptions*]

SEC. 6. Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the State shall provide a subvention of funds to reimburse such local government for the costs of such program or increased level of service, except that the Legislature may, but need not, provide such subvention of funds for the following mandates:

- (a) Legislative mandates requested by the local agency affected;
- (b) Legislation defining a new crime or changing an existing definition of a crime; or
- (c) Legislative mandates enacted prior to January 1, 1975, or executive orders or regulations initially implementing legislation enacted prior to January 1, 1975. [*New section adopted November 6, 1979. Operative commencing first day of fiscal year following adoption. Initiative measure.*]

[*Bonded Indebtedness*]

SEC. 7. Nothing in this Article shall be construed to impair the ability of the State or of any local government to meet its obligations with respect to existing or future bonded indebtedness. [*New section adopted November 6, 1979. Operative commencing first day of fiscal year following adoption. Initiative measure.*]

[Definitions]

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

(a) “Appropriations subject to limitation” of the State 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) 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 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) 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 (1) regulatory licenses, user charges, and user fees to the extent that those proceeds exceed the costs reasonably borne by that entity in providing the regulation, product, or service, and (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, and, with respect to the State, proceeds of taxes shall exclude such subventions.

(d) “Local government” means any city, county, city and county, school district, special district, authority, or other political subdivision of or within the State.

(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) “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.

“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” 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 that purpose.

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

(i) Except as otherwise provided in Section 5, “appropriations subject to limitation” 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. [*As amended June 5, 1990. Operative July 1, 1990.*]

[*Exceptions to Appropriations Subject to Limitation*]

SEC. 9. “Appropriations subject to limitation” for each entity of government do not include:

(a) Appropriations for debt service.

(b) Appropriations required 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 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. [*As amended June 5, 1990. Operative July 1, 1990.*]

[*Effective Date of Article*]

SEC. 10. This Article shall be effective commencing with the first day of the fiscal year following its adoption. [*New section adopted November 6, 1979. Operative commencing first day of fiscal year following adoption. Initiative measure.*]

[*Appropriations Limit on or after July 1, 1990*]

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. [*New section adopted June 5, 1990. Operative July 1, 1990.*]

[*Category Added or Removed from Appropriations Subject to Limitation—Severability*]

SEC. 11. If any appropriation category shall be added to or removed from appropriations subject to limitation, pursuant to final judgment of any court of competent jurisdiction and any appeal therefrom, the appropriations limit shall be adjusted accordingly. If any section, part, clause or phrase in this Article is for any reason held invalid or unconstitutional, the remaining portions of this Article shall not be affected but shall remain in full force and effect. [*New section adopted November 6, 1979. Operative commencing first day of fiscal year following adoption. Initiative measure.*]

[Exceptions to Appropriations Subject to Limitation]

SEC. 12. “Appropriations subject to limitation” of each entity of government shall not include appropriations of revenue from the Cigarette and Tobacco Products Surtax Fund created by the Tobacco Tax and Health Protection Act of 1988. 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 Cigarette and Tobacco Products Surtax Fund created by the Tobacco Tax and Health Protection Act of 1988. *[New section adopted November 8, 1988. Initiative measure.]*

[Exceptions to Appropriations Subject to Limitation]

SEC. 13. “Appropriations subject to limitation” of each entity of government shall not include appropriations of revenue from the California Children and Families First Trust Fund created by the California Children and Families First Act of 1998. 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 California Children and Families First Trust Fund. The surtax created by the California Children and Families First Act of 1998 shall not be considered General Fund revenues for the purposes of Section 8 of Article XVI. *[New section adopted November 3, 1998. Initiative measure.]*

ARTICLE XIII C *

VOTER APPROVAL FOR LOCAL TAX LEVIES

SECTION 1. Definitions. As used in this article:

(a) “General tax” means any tax imposed for general governmental purposes.

(b) “Local government” means any county, city, city and county, including a charter city or county, any special district, or any other local or regional governmental entity.

(c) “Special district” means an agency of the State, formed pursuant to general law or a special act, for the local performance of governmental or proprietary functions with limited geographic boundaries including, but not limited to, school districts and redevelopment agencies.

(d) “Special tax” means any tax imposed for specific purposes, including a tax imposed for specific purposes, which is placed into a general fund. *[New section adopted November 5, 1996. Initiative measure.]*

* New Article XIII C adopted November 5, 1996. Initiative measure.

SEC. 2. Local Government Tax Limitation. Notwithstanding any other provision of this Constitution:

(a) All taxes imposed by any local government shall be deemed to be either general taxes or special taxes. Special purpose districts or agencies, including school districts, shall have no power to levy general taxes.

(b) No local government may impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. A general tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).

(d) No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. [*New section adopted November 5, 1996. Initiative measure.*]

SEC. 3. Initiative Power for Local Taxes, Assessments, Fees and Charges. Notwithstanding any other provision of this Constitution, including, but not limited to, Sections 8 and 9 of Article II, the initiative power shall not be prohibited or otherwise limited in matters of reducing or repealing any local tax, assessment, fee or charge. The power of initiative to affect local taxes, assessments, fees and charges shall be applicable to all local governments and neither the Legislature nor any local government charter shall impose a signature requirement higher than that applicable to statewide statutory initiatives. [*New section adopted November 5, 1996. Initiative measure.*]

ARTICLE XIII D*

ASSESSMENT AND PROPERTY-RELATED FEE REFORM

SECTION 1. Application. Notwithstanding any other provision of law, the provisions of this article shall apply to all assessments, fees and charges, whether imposed pursuant to state statute or local government charter authority. Nothing in this article or Article XIII C shall be construed to:

(a) Provide any new authority to any agency to impose a tax, assessment, fee, or charge.

(b) Affect existing laws relating to the imposition of fees or charges as a condition of property development.

(c) Affect existing laws relating to the imposition of timber yield taxes. [*New section adopted November 5, 1996. Initiative measure.*]

SEC. 2. Definitions. As used in this article:

(a) "Agency" means any local government as defined in subdivision (b) of Section 1 of Article XIII C.

(b) "Assessment" means any levy or charge upon real property by an agency for a special benefit conferred upon the real property. "Assessment" includes, but is not limited to, "special assessment," "benefit assessment," "maintenance assessment" and "special assessment tax."

(c) "Capital cost" means the cost of acquisition, installation, construction, reconstruction, or replacement of a permanent public improvement by an agency.

(d) "District" means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service.

(e) "Fee" or "charge" means any levy other than an ad valorem tax, a special tax, or an assessment, imposed by an agency upon a parcel or upon a person as an incident of property ownership, including a user fee or charge for a property-related service.

(f) "Maintenance and operation expenses" means the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care, and supervision necessary to properly operate and maintain a permanent public improvement.

(g) "Property ownership" shall be deemed to include tenancies of real property where tenants are directly liable to pay the assessment, fee, or charge in question.

(h) "Property-related service" means a public service having a direct relationship to property ownership.

(i) "Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or

* New Article XIII D adopted November 5, 1996. Initiative measure.

to the public at large. General enhancement of property value does not constitute “special benefit.” [*New section adopted November 5, 1996. Initiative measure.*]

SEC. 3. Property Taxes, Assessments, Fees and Charges Limited. (a) No tax, assessment, fee, or charge shall be assessed by any agency upon any parcel of property or upon any person as an incident of property ownership except:

(1) The ad valorem property tax imposed pursuant to Article XIII and Article XIII A.

(2) Any special tax receiving a two-thirds vote pursuant to Section 4 of Article XIII A.

(3) Assessments as provided by this article.

(4) Fees or charges for property-related services as provided by this article.

(b) For purposes of this article, fees for the provision of electrical or gas service shall not be deemed charges or fees imposed as an incident of property ownership. [*New section adopted November 5, 1996. Initiative measure.*]

SEC. 4. Procedures and Requirements for All Assessments. (a) An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property-related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel. Parcels within a district that are owned or used by any agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit.

(b) All assessments shall be supported by a detailed engineer’s report prepared by a registered professional engineer certified by the State of California.

(c) The amount of the proposed assessment for each identified parcel shall be calculated and the record owner of each parcel shall be given written notice by mail of the proposed assessment, the total amount thereof chargeable to the entire district, the amount chargeable to the owner’s particular parcel, the duration of the payments, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, together with the date, time, and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous

place thereon, a summary of the procedures applicable to the completion, return, and tabulation of the ballots required pursuant to subdivision (d), including a disclosure statement that the existence of a majority protest, as defined in subdivision (e), will result in the assessment not being imposed.

(d) Each notice mailed to owners of identified parcels within the district pursuant to subdivision (c) shall contain a ballot which includes the agency's address for receipt of the ballot once completed by any owner receiving the notice whereby the owner may indicate his or her name, reasonable identification of the parcel, and his or her support or opposition to the proposed assessment.

(e) The agency shall conduct a public hearing upon the proposed assessment not less than 45 days after mailing the notice of the proposed assessment to record owners of each identified parcel. At the public hearing, the agency shall consider all protests against the proposed assessment and tabulate the ballots. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

(f) In any legal action contesting the validity of any assessment, the burden shall be on the agency to demonstrate that the property or properties in question receive a special benefit over and above the benefits conferred on the public at large and that the amount of any contested assessment is proportional to, and no greater than, the benefits conferred on the property or properties in question.

(g) Because only special benefits are assessable, electors residing within the district who do not own property within the district shall not be deemed under this Constitution to have been deprived of the right to vote for any assessment. If a court determines that the Constitution of the United States or other federal law requires otherwise, the assessment shall not be imposed unless approved by a two-thirds vote of the electorate in the district in addition to being approved by the property owners as required by subdivision (e). [*New section adopted November 5, 1996. Initiative measure.*]

SEC. 5. Effective Date. Pursuant to subdivision (a) of Section 10 of Article II, the provisions of this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article. Notwithstanding the foregoing, the following assessments existing on the effective date of this article shall be exempt from the procedures and approval process set forth in Section 4:

(a) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water,

flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.

(b) Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.

(c) Any assessment the proceeds of which are exclusively used to repay bonded indebtedness of which the failure to pay would violate the Contract Impairment Clause of the Constitution of the United States.

(d) Any assessment which previously received majority voter approval from the voters voting in an election on the issue of the assessment. Subsequent increases in those assessments shall be subject to the procedures and approval process set forth in Section 4. [*New section adopted November 5, 1996. Initiative measure.*]

SEC. 6. Property-Related Fees and Charges. (a) Procedures for New or Increased Fees and Charges. An agency shall follow the procedures pursuant to this section in imposing or increasing any fee or charge as defined pursuant to this article, including, but not limited to, the following:

(1) The parcels upon which a fee or charge is proposed for imposition shall be identified. The amount of the fee or charge proposed to be imposed upon each parcel shall be calculated. The agency shall provide written notice by mail of the proposed fee or charge to the record owner of each identified parcel upon which the fee or charge is proposed for imposition, the amount of the fee or charge proposed to be imposed upon each, the basis upon which the amount of the proposed fee or charge was calculated, the reason for the fee or charge, together with the date, time, and location of a public hearing on the proposed fee or charge.

(2) The agency shall conduct a public hearing upon the proposed fee or charge not less than 45 days after mailing the notice of the proposed fee or charge to the record owners of each identified parcel upon which the fee or charge is proposed for imposition. At the public hearing, the agency shall consider all protests against the proposed fee or charge. If written protests against the proposed fee or charge are presented by a majority of owners of the identified parcels, the agency shall not impose the fee or charge.

(b) Requirements for Existing, New or Increased Fees and Charges. A fee or charge shall not be extended, imposed, or increased by any agency unless it meets all of the following requirements:

(1) Revenues derived from the fee or charge shall not exceed the funds required to provide the property-related service.

(2) Revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed.

(3) The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.

(4) No fee or charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question. Fees or charges based on potential or future use of a service are not permitted. Standby charges, whether characterized as charges or assessments, shall be classified as assessments and shall not be imposed without compliance with Section 4.

(5) No fee or charge may be imposed for general governmental services including, but not limited to, police, fire, ambulance or library services, where the service is available to the public at large in substantially the same manner as it is to property owners.

Reliance by an agency on any parcel map, including, but not limited to, an assessor's parcel map, may be considered a significant factor in determining whether a fee or charge is imposed as an incident of property ownership for purposes of this article. In any legal action contesting the validity of a fee or charge, the burden shall be on the agency to demonstrate compliance with this article.

(c) Voter Approval for New or Increased Fees and Charges. Except for fees or charges for sewer, water, and refuse collection services, no property-related fee or charge shall be imposed or increased unless and until that fee or charge is submitted and approved by a majority vote of the property owners of the property subject to the fee or charge or, at the option of the agency, by a two-thirds vote of the electorate residing in the affected area. The election shall be conducted not less than 45 days after the public hearing. An agency may adopt procedures similar to those for increases in assessments in the conduct of elections under this subdivision.

(d) Beginning July 1, 1997, all fees or charges shall comply with this section. [*New section adopted November 5, 1996. Initiative measure.*]

ARTICLE XIV. [*Repealed June 8, 1976. See Article XIV, below.*]

ARTICLE XIV*

LABOR RELATIONS

SECTION 1. [*Repealed June 8, 1976. See Section 1, below.*][*Minimum Wages and General Welfare of Employees*]

SECTION 1. The Legislature may provide for minimum wages and for the general welfare of employees and for those purposes may confer on a commission legislative, executive, and judicial powers. [*New section adopted June 8, 1976.*]

SEC. 2. [*Repealed June 8, 1976. See Section 2, below.*][*Eight-hour Workday*]

SEC. 2. Worktime of mechanics or workers on public works may not exceed eight hours a day except in wartime or extraordinary emergencies that endanger life or property. The Legislature shall provide for enforcement of this section. [*New section adopted June 8, 1976.*]

SEC. 3. [*Repealed June 8, 1976. See Section 3, below.*][*Mechanics' Liens*]

SEC. 3. Mechanics, persons furnishing materials, artisans, and laborers of every class, shall have a lien upon the property upon which they have bestowed labor or furnished material for the value of such labor done and material furnished; and the Legislature shall provide, by law, for the speedy and efficient enforcement of such liens. [*New section adopted June 8, 1976.*]

SEC. 4. [*Repealed June 8, 1976. See Section 4, below.*][*Workers' Compensation*]

SEC. 4. The Legislature is hereby expressly vested with plenary power, unlimited by any provision of this Constitution, to create, and enforce a complete system of workers' compensation, by appropriate legislation, and in that behalf to create and enforce a liability on the part of any or all persons to compensate any or all of their workers for injury or disability, and their dependents for death incurred or sustained by the said workers in the course of their employment, irrespective of the fault of any party. A complete system of workers' compensation includes adequate provisions for the comfort, health and safety and general welfare of any and all workers and those dependent upon them for support to the extent of relieving from the consequences of any injury or death incurred or sus-

* New Article XIV adopted June 8, 1976.

tained by workers in the course of their employment, irrespective of the fault of any party; also full provision for securing safety in places of employment; full provision for such medical, surgical, hospital and other remedial treatment as is requisite to cure and relieve from the effects of such injury; full provision for adequate insurance coverage against liability to pay or furnish compensation; full provision for regulating such insurance coverage in all its aspects, including the establishment and management of a state compensation insurance fund; full provision for otherwise securing the payment of compensation; and full provision for vesting power, authority and jurisdiction in an administrative body with all the requisite governmental functions to determine any dispute or matter arising under such legislation, to the end that the administration of such legislation shall accomplish substantial justice in all cases expeditiously, inexpensively, and without incumbrance of any character; all of which matters are expressly declared to be the social public policy of this State, binding upon all departments of the state government.

The Legislature is vested with plenary powers, to provide for the settlement of any disputes arising under such legislation by arbitration, or by an industrial accident commission, by the courts, or by either, any, or all of these agencies, either separately or in combination, and may fix and control the method and manner of trial of any such dispute, the rules of evidence and the manner of review of decisions rendered by the tribunal or tribunals designated by it; provided, that all decisions of any such tribunal shall be subject to review by the appellate courts of this State. The Legislature may combine in one statute all the provisions for a complete system of workers' compensation, as herein defined.

The Legislature shall have power to provide for the payment of an award to the State in the case of the death, arising out of and in the course of the employment, of an employee without dependents, and such awards may be used for the payment of extra compensation for subsequent injuries beyond the liability of a single employer for awards to employees of the employer.

Nothing contained herein shall be taken or construed to impair or render ineffectual in any measure the creation and existence of the industrial accident commission of this State or the state compensation insurance fund, the creation and existence of which, with all the functions vested in them, are hereby ratified and confirmed. [*New section adopted June 8, 1976.*]

SEC. 5. [*Repealed November 6, 1990. See Section 5, below.*]

[*Inmate Labor*]

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 in-

mate 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. [*New section adopted November 6, 1990. Initiative measure.*]

ARTICLE XV. [*Repealed June 8, 1976. See Article XV, below.*]

ARTICLE XV*

USURY

[*Rate of Interest*]

SECTION 1. The rate of interest upon the loan or forbearance of any money, goods, or things in action, or on accounts after demand, shall be 7 percent per annum but it shall be competent for the parties to any loan or forbearance of any money, goods or things in action to contract in writing for a rate of interest:

(1) For any loan or forbearance of any money, goods, or things in action, if the money, goods, or things in action are for use primarily for personal, family, or household purposes, at a rate not exceeding 10 percent per annum; provided, however, that any loan or forbearance of any money, goods or things in action the proceeds of which are used primarily for the purchase, construction or improvement of real property shall not be deemed to be a use primarily for personal, family or household purposes;
or

* New Article XV adopted June 8, 1976.

(2) For any loan or forbearance of any money, goods, or things in action for any use other than specified in paragraph (1), at a rate not exceeding the higher of (a) 10 percent per annum or (b) 5 percent per annum plus the rate prevailing on the 25th day of the month preceding the earlier of (i) the date of execution of the contract to make the loan or forbearance, or (ii) the date of making the loan or forbearance established by the Federal Reserve Bank of San Francisco on advances to member banks under Sections 13 and 13a of the Federal Reserve Act as now in effect or hereafter from time to time amended (or if there is no such single determinable rate of advances, the closest counterpart of such rate as shall be designated by the Superintendent of Banks of the State of California unless some other person or agency is delegated such authority by the Legislature).

[Charges]

No person, association, copartnership or corporation shall by charging any fee, bonus, commission, discount or other compensation receive from a borrower more than the interest authorized by this section upon any loan or forbearance of any money, goods or things in action.

[Exemptions]

However, none of the above restrictions shall apply to any obligations of, loans made by, or forbearances of, any building and loan association as defined in and which is operated under that certain act known as the "Building and Loan Association Act," approved May 5, 1931, as amended, or to any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, as amended, or any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, as amended or any duly licensed pawnbroker or personal property broker, or any loans made or arranged by any person licensed as a real estate broker by the State of California and secured in whole or in part by liens on real property, or any bank as defined in and operating under that certain act known as the "Bank Act," approved March 1, 1909, as amended, or any bank created and operating under and pursuant to any laws of this State or of the United States of America or any nonprofit cooperative association organized under Chapter 1 (commencing with Section 54001) of Division 20 of the Food and Agricultural Code in loaning or advancing money in connection with any activity mentioned in said title or any corporation, association, syndicate, joint stock company, or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperative nonprofit basis

in loaning or advancing money to the members thereof or in connection with any such business or any corporation securing money or credit from any federal intermediate credit bank, organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended in loaning or advancing credit so secured, or any other class of persons authorized by statute, or to any successor in interest to any loan or forbearance exempted under this article, nor shall any such charge of any said exempted classes of persons be considered in any action or for any purpose as increasing or affecting or as connected with the rate of interest hereinbefore fixed. The Legislature may from time to time prescribe the maximum rate per annum of, or provide for the supervision, or the filing of a schedule of, or in any manner fix, regulate or limit, the fees, bonuses, commissions, discounts or other compensation which all or any of the said exempted classes of persons may charge or receive from a borrower in connection with any loan or forbearance of any money, goods or things in action.

[Judgments Rendered in Court—Rate of Interest]

The rate of interest upon a judgment rendered in any court of this State shall be set by the Legislature at not more than 10 percent per annum. Such rate may be variable and based upon interest rates charged by federal agencies or economic indicators, or both.

In the absence of the setting of such rate by the Legislature, the rate of interest on any judgment rendered in any court of the State shall be 7 percent per annum.

[Scope of Section]

The provisions of this section shall supersede all provisions of this Constitution and laws enacted thereunder in conflict therewith. *[As amended November 6, 1979.]*

SEC. 2. *[Repealed June 8, 1976.]*

SEC. 3. *[Repealed June 8, 1976.]*

ARTICLE XVI

PUBLIC FINANCE

[Heading as amended November 5, 1974.]

[State Indebtedness—Limitation—Two-thirds Vote to Submit Bond Law—Submission of Law to Electors]

SECTION 1. The Legislature shall not, in any manner create any debt or debts, liability or liabilities, which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of three hundred thousand dollars (\$300,000), except in case of war to repel invasion or suppress in-

surrection, unless the same shall be authorized by law for some single object or work to be distinctly specified therein which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within 50 years of the time of the contracting thereof, and shall be irrevocable until the principal and interest thereon shall be paid and discharged, and such law may make provision for a sinking fund to pay the principal of such debt or liability to commence at a time after the incurring of such debt or liability of not more than a period of one-fourth of the time of maturity of such debt or liability; but no such law shall take effect unless it has been passed by a two-thirds vote of all the members elected to each house of the Legislature and until, at a general election or at a direct primary, it shall have been submitted to the people and shall have received a majority of all the votes cast for and against it at such election; and all moneys raised by authority of such law shall be applied only to the specific object therein stated or to the payment of the debt thereby created. Full publicity as to matters to be voted upon by the people is afforded by the setting out of the complete text of the proposed laws, together with the arguments for and against them, in the ballot pamphlet mailed to each elector preceding the election at which they are submitted, and the only requirement for publication of such law shall be that it be set out at length in ballot pamphlets which the Secretary of State shall cause to be printed. The Legislature may, at any time after the approval of such law by the people, reduce the amount of the indebtedness authorized by the law to an amount not less than the amount contracted at the time of the reduction, or it may repeal the law if no debt shall have been contracted in pursuance thereof.

Notwithstanding any other provision of this Constitution, Members of the Legislature who are required to meet with the State Allocation Board shall have equal rights and duties with the nonlegislative members to vote and act upon matters pending or coming before such board for the allocation and apportionment of funds to school districts for school construction purposes or purposes related thereto.

Notwithstanding any other provision of this constitution, or of any bond act to the contrary, if any general obligation bonds of the State heretofore or hereafter authorized by vote of the people have been offered for sale and not sold, the Legislature may raise the maximum rate of interest payable on all general obligation bonds authorized but not sold, whether or not such bonds have been offered for sale, by a statute passed by a two-thirds vote of all members elected to each house thereof.

The provisions of Senate Bill No. 763[†] of the 1969 Regular Session, which authorize an increase of the state general obligation bond maximum interest rate from 5 percent to an amount not in excess of 7 percent and

[†] Chapter 740.

eliminate the maximum rate of interest payable on notes given in anticipation of the sale of such bonds, are hereby ratified. [*As amended June 2, 1970.*]

[*General Obligation Bond Proceeds Fund*]

SEC. 1.5. The Legislature may create and establish a “General Obligation Bond Proceeds Fund” in the State Treasury, and may provide for the proceeds of the sale of general obligation bonds of the State heretofore or hereafter issued, including any sums paid as accrued interest thereon, under any or all acts authorizing the issuance of such bonds, to be paid into or transferred to, as the case may be, the “General Obligation Bond Proceeds Fund.” Accounts shall be maintained in the “General Obligation Bond Proceeds Fund” of all moneys deposited in the State Treasury to the credit of that fund and the proceeds of each bond issue shall be maintained as a separate and distinct account and shall be paid out only in accordance with the law authorizing the issuance of the particular bonds from which the proceeds were derived. The Legislature may abolish, subject to the conditions of this section, any fund in the State Treasury heretofore or hereafter created by any act for the purpose of having deposited therein the proceeds from the issuance of bonds if such proceeds are transferred to or paid into the “General Obligation Bond Proceeds Fund” pursuant to the authority granted in this section; provided, however, that nothing in this section shall prevent the Legislature from re-establishing any bond proceeds fund so abolished and transferring back to its credit all proceeds in the “General Obligation Bond Proceeds Fund” which constitute the proceeds of the particular bond fund being re-established. [*New section adopted November 6, 1962.*]

SEC. 2. [*Repealed November 6, 1962. See Section 2, below.*]

[*Bond Issues—Submission by Constitutional Amendment Prohibited—
Repeal of Certain Constitutional Provisions*]

SEC. 2. (a) No amendment to this Constitution which provides for the preparation, issuance and sale of bonds of the State of California shall hereafter be submitted to the electors, nor shall any such amendment to the Constitution hereafter submitted to or approved by the electors become effective for any purpose.

Each measure providing for the preparation, issuance and sale of bonds of the State of California shall hereafter be submitted to the electors in the form of a bond act or statute.

(b) The provisions of this Constitution enumerated in subdivision (c) of this section are repealed and such provisions are continued as statutes which have been approved, adopted, legalized, ratified, validated, and made fully and completely effective, by means of the adoption by the electorate of a ratifying constitutional amendment, except that the Legislature,

in addition to whatever powers it possessed under such provisions, may amend or repeal such provisions when the bonds issued thereunder have been fully retired and when no rights thereunder will be damaged.

(c) The enumerated provisions of this Constitution are: Article XVI, Sections 2, 3, 4, 4½, 5, 6, 8, 8½, 15, 16, 16.5, 17, 18, 19, 19.5, 20 and 21. [*New section adopted November 6, 1962.*]

[*Appropriations*]

SEC. 3. No money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State, except that notwithstanding anything contained in this or any other section of the Constitution:

[*Federal Funds*]

(1) Whenever federal funds are made available for the construction of hospital facilities by public agencies and nonprofit corporations organized to construct and maintain such facilities, nothing in this Constitution shall prevent the Legislature from making state money available for that purpose, or from authorizing the use of such money for the construction of hospital facilities by nonprofit corporations organized to construct and maintain such facilities.

[*Institution for Support of Orphans or Aged Indigents*]

(2) The Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions.

[*Needy Blind*]

(3) The Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, and no person concerned with the administration of aid to needy blind persons shall dictate how any applicant or recipient shall expend such aid granted him, and all money paid to a recipient of such aid shall be intended to help him meet his individual needs and is not for the benefit of any other person, and such aid when granted shall not be construed as income to any person other than the blind

recipient of such aid, and the State Department of Social Welfare shall take all necessary action to enforce the provisions relating to aid to needy blind persons as heretofore stated.

[Physically Handicapped Persons]

(4) The Legislature shall have power to grant aid to needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State.

[Management of Institutions]

(5) The State shall have at any time the right to inquire into the management of such institutions.

[Orphans, Aged Indigents, Needy Blind—County Support]

(6) Whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control.

[Receipts and Expenditures of Public Moneys]

An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature. *[New section adopted November 5, 1974.]*

[Loan Guarantees re Nonprofit Corporations and Public Agencies]

SEC. 4. The Legislature shall have the power to insure or guarantee loans made by private or public lenders to nonprofit corporations and public agencies, the proceeds of which are to be used for the construction, expansion, enlargement, improvement, renovation or repair of any public or nonprofit hospital, hospital facility, or extended care facility, facility for the treatment of mental illness, or all of them, including any outpatient fa-

cility and any other facility useful and convenient in the operation of the hospital and any original equipment for any such hospital or facility, or both.

No provision of this Constitution, including but not limited to, Section 1 of Article XVI and Section 14 of Article XI, shall be construed as a limitation upon the authority granted to the Legislature by this section. [*New section adopted November 5, 1974.*]

SEC. 4½. [*Repealed November 6, 1962.*]

[*Religious Institutions—Grants Prohibited*]

SEC. 5. Neither the Legislature, nor any county, city and county, township, school district, or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed, or sectarian purpose, or help to support or sustain any school, college, university, hospital, or other institution controlled by any religious creed, church, or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any city, city and county, town, or other municipal corporation for any religious creed, church, or sectarian purpose whatever; provided, that nothing in this section shall prevent the Legislature granting aid pursuant to Section 3 of Article XVI. [*New section adopted November 5, 1974.*]

[*Gifts or Loans of Public Moneys or Pledging of Credit Prohibited—Stock of Corporations*]

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

[Insurance Pooling Arrangements]

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 nonprofit corporation or other public agency as may be authorized by the Legislature; and

[Aid to Veterans]

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

[Disaster Assistance]

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.

[Temporary Transfers of Funds to Political Subdivisions]

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. [*As amended November 2, 1982.*]

[*Controller's Warrants*]

SEC. 7. Money may be drawn from the Treasury only through an appropriation made by law and upon a Controller's duly drawn warrant. [*New section adopted November 5, 1974.*]

[*School Funding Priority*]

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

(b) Commencing with the 1990–91 fiscal year, the 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 General Fund revenues which may be appropriated pursuant to Article XIII B, equals the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87.

(2) 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 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 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. 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 pro-

ceeds 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 capital 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 rev-

enues 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.

(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 provisions of subdivision (b) may be suspended for one year by the enactment of an urgency statute pursuant to Section 8 of Article IV, provided that the urgency statute may not be made part of or included within any bill enacted pursuant to Section 12 of Article IV. [*As amended June 5, 1990. Operative July 1, 1990.*]

SEC. 8½. [*Repealed November 6, 1962.*]

[*Allocations to State School Fund*]

SECTION 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, 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 XIII B 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 10 states with the highest annual expenditures per student for elementary and high schools, and that average class size equals or is less than the average class size of the 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 Col-

leges 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 10 states with the highest annual expenditure per student for community colleges.

(b) Notwithstanding the provisions of Article XIII B, funds allocated pursuant to this section shall not constitute appropriations subject to limitation.

(c) From any funds transferred to the State School Fund pursuant to subdivision (a), 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) 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. [*As amended June 5, 1990. Operative July 1, 1990.*]

[*Fish and Game*]

SEC. 9. Money collected under any state law relating to the protection or propagation of fish and game shall be used for activities relating thereto. [*New section adopted November 5, 1974.*]

[*Aged Aid—Federal-State Co-operation*]

SEC. 10. Whenever the United States government or any officer or agency thereof shall provide pensions or other aid for the aged, cooperation by the State therewith and therein is hereby authorized in such manner and to such extent as may be provided by law.

The money expended by any county, city and county, municipality, district or other political subdivision of this State made available under the provisions of this section shall not be considered as a part of the base for determining the maximum expenditure for any given year permissible under Section 20[†] of Article XI of this Constitution independent of the vote of the electors or authorization by the State Board of Equalization. [*As amended November 6, 1962.*]

[*Relief Administration*]

SEC. 11. The Legislature has plenary power to provide for the administration of any constitutional provisions or laws heretofore or hereafter

[†] Section 20, Article XI, repealed June 2, 1970.

enacted concerning the administration of relief, and to that end may modify, transfer, or enlarge the powers vested in any state agency or officer concerned with the administration of relief or laws appertaining thereto. The Legislature, or the people by initiative, shall have power to amend, alter, or repeal any law relating to the relief of hardship and destitution, whether such hardship and destitution results from unemployment or from other causes, or to provide for the administration of the relief of hardship and destitution, whether resulting from unemployment or from other causes, either directly by the State or through the counties of the State, and to grant such aid to the counties therefor, or make such provision for reimbursement of the counties by the State, as the Legislature deems proper. [*As amended November 6, 1962.*]

SEC. 12. [*Repealed November 6, 1962.*]

[*Legislative Power to Release Encumbrances Taken as Security for Aid to Aged*]

SEC. 13. Notwithstanding any other provision of this Constitution, the Legislature shall have power to release, rescind, cancel, or otherwise nullify in whole or in part any encumbrance on property, personal obligation, or other form of security heretofore or hereafter exacted or imposed by the Legislature to secure the repayment to, or reimbursement of, the State, and the counties or other agencies of the state government, of aid lawfully granted to and received by aged persons. [*As amended November 6, 1962.*]

[*Bonds—Environmental Pollution Control Facilities*]

SEC. 14. The Legislature may provide for the issuance of revenue bonds to finance the acquisition, construction, and installation of environmental pollution control facilities, including the acquisition of all technological facilities necessary or convenient for pollution control, and for the lease or sale of such facilities to persons, associations, or corporations, other than municipal corporations; provided, that such revenue bonds shall not be secured by the taxing power of the State; and provided, further, that the Legislature may, by resolution adopted by either house, prohibit or limit any proposed issuance of such revenue bonds. No provision of this Constitution, including, but not limited to, Section 25 of Article XIII and Sections 1 and 2 of Article XVI, shall be construed as a limitation upon the authority granted to the Legislature pursuant to this section. Nothing herein contained shall authorize any public agency to operate any industrial or commercial enterprise. [*New section adopted November 7, 1972.*]

[*Energy Alternative Sources Facilities—Acquisition, Construction, Etc.—Revenue Bond Issuance*]

SEC. 14.5. The Legislature may provide for the issuance of revenue bonds to finance the acquisition, construction, and installation of facilities utilizing cogeneration technology, solar power, biomass, or any other al-

ternative source the Legislature may deem appropriate, including the acquisition of all technological facilities necessary or convenient for the use of alternative sources, and for the lease or sale of such facilities to persons, associations, or corporations, other than municipal corporations; provided, that such revenue bonds shall not be secured by the taxing power of the State; and provided, further, that the Legislature may, by resolution adopted by both houses, prohibit or limit any proposed issuance of such revenue bonds. No provision of this Constitution, including, but not limited to, Sections 1, 2, and 6, of this article, shall be construed as a limitation upon the authority granted to the Legislature pursuant to this section. Nothing contained herein shall authorize any public agency to operate any industrial or commercial enterprise. [*New section adopted June 3, 1980.*]

[*Parking Meter Revenues*]

SEC. 15. A public body authorized to issue securities to provide public parking facilities and any other public body whose territorial area includes such facilities are authorized to make revenues from street parking meters available as additional security. [*New section adopted November 5, 1974.*]

[*Taxation of Redevelopment Projects*]

SEC. 16. All property in a redevelopment project established under the Community Redevelopment Law as now existing or hereafter amended, except publicly owned property not subject to taxation by reason of that ownership, shall be taxed in proportion to its value as provided in Section 1 of this article, and those taxes (the word "taxes" as used herein includes, but is not limited to, all levies on an ad valorem basis upon land or real property) shall be levied and collected as other taxes are levied and collected by the respective taxing agencies.

The Legislature may provide that any redevelopment plan may contain a provision that the taxes, if any, so levied upon the taxable property in a redevelopment project each year by or for the benefit of the State of California, any city, county, city and county, district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows:

(a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of those taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of that property by the taxing agency, last equalized prior to the effective date of the ordinance, shall be allocated to, and when collected shall be paid into, the funds of the respective taxing agencies as taxes by or for those taxing agencies on all other property are paid (for the

purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of the ordinance but to which that territory has been annexed or otherwise included after the ordinance's effective date, the assessment roll of the county last equalized on the effective date of that ordinance shall be used in determining the assessed valuation of the taxable property in the project on that effective date); and

(b) Except as provided in subdivision (c), that portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in subdivision (a), all of the taxes levied and collected upon the taxable property in the redevelopment project shall be paid into the funds of the respective taxing agencies. When the loans, advances, and indebtedness, if any, and interest thereon, have been paid, then all moneys thereafter received from taxes upon the taxable property in the redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

(c) That portion of the taxes identified in subdivision (b) which are attributable to a tax rate levied by a taxing agency for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency. This paragraph shall only apply to taxes levied to repay bonded indebtedness approved by the voters of the taxing agency on or after January 1, 1989.

The Legislature may also provide that in any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes identified in subdivision (b), exclusive of that portion identified in subdivision (c), may be irrevocably pledged for the payment of the principal of and interest on those loans, advances, or indebtedness.

It is intended by this section to empower any redevelopment agency, city, county, or city and county under any law authorized by this section to exercise the provisions hereof separately or in combination with powers granted by the same or any other law relative to redevelopment agencies. This section shall not affect any other law or laws relating to the same or

a similar subject but is intended to authorize an alternative method of procedure governing the subject to which it refers.

The Legislature shall enact those laws as may be necessary to enforce the provisions of this section. [*As amended November 8, 1988.*]

SEC. 16.5. [*Repealed November 6, 1962.*]

[*State's Credit—Investment of Public Pension or Retirement Funds*]

SEC. 17. The State shall not in any manner loan its credit, nor shall it subscribe to, or be interested in the stock of any company, association, or corporation, except that the State and each political subdivision, district, municipality, and public agency thereof is hereby authorized to acquire and hold shares of the capital stock of any mutual water company or corporation when the stock is so acquired or held for the purpose of furnishing a supply of water for public, municipal or governmental purposes; and the holding of the stock shall entitle the holder thereof to all of the rights, powers and privileges, and shall subject the holder to the obligations and liabilities conferred or imposed by law upon other holders of stock in the mutual water company or corporation in which the stock is so held.

Notwithstanding any other provisions of law or this Constitution to the contrary, the retirement board of a public pension or retirement system shall have plenary authority and fiduciary responsibility for investment of moneys and administration of the system, subject to all of the following:

(a) The retirement board of a public pension or retirement system shall have the sole and exclusive fiduciary responsibility over the assets of the public pension or retirement system. The retirement board shall also have sole and exclusive responsibility to administer the system in a manner that will assure prompt delivery of benefits and related services to the participants and their beneficiaries. The assets of a public pension or retirement system are trust funds and shall be held for the exclusive purposes of providing benefits to participants in the pension or retirement system and their beneficiaries and defraying reasonable expenses of administering the system.

(b) The members of the retirement board of a public pension or retirement system shall discharge their duties with respect to the system solely in the interest of, and for the exclusive purposes of providing benefits to, participants and their beneficiaries, minimizing employer contributions thereto, and defraying reasonable expenses of administering the system. A retirement board's duty to its participants and their beneficiaries shall take precedence over any other duty.

(c) The members of the retirement board of a public pension or retirement system shall discharge their duties with respect to the system with the care, skill, prudence, and diligence under the circumstances then pre-

vailling that a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.

(d) The members of the retirement board of a public pension or retirement system shall diversify the investments of the system so as to minimize the risk of loss and to maximize the rate of return, unless under the circumstances it is clearly not prudent to do so.

(e) The retirement board of a public pension or retirement system, consistent with the exclusive fiduciary responsibilities vested in it, shall have the sole and exclusive power to provide for actuarial services in order to assure the competency of the assets of the public pension or retirement system.

(f) With regard to the retirement board of a public pension or retirement system which includes in its composition elected employee members, the number, terms, and method of selection or removal of members of the retirement board which were required by law or otherwise in effect on July 1, 1991, shall not be changed, amended, or modified by the Legislature unless the change, amendment, or modification enacted by the Legislature is ratified by a majority vote of the electors of the jurisdiction in which the participants of the system are or were, prior to retirement, employed.

(g) The Legislature may by statute continue to prohibit certain investments by a retirement board where it is in the public interest to do so, and provided that the prohibition satisfies the standards of fiduciary care and loyalty required of a retirement board pursuant to this section.

(h) As used in this section, the term "retirement board" shall mean the board of administration, board of trustees, board of directors, or other governing body or board of a public employees' pension or retirement system; provided, however, that the term "retirement board" shall not be interpreted to mean or include a governing body or board created after July 1, 1991 which does not administer pension or retirement benefits, or the elected legislative body of a jurisdiction which employs participants in a public employees' pension or retirement system. [*As amended November 3, 1992. Initiative measure.*]

[*Municipal Debt Exceeding Income*]

SEC. 18. (a) No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the voters of the public entity voting at an election to be held for that purpose, except that with respect to any such public entity which is authorized to incur indebtedness for public school purposes, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purpose of repairing, reconstructing or replacing public school buildings determined, in the

manner prescribed by law, to be structurally unsafe for school use, shall be adopted upon the approval of a majority of the voters of the public entity voting on the proposition at such election; nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and provide for a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty years from the time of contracting the indebtedness.

(b) Notwithstanding subdivision (a), on or after the effective date of the measure adding this subdivision, in the case of any school district, community college district, or county office of education, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, shall be adopted upon the approval of 55 percent of the voters of the district or county, as appropriate, voting on the proposition at an election. This subdivision shall apply only to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision if the proposition meets all of the accountability requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A.

(c) When two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds or a majority or 55 percent of the voters, as the case may be, voting on any one of those propositions, vote in favor thereof, the proposition shall be deemed adopted. [*As amended November 7, 2000. Initiative measure.*]

[*Public Improvement Proceedings by Chartered City or County*]

SEC. 19. All proceedings undertaken by any chartered city, or by any chartered county or by any chartered city and county for the construction of any public improvement, or the acquisition of any property for public use, or both, where the cost thereof is to be paid in whole or in part by special assessment or other special assessment taxes upon property, whether the special assessment will be specific or a special assessment tax upon property wholly or partially according to the assessed value of such property, shall be undertaken only in accordance with the provisions of law governing: (a) limitations of costs of such proceedings or assessments for such proceedings, or both, in relation to the value of any property assessed therefor; (b) determination of a basis for the valuation of any such property; (c) payment of the cost in excess of such limitations; (d) avoidance of such limitations; (e) postponement or abandonment, or both, of such proceedings in whole or in part upon majority protest, and particularly in accordance with such provisions as contained in Sections 10, 11 and 13a

of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 or any amendments, codification, reenactment or restatement thereof.

Notwithstanding any provisions for debt limitation or majority protest as in this section provided, if, after the giving of such reasonable notice by publication and posting and the holding of such public hearing as the legislative body of any such chartered county, chartered city or chartered city and county shall have prescribed, such legislative body by no less than a four-fifths vote of all members thereof, finds and determines that the public convenience and necessity require such improvements or acquisitions, such debt limitation and majority protest provisions shall not apply.

Nothing contained in this section shall require the legislative body of any such city, county, or city and county to prepare or to cause to be prepared, hear, notice for hearing or report the hearing of any report as to any such proposed construction or acquisition or both. [*New section adopted November 5, 1974.*]

SEC. 19.5. [*Repealed November 6, 1962.*]

SEC. 20. [*Repealed November 6, 1962.*]

SEC. 21. [*Repealed November 6, 1962.*]

ARTICLE XVII. [*Repealed June 8, 1976.*]

ARTICLE XVIII. [*Repealed November 3, 1970.*
See Article XVIII, below.]

ARTICLE XVIII*

AMENDING AND REVISING THE CONSTITUTION

SECTION 1. [*Repealed November 3, 1970. See Section 1, below.*]

[*By Legislature*]

SEC. 1. The Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, may propose an amendment or revision of the Constitution and in the same manner may amend or withdraw its proposal. Each amendment shall be so prepared and submitted that it can be voted on separately. [*New section adopted November 3, 1970.*]

SEC. 2. [*Repealed November 3, 1970. See Section 2, below.*]

[*Constitutional Convention*]

SEC. 2. The Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, may submit at a gen-

* New Article XVIII adopted November 3, 1970.

eral election the question whether to call a convention to revise the Constitution. If the majority vote yes on that question, within 6 months the Legislature shall provide for the convention. Delegates to a constitutional convention shall be voters elected from districts as nearly equal in population as may be practicable. [*New section adopted November 3, 1970.*]

[*Initiatives*]

SEC. 3. The electors may amend the Constitution by initiative. [*New section adopted November 3, 1970.*]

[*Effective Date—Conflict*]

SEC. 4. A proposed amendment or revision shall be submitted to the electors and if approved by a majority of votes thereon takes effect the day after the election unless the measure provides otherwise. If provisions of 2 or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail. [*New section adopted November 3, 1970.*]

ARTICLE XIX*

MOTOR VEHICLE REVENUES

SECTION 1. [*Repealed June 4, 1974. See Section 1, below.*]

[*Use of Fuel Taxes*]

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 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 such purposes, the administrative costs necessarily incurred in the foregoing purposes, 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. [*New section adopted June 4, 1974.*]

* Former Article XXVI, as renumbered June 8, 1976.

SEC. 2. [*Repealed June 4, 1974. See Section 2, below.*]

[*Use of Motor Vehicle Fees and Taxes*]

SEC. 2. Revenues from fees and taxes imposed by the State upon vehicles or their use or operation, over and above the costs of collection and any refunds authorized by law, shall be used for the following purposes:

(a) The state administration and enforcement of laws regulating the use, operation, or registration of vehicles used upon the public streets and highways of this State, including the enforcement of traffic and vehicle laws by state agencies and the mitigation of the environmental effects of motor vehicle operation due to air and sound emissions.

(b) The purposes specified in Section 1 of this article. [*New section adopted June 4, 1974.*]

SEC. 3. [*Repealed June 4, 1974. See Section 3, below.*]

[*Appropriations by the Legislature—Regulation of Expenditures, Etc.*]

SEC. 3. The Legislature shall provide for the allocation of the revenues to be used for the purposes specified in Section 1 of this article in a manner which ensures the continuance of existing statutory allocation formulas for cities, counties, and areas of the State, until it determines that another basis for an equitable, geographical, and jurisdictional distribution exists; provided that, until such determination is made, any use of such revenues for purposes specified in subdivision (b) of Section 1 of this article by or in a city, county, or area of the State shall be included within the existing statutory allocations to, or for expenditure in, that city, county, or area. Any future statutory revisions shall provide for the allocation of these revenues, together with other similar revenues, in a manner which gives equal consideration to the transportation needs of all areas of the State and all segments of the population consistent with the orderly achievement of the adopted local, regional, and statewide goals for ground transportation in local general plans, regional transportation plans, and the California Transportation Plan. [*New section adopted June 4, 1974.*]

SEC. 4. [*Repealed June 4, 1974. See Section 4, below.*]

[*Authorization and Approval for Expenditures*]

SEC. 4. Revenues allocated pursuant to Section 3 may not be expended for the purposes specified in subdivision (b) of Section 1, except for research and planning, until such use is approved by a majority of the votes cast on the proposition authorizing such use of such revenues in an election held throughout the county or counties, or a specified area of a county or counties, within which the revenues are to be expended. The Legislature may authorize the revenues approved for allocation or expenditure under this section to be pledged or used for the payment of principal

and interest on voter-approved bonds issued for the purposes specified in subdivision (b) of Section 1. [*New section adopted June 4, 1974.*]

[*Expenditures for Payment of Bonds*]

SEC. 5. The Legislature may authorize up to 25 percent of the revenues available for expenditure by any city or county, or by the State, for the purposes specified in subdivision (a) of Section 1 of this article to be pledged or used for the payment of principal and interest on voter-approved bonds issued for such purposes. [*New section adopted June 4, 1974.*]

SEC. 6. [*Repealed November 3, 1998. See Section 6, below.*]

[*Loans to State General Fund*]

SEC. 6. The tax revenues designated under this article may be loaned to the General Fund only if one of the following conditions is imposed:

(a) That any amount loaned is to be repaid in full to the fund from which it was borrowed during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.

(b) That any amount loaned is to be repaid in full to the fund from which it was borrowed within three fiscal years from the date on which the loan was made and one of the following has occurred:

(1) The Governor has proclaimed a state of emergency and declares that the emergency will result in a significant negative fiscal impact to the General Fund.

(2) The aggregate amount of General Fund revenues for the current fiscal year, as projected by the Governor in a report to the Legislature in May of the current fiscal year, is less than the aggregate amount of General Fund revenues for the previous fiscal year, adjusted for the change in the cost of living and the change in population, as specified in the budget submitted by the Governor pursuant to Section 12 of Article IV in the current fiscal year.

(c) Nothing in this section prohibits the Legislature from authorizing, by statute, loans to local transportation agencies, cities, counties, or cities and counties, from funds that are subject to this article, for the purposes authorized under this article. Any loan authorized as described by this subdivision shall be repaid, with interest at the rate paid on money in the Pooled Money Investment Account, or any successor to that account, during the period of time that the money is loaned, to the fund from which it was borrowed, not later than four years after the date on which the loan was made. [*New section adopted November 3, 1998.*]

[Scope of Article]

SEC. 7. This article shall not affect or apply to fees or taxes imposed pursuant to the Sales and Use Tax Law or the Vehicle License Fee Law, and all amendments and additions now or hereafter made to such statutes. *[New section adopted June 4, 1974.]*

[Use of Excess Lands for Parks and Recreation]

SEC. 8. Notwithstanding Sections 1 and 2 of this article, any real property acquired by the expenditure of the designated tax revenues by an entity other than the State for the purposes authorized in those sections, but no longer required for such purposes, may be used for local public park and recreational purposes. *[New section adopted June 8, 1976.]*

[Transfer of Surplus State Property Located in Coastal Zone]

SEC. 9. Notwithstanding any other provision of this Constitution, the Legislature, by statute, with respect to surplus state property acquired by the expenditure of tax revenues designated in Sections 1 and 2 and located in the coastal zone, may authorize the transfer of such property, for a consideration at least equal to the acquisition cost paid by the state to acquire the property, to the Department of Parks and Recreation for state park purposes, or to the Department of Fish and Game for the protection and preservation of fish and wildlife habitat, or to the Wildlife Conservation Board for purposes of the Wildlife Conservation Law of 1947, or to the State Coastal Conservancy for the preservation of agricultural lands.

As used in this section, "coastal zone" means "coastal zone" as defined by Section 30103 of the Public Resources Code as such zone is described on January 1, 1977. *[New section adopted November 7, 1978.]*

ARTICLE XIX A *

LOANS FROM THE PUBLIC TRANSPORTATION ACCOUNT OR
LOCAL TRANSPORTATION FUNDS*[Loans to State General Fund]*

SECTION 1. The funds in the Public Transportation Account in the State Transportation Fund, or any successor to that account, may be loaned to the General Fund only if one of the following conditions is imposed:

(a) That any amount loaned is to be repaid in full to the account during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.

(b) That any amount loaned is to be repaid in full to the account within three fiscal years from the date on which the loan was made and one of the following has occurred:

* New Article XIX A adopted November 3, 1998.

(1) The Governor has proclaimed a state of emergency and declares that the emergency will result in a significant negative fiscal impact to the General Fund.

(2) The aggregate amount of General Fund revenues for the current fiscal year, as projected by the Governor in a report to the Legislature in May of the current fiscal year, is less than the aggregate amount of General Fund revenues for the previous fiscal year, as specified in the budget submitted by the Governor pursuant to Section 12 of Article IV in the current fiscal year. [*New section adopted November 3, 1998.*]

[*“Local Transportation Fund”*]

SEC. 2. (a) As used in this section, a “local transportation fund” is a fund created under Section 29530 of the Government Code, or any successor to that statute.

(b) All local transportation funds are hereby designated trust funds.

(c) A local transportation fund that has been created pursuant to law may not be abolished.

(d) Money in a local transportation fund shall be allocated only for the purposes authorized under Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code and Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code, as those provisions existed on October 1, 1997. Neither the county nor the Legislature may authorize the expenditure of money in a local transportation fund for purposes other than those specified in this subdivision. [*New section adopted November 3, 1998.*]

ARTICLE XX

MISCELLANEOUS SUBJECTS

[*Sacramento County Consolidation With City or Cities*]

SEC. 1. Notwithstanding the provisions of Section 6 of Article XI, the County of Sacramento and all or any of the cities within the County of Sacramento may be consolidated as a charter city and county as provided by statute, with the approval of a majority of the electors of the county voting on the question of such consolidation and upon such other vote as the Legislature may prescribe in such statute. The charter City and County of Sacramento shall be a charter city and a charter county. Its charter city powers supersede conflicting charter county powers. [*New section adopted June 4, 1974.*]

[*Protection of Homesteads*]

SEC. 1.5. The Legislature shall protect, by law, from forced sale a certain portion of the homestead and other property of all heads of families. [*New section adopted June 8, 1976.*]

[*Leland Stanford Junior University—Henry E. Huntington Library and Art Gallery*]

SEC. 2. Except for tax exemptions provided in Article XIII, the rights, powers, privileges, and confirmations conferred by Sections 10[†] and 15[†] of Article IX in effect on January 1, 1973, relating to Stanford University and the Huntington Library and Art Gallery, are continued in effect. [*Former Section 6, as renumbered June 8, 1976.*]

[*Oath of Office*]

SEC. 3. Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation:

“I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

“And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

(If no affiliations, write in the words “No Exceptions”)
and that during such time as I hold the office of _____
(name of office)

I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means.”

And no other oath, declaration, or test, shall be required as a qualification for any public office or employment.

“Public officer and employee” includes every officer and employee of the State, including the University of California, every county, city, city

[†] Sections 10 and 15 of Article IX repealed November 5, 1974.

and county, district, and authority, including any department, division, bureau, board, commission, agency, or instrumentality of any of the foregoing. [*As amended November 4, 1952.*]

SEC. 3.5. [*Repealed November 3, 1970.*]

[*Franchises*]

SEC. 4. The Legislature shall not pass any laws permitting the leasing or alienation of any franchise, so as to relieve the franchise or property held thereunder from the liabilities of the lessor or grantor, lessee, or grantee, contracted or incurred in the operation, use, or enjoyment of such franchise, or any of its privileges. [*Former Section 7, as renumbered June 8, 1976.*]

SEC. 5. [*Repealed June 8, 1976. See Section 5, below.*]

[*Laws Concerning Corporations*]

SEC. 5. All laws now in force in this State concerning corporations and all laws that may be hereafter passed pursuant to this section may be altered from time to time or repealed. [*Former Section 24, as renumbered June 8, 1976.*]

SEC. 6. [*Renumbered Section 2 June 8, 1976. See Section 6, below.*]

[*Reduction in Legislator's Term of Office—Retirement Benefits, Etc.*]

SEC. 6. Any legislator whose term of office is reduced by operation of the amendment to subdivision (a) of Section 2 of Article IV adopted by the people in 1972 shall, notwithstanding any other provision of this Constitution, be entitled to retirement benefits and compensation as if the term of office had not been so reduced. [*Former Section 25, as renumbered June 8, 1976.*]

[*Constitutional Officers—Number of Terms*]

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. [*New section adopted November 6, 1990. Initiative measure.*]

SEC. 8. [*Renumbered Section 21 of Article I and amended November 5, 1974.*]

SEC. 9. [*Repealed November 3, 1970.*]

SEC. 10. [*Repealed June 8, 1976.*]

SEC. 11. [*Repealed June 8, 1976.*]

SEC. 12. [*Repealed November 3, 1970.*]

SEC. 13. [*Repealed November 3, 1970.*]

SEC. 14. [*Repealed November 3, 1970.*]

SEC. 15. [*Repealed June 8, 1976.*]

SEC. 16. [*Repealed November 7, 1972.*]

SEC. 17. [*Repealed June 8, 1976.*]

SEC. 17½. [*Repealed June 8, 1976.*]

SEC. 18. [*Renumbered Section 8 of Article I and amended November 5, 1974.*]

SEC. 19. [*Repealed June 8, 1976.*]

SEC. 20. [*Repealed June 8, 1976.*]

SEC. 21. [*Repealed June 8, 1976.*]

[*Liquor Control*]

SEC. 22. The State of California, subject to the internal revenue laws of the United States, shall have the exclusive right and power to license and regulate the manufacture, sale, purchase, possession and transportation of alcoholic beverages within the State, and subject to the laws of the United States regulating commerce between foreign nations and among the states shall have the exclusive right and power to regulate the importation into and exportation from the State, of alcoholic beverages. In the exercise of these rights and powers, the Legislature shall not constitute the State or any agency thereof a manufacturer or seller of alcoholic beverages.

[*Licensed Premises—Types of Licenses*]

All alcoholic beverages may be bought, sold, served, consumed and otherwise disposed of in premises which shall be licensed as provided by the Legislature. In providing for the licensing of premises, the Legislature may provide for the issuance of, among other licenses, licenses for the following types of premises where the alcoholic beverages specified in the licenses may be sold and served for consumption upon the premises:

(a) For bona fide public eating places, as defined by the Legislature.

(b) For public premises in which food shall not be sold or served as in a bona fide public eating place, but upon which premises the Legislature may permit the sale or service of food products incidental to the sale and service of alcoholic beverages. No person under the age of 21 years shall be permitted to enter and remain in any such premises without lawful business therein.

(c) For public premises for the sale and service of beers alone.

(d) Under such conditions as the Legislature may impose, for railroad dining or club cars, passenger ships, common carriers by air, and bona fide clubs after such clubs have been lawfully operated for not less than one year.

[Service or Sale to Minors]

The sale, furnishing, giving, or causing to be sold, furnished, or giving away of any alcoholic beverage to any person under the age of 21 years is hereby prohibited, and no person shall sell, furnish, give, or cause to be sold, furnished, or given away any alcoholic beverage to any person under the age of 21 years, and no person under the age of 21 years shall purchase any alcoholic beverage.

[Director of Alcoholic Beverage Control]

The Director of Alcoholic Beverage Control shall be the head of the Department of Alcoholic Beverage Control, shall be appointed by the Governor subject to confirmation by a majority vote of all of the members elected to the Senate, and shall serve at the pleasure of the Governor. The director may be removed from office by the Governor, and the Legislature shall have the power, by a majority vote of all members elected to each house, to remove the director from office for dereliction of duty or corruption or incompetency. The director may appoint three persons who shall be exempt from civil service, in addition to the person he is authorized to appoint by Section 4 of Article XXIV.

[Department of Alcoholic Beverage Control—Powers—Duties]

The Department of Alcoholic Beverage Control shall have the exclusive power, except as herein provided and in accordance with laws enacted by the Legislature, to license the manufacture, importation and sale of alcoholic beverages in this State, and to collect license fees or occupation taxes on account thereof. The department shall have the power, in its discretion, to deny, suspend or revoke any specific alcoholic beverages license if it shall determine for good cause that the granting or continuance of such license would be contrary to public welfare or morals, or that a person seeking or holding a license has violated any law prohibiting conduct involving moral turpitude. It shall be unlawful for any person other than a licensee of said department to manufacture, import or sell alcoholic beverages in this State.

[Alcoholic Beverage Control Appeals Board]

The Alcoholic Beverage Control Appeals Board shall consist of three members appointed by the Governor, subject to confirmation by a majority vote of all of the members elected to the Senate. Each member, at the time of his initial appointment, shall be a resident of a different county from the one in which either of the other members resides. The members

of the board may be removed from office by the Governor, and the Legislature shall have the power, by a majority vote of all members elected to each house, to remove any member from office for dereliction of duty or corruption or incompetency.

[Appeals—Reviews—Reversals]

When any person aggrieved thereby appeals from a decision of the department ordering any penalty assessment, issuing, denying, transferring, suspending or revoking any license for the manufacture, importation, or sale of alcoholic beverages, the board shall review the decision subject to such limitations as may be imposed by the Legislature. In such cases, the board shall not receive evidence in addition to that considered by the department. Review by the board of a decision of the department shall be limited to the questions whether the department has proceeded without or in excess of its jurisdiction, whether the department has proceeded in the manner required by law, whether the decision is supported by the findings, and whether the findings are supported by substantial evidence in the light of the whole record. In appeals where the board finds that there is relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the department it may enter an order remanding the matter to the department for reconsideration in the light of such evidence. In all other appeals the board shall enter an order either affirming or reversing the decision of the department. When the order reverses the decision of the department, the board may direct the reconsideration of the matter in the light of its order and may direct the department to take such further action as is specially enjoined upon it by law, but the order shall not limit or control in any way the discretion vested by law in the department. Orders of the board shall be subject to judicial review upon petition of the director or any party aggrieved by such order.

[Removal of Director or Board Members]

A concurrent resolution for the removal of either the director or any member of the board may be introduced in the Legislature only if five Members of the Senate, or 10 Members of the Assembly, join as authors.

[Licenses—Regulation—Fees]

Until the Legislature shall otherwise provide, the privilege of keeping, buying, selling, serving, and otherwise disposing of alcoholic beverages in bona fide hotels, restaurants, cafes, cafeterias, railroad dining or club cars, passenger ships, and other public eating places, and in bona fide clubs after such clubs have been lawfully operated for not less than one year, and the privilege of keeping, buying, selling, serving, and otherwise disposing of beers on any premises open to the general public shall be licensed and

regulated under the applicable provisions of the Alcoholic Beverage Control Act, insofar as the same are not inconsistent with the provisions hereof, and excepting that the license fee to be charged bona fide hotels, restaurants, cafes, cafeterias, railroad dining or club cars, passenger ships, and other public eating places, and any bona fide clubs after such clubs have been lawfully operated for not less than one year, for the privilege of keeping, buying, selling, or otherwise disposing of alcoholic beverages, shall be the amounts prescribed as of the operative date hereof, subject to the power of the Legislature to change such fees.

The State Board of Equalization shall assess and collect such excise taxes as are or may be imposed by the Legislature on account of the manufacture, importation and sale of alcoholic beverages in this State.

The Legislature may authorize, subject to reasonable restrictions, the sale in retail stores of alcoholic beverages contained in the original packages, where such alcoholic beverages are not to be consumed on the premises where sold; and may provide for the issuance of all types of licenses necessary to carry on the activities referred to in the first paragraph of this section, including, but not limited to, licenses necessary for the manufacture, production, processing, importation, exportation, transportation, wholesaling, distribution, and sale of any and all kinds of alcoholic beverages.

The Legislature shall provide for apportioning the amounts collected for license fees or occupation taxes under the provisions hereof between the State and the cities, counties and cities and counties of the State, in such manner as the Legislature may deem proper.

All constitutional provisions and laws inconsistent with the provisions hereof are hereby repealed.

The provisions of this section shall be self-executing, but nothing herein shall prohibit the Legislature from enacting laws implementing and not inconsistent with such provisions.

This amendment shall become operative on January 1, 1957. [*As amended November 6, 1956. Operative January 1, 1957.*]

[*State Colleges—Speaker, Member of Governing Body*]

SEC. 23. Notwithstanding any other provision of this Constitution, the Speaker of the Assembly shall be an ex officio member, having equal rights and duties with the nonlegislative members, of any state agency created by the Legislature in the field of public higher education which is charged with the management, administration, and control of the State College System of California. [*New section adopted November 3, 1970.*]

SEC. 24. [*Renumbered Section 5 June 8, 1976.*]

SEC. 25. [*Renumbered Section 6 June 8, 1976.*]

ARTICLE XXI*

REAPPORTIONMENT OF SENATE, ASSEMBLY, CONGRESSIONAL, AND
BOARD OF EQUALIZATION DISTRICTS*[Reapportionment Following National Census]*

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:

[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. *[New section adopted June 3, 1980.]*

ARTICLE XXII**

ARCHITECTURAL AND ENGINEERING SERVICES

[Authority of Government to Contract for Architectural and Engineering Services]

SECTION 1. The State of California and all other governmental entities, including, but not limited to, cities, counties, cities and counties, school districts and other special districts, local and regional agencies and joint power agencies, shall be allowed to contract with qualified private entities for architectural and engineering services for all public works of improvement. The choice and authority to contract shall extend to all phases of project development including permitting and environmental studies, rights-of-way services, design phase services and construction phase services. The choice and authority shall exist without regard to funding sources whether federal, state, regional, local or private, whether or not the project is programmed by a state, regional or local governmental entity,

* New Article XXI adopted June 3, 1980.

** New Article XXII adopted November 7, 2000. Initiative measure.

and whether or not the completed project is a part of any state owned or state operated system or facility. [*New section adopted November 7, 2000. Initiative measure.*]

[*Construction of Article VII*]

SECTION 2. Nothing contained in Article VII of this Constitution shall be construed to limit, restrict or prohibit the State or any other governmental entities, including, but not limited to, cities, counties, cities and counties, school districts and other special districts, local with regional agencies and joint power agencies, from contracting and private entities for the performance of architectural and engineering services. [*New section adopted November 7, 2000. Initiative measure.*]

ARTICLE XXIII. [*Repealed June 8, 1976.*]

ARTICLE XXIV. [*Repealed June 8, 1976.*]

ARTICLE XXV. [*Repealed November 8, 1949. Initiative measure.*]

ARTICLE XXVI. [*Renumbered Article XIX June 8, 1976.*]

ARTICLE XXVII. [*Repealed November 3, 1970.*]

ARTICLE XXVIII. [*Repealed November 5, 1974.*]

ARTICLE XXXIV*

PUBLIC HOUSING PROJECT LAW

[*Approval of Low Rent Housing Projects by Electors*]

SECTION 1. No low rent housing project shall hereafter be developed, constructed, or acquired in any manner by any state public body until, a majority of the qualified electors of the city, town or county, as the case may be, in which it is proposed to develop, construct, or acquire the same, voting upon such issue, approve such project by voting in favor thereof at an election to be held for that purpose, or at any general or special election.

[*“Low Rent Housing Project”*]

For the purposes of this article the term “low rent housing project” shall mean any development composed of urban or rural dwellings, apartments or other living accommodations for persons of low income, financed in

* New article adopted November 7, 1950. Initiative measure.

whole or in part by the Federal Government or a state public body or to which the Federal Government or a state public body extends assistance by supplying all or part of the labor, by guaranteeing the payment of liens, or otherwise. For the purposes of this Article only there shall be excluded from the term “low rent housing project” any such project where there shall be in existence on the effective date hereof, a contract for financial assistance between any state public body and the Federal Government in respect to such project.

[*“Persons of Low Income”*]

For the purposes of this Article only “persons of low income” shall mean persons or families who lack the amount of income which is necessary (as determined by the state public body developing, constructing, or acquiring the housing project) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

[*“State Public Body”*]

For the purposes of this Article the term “state public body” shall mean this State, or any city, city and county, county, district, authority, agency, or any other subdivision or public body of this State.

[*“Federal Government”*]

For the purposes of this Article the term “Federal Government” shall mean the United States of America, or any agency or instrumentality, corporate or otherwise, of the United States of America. [*New section adopted November 7, 1950. Initiative measure.*]

[*Self-executing Provisions*]

SECTION 2. The provisions of this Article shall be self-executing but legislation not in conflict herewith may be enacted to facilitate its operation. [*New section adopted November 7, 1950. Initiative measure.*]

[*Constitutionality of Article*]

SECTION 3. If any portion, section or clause of this Article, or the application thereof to any person or circumstance, shall for any reason be declared unconstitutional or held invalid, the remainder of this Article, or the application of such portion, section or clause to other persons or circumstances, shall not be affected thereby. [*New section adopted November 7, 1950. Initiative measure.*]

[*Scope of Article*]

SECTION 4. The provisions of this Article shall supersede all provisions of this Constitution and laws enacted thereunder in conflict therewith. [*New section adopted November 7, 1950. Initiative measure.*]

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VOTE OF ELECTORS

Primary Election, March 7, 2000
General Election, November 7, 2000

**MEASURES SUBMITTED TO
VOTE OF ELECTORS
Primary Election, March 7, 2000**

MEASURES ADOPTED

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*Number
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- 1A. **Gambling on Tribal Lands.** (Statutes 1999, Resolution Chapter 142, SCA 11)
- 17. **Lotteries. Charitable Raffles.** (Statutes 1999, Resolution Chapter 123, SCA 4)

INITIATIVE AMENDMENTS SUBMITTED BY LEGISLATURE

- 18. **Murder: Special Circumstances.** (Statutes 1998, Chapter 629, SB 1878)
- 19. **Murder. BART and CSU Peace Officers.** (Statutes 1998, Chapter 760, SB 1690)
- 20. **California State Lottery. Allocation for Instructional Materials.** (Statutes 1998, Chapter 800, AB 1453)

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- 21. **Juvenile Crime.**
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- 29. **1998 Indian Gaming Compacts.**

BOND ACTS SUBMITTED BY LEGISLATURE

- 12. **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (The Villaraigosa-Keeley Act).** (Statutes 1999, Chapter 461, AB 18 and Statutes 1999, Chapter 638, SB 1147)
- 13. **Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Act.** (Statutes 1999, Chapter 725, AB 1584)
- 14. **California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.** (Statutes 1999, Chapter 726, SB 3)
- 16. **Veterans' Homes Bond Act of 2000.** (Statutes 1999, Chapter 728, SB 630)

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26. **School Facilities. Local Majority Vote. Bonds, Taxes.**

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23. **"None of the Above" Ballot Option.**
25. **Election Campaigns. Contributions and Spending Limits. Public Financing. Disclosures.**
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30. **Insurance Claims Practices. Civil Remedies.**
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15. **The Hertzberg-Polanco Crime Laboratories Construction Bond Act of 1999.**
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**MEASURES SUBMITTED TO
VOTE OF ELECTORS
General Election, November 7, 2000**

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*Number
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34. **Campaign Contributions and Spending. Limits. Disclosure.** (Statutes 2000, Chapter 102, SB 1223)

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35. **Public Works Projects. Use of Private Contractors for Engineering and Architectural Services.**
39. **School Facilities. 55% Local Vote. Bonds, Taxes. Accountability Requirements.**

INITIATIVE STATUTE

36. **Drugs. Probation and Treatment Program.**

BOND ACT SUBMITTED BY LEGISLATURE

32. **Veterans' Bond Act of 2000.** (Statutes 2000, Chapter 51, AB 2305)

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33. **Legislature. Participation in Public Employees' Retirement System.** (Statutes 2000, Resolution Chapter 83, ACA 12)

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37. **Fees. Vote Requirements. Taxes.**
38. **School Vouchers. State-Funded Private and Religious Education. Public School Funding.**



State of California

SECRETARY OF STATE

I, BILL JONES, Secretary of State of the State of California, hereby certify, based on records on file in my office:

That pursuant to Government Code §9755, 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 2000.

The following laws were **adopted** by vote of the electors at the March 7, 2000, primary election:

Gambling on Tribal Lands. Legislative Constitutional Amendment. (Senate Constitutional Amendment 11, Resolution Chapter 142, Statutes of 1999)

Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (The Villaraigosa-Keeley Act). Legislative Bond Act. (Assembly Bill 18, Chapter 461, Statutes of 1999 and Senate Bill 1147, Chapter 638, Statutes of 1999)

Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Act. Legislative Bond Act. (Assembly Bill 1584, Chapter 725, Statutes of 1999)

California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000. Legislative Bond Act. (Senate Bill 3, Chapter 726, Statutes of 1999)

Veterans' Homes Bond Act of 2000. Legislative Bond Act. (Senate Bill 630, Chapter 728, Statutes of 1999)

Lotteries. Charitable Raffles. Legislative Constitutional Amendment. (Senate Constitutional Amendment 4, Resolution Chapter 123, Statutes of 1999)

Murder: Special Circumstances. Legislative Initiative Amendment. (Senate Bill 1878, Chapter 629, Statutes of 1998)

Murder. BART and CSU Peace Officers. Legislative Initiative Amendment. (Senate Bill 1690, Chapter 760, Statutes of 1998)

California State Lottery. Allocation for Instructional Materials. Legislative Initiative Amendment. (Assembly Bill 1453, Chapter 800, Statutes of 1998)

Juvenile Crime. Initiative Statute.

Limit on Marriages. Initiative Statute.

1998 Indian Gaming Compacts. Referendum Statute.

The following proposed laws were **defeated** by vote of the electors at the March 7, 2000, primary election:

The Hertzberg-Polanco Crime Laboratories Construction Bond Act of 1999. Legislative Bond Act. (Assembly Bill 1391, Chapter 727, Statutes of 1999)

"None of the Above" Ballot Option. Initiative Statute.

Election Campaigns. Contributions and Spending Limits. Public Financing. Disclosures. Initiative Statute.

School Facilities. Local Majority Vote. Bonds, Taxes. Initiative Constitutional Amendment and Statute.

Elections. Term Limit Declarations for Congressional Candidates. Initiative Statute.

Repeal of Proposition 10 Tobacco Surtax. Initiative Statute.

Insurance Claims Practices. Civil Remedies. Referendum Statute.

Insurance Claims Practices. Civil Remedy Amendments. Referendum Statute.

The following laws were **adopted** by vote of the electors at the November 7, 2000, general election:

Veterans' Bond Act of 2000. Legislative Bond Act. (Assembly Bill 2305, Chapter 51, Statutes of 2000)

Campaign Contributions and Spending. Limits. Disclosure. Legislative Initiative Amendment. (Senate Bill 1223, Chapter 102, Statutes of 2000)

Public Works Projects. Use of Private Contractors for Engineering and Architectural Services. Initiative Constitutional Amendment and Statute.

Drugs. Probation and Treatment Program. Initiative Statute.

School Facilities. 55% Local Vote. Bonds, Taxes. Accountability Requirements. Initiative Constitutional Amendment and Statute.

The following proposed laws were **defeated** by vote of the electors at the November 7, 2000, general election:

Legislature. Participation in Public Employees' Retirement System. Legislative Constitutional Amendment. (Assembly Constitutional Amendment 12, Chapter 83, Statute of 2000)

Fees. Vote Requirements. Taxes. Initiative Constitutional Amendment.

School Vouchers. State-Funded Private and Religious Education. Public School Funding. Initiative Constitutional Amendment.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of California, at Sacramento, this 19th day of June, 2002.



BILL JONES
Secretary of State



**PROPOSITIONS SUBMITTED TO
VOTE OF ELECTORS**

Primary Election, March 7, 2000

MEASURES ADOPTED

CONSTITUTIONAL AMENDMENTS SUBMITTED BY LEGISLATURE

*Number
on ballot*

- 1A. **Gambling on Tribal Lands.** (Statutes 1999, Resolution Chapter 142, SCA 11)

[Approved by electors March 7, 2000.]

PROPOSED AMENDMENT TO SECTION 19 OF ARTICLE IV

SEC. 19. (a) The Legislature has no power to authorize lotteries, and shall prohibit the sale of lottery tickets in the State.

(b) The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results.

(c) Notwithstanding subdivision (a) the Legislature by statute may authorize cities and counties to provide for bingo games, but only for charitable purposes.

(d) Notwithstanding subdivision (a), there is authorized the establishment of a California State Lottery.

(e) The Legislature has no power to authorize, and shall prohibit casinos of the type currently operating in Nevada and New Jersey.

(f) Notwithstanding subdivisions (a) and (e), and any other provision of state law, the Governor is authorized to negotiate and conclude compacts, subject to ratification by the Legislature, for the operation of slot machines and for the conduct of lottery games and banking and percentage card games by federally recognized Indian tribes on Indian lands in California in accordance with federal law. Accordingly, slot machines, lottery games, and banking and percentage card games are hereby permitted to be conducted and operated on tribal lands subject to those compacts.

*Number
on ballot*

17. **Lotteries. Charitable Raffles.** (Statutes 1999, Resolution Chapter 123, SCA 4)

[Approved by electors March 7, 2000.]

PROPOSED AMENDMENT TO SECTION 19 OF ARTICLE IV

SEC. 19. (a) The Legislature has no power to authorize lotteries and shall prohibit the sale of lottery tickets in the State.

(b) The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results.

(c) Notwithstanding subdivision (a) , the Legislature by statute may authorize cities and counties to provide for bingo games, but only for charitable purposes.

(d) Notwithstanding subdivision (a), there is authorized the establishment of a California State Lottery.

(e) The Legislature has no power to authorize, and shall prohibit , casinos of the type currently operating in Nevada and New Jersey.

(f) Notwithstanding subdivision (a), the Legislature may authorize private, nonprofit, eligible organizations, as defined by the Legislature, to conduct raffles as a funding mechanism to provide support for their own or another private, nonprofit, eligible organization’s beneficial and charitable works, provided that (1) at least 90 percent of the gross receipts from the raffle go directly to beneficial or charitable purposes in California, and (2) any person who receives compensation in connection with the operation of a raffle is an employee of the private nonprofit organization that is conducting the raffle. The Legislature, two-thirds of the membership of each house concurring, may amend the percentage of gross receipts required by this subdivision to be dedicated to beneficial or charitable purposes by means of a statute that is signed by the Governor.

INITIATIVE AMENDMENTS SUBMITTED BY LEGISLATURE

Number
on ballot

18. **Murder: Special Circumstances.** (Statutes 1998, Chapter 629, SB 1878)

[Approved by electors March 7, 2000.]

PROPOSED LAW

SEC. 2. Section 190.2 of the Penal Code is amended to read:

190.2. (a) The penalty for a defendant who is found guilty of murder in the first degree is death or imprisonment in the state prison for life without the possibility of parole if 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 convicted previously of murder in the first 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, in this proceeding, has 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 one or more human beings.

(5) The murder was committed for the purpose of avoiding or preventing a lawful arrest, or perfecting or attempting 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 caused 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 one or more 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, or a former peace officer under any of those 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 or any other state, or of 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 this or any other state, 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, or of any local or state government of this or any other state, 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 used in this section, the phrase “especially heinous, atrocious, or cruel, manifesting exceptional depravity” means a conscienceless or pitiless crime that is unnecessarily torturous to the victim.

(15) The defendant intentionally killed the victim ~~while~~ *by means of* 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:

(A) Robbery in violation of Section 211 or 212.5.

(B) Kidnapping in violation of Section 207, 209, or 209.5.

(C) Rape in violation of Section 261.

(D) Sodomy in violation of Section 286.

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

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

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

(H) Arson in violation of subdivision (b) of Section 451.

(I) Train wrecking in violation of Section 219.

(J) Mayhem in violation of Section 203.

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

(L) Carjacking, as defined in Section 215.

(M) *To prove the special circumstances of kidnapping in subparagraph (B), or arson in subparagraph (H), if there is specific intent to kill, it is only required that there be proof of the elements of those felonies. If so established, those two special circumstances are proven even if the felony of kidnapping or arson is committed primarily or solely for the purpose of facilitating the murder.*

(18) The murder was intentional and involved the infliction of torture.

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

(20) The victim was a juror in any court of record in the local, state, or federal system in this or any other state, and the murder was intentionally carried out in retaliation for, or to prevent the performance of, the victim's official duties.

(21) The murder was intentional and perpetrated by means of discharging a firearm from a motor vehicle, intentionally at another person or persons outside the vehicle with the intent to inflict death. For purposes of this paragraph, "motor vehicle" means any vehicle as defined in Section 415 of the Vehicle Code.

(b) Unless an intent to kill is specifically required under subdivision (a) for a special circumstance enumerated therein, an actual killer, as to whom the 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 the state prison for 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 be punished by death or imprisonment in the state prison for life without the possibility of parole if one or more of the special circumstances enumerated in subdivision (a) 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 results in the death of some person or persons, and who is found guilty of murder in the first degree therefor, shall be punished by death or imprisonment in the state prison for life without the possibility of parole if a special circumstance enumerated

in paragraph (17) of subdivision (a) has been found to be true under Section 190.4.

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

Number
on ballot

19. **Murder. BART and CSU Peace Officers.** (Statutes 1998, Chapter 760, SB 1690)

[Approved by electors March 7, 2000.]

PROPOSED LAW

SEC. 6. Section 190 of the Penal Code, as amended by Section 1 of Chapter 413 of the Statutes of 1997, is amended to read:

190. (a) Every person guilty of murder in the first degree shall ~~suffer be punished by~~ death, ~~confinement imprisonment~~ imprisonment in the state prison for life without the possibility of parole, or ~~confinement imprisonment~~ imprisonment in the state prison for a term of 25 years to life. The penalty to be applied shall be determined as provided in Sections 190.1, 190.2, 190.3, 190.4, and 190.5.

Except as provided in subdivision (b), (c), or (d), every person guilty of murder in the second degree shall ~~suffer confinement be punished by imprisonment~~ be punished by imprisonment in the state prison for a term of 15 years to life.

(b) Except as provided in subdivision (c), every person guilty of murder in the second degree shall ~~suffer confinement be punished by imprisonment~~ be punished by imprisonment in the state prison for a term of 25 years to life if the victim was a peace officer, as defined in subdivision (a) of Section 830.1, subdivision (a) , ~~or~~ (b) , ~~or~~ (c) of Section 830.2, ~~subdivision (a) of Section 830.33~~, or Section 830.5, who was killed while engaged in the performance of his or her duties, and the defendant knew, or reasonably should have known, that the victim was ~~such~~ a peace officer engaged in the performance of his or her duties.

(c) Every person guilty of murder in the second degree shall ~~suffer confinement be punished by imprisonment~~ be punished by imprisonment in the state prison for a term of life without the possibility of parole if the victim was a peace officer, as defined in subdivision (a) of Section 830.1, subdivision (a) , ~~or~~ (b) , ~~or~~ (c) of Section 830.2, ~~subdivision (a) of Section 830.33~~, or Section 830.5, who was killed while engaged in the performance of his or her duties, and the defendant knew, or reasonably should have known, that the victim was ~~such~~ a peace officer engaged in the performance of his or her duties, and any of the following facts has been charged and found true:

(1) The defendant specifically intended to kill the peace officer.

(2) The defendant specifically intended to inflict great bodily injury, as defined in Section 12022.7, on a peace officer.

(3) The defendant personally used a dangerous or deadly weapon in the commission of the offense, in violation of subdivision (b) of Section 12022.

(4) The defendant personally used a firearm in the commission of the offense, in violation of Section 12022.5.

(d) Every person guilty of murder in the second degree shall ~~suffer confinement be punished by imprisonment~~ be punished by imprisonment in the state prison for a term of 20 years to life if the killing was perpetrated by means of shooting a firearm from a motor vehicle, intentionally at another person outside of the vehicle with the intent to inflict great bodily injury.

(e) Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall not apply to reduce any minimum term of a sentence imposed pursuant to this section. A person sentenced pursuant to this section shall not be released on parole prior to serving the minimum term of confinement prescribed by this section.

Number
on ballot

20. **California State Lottery. Allocation for Instructional Materials.** (Statutes 1998, Chapter 800, AB 1453)

[Approved by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. This act shall be known and referred to as the “Cardenas Textbook Act of 2000.”

SEC. 2. Section 8880.4 of the Government Code is amended to read:

8880.4. Revenues of the state lottery shall be allocated as follows:

(a) Not less than 84 percent of the total annual revenues from the sale of state lottery tickets or shares shall be returned to the public in the form of prizes and net revenues to benefit public education.

(1) Fifty percent of the total annual revenues shall be returned to the public in the form of prizes as described in this chapter.

(2) At least 34 percent of the total annual revenues shall be allocated to the benefit of public education, as specified in Section 8880.5. *However, for the 1998–99 fiscal year and each fiscal year thereafter, 50 percent of any increase in the amount calculated pursuant to this paragraph from the amount calculated in the 1997–98 fiscal year shall be allocated to school districts and community college districts for the purchase of instructional materials, on the basis of an equal amount per unit of average daily attendance, as defined by law, and through a fair and equitable distribution system across grade levels.*

(3) All unclaimed prize money shall revert to the benefit of public education, as provided for in subdivision (e) of Section 8880.32.

(4) All of the interest earned upon funds held in the State Lottery Fund shall be allocated to the benefit of public education, as specified in Section 8880.5. This interest is in addition to, and shall not be considered as any part of, the 34 percent of the total annual revenues that is required to be allocated for the benefit of public education as specified in paragraph (2).

(5) No more than 16 percent of the total annual revenues shall be allocated for payment of expenses of the lottery as described in this chapter. To the extent that expenses of the lottery are less than 16 percent of the total annual revenues, any surplus funds also shall be allocated to the benefit of public education, as specified in this section or in Section 8880.5.

(b) Funds allocated for the benefit of public education pursuant to subdivision (a) are in addition to other funds appropriated or required under existing constitutional reservations for educational purposes. No program shall have the amount appropriated to support that program reduced as a result of funds allocated pursuant to subdivision (a). Funds allocated for the benefit of public education pursuant to subdivision (a) shall not supplant funds committed for child development programs.

(c) None of the following shall be considered revenues for the purposes of this section:

(1) Revenues recorded as a result of a nonmonetary exchange. “Nonmonetary exchange” means a reciprocal transfer, in compliance with generally accepted accounting principles, between the lottery and another entity that results in the lottery acquiring assets or services and the lottery providing assets or services.

(2) Reimbursements received by the lottery for the cost of goods or services provided by the lottery that are less than or equal to the cost of the same goods or services provided by the lottery.

(d) Reimbursements received in excess of the cost of the same goods and services provided by the lottery, as specified in paragraph (2) of subdivision (c), are not a part of the 34 percent of total annual revenues required to be allocated for the benefit of public education, as specified in paragraph (2) of subdivision (a). However, this amount shall be allocated for the benefit of public education as specified in Section 8880.5.

INITIATIVE STATUTES

*Number
on ballot*

21. **Juvenile Crime.**

[Submitted by the initiative and approved by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. SHORT TITLE.

This act shall be known, and may be cited, as the Gang Violence and Juvenile Crime Prevention Act of 1998.

SEC. 2. FINDINGS AND DECLARATIONS.

The people find and declare each of the following:

(a) While overall crime is declining, juvenile crime has become a larger and more ominous threat. The United States Department of Justice reported in 1996 that juvenile arrests for serious crimes grew by 46 percent from 1983 to 1992, while murders committed by juveniles more than doubled. According to the California Department of Justice, the rate at which juveniles were arrested for violent offenses rose 54 percent between 1986 and 1995.

(b) Criminal street gangs and gang-related violence pose a significant threat to public safety and the health of many of our communities. Criminal street gangs have become more violent, bolder, and better organized in recent years. Some gangs, like the Los Angeles-based 18th Street Gang and the Mexican Mafia are properly analyzed as organized crime groups, rather than as mere street gangs. A 1996 series in the Los Angeles Times chronicled the serious negative impact the 18th Street Gang has had on neighborhoods where it is active.

(c) Vigorous enforcement and the adoption of more meaningful criminal sanctions, including the voter-approved “Three Strikes” law, Proposition 184, has resulted in a substantial and consistent four year decline in overall crime. Violent juvenile crime has proven most resistant to this positive trend.

(d) The problem of youth and gang violence will, without active intervention, increase, because the juvenile population is projected to grow substantially by the next decade. According to the California Department of Finance, the number of juveniles in the crime-prone ages between 12 and 17, until recently long

stagnant, is expected to rise 36 percent between 1997 and 2007 (an increase of more than one million juveniles). Although illegal drug use among high school seniors had declined significantly during the 1980s, it began rising in 1992. Juvenile arrest rates for weapons-law violations increased 103 percent between 1985 and 1994, while juvenile killings with firearms quadrupled between 1984 and 1994. Handguns were used in two-thirds of the youth homicides involving guns over a 15-year span. In 1994, 82 percent of juvenile murderers used guns. The number of juvenile homicide offenders in 1994 was approximately 2,800, nearly triple the number in 1984. In addition, juveniles tend to murder strangers at disproportionate rates. A murderer is more likely to be 17 years old than any other age, at the time that the offense was committed.

(e) In 1995, California's adult arrest rate was 2,245 per 100,000 adults, while the juvenile arrest rate among 10 to 17-year-olds was 2,430 per 100,000 juveniles.

(f) Data regarding violent juvenile offenders must be available to the adult criminal justice system if recidivism by criminals is to be addressed adequately.

(g) Holding juvenile proceedings in secret denies victims of crime the opportunity to attend and be heard at such proceedings, helps juvenile offenders to avoid accountability for their actions, and shields juvenile proceedings from public scrutiny and accountability.

(h) Gang-related crimes pose a unique threat to the public because of gang members' organization and solidarity. Gang-related felonies should result in severe penalties. Life without the possibility of parole or death should be available for murderers who kill as part of any gang-related activity.

(i) The rehabilitative/treatment juvenile court philosophy was adopted at a time when most juvenile crime consisted of petty offenses. The juvenile justice system is not well-equipped to adequately protect the public from violent and repeat serious juvenile offenders.

(j) Juvenile court resources are spent disproportionately on violent offenders with little chance to be rehabilitated. If California is going to avoid the predicted wave of juvenile crime in the next decade, greater resources, attention, and accountability must be focused on less serious offenders, such as burglars, car thieves, and first time non-violent felons who have potential for rehabilitation. This act must form part of a comprehensive juvenile justice reform package which incorporates major commitments to already commenced "at-risk" youth early intervention programs and expanded informal juvenile court alternatives for low-level offenders. These efforts, which emphasize rehabilitative protocols over incarceration, must be expanded as well under the provisions of this act, which requires first time, non-violent juvenile felons to appear in court, admit guilt for their offenses, and be held accountable, but also be given a non-custodial opportunity to demonstrate through good conduct and compliance with a court-monitored treatment and supervision program that the record of the juvenile's offense should justly be expunged.

(k) Dramatic changes are needed in the way we treat juvenile criminals, criminal street gangs, and the confidentiality of the juvenile records of violent offenders if we are to avoid the predicted, unprecedented surge in juvenile and gang violence. Californians deserve to live without fear of violent crime and to enjoy safe neighborhoods, parks, and schools. This act addresses each of these issues with the goal of creating a safer California, for ourselves and our children, in the Twenty-First Century.

SEC. 3. Section 182.5 is added to the Penal Code, to read:

182.5. Notwithstanding subdivisions (a) or (b) of Section 182, any person who actively participates in any criminal street gang, as defined in subdivision (f) of Section 186.22, with knowledge that its members engage in or have engaged in a pattern of criminal gang activity, as defined in subdivision (e) of Section 186.22, and who willfully promotes, furthers, assists, or benefits from any felonious criminal conduct by members of that gang is guilty of conspiracy to commit that felony and may be punished as specified in subdivision (a) of Section 182.

SEC. 4. Section 186.22 of the Penal Code is amended to read:

186.22. (a) Any person who actively participates in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity, and who willfully promotes, furthers, or assists in any felonious criminal conduct by members of that gang, shall be punished by imprisonment in a county jail for a period not to exceed one year, or by imprisonment in the state prison for 16 months, or two or three years.

*(b) (1) Except as provided in paragraph (4) and (5), any person who is convicted of a felony committed for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further, or assist in any criminal conduct by gang members, shall, upon conviction of that felony, in addition and consecutive to the punishment prescribed for the felony or attempted felony of which he or she has been convicted, be punished by an additional term of ~~one, two, or three~~ *two, three, or four* years at the court's discretion, *except that if the felony is a serious felony, as defined in subdivision (c) of Section 1192.7, the person shall be punished by an additional term of five years. If the felony is a violent felony, as defined in subdivision (c) of Section 667.5, the person shall be punished by an additional term of 10 years.**

(2) If the underlying felony described in paragraph (1) is committed on the grounds of, or within 1,000 feet of, a public or private elementary, vocational, junior high, or high school, during hours in which the facility is open for classes or school-related programs or when minors are using the facility; ~~the additional term shall be two, three, or four years, at the court's discretion that fact shall be a circumstance in aggravation of the crime in imposing a term under paragraph (1).~~

(3) The court shall order the imposition of the middle term of the sentence enhancement, unless there are circumstances in aggravation or mitigation. The court shall state the reasons for its choice of sentencing enhancements on the record at the time of the sentencing.

(4) Any person who is convicted of a felony enumerated in this paragraph committed for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further, or assist in any criminal conduct by gang members, shall, upon conviction of that felony, be sentenced to an indeterminate term of life imprisonment with a minimum term of the indeterminate sentence calculated as the greater of:

(A) The term determined by the court pursuant to Section 1170 for the underlying conviction, including any enhancement applicable under Chapter 4.5 (commencing with Section 1170) of Title 7 of Part 2, or any period prescribed by Section 3046, if the felony is any of the offenses enumerated in subparagraphs (B) or (C) of this paragraph.

(B) Imprisonment in the state prison for 15 years, if the felony is a home invasion robbery, in violation of subparagraph (A) of paragraph (1) of subdivision

(a) of Section 213; carjacking, as defined in Section 215; a felony violation of Section 246; or a violation of Section 12022.55.

(C) Imprisonment in the state prison for seven years, if the felony is extortion, as defined in Section 519; or threats to victims and witnesses, as defined in Section 136.1.

(4) (5) Except as provided in paragraph (4), Any any person who violates this subdivision in the commission of a felony punishable by imprisonment in the state prison for life, shall not be paroled until a minimum of 15 calendar years have been served.

(5) Any person convicted under this section; who is also convicted of a felony violation of Section 136.1; which violation is accompanied by a credible threat of violence or death made to the victim or witness to a violent felony; as defined in subdivision (c) of Section 667.5; shall receive; in addition to the penalties provided in paragraph (1) or (2) of this subdivision; an additional consecutive penalty of three years imprisonment. The penalty under this paragraph shall only be imposed if the credible threat of violence or death was made to prevent or dissuade the witness or victim from attending or giving testimony at any trial for a violent felony, as defined in subdivision (c) of Section 667.5. For purposes of this paragraph; the following terms have the following meanings:

(A) "Credible threat" means a threat made with the intent and apparent ability to carry out the threat so as to cause the target of the threat to reasonably fear for his or her safety or the safety of a third person.

(B) "Threat of violence" means a threat to commit a violent felony; as defined in subdivision (c) of Section 667.5.

(c) If the court grants probation or suspends the execution of sentence imposed upon the defendant for a violation of subdivision (a), or in cases involving a true finding of the enhancement enumerated in subdivision (b), the court shall require that the defendant serve a minimum of 180 days in a county jail as a condition thereof.

(d) Notwithstanding any other law; the court may strike the additional punishment for the enhancements provided in this section or refuse to impose the minimum jail sentence for misdemeanors in an unusual case where the interests of justice would best be served; if the court specifies on the record and enters into the minutes the circumstances indicating that the interests of justice would best be served by that disposition:

(d) Any person who is convicted of a public offense punishable as a felony or a misdemeanor; which is committed for the benefit of, at the direction of or in association with, any criminal street gang with the specific intent to promote, further, or assist in any criminal conduct by gang members, shall be punished by imprisonment in the county jail not to exceed one year, or by imprisonment in the state prison for one, two, or three years, provided that any person sentenced to imprisonment in the county jail shall be imprisoned for a period not to exceed one year; but not less than 180 days, and shall not be eligible for release upon completion of sentence, parole, or any other basis, until he or she has served 180 days. If the court grants probation or suspends the execution of sentence imposed upon the defendant, it shall require as a condition thereof that the defendant serve 180 days in county jail.

(e) As used in this chapter, "pattern of criminal gang activity" means the commission of, attempted commission of, conspiracy to commit, or solicitation of, sustained juvenile petition for, or conviction of two or more of the following offenses, provided at least one of these offenses occurred after the effective date

of this chapter and the last of those offenses occurred within three years after a prior offense, and the offenses were committed on separate occasions, or by two or more persons:

(1) Assault with a deadly weapon or by means of force likely to produce great bodily injury, as defined in Section 245.

(2) Robbery, as defined in Chapter 4 (commencing with Section 211) of Title 8 of Part 1.

(3) Unlawful homicide or manslaughter, as defined in Chapter 1 (commencing with Section 187) of Title 8 of Part 1.

(4) The sale, possession for sale, transportation, manufacture, offer for sale, or offer to manufacture controlled substances as defined in Sections 11054, 11055, 11056, 11057, and 11058 of the Health and Safety Code.

(5) Shooting at an inhabited dwelling or occupied motor vehicle, as defined in Section 246.

(6) Discharging or permitting the discharge of a firearm from a motor vehicle, as defined in subdivisions (a) and (b) of Section 12034.

(7) Arson, as defined in Chapter 1 (commencing with Section 450) of Title 13.

(8) The intimidation of witnesses and victims, as defined in Section 136.1.

(9) Grand theft, as defined in *subdivisions (a) or (c) of Section 487* ; ~~when the value of the money, labor, or real or personal property taken exceeds ten thousand dollars (\$10,000)~~ .

(10) Grand theft of any *firearm*, vehicle, trailer, or vessel ; ~~as described in Section 487h~~ .

(11) Burglary, as defined in Section 459.

(12) Rape, as defined in Section 261.

(13) Looting, as defined in Section 463.

(14) Moneylaundering, as defined in Section 186.10.

(15) Kidnapping, as defined in Section 207.

(16) Mayhem, as defined in Section 203.

(17) Aggravated mayhem, as defined in Section 205.

(18) Torture, as defined in Section 206.

(19) Felony extortion, as defined in Sections 518 and 520.

(20) Felony vandalism, as defined in paragraph (1) of subdivision (b) of Section 594.

(21) Carjacking, as defined in Section 215.

(22) The sale, delivery, or transfer of a firearm, as defined in Section 12072.

(23) Possession of a pistol, revolver, or other firearm capable of being concealed upon the person in violation of paragraph (1) of subdivision (a) of Section 12101.

(24) *Threats to commit crimes resulting in death or great bodily injury, as defined in Section 422.*

(25) *Theft and unlawful taking or driving of a vehicle, as defined in Section 10851 of the Vehicle Code.*

(f) As used in this chapter, “criminal street gang” means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the criminal acts enumerated in paragraphs (1) to ~~(23)~~ (25) , inclusive, of subdivision (e), having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

(g) *Notwithstanding any other law, the court may strike the additional punishment for the enhancements provided in this section or refuse to impose the minimum jail sentence for misdemeanors in an unusual case where the interests of justice would best be served, if the court specifies on the record and enters into the minutes the circumstances indicating that the interests of justice would best be served by that disposition.*

(h) *Notwithstanding any other provision of law, for each person committed to the Youth Authority for a conviction pursuant to subdivision (a) or (b) of this section, the offense shall be deemed one for which the state shall pay the rate of 100 percent of the per capita institutional cost of the Department of Youth Authority, pursuant to Section 912.5 of the Welfare and Institutions Code.*

(i) *In order to secure a conviction, or sustain a juvenile petition, pursuant to subdivision (a), it is not necessary for the prosecution to prove that the person devotes all, or a substantial part of his or her time or efforts to the criminal street gang, nor is it necessary to prove that the person is a member of the criminal street gang. Active participation in the criminal street gang is all that is required.*

SEC. 5. Section 186.26 of the Penal Code is repealed.

186.26. (a) Any adult who utilizes physical violence to coerce, induce, or solicit another person who is under 18 years of age to actively participate in any criminal street gang; as defined in subdivision (f) of Section 186.22; the members of which engage in a pattern of criminal gang activity; as defined in subdivision (e) of Section 186.22; shall be punished by imprisonment in the state prison for one, two, or three years:

(b) Any adult who threatens a minor with physical violence on two or more separate occasions within any 30-day period with the intent to coerce, induce, or solicit the minor to actively participate in a criminal street gang; as defined in subdivision (f) of Section 186.22; the members of which engage in a pattern of criminal gang activity; as defined in subdivision (e) of Section 186.22; shall be punished by imprisonment in the state prison for one, two, or three years or in a county jail for up to one year:

(c) A minor who is 16 years of age or older who commits an offense described in subdivision (a) or (b) is guilty of a misdemeanor:

(d) Nothing in this section shall be construed to limit prosecution under any other provision of the law:

(e) No person shall be convicted of violating this section based upon speech alone; except upon a showing that the speech itself threatened violence against a specific person; that the defendant had the apparent ability to carry out the threat; and that physical harm was imminently likely to occur:

SEC. 6. Section 186.26 is added to the Penal Code, to read:

186.26. (a) *Any person who solicits or recruits another to actively participate in a criminal street gang, as defined in subdivision (f) of Section 186.22, with the intent that the person solicited or recruited participate in a pattern of criminal street gang activity, as defined in subdivision (e) of Section 186.22, or with the intent that the person solicited or recruited promote, further, or assist in any felonious conduct by members of the criminal street gang, shall be punished by imprisonment in the state prison for 16 months, or two or three years.*

(b) *Any person who threatens another person with physical violence on two or more separate occasions within any 30-day period with the intent to coerce, induce, or solicit any person to actively participate in a criminal street gang, as*

defined in subdivision (f) of Section 186.22, shall be punished by imprisonment in the state prison for two, three, or four years.

(c) Any person who uses physical violence to coerce, induce, or solicit another person to actively participate in any criminal street gang, as defined in subdivision (f) of Section 186.22, or to prevent the person from leaving a criminal street gang, shall be punished by imprisonment in the state prison for three, four or five years.

(d) If the person solicited, recruited, coerced, or threatened pursuant to subdivision (a), (b), or (c) is a minor, an additional term of three years shall be imposed in addition and consecutive to the penalty prescribed for a violation of any of these subdivisions.

(e) Nothing in this section shall be construed to limit prosecution under any other provision of law.

SEC. 7. Section 186.30 is added to the Penal Code, to read:

186.30. (a) Any person described in subdivision (b) shall register with the chief of police of the city in which he or she resides, or the sheriff of the county if he or she resides in an unincorporated area, within 10 days of release from custody or within 10 days of his or her arrival in any city, county, or city and county to reside there, whichever occurs first.

(b) Subdivision (a) shall apply to any person convicted in a criminal court or who has had a petition sustained in a juvenile court in this state for any of the following offenses:

(1) Subdivision (a) of Section 186.22.

(2) Any crime where the enhancement specified in subdivision (b) of Section 186.22 is found to be true.

(3) Any crime that the court finds is gang related at the time of sentencing or disposition.

SEC. 8. Section 186.31 is added to the Penal Code, to read:

186.31. At the time of sentencing in adult court, or at the time of the dispositional hearing in the juvenile court, the court shall inform any person subject to Section 186.30 of his or her duty to register pursuant to that section. This advisement shall be noted in the court minute order. The court clerk shall send a copy of the minute order to the law enforcement agency with jurisdiction for the last known address of the person subject to registration under Section 186.30. The parole officer or the probation officer assigned to that person shall verify that he or she has complied with the registration requirements of Section 186.30.

SEC. 9. Section 186.32 is added to the Penal Code, to read:

186.32. (a) The registration required by Section 186.30 shall consist of the following:

(1) Juvenile registration shall include the following:

(A) The juvenile shall appear at the law enforcement agency with a parent or guardian.

(B) The law enforcement agency shall serve the juvenile and the parent with a California Street Terrorism Enforcement and Prevention Act notification which shall include, where applicable, that the juvenile belongs to a gang whose members engage in or have engaged in a pattern of criminal gang activity as described in subdivision (e) of Section 186.22.

(C) A written statement signed by the juvenile, giving any information that may be required by the law enforcement agency, shall be submitted to the law enforcement agency.

(D) The fingerprints and current photograph of the juvenile shall be submitted to the law enforcement agency.

(2) Adult registration shall include the following:

(A) The adult shall appear at the law enforcement agency.

(B) The law enforcement agency shall serve the adult with a California Street Terrorism Enforcement and Prevention Act notification which shall include, where applicable, that the adult belongs to a gang whose members engage in or have engaged in a pattern of criminal gang activity as described in subdivision (e) of Section 186.22.

(C) A written statement, signed by the adult, giving any information that may be required by the law enforcement agency, shall be submitted to the law enforcement agency.

(D) The fingerprints and current photograph of the adult shall be submitted to the law enforcement agency.

(b) Within 10 days of changing his or her residence address, any person subject to Section 186.30 shall inform, in writing, the law enforcement agency with whom he or she last registered of his or her new address. If his or her new residence address is located within the jurisdiction of a law enforcement agency other than the agency where he or she last registered, he or she shall register with the new law enforcement agency, in writing, within 10 days of the change of residence.

(c) All registration requirements set forth in this article shall terminate five years after the last imposition of a registration requirement pursuant to Section 186.30.

(d) The statements, photographs and fingerprints required under this section shall not be open to inspection by any person other than a regularly employed peace or other law enforcement officer.

(e) Nothing in this section or Section 186.30 or 186.31 shall preclude a court in its discretion from imposing the registration requirements as set forth in those sections in a gang-related crime.

SEC. 10. Section 186.33 is added to the Penal Code, to read:

186.33. (a) Any person required to register pursuant to Section 186.30 who knowingly violates any of its provisions is guilty of a misdemeanor.

(b) (1) Any person who knowingly fails to register pursuant to Section 186.30 and is subsequently convicted of, or any person for whom a petition is subsequently sustained for a violation of, any of the offenses specified in Section 186.30, shall be punished by an additional term of imprisonment in the state prison for 16 months, or 2, or 3 years. The court shall order imposition of the middle term unless there are circumstances in aggravation or mitigation. The court shall state its reasons for the enhancement choice on the record at the time of sentencing.

(2) The existence of any fact bringing a person under this subdivision shall be alleged in the information, indictment, or petition, and be either admitted by the defendant or minor in open court, or found to be true or not true by the trier of fact.

SEC. 11. Section 190.2 of the Penal Code is amended to read:

190.2. (a) The penalty for a defendant who is found guilty of murder in the first degree is death or imprisonment in the state prison for life without the possibility of parole if 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 convicted previously of murder in the first 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, in this proceeding, has 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 one or more human beings.

(5) The murder was committed for the purpose of avoiding or preventing a lawful arrest, or perfecting or attempting 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 caused 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 one or more 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, or a former peace officer under any of those 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 or any other state, or of 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 this or any other state, 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, or of any local or state government of this or any other state, 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 used in this section, the phrase "especially heinous, atrocious, or cruel, manifesting exceptional depravity" means a conscienceless or pitiless crime that 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:

(A) Robbery in violation of Section 211 or 212.5.

(B) Kidnapping in violation of Section 207, 209, or 209.5.

(C) Rape in violation of Section 261.

(D) Sodomy in violation of Section 286.

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

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

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

(H) Arson in violation of subdivision (b) of Section 451.

(I) Train wrecking in violation of Section 219.

(J) Mayhem in violation of Section 203.

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

(L) Carjacking, as defined in Section 215.

(18) The murder was intentional and involved the infliction of torture.

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

(20) The victim was a juror in any court of record in the local, state, or federal system in this or any other state, and the murder was intentionally carried out in retaliation for, or to prevent the performance of, the victim's official duties.

(21) The murder was intentional and perpetrated by means of discharging a firearm from a motor vehicle, intentionally at another person or persons outside the vehicle with the intent to inflict death. For purposes of this paragraph, "motor vehicle" means any vehicle as defined in Section 415 of the Vehicle Code.

(22) *The defendant intentionally killed the victim while the defendant was an active participant in a criminal street gang, as defined in subdivision (f) of Section 186.22, and the murder was carried out to further the activities of the criminal street gang.*

(b) Unless an intent to kill is specifically required under subdivision (a) for a special circumstance enumerated therein, an actual killer, as to whom the 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 the state prison for 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 be punished by death or imprisonment in the state prison for life without the possibility of parole if one or more of the special circumstances enumerated in subdivision (a) 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 results in the death of some person or persons, and who is found guilty of murder in the first degree therefor, shall be punished by death or imprisonment in the state prison for life without the possibility of parole if a special circumstance enumerated in paragraph (17) of subdivision (a) has been found to be true under Section 190.4.

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

SEC. 12. Section 594 of the Penal Code, as amended by Section 1.5 of Chapter 853 of the Statutes of 1998, is amended to read:

594. (a) Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism:

- (1) Defaces with graffiti or other inscribed material.
- (2) Damages.
- (3) Destroys.

Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, *furnishings*, or *furnishings property* belonging to any public entity, as defined by Section 811.2 of the Government Code, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property.

(b) (1) If the amount of defacement, damage, or destruction is ~~fifty thousand dollars (\$50,000)~~ *four hundred dollars (\$400)* or more, vandalism is punishable by imprisonment in the state prison or in a county jail not exceeding one year, or by a fine of not more than *ten thousand dollars (\$10,000)*, or *if the amount of defacement, damage, or destruction is ten thousand dollars (\$10,000) or more, by a fine of not more than fifty thousand dollars (\$50,000)*, or by both that fine and imprisonment.

(2) If the amount of defacement, damage, or destruction is ~~five thousand dollars (\$5,000) or more but less than fifty thousand dollars (\$50,000)~~, vandalism is punishable by imprisonment in the state prison, or in a county jail not exceeding one year, or by a fine of not more than ~~ten thousand dollars (\$10,000)~~, or by both that fine and imprisonment.

(3) If the amount of defacement, damage, or destruction is ~~four hundred dollars (\$400) or more but less than five thousand dollars (\$5,000)~~, vandalism is punishable by imprisonment in a county jail not exceeding one year, or by a fine of five thousand dollars (\$5,000), or by both that fine and imprisonment.

(4) (A) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), vandalism is punishable by imprisonment in a county jail ~~for not more than six months not exceeding one year~~, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment.

(B) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), and the defendant has been previously convicted of vandalism or affixing graffiti or other inscribed material under Section 594, 594.3, 594.4, 640.5, 640.6, or 640.7, vandalism is punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than five thousand dollars (\$5,000), or by both that fine and imprisonment.

(c) (1) Upon conviction of any person under this section for acts of vandalism consisting of defacing property with graffiti or other inscribed materials, the court may, in addition to any punishment imposed under subdivision (b), order the defendant to clean up, repair, or replace the damaged property himself or herself, or, if the jurisdiction has adopted a graffiti abatement program, order the defendant, and his or her parents or guardians if the defendant is a minor, to keep the damaged property or another specified property in the community free of graffiti for up to one year. Participation of a parent or guardian is not required under this subdivision if the court deems this participation to be detrimental to the defendant, or if the parent or guardian is a single parent who must care for young children.

(2) Any city, county, or city and county may enact an ordinance that provides for all of the following:

(A) That upon conviction of any person pursuant to this section for acts of vandalism, the court may, in addition to any punishment imposed under subdivision (b), provided that the court determines that the defendant has the ability to pay any law enforcement costs not exceeding two hundred fifty dollars (\$250), order the defendant to pay all or part of the costs not to exceed two hundred fifty dollars (\$250) incurred by a law enforcement agency in identifying and apprehending the defendant. The law enforcement agency shall provide evidence of, and bear the burden of establishing, the reasonable costs that it incurred in identifying and apprehending the defendant.

(B) The law enforcement costs authorized to be paid pursuant to this subdivision are in addition to any other costs incurred or recovered by the law enforcement agency, and payment of these costs does not in any way limit, preclude, or restrict any other right, remedy, or action otherwise available to the law enforcement agency.

(d) If a minor is personally unable to pay a fine levied for acts prohibited by this section, the parent of that minor shall be liable for payment of the fine. A court may waive payment of the fine, or any part thereof, by the parent upon a finding of good cause.

(e) As used in this section, the term “graffiti or other inscribed material” includes any unauthorized inscription, word, figure, mark, or design, that is written, marked, etched, scratched, drawn, or painted on real or personal property.

(f) As used in this section, “graffiti abatement program” means a program adopted by a city, county, or city and county by resolution or ordinance that provides for the administration and financing of graffiti removal, community education on the prevention of graffiti, and enforcement of graffiti laws.

(g) The court may order any person ordered to perform community service or graffiti removal pursuant to paragraph (1) of subdivision (c) to undergo counseling.

(h) No amount paid by a defendant in satisfaction of a criminal matter shall be applied in satisfaction of the law enforcement costs that may be imposed

pursuant to this section until all outstanding base fines, state and local penalty assessments, restitution orders, and restitution fines have been paid.

(i) This section shall remain in effect until January 1, 2002, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2002, deletes or extends that date.

SEC. 12.5. Section 594 of the Penal Code, as added by Section 1.6 of Chapter 853 of the Statutes of 1998, is amended to read:

594. (a) Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism:

- (1) Defaces with graffiti or other inscribed material.
- (2) Damages.
- (3) Destroys.

Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, *furnishings*, or ~~furnishings~~ *property* belonging to any public entity, as defined by Section 811.2 of the Government Code, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property.

(b) (1) If the amount of defacement, damage, or destruction is ~~fifty thousand dollars (\$50,000)~~ *four hundred dollars (\$400)* or more, vandalism is punishable by imprisonment in the state prison or in a county jail not exceeding one year, or by a fine of not more than ~~ten thousand dollars (\$10,000)~~, *or if the amount of defacement, damage, or destruction is ten thousand dollars (\$10,000) or more, by a fine of not more than fifty thousand dollars (\$50,000)*, or by both that fine and imprisonment.

(2) If the amount of defacement, damage, or destruction is ~~five thousand dollars (\$5,000) or more but less than fifty thousand dollars (\$50,000)~~, vandalism is punishable by imprisonment in the state prison, or in a county jail not exceeding one year, or by a fine of not more than ~~ten thousand dollars (\$10,000)~~, or by both that fine and imprisonment.

(3) If the amount of defacement, damage, or destruction is ~~four hundred dollars (\$400) or more but less than five thousand dollars (\$5,000)~~, vandalism is punishable by imprisonment in a county jail not exceeding one year, or by a fine of ~~five thousand dollars (\$5,000)~~, or by both that fine and imprisonment.

(4) (A) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), vandalism is punishable by imprisonment in a county jail ~~for not more than six months not exceeding one year~~, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment.

(B) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), and the defendant has been previously convicted of vandalism or affixing graffiti or other inscribed material under Section 594, 594.3, 594.4, 640.5, 640.6, or 640.7, vandalism is punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than five thousand dollars (\$5,000), or by both that fine and imprisonment.

(c) Upon conviction of any person under this section for acts of vandalism consisting of defacing property with graffiti or other inscribed materials, the court may, in addition to any punishment imposed under subdivision (b), order the defendant to clean up, repair, or replace the damaged property himself or herself, or, if the jurisdiction has adopted a graffiti abatement program, order the defendant, and his or her parents or guardians if the defendant is a minor, to

keep the damaged property or another specified property in the community free of graffiti for up to one year. Participation of a parent or guardian is not required under this subdivision if the court deems this participation to be detrimental to the defendant, or if the parent or guardian is a single parent who must care for young children.

(d) If a minor is personally unable to pay a fine levied for acts prohibited by this section, the parent of that minor shall be liable for payment of the fine. A court may waive payment of the fine, or any part thereof, by the parent upon a finding of good cause.

(e) As used in this section, the term “graffiti or other inscribed material” includes any unauthorized inscription, word, figure, mark, or design, that is written, marked, etched, scratched, drawn, or painted on real or personal property.

(f) As used in this section, “graffiti abatement program” means a program adopted by a city, county, or city and county by resolution or ordinance that provides for the administration and financing of graffiti removal, community education on the prevention of graffiti, and enforcement of graffiti laws.

(g) The court may order any person ordered to perform community service or graffiti removal pursuant to paragraph (1) of subdivision (c) to undergo counseling.

(h) This section shall become operative on January 1, 2002.

SEC. 13. Section 629.52 of the Penal Code is amended to read:

629.52. Upon application made under Section 629.50, the judge may enter an ex parte order, as requested or modified, authorizing interception of wire, electronic digital pager, or electronic cellular telephone communications *initially intercepted* within the territorial jurisdiction of the court in which the judge is sitting, if the judge determines, on the basis of the facts submitted by the applicant, all of the following:

(a) There is probable cause to believe that an individual is committing, has committed, or is about to commit, one of the following offenses:

(1) Importation, possession for sale, transportation, manufacture, or sale of controlled substances in violation of Section 11351, 11351.5, 11352, 11370.6, 11378, 11378.5, 11379, 11379.5, or 11379.6 of the Health and Safety Code with respect to a substance containing heroin, cocaine, PCP, methamphetamine, or their analogs where the substance exceeds 10 gallons by liquid volume or three pounds of solid substance by weight.

(2) Murder, solicitation to commit murder, the commission of a crime involving the bombing of public or private property, or aggravated kidnapping, as specified in Section 209.

(3) *Any felony violation of Section 186.22.*

(4) Conspiracy to commit any of the above-mentioned crimes.

(b) There is probable cause to believe that particular communications concerning the illegal activities will be obtained through that interception, including, but not limited to, communications that may be utilized for locating or rescuing a kidnap victim.

(c) There is probable cause to believe that the facilities from which, or the place where, the wire, electronic digital pager, or electronic cellular telephone communications are to be intercepted are being used, or are about to be used, in connection with the commission of the offense, or are leased to, listed in the name of, or commonly used by the person whose communications are to be intercepted.

(d) Normal investigative procedures have been tried and have failed or reasonably appear either to be unlikely to succeed if tried or to be too dangerous.

SEC. 14. Section 667.1 is added to the Penal Code, to read:

667.1. Notwithstanding subdivision (h) of Section 667, for all offenses committed on or after the effective date of this act, all references to existing statutes in subdivisions (c) to (g), inclusive, of Section 667, are to those statutes as they existed on the effective date of this act, including amendments made to those statutes by this act.

SEC. 15. Section 667.5 of the Penal Code is amended to read:

667.5. Enhancement of prison terms for new offenses because of prior prison terms shall be imposed as follows:

(a) Where one of the new offenses is one of the violent felonies specified in subdivision (c), in addition *to* and consecutive to any other prison terms therefor, the court shall impose a three-year term for each prior separate prison term served by the defendant where the prior offense was one of the violent felonies specified in subdivision (c). However, no additional term shall be imposed under this subdivision for any prison term served prior to a period of 10 years in which the defendant remained free of both prison custody and the commission of an offense which results in a felony conviction.

(b) Except where subdivision (a) applies, where the new offense is any felony for which a prison sentence is imposed, in addition and consecutive to any other prison terms therefor, the court shall impose a one-year term for each prior separate prison term served for any felony; provided that no additional term shall be imposed under this subdivision for any prison term served prior to a period of five years in which the defendant remained free of both prison custody and the commission of an offense which results in a felony conviction.

(c) For the purpose of this section, "violent felony" ~~means shall mean~~ any of the following:

(1) Murder or voluntary manslaughter.

(2) Mayhem.

(3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.

(4) Sodomy by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person.

(5) Oral copulation by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person.

(6) Lewd acts on a child under the age of 14 years as defined in Section 288.

(7) Any felony punishable by death or imprisonment in the state prison for life.

(8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7 or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in Section 12022.5, ~~12022.53~~; or 12022.55.

(9) Any robbery perpetrated in an inhabited dwelling house, vessel, as defined in Section 21 of the Harbors and Navigation Code, which is inhabited and designed for habitation, an inhabited floating home as defined in subdivision (d) of Section ~~18075.55~~ of the Health and Safety Code, an inhabited trailer

coach; as defined in the Vehicle Code; or in the inhabited portion of any other building; wherein it is charged and proved that the defendant personally used a deadly or dangerous weapon; as provided in subdivision (b) of Section 12022; in the commission of that robbery .

(10) Arson, in violation of subdivision (a) or (b) of Section 451.

(11) The offense defined in subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person.

(12) Attempted murder.

(13) A violation of Section 12308 , 12309, or 12310 .

(14) Kidnapping ; in violation of subdivision (b) of Section 207 .

(15) Kidnapping; as punished in subdivision (b) of Section 208 Assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220 .

(16) Continuous sexual abuse of a child, in violation of Section 288.5.

(17) Carjacking, as defined in subdivision (a) of Section 215 ; if it is charged and proved that the defendant personally used a dangerous or deadly weapon as provided in subdivision (b) of Section 12022 in the commission of the carjacking .

(18) Any robbery of the first degree punishable pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 213.

(19) (18) A violation of Section 264.1.

(19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22 of the Penal Code.

(20) Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22 of the Penal Code.

(21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.

(22) Any violation of Section 12022.53.

The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person.

(d) For the purposes of this section, the defendant shall be deemed to remain in prison custody for an offense until the official discharge from custody or until release on parole, whichever first occurs, including any time during which the defendant remains subject to reimprisonment for escape from custody or is reimprisoned on revocation of parole. The additional penalties provided for prior prison terms shall not be imposed unless they are charged and admitted or found true in the action for the new offense.

(e) The additional penalties provided for prior prison terms shall not be imposed for any felony for which the defendant did not serve a prior separate term in state prison.

(f) A prior conviction of a felony shall include a conviction in another jurisdiction for an offense which, if committed in California, is punishable by imprisonment in the state prison if the defendant served one year or more in prison for the offense in the other jurisdiction. A prior conviction of a particular felony shall include a conviction in another jurisdiction for an offense which includes all of the elements of the particular felony as defined under California

law if the defendant served one year or more in prison for the offense in the other jurisdiction.

(g) A prior separate prison term for the purposes of this section shall mean a continuous completed period of prison incarceration imposed for the particular offense alone or in combination with concurrent or consecutive sentences for other crimes, including any reimprisonment on revocation of parole which is not accompanied by a new commitment to prison, and including any reimprisonment after an escape from incarceration.

(h) Serving a prison term includes any confinement time in any state prison or federal penal institution as punishment for commission of an offense, including confinement in a hospital or other institution or facility credited as service of prison time in the jurisdiction of the confinement.

(i) For the purposes of this section, a commitment to the State Department of Mental Health as a mentally disordered sex offender following a conviction of a felony, which commitment exceeds one year in duration, shall be deemed a prior prison term.

(j) For the purposes of this section, when a person subject to the custody, control, and discipline of the Director of Corrections is incarcerated at a facility operated by the Department of the Youth Authority, that incarceration shall be deemed to be a term served in state prison.

(k) Notwithstanding subdivisions (d) and (g) or any other provision of law, where one of the new offenses is committed while the defendant is temporarily removed from prison pursuant to Section 2690 or while the defendant is transferred to a community facility pursuant to Section 3416, 6253, or 6263, or while the defendant is on furlough pursuant to Section 6254, the defendant shall be subject to the full enhancements provided for in this section.

This subdivision shall not apply when a full, separate, and consecutive term is imposed pursuant to any other provision of law.

SEC. 16. Section 1170.125 is added to the Penal Code, to read:

1170.125. Notwithstanding Section 2 of Proposition 184, as adopted at the November 8, 1994 General Election, for all offenses committed on or after the effective date of this act, all references to existing statutes in Section 1170.12 are to those statutes as they existed on the effective date of this act, including amendments made to those statutes by this act.

SEC. 17. Section 1192.7 of the Penal Code is amended to read:

1192.7. (a) Plea bargaining in any case in which the indictment or information charges any serious felony, any felony in which it is alleged that a firearm was personally used by the defendant, or any offense of driving while under the influence of alcohol, drugs, narcotics, or any other intoxicating substance, or any combination thereof, is prohibited, unless there is insufficient evidence to prove the people's case, or testimony of a material witness cannot be obtained, or a reduction or dismissal would not result in a substantial change in sentence.

(b) As used in this section "plea bargaining" means any bargaining, negotiation, or discussion between a criminal defendant, or his or her counsel, and a prosecuting attorney or judge, whereby the defendant agrees to plead guilty or nolo contendere, in exchange for any promises, commitments, concessions, assurances, or consideration by the prosecuting attorney or judge relating to any charge against the defendant or to the sentencing of the defendant.

(c) As used in this section, "serious felony" means any of the following:

(1) Murder or voluntary manslaughter; (2) mayhem; (3) rape; (4) sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (5) oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (6) lewd or lascivious act on a child under the age of 14 years; (7) any felony punishable by death or imprisonment in the state prison for life; (8) any other felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm; (9) attempted murder; (10) assault with intent to commit rape or robbery; (11) assault with a deadly weapon or instrument on a peace officer; (12) assault by a life prisoner on a noninmate; (13) assault with a deadly weapon by an inmate; (14) arson; (15) exploding a destructive device or any explosive with intent to injure; (16) exploding a destructive device or any explosive causing *bodily injury*, great bodily injury, or mayhem; (17) exploding a destructive device or any explosive with intent to murder; (18) *any burglary of the first degree of an inhabited dwelling house, or trailer coach as defined by the Vehicle Code, or inhabited portion of any other building*; (19) robbery or bank robbery; (20) kidnapping; (21) holding of a hostage by a person confined in a state prison; (22) attempt to commit a felony punishable by death or imprisonment in the state prison for life; (23) any felony in which the defendant personally used a dangerous or deadly weapon; (24) selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code; (25) any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person; (26) grand theft involving a firearm; (27) carjacking; (28) *any felony offense, which would also constitute a felony violation of Section 186.22*; (29) *assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220*; (30) *throwing acid or flammable substances, in violation of Section 244*; (31) *assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245*; (32) *assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Sections 245.2, 245.3, or 245.5*; (33) *discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246*; (34) *commission of rape or penetration by a foreign object in concert with another person, in violation of Section 264.1*; (35) *continuous sexual abuse of a child, in violation of Section 288.5*; (36) *shooting from a vehicle, in violation of subdivision (c) or (d) of Section 12034*; (37) *intimidation of victims or witnesses, in violation of Section 136.1*; (38) *terrorist threats, in violation Section 422*; (39) any attempt to commit a crime listed in this subdivision other than an assault; (40) *any violation of Section 12022.53*; and ~~(20)~~ (41) any conspiracy to commit an offense described in paragraph (24) as it applies to Section 11370.4 of the Health and Safety Code where the defendant conspirator was substantially involved in the planning, direction, or financing of the underlying offense *this subdivision*.

(d) As used in this section, “bank robbery” means to take or attempt to take, by force or violence, or by intimidation from the person or presence of another any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank, credit union, or any savings and loan association.

As used in this subdivision, the following terms have the following meanings:

(1) “Bank” means any member of the Federal Reserve System, and any bank, banking association, trust company, savings bank, or other banking institution organized or operating under the laws of the United States, and any bank the deposits of which are insured by the Federal Deposit Insurance Corporation.

(2) “Savings and loan association” means any federal savings and loan association and any “insured institution” as defined in Section 401 of the National Housing Act, as amended, and any federal credit union as defined in Section 2 of the Federal Credit Union Act.

(3) “Credit union” means any federal credit union and any state-chartered credit union the accounts of which are insured by the Administrator of the National Credit Union administration.

(e) The provisions of this section shall 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.

SEC. 18. Section 602 of the Welfare and Institutions Code is amended to read:

602. ~~Any~~ (a) *Except as provided in subdivision (b), any person who is under the age of 18 years when he or she violates any law of this state or of the United States or any ordinance of any city or county of this state defining crime other than an ordinance establishing a curfew based solely on age, is within the jurisdiction of the juvenile court, which may adjudge such person to be a ward of the court.*

(b) *Any person who is alleged, when he or she was 14 years of age or older, to have committed one of the following offenses shall be prosecuted under the general law in a court of criminal jurisdiction:*

(1) *Murder, as described in Section 187 of the Penal Code, if one of the circumstances enumerated in subdivision (a) of Section 190.2 of the Penal Code is alleged by the prosecutor, and the prosecutor alleges that the minor personally killed the victim.*

(2) *The following sex offenses, if the prosecutor alleges that the minor personally committed the offense, and if the prosecutor alleges one of the circumstances enumerated in the One Strike law, subdivisions (d) or (e) of Section 667.61 of the Penal Code, applies:*

(A) *Rape, as described in paragraph (2) of subdivision (a) of Section 261 of the Penal Code.*

(B) *Spousal rape, as described in paragraph (1) of subdivision (a) of Section 262 of the Penal Code.*

(C) *Forcible sex offenses in concert with another, as described in Section 264.1 of the Penal Code.*

(D) *Forcible lewd and lascivious acts on a child under the age of 14 years, as described in subdivision (b) of Section 288 of the Penal Code.*

(E) *Forcible penetration by foreign object, as described in subdivision (a) of Section 289 of the Penal Code.*

(F) Sodomy or oral copulation in violation of Section 286 or 288a of the Penal Code, by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person.

(G) Lewd and lascivious acts on a child under the age of 14 years, as defined in subdivision (a) of Section 288, unless the defendant qualifies for probation under subdivision (c) of Section 1203.066 of the Penal Code.

SEC. 19. Section 602.5 is added to the Welfare and Institutions Code, to read:

602.5. The juvenile court shall report the complete criminal history of any minor found to be a person adjudged to be a ward of the court under Section 602 because of the commission of any felony offense to the Department of Justice. The Department of Justice shall retain this information and make it available in the same manner as information gathered pursuant to Chapter 2 (commencing with Section 13100) of Title 3 of Part 4 of the Penal Code.

SEC. 20. Section 625.3 of the Welfare and Institutions Code is amended to read:

625.3. Notwithstanding Section 625, a minor who is 14 years of age or older and who is taken into custody by a peace officer for the personal use of a firearm in the commission or attempted commission of a felony or any offense listed in subdivision (b) of Section 707 shall not be released until that minor is brought before a judicial officer.

SEC. 21. Section 629 of the Welfare and Institutions Code is amended to read:

629. (a) As a condition for the release of such minor, the probation officer may require such minor or his parent, guardian, or relative, or both, to sign a written promise that either or both of them will appear before the probation officer at the juvenile hall or other suitable place designated by the probation officer at a specified time.

(b) A minor who is 14 years of age or older who is taken into custody by a peace officer for the commission or attempted commission of a felony offense shall not be released until the minor, his or her parent, guardian, or relative or both, have signed the written promise described in subdivision (a), or has been given an order to appear in the juvenile court at a date certain.

SEC. 22. Section 654.3 of the Welfare and Institutions Code is amended to read:

654.3. No minor shall be eligible for the program of supervision set forth in Section 654 or 654.2 in the following cases, except in an unusual case where the interests of justice would best be served and the court specifies on the record the reasons for its decision:

(a) A petition alleges that the minor has violated an offense listed in subdivision (b) or (e) or paragraph (2) of subdivision (d) of Section 707.

(b) A petition alleges that the minor has sold or possessed for sale a controlled substance as defined in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(c) A petition alleges that the minor has violated Section 11350 or 11377 of the Health and Safety Code where the violation takes place at a public or private elementary, vocational, junior high school, or high school, or a violation of Section 245.5, 626.9, or 626.10 of the Penal Code.

(d) A petition alleges that the minor has violated Section 186.22 of the Penal Code.

(e) The minor has previously participated in a program of supervision pursuant to Section 654.

(f) The minor has previously been adjudged a ward of the court pursuant to Section 602.

(g) A petition alleges that the minor has violated an offense in which the restitution owed to the victim exceeds one thousand dollars (\$1,000). For purposes of this subdivision, the definition of "victim" in paragraph (1) of subdivision (a) of Section 730.6 and "restitution" in subdivision (h) of Section 730.6 shall apply.

(h) The minor is alleged to have committed a felony offense when the minor was at least 14 years of age. Except in unusual cases where the court determines the interest of justice would best be served by a proceeding pursuant to Section 654 or 654.2, a petition alleging that a minor who is 14 years of age or over has committed a felony offense shall proceed under Article 20.5 (commencing with Section 790) or Article 17 (commencing with Section 675).

SEC. 23. Section 660 of the Welfare and Institutions Code is amended to read:

660. (a) Except as provided in subdivision (b), if the minor is detained, the clerk of the juvenile court shall cause the notice and copy of the petition to be served on all persons required to receive that notice and copy of the petition pursuant to subdivision (e) of Section 656 and Section 658, either personally or by certified mail with request for return receipt, as soon as possible after filing of the petition and at least five days prior to the time set for hearing, unless the hearing is set less than five days from the filing of the petition, in which case, the notice and copy of the petition shall be served at least 24 hours prior to the time set for hearing.

(b) If the minor is detained, and all persons entitled to notice pursuant to subdivision (e) of Section 656 and Section 658 were present at the detention hearing, the clerk of the juvenile court shall cause the notice and copy of the petition to be served on all persons required to receive the notice and copy of the petition, either personally or by first-class mail, as soon as possible after the filing of the petition and at least five days prior to the time set for hearing, unless the hearing is set less than five days from the filing of the petition, in which case the notice and copy of the petition shall be served at least 24 hours prior to the time set for the hearing.

(c) If the minor is not detained, the clerk of the juvenile court shall cause the notice and copy of the petition to be served on all persons required to receive the notice and copy of the petition, either personally or by first-class mail, at least 10 days prior to the time set for hearing. If that person is known to reside outside of the county, the clerk of the juvenile court shall mail the notice and copy of the petition, by first-class mail, to that person, as soon as possible after the filing of the petition and at least 10 days before the time set for hearing. Failure to respond to the notice shall in no way result in arrest or detention. In the instance of failure to appear after notice by first-class mail, the court shall direct that the notice and copy of the petition is to be personally served on all persons required to receive the notice and a copy of the petition. However, if the whereabouts of the minor are unknown, upon a showing that all reasonable efforts to locate the minor have failed or that the minor has willfully evaded service of process, personal service of the notice and a copy of the petition is not required and a warrant for the arrest of the minor may be issued pursuant to Section 663. Personal service of the notice and copy of the petition outside of the county at

least 10 days before the time set for hearing is equivalent to service by first-class mail. Service may be waived by any person by a voluntary appearance entered in the minutes of the court or by a written waiver of service filed with the clerk of the court at or prior to the hearing.

(d) For purposes of this section, service on the minor's attorney shall constitute service on the minor's parent or legal guardian.

SEC. 24. Section 663 of the Welfare and Institutions Code is amended to read:

663. (a) Whenever a petition has been filed in the juvenile court alleging that a minor comes within the provisions of Section 601 or 602 of *this code* and praying for a hearing thereon, or whenever any subsequent petition has been filed praying for a hearing in the matter of the minor, a warrant of arrest may be issued immediately for the minor upon a showing that any one of the following conditions are satisfied:

(1) It appears to the court that the conduct and behavior of the minor may endanger the health, person, welfare, or property of himself or herself, or others, or that the circumstances of his or her home environment may endanger the health, person, welfare, or property of the minor.

(2) It appears to the court that either personal service upon the minor has been unsuccessful, or the whereabouts of the minor are unknown ; ~~and all reasonable efforts to locate and personally serve the minor have failed .~~

(3) It appears to the court that the minor has willfully evaded service of process.

(b) Nothing in this section shall be construed to limit the right of parents or guardians to receive the notice and a copy of the petition pursuant to Section 660.

SEC. 25. Section 676 of the Welfare and Institutions Code is amended to read:

676. (a) Unless requested by the minor concerning whom the petition has been filed and any parent or guardian present, the public shall not be admitted to a juvenile court hearing. Nothing in this section shall preclude the attendance of up to two family members of a prosecuting witness for the support of that witness, as authorized by Section 868.5 of the Penal Code. The judge or referee may nevertheless admit those persons he or she deems to have a direct and legitimate interest in the particular case or the work of the court. However, except as provided in subdivision (b), members of the public shall be admitted, on the same basis as they may be admitted to trials in a court of criminal jurisdiction, to hearings concerning petitions filed pursuant to Section 602 alleging that a minor is a person described in Section 602 by reason of the violation of any one of the following offenses:

(1) Murder.

(2) Arson of an inhabited building.

(3) Robbery while armed with a dangerous or deadly weapon.

(4) Rape with force or violence or threat of great bodily harm.

(5) Sodomy by force, violence, duress, menace, or threat of great bodily harm.

(6) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.

(7) Any offense specified in subdivision (a) of Section 289 of the Penal Code.

(8) Kidnapping for ransom.

- (9) Kidnapping for purpose of robbery.
 - (10) Kidnapping with bodily harm.
 - (11) Assault with intent to murder or attempted murder.
 - (12) Assault with a firearm or destructive device.
 - (13) Assault by any means of force likely to produce great bodily injury.
 - (14) Discharge of a firearm into an inhabited dwelling or occupied building.
 - (15) Any offense described in Section 1203.09 of the Penal Code.
 - (16) Any offense described in Section 12022.5 *or* 12022.53 of the Penal Code.
 - (17) Any felony offense in which a minor personally used a weapon listed in subdivision (a) of Section 12020 of the Penal Code.
 - (18) Burglary of an inhabited dwelling house or trailer coach, as defined in Section 635 of the Vehicle Code, or the inhabited portion of any other building, if the minor previously has been adjudged a ward of the court by reason of the commission of any offense listed in this section, including an offense listed in this paragraph.
 - (19) Any felony offense described in Section 136.1 or 137 of the Penal Code.
 - (20) Any offense as specified in Sections 11351, 11351.5, 11352, 11378, 11378.5, 11379, and 11379.5 of the Health and Safety Code.
 - (21) Criminal street gang activity which constitutes a felony pursuant to Section 186.22 of the Penal Code.
 - (22) Manslaughter as specified in Section 192 of the Penal Code.
 - (23) Driveby shooting or discharge of a weapon from or at a motor vehicle as specified in Sections 246, 247, and 12034 of the Penal Code.
 - (24) Any crime committed with an assault weapon, as defined in Section 12276 of the Penal Code, including possession of an assault weapon as specified in subdivision (b) of Section 12280 of the Penal Code.
 - (25) Carjacking, while armed with a dangerous or deadly weapon.
 - (26) Kidnapping, in violation of Section 209.5 of the Penal Code.
 - (27) Torture, as described in Sections 206 and 206.1 of the Penal Code.
 - (28) Aggravated mayhem, in violation of Section 205 of the Penal Code.
- (b) Where the petition filed alleges that the minor is a person described in Section 602 by reason of the commission of rape with force or violence or great bodily harm; sodomy by force, violence, duress, menace, or threat of great bodily harm; oral copulation by force, violence, duress, menace, or threat of great bodily harm; or any offense specified in Section 289 of the Penal Code, members of the public shall not be admitted to the hearing in either of the following instances:
- (1) Upon a motion for a closed hearing by the district attorney, who shall make the motion if so requested by the victim.
 - (2) During the victim's testimony, if, at the time of the offense the victim was under 16 years of age.
- (c) The name of a minor found to have committed one of the offenses listed in subdivision (a) shall not be confidential, unless the court, for good cause, so orders. *As used in this subdivision, "good cause" shall be limited to protecting the personal safety of the minor, a victim, or a member of the public. The court shall make a written finding, on the record, explaining why good cause exists to make the name of the minor confidential.*
- (d) Notwithstanding Sections 827 and 828 and subject to subdivisions (e) and (f), when a petition is sustained for any offense listed in subdivision (a), the charging petition, the minutes of the proceeding, and the orders of adjudication

and disposition of the court that are contained in the court file shall be available for public inspection. Nothing in this subdivision shall be construed to authorize public access to any other documents in the court file.

(e) The probation officer or any party may petition the juvenile court to prohibit disclosure to the public of any file or record. The juvenile court shall prohibit the disclosure if it appears that the harm to the minor, victims, witnesses, or public from the public disclosure outweighs the benefit of public knowledge. *However, the court shall not prohibit disclosure for the benefit of the minor unless the court makes a written finding that the reason for the prohibition is to protect the safety of the minor.*

(f) Nothing in this section shall be applied to limit the disclosure of information as otherwise provided for by law.

(g) *The juvenile court shall for each day that the court is in session, post in a conspicuous place which is accessible to the general public, a written list of hearings that are open to the general public pursuant to this section, the location of those hearings, and the time when the hearings will be held.*

SEC. 26. Section 707 of the Welfare and Institutions Code is amended to read:

707. (a) (1) In any case in which a minor is alleged to be a person described in Section 602 (a) by reason of the violation, when he or she was 16 years of age or older, of any criminal statute or ordinance except those listed in subdivision (b), upon motion of the petitioner made prior to the attachment of jeopardy the court shall cause the probation officer to investigate and submit a report on the behavioral patterns and social history of the minor being considered for a determination of unfitness. Following submission and consideration of the report, and of any other relevant evidence which the petitioner or the minor may wish to submit, the juvenile court may find that the minor is not a fit and proper subject to be dealt with under the juvenile court law if it concludes that the minor would not be amenable to the care, treatment, and training program available through the facilities of the juvenile court, based upon an evaluation of the following criteria:

- (1) The degree of criminal sophistication exhibited by the minor.
- (2) Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction.
- (3) The minor's previous delinquent history.
- (4) Success of previous attempts by the juvenile court to rehabilitate the minor.
- (5) The circumstances and gravity of the offense alleged in the petition to have been committed by the minor.

A determination that the minor is not a fit and proper subject to be dealt with under the juvenile court law may be based on any one or a combination of the factors set forth above, which shall be recited in the order of unfitness. In any case in which a hearing has been noticed pursuant to this section, the court shall postpone the taking of a plea to the petition until the conclusion of the fitness hearing, and no plea which may already have been entered shall constitute evidence at the hearing.

(2) *This paragraph shall apply to a minor alleged to be a person described in Section 602 by reason of the violation, when he or she has attained the age of 16 years, of any felony offense when the minor has been declared to be a ward of the court pursuant to Section 602 on one or more prior occasions if both of the following apply:*

(A) *The minor has previously been found to have committed two or more felony offenses.*

(B) *The offenses upon which the prior petition or petitions were based were committed when the minor had attained the age of 14 years.*

Upon motion of the petitioner made prior to the attachment of jeopardy the court shall cause the probation officer to investigate and submit a report on the behavioral patterns and social history of the minor being considered for a determination of unfitness. Following submission and consideration of the report, and of any other relevant evidence that the petitioner or the minor may wish to submit, the minor shall be presumed to be not a fit and proper subject to be dealt with under the juvenile court law unless the juvenile court concludes, based upon evidence, which evidence may be of extenuating or mitigating circumstances that the minor would be amenable to the care, treatment, and training program available through the facilities of the juvenile court, based upon an evaluation of the following criteria:

(A) *The degree of criminal sophistication exhibited by the minor.*

(B) *Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction.*

(C) *The minor's previous delinquent history.*

(D) *Success of previous attempts by the juvenile court to rehabilitate the minor.*

(E) *The circumstances and gravity of the offense alleged in the petition to have been committed by the minor.*

A determination that the minor is a fit and proper subject to be dealt with under the juvenile court law shall be based on a finding of amenability after consideration of the criteria set forth above, and findings therefor recited in the order as to each of the above criteria that the minor is fit and proper under each and every one of the above criteria. In making a finding of fitness, the court may consider extenuating and mitigating circumstances in evaluating each of the above criteria. In any case in which the hearing has been noticed pursuant to this section, the court shall postpone the taking of a plea to the petition until the conclusion of the fitness hearing and no plea which may already have been entered shall constitute evidence at the hearing. If the minor is found to be a fit and proper subject to be dealt with under the juvenile court law pursuant to this subdivision, the minor shall be committed to placement in a juvenile hall, ranch camp, forestry camp, boot camp, or secure juvenile home pursuant to Section 730, or in any institution operated by the Youth Authority.

(3) *If, pursuant to this subdivision, the minor is found to be not a fit and proper subject for juvenile court treatment and is tried in a court of criminal jurisdiction and found guilty by the trier of fact, the judge may commit the minor to the Youth Authority in lieu of sentencing the minor to the state prison, unless the limitations specified in Section 1732.6 apply.*

(b) *Subdivision (c) shall be applicable in any case in which a minor is alleged to be a person described in Section 602 by reason of the violation, when he or she was 16 years of age or older, of one of the following offenses:*

(1) *Murder.*

(2) *Arson, as provided in subdivision (a) or (b) of Section 451 of the Penal Code.*

(3) *Robbery while armed with a dangerous or deadly weapon .*

(4) *Rape with force or violence or threat of great bodily harm.*

(5) Sodomy by force, violence, duress, menace, or threat of great bodily harm.

(6) Lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.

(7) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.

(8) Any offense specified in subdivision (a) of Section 289 of the Penal Code.

(9) Kidnapping for ransom.

(10) Kidnapping for purpose of robbery.

(11) Kidnapping with bodily harm.

(12) Attempted murder.

(13) Assault with a firearm or destructive device.

(14) Assault by any means of force likely to produce great bodily injury.

(15) Discharge of a firearm into an inhabited or occupied building.

(16) Any offense described in Section 1203.09 of the Penal Code.

(17) Any offense described in Section 12022.5 *or* 12022.53 of the Penal Code.

(18) Any felony offense in which the minor personally used a weapon listed in subdivision (a) of Section 12020 of the Penal Code.

(19) Any felony offense described in Section 136.1 or 137 of the Penal Code.

(20) Manufacturing, compounding, or selling one-half ounce or more of any salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code.

(21) Any violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code, which would also constitute a felony violation of subdivision (b) of Section 186.22 of the Penal Code.

(22) Escape, by the use of force or violence, from any county juvenile hall, home, ranch, camp, or forestry camp in violation of subdivision (b) of Section 871 where great bodily injury is intentionally inflicted upon an employee of the juvenile facility during the commission of the escape.

(23) Torture as described in Sections 206 and 206.1 of the Penal Code.

(24) Aggravated mayhem, as described in Section 205 of the Penal Code.

(25) Carjacking, as described in Section 215 of the Penal Code, while armed with a dangerous or deadly weapon.

(26) Kidnapping, as punishable in subdivision (d) of Section 208 of the Penal Code.

(27) Kidnapping, as punishable in Section 209.5 of the Penal Code.

(28) The offense described in subdivision (c) of Section 12034 of the Penal Code.

(29) The offense described in Section 12308 of the Penal Code.

(30) *Voluntary manslaughter, as described in subdivision (a) of Section 192 of the Penal Code.*

(c) With regard to a minor alleged to be a person described in Section 602 by reason of the violation, when he or she was ~~16~~ 14 years of age or older, of any of the offenses listed in subdivision (b), upon motion of the petitioner made prior to the attachment of jeopardy the court shall cause the probation officer to investigate and submit a report on the behavioral patterns and social history of the minor being considered for a determination of unfitness. Following submission and consideration of the report, and of any other relevant evidence which the

petitioner or the minor may wish to submit the minor shall be presumed to be not a fit and proper subject to be dealt with under the juvenile court law unless the juvenile court concludes, based upon evidence, which evidence may be of extenuating or mitigating circumstances, that the minor would be amenable to the care, treatment, and training program available through the facilities of the juvenile court based upon an evaluation of each of the following criteria:

- (1) The degree of criminal sophistication exhibited by the minor.
- (2) Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction.
- (3) The minor's previous delinquent history.
- (4) Success of previous attempts by the juvenile court to rehabilitate the minor.
- (5) The circumstances and gravity of the offenses alleged in the petition to have been committed by the minor.

A determination that the minor is a fit and proper subject to be dealt with under the juvenile court law shall be based on a finding of amenability after consideration of the criteria set forth above, and findings therefor recited in the order as to each of the above criteria that the minor is fit and proper under each and every one of the above criteria. In making a finding of fitness, the court may consider extenuating or mitigating circumstances in evaluating each of the above criteria. In any case in which a hearing has been noticed pursuant to this section, the court shall postpone the taking of a plea to the petition until the conclusion of the fitness hearing and no plea which may already have been entered shall constitute evidence at the hearing. *If, pursuant to this subdivision, the minor is found to be not a fit and proper subject for juvenile court treatment and is tried in a court of criminal jurisdiction and found guilty by the trier of fact, the judge may commit the minor to the Youth Authority in lieu of sentencing the minor to the state prison, unless the limitations specified in Section 1732.6 apply.*

(d) (1) In any case in which a minor is alleged to be a person described in Section 602 by reason of the violation; when he or she had attained the age of 14 years but had not attained the age of 16 years; of any of the offenses set forth in paragraph (2); upon motion of the petitioner made prior to the attachment of jeopardy the court shall cause the probation officer to investigate and submit a report on the behavioral patterns and social history of the minor being considered for a determination of unfitness. Following submission and consideration of the report; and of any other relevant evidence that the petitioner or the minor may wish to submit; the juvenile court may find that the minor is not a fit and proper subject to be dealt with under the juvenile court law if it concludes that the minor would not be amenable to the care; treatment; and training program available through the facilities of the juvenile court; based upon an evaluation of the following criteria:

- (A) The degree of criminal sophistication exhibited by the minor.
- (B) Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction.
- (C) The minor's previous delinquent history.
- (D) Success of previous attempts by the juvenile court to rehabilitate the minor.
- (E) The circumstances and gravity of the offense alleged in the petition to have been committed by the minor.

A determination that the minor is not a fit and proper subject to be dealt with under the juvenile court law may be based on any one or a combination

of the factors set forth above, which shall be recited in the order of unfitness. In any case in which the hearing has been noticed pursuant to this subdivision, the court shall postpone the taking of a plea to the petition until the conclusion of the fitness hearing; and no plea which may already have been entered shall constitute evidence at the hearing:

(2) Paragraph (1) shall be applicable in any case in which a minor is alleged to be a person described in Section 602 by reason of the violation; when he or she had attained the age of 14 years but had not attained the age of 16 years, of one of the following offenses:

- (A) Murder:
 - (B) Robbery in which the minor personally used a firearm:
 - (C) Rape with force or violence or threat of great bodily harm:
 - (D) Sodomy by force; violence; duress; menace; or threat of great bodily harm:
 - (E) Oral copulation by force; violence; duress; menace; or threat of great bodily harm:
 - (F) The offense specified in subdivision (a) of Section 289 of the Penal Code:
 - (G) Kidnapping for ransom:
 - (H) Kidnapping for purpose of robbery:
 - (I) Kidnapping with bodily harm:
 - (J) Kidnapping; as punishable in subdivision (d) of Section 208 of the Penal Code:
 - (K) The offense described in subdivision (c) of Section 12034 of the Penal Code, in which the minor personally used a firearm:
 - (L) Personally discharging a firearm into an inhabited or occupied building:
 - (M) Manufacturing; compounding; or selling one-half ounce or more of any salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code:
 - (N) Escape; by the use of force or violence; from any county juvenile hall; home; ranch; camp; or forestry camp in violation of subdivision (b) of Section 871 where great bodily injury is intentionally inflicted upon an employee of the juvenile facility during the commission of the escape:
 - (O) Torture; as described in Section 206 of the Penal Code:
 - (P) Aggravated mayhem; as described in Section 205 of the Penal Code:
 - (Q) Assault with a firearm in which the minor personally used the firearm:
 - (R) Attempted murder:
 - (S) Rape in which the minor personally used a firearm:
 - (T) Burglary in which the minor personally used a firearm:
 - (U) Kidnapping in which the minor personally used a firearm:
 - (V) The offense described in Section 12308 of the Penal Code:
 - (W) Kidnapping; in violation of Section 209.5 of the Penal Code:
 - (X) Carjacking; in which the minor personally used a firearm:
- (e) This subdivision shall apply to a minor alleged to be a person described in Section 602 by reason of the violation; when he or she had attained the age of 14 years but had not attained the age of 16 years; of the offense of murder in which it is alleged in the petition that one of the following exists:
- (1) In the case of murder in the first or second degree; the minor personally killed the victim:

(2) In the case of murder in the first or second degree, the minor, acting with the intent to kill the victim; aided; abetted; counseled; commanded; induced; solicited; requested; or assisted any person to kill the victim.

(3) In the case of murder in the first degree, while not the actual killer, the minor, acting with reckless indifference to human life and as a major participant in a felony enumerated in paragraph (17) of subdivision (a) of Section 190.2, or an attempt to commit that felony; aided; abetted; counseled; commanded; induced; solicited; requested; or assisted in the commission or attempted commission of that felony and the commission or attempted commission of that felony or the immediate flight therefrom resulted in the death of the victim.

Upon motion of the petitioner made prior to the attachment of jeopardy, the court shall cause the probation officer to investigate and submit a report on the behavioral patterns and social history of the minor being considered for a determination of unfitness. Following submission and consideration of the report, and of any other relevant evidence which the petitioner or the minor may wish to submit, the minor shall be presumed to be not a fit and proper subject to be dealt with under the juvenile court law unless the juvenile court concludes, based upon evidence, which evidence may be of extenuating or mitigating circumstances, that the minor would be amenable to the care, treatment, and training program available through the facilities of the juvenile court based upon an evaluation of each of the following criteria:

(A) The degree of criminal sophistication exhibited by the minor.

(B) Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction.

(C) The minor's previous delinquent history.

(D) Success of previous attempts by the juvenile court to rehabilitate the minor.

(E) The circumstances and gravity of the offenses alleged in the petition to have been committed by the minor.

A determination that the minor is a fit and proper subject to be dealt with under the juvenile court law shall be based on a finding of amenability after consideration of the criteria set forth above, and findings therefor recited in the order as to each of the above criteria that the minor is fit and proper under each and every one of the above criteria. In making a finding of fitness, the court may consider extenuating or mitigating circumstances in evaluating each of the above criteria. In any case in which a hearing has been noticed pursuant to this section, the court shall postpone the taking of a plea to the petition until the conclusion of the fitness hearing and no plea which may already have been entered shall constitute evidence at the hearing.

(d) (1) Except as provided in subdivision (b) of Section 602, the district attorney or other appropriate prosecuting officer may file an accusatory pleading in a court of criminal jurisdiction against any minor 16 years of age or older who is accused of committing an offense enumerated in subdivision (b).

(2) Except as provided in subdivision (b) of Section 602, the district attorney or other appropriate prosecuting officer may file an accusatory pleading against a minor 14 years of age or older in a court of criminal jurisdiction in any case in which any one or more of the following circumstances apply:

(A) The minor is alleged to have committed an offense which if committed by an adult would be punishable by death or imprisonment in the state prison for life.

(B) The minor is alleged to have personally used a firearm during the commission or attempted commission of a felony, as described in Section 12022.5 of the Penal Code.

(C) The minor is alleged to have committed an offense listed in subdivision (b) in which any one or more of the following circumstances apply:

(i) The minor has previously been found to be a person described in Section 602 by reason of the commission of an offense listed in subdivision (b).

(ii) The offense was committed for the benefit of, at the direction of, or in association with any criminal street gang, as defined in subdivision (f) of Section 186.22 of the Penal Code, with the specific intent to promote, further, or assist in any criminal conduct by gang members.

(iii) The offense was committed for the purpose of intimidating or interfering with any other person's free exercise or enjoyment of any right secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States and because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because the minor perceives that the other person has one or more of those characteristics, as described in Title 11.6 (commencing with Section 422.6) of Part 1 of the Penal Code.

(iv) The victim of the offense was 65 years of age or older, or blind, deaf, quadriplegic, paraplegic, developmentally disabled, or confined to a wheelchair, and that disability was known or reasonably should have been known to the minor at the time of the commission of the offense.

(3) Except as provided in subdivision (b) of Section 602, the district attorney or other appropriate prosecuting officer may file an accusatory pleading in a court of criminal jurisdiction against any minor 16 years of age or older who is accused of committing one of the following offenses, if the minor has previously been found to be a person described in Section 602 by reason of the violation of any felony offense, when he or she was 14 years of age or older:

(A) Any felony offense in which it is alleged that the victim of the offense was 65 years of age or older, or blind, deaf, quadriplegic, paraplegic, developmentally disabled, or confined to a wheelchair, and that disability was known or reasonably should have been known to the minor at the time of the commission of the offense;

(B) Any felony offense committed for the purposes of intimidating or interfering with any other person's free exercise or enjoyment of any right secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States and because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because the minor perceived that the other person had one or more of those characteristics, as described in Title 11.6 (commencing with Section 422.6) of Part 1 of the Penal Code; or

(C) The offense was committed for the benefit of, at the direction of, or in association with any criminal street gang as prohibited by Section 186.22 of the Penal Code.

(4) In any case in which the district attorney or other appropriate prosecuting officer has filed an accusatory pleading against a minor in a court of criminal jurisdiction pursuant to the provisions of this subdivision, the case shall then proceed according to the laws applicable to a criminal case. In conjunction with the preliminary hearing as provided for in Section 738 of the Penal Code, the magistrate shall make a finding that reasonable cause exists to believe that

the minor comes within the provisions of this subdivision. If reasonable cause is not established, the criminal court shall transfer the case to the juvenile court having jurisdiction over the matter.

(5) For any offense for which the prosecutor may file the accusatory pleading in a court of criminal jurisdiction pursuant to this subdivision, but elects instead to file a petition in the juvenile court, if the minor is subsequently found to be a person described in subdivision (a) of Section 602, the minor shall be committed to placement in a juvenile hall, ranch camp, forestry camp, boot camp, or secure juvenile home pursuant to Section 730, or in any institution operated by the Youth Authority.

(6) If, pursuant to this subdivision, the minor is found to be not a fit and proper subject for juvenile court treatment and is tried in a court of criminal jurisdiction and found guilty by the trier of fact, the judge may commit the minor to the Youth Authority in lieu of sentencing the minor to the state prison, unless the limitations specified in Section 1732.6 apply.

(f) (e) Any report submitted by a probation officer pursuant to this section regarding the behavioral patterns and social history of the minor being considered for a determination of unfitness shall include any written or oral statement offered by the victim, the victim's parent or guardian if the victim is a minor, or if the victim has died, the victim's next of kin, as authorized by subdivision (b) of Section 656.2. Victims' statements shall be considered by the court to the extent they are relevant to the court's determination of unfitness.

SEC. 27. Section 777 of the Welfare and Institutions Code is amended to read:

777. An order changing or modifying a previous order by removing a minor from the physical custody of a parent, guardian, relative, or friend and directing placement in a foster home, or commitment to a private institution or commitment to a county institution, or an order changing or modifying a previous order by directing commitment to the Youth Authority shall be made only after a noticed hearing upon a supplemental petition .

(a) The supplemental petition shall be filed notice shall be made as follows:

(1) By the probation officer where a minor has been declared a ward of the court or a probationer under Section 601 in the original matter and shall contain a concise statement of facts sufficient to support the conclusion that the previous disposition has not been effective in the rehabilitation or protection of the minor has violated an order of the court .

(2) By the probation officer or the prosecuting attorney ; after consulting with the probation officer; if the minor is a court ward or probationer under Section 602 in the original matter and the supplemental petition notice alleges a violation of a condition of probation not amounting to a crime. The petition notice shall contain a concise statement of facts sufficient to support the this conclusion that the previous disposition has not been effective in the rehabilitation or protection of the minor. The petition shall be filed by the prosecuting attorney; after consulting with the probation officer; if a minor has been declared a ward or probationer under Section 602 in the original matter and the petition alleges a violation of a condition of probation amounting to a crime. The petition shall contain a concise statement of facts sufficient to support the conclusion that the previous disposition has not been effective in the rehabilitation or protection of the minor .

(3) Where the probation officer is the petitioner pursuant to paragraph (2), if prior to the attachment of jeopardy at the time of the jurisdictional hearing it

appears to the prosecuting attorney that the minor is not a person described by subdivision (a) or that the supplemental petition was not properly charged; the prosecuting attorney may make a motion to dismiss the supplemental petition *notice* and may request that the matter be referred to the probation officer for whatever action the prosecuting or probation officer may deem appropriate.

(b) Notwithstanding the provisions of subdivision (a); if the petition alleges a violation of a condition of probation and is for the commitment of a minor to a county juvenile institution for a period of 30 days or less; or for a less restrictive disposition; it is not necessary to allege and prove that the previous disposition has not been effective in the rehabilitation or protection of the minor. However, before any period of commitment in excess of 15 days is ordered; the court shall determine and consider the effect that an extended commitment period would have on the minor's schooling; including possible loss of credits; and on any current employment of the minor. In order to make such a commitment the court must, however, find that the commitment is in the best interest of the minor. The provisions of this subdivision may not be utilized more than twice during the time the minor is a ward of the court.

(c) (b) Upon the filing of a supplemental petition *such notice*, the clerk of the juvenile court shall immediately set the same for hearing within 30 days, and the probation officer shall cause notice of it to be served upon the persons and in the manner prescribed by Sections 658 and 660.

(c) *The facts alleged in the notice shall be established by preponderance of the evidence at a hearing to change, modify, or set aside a previous order. The court may admit and consider reliable hearsay evidence at the hearing to the same extent that such evidence would be admissible in an adult probation revocation hearing, pursuant to the decision in People v. Brown, 215 Cal.App.3d (1989) and any other relevant provision of law.*

(d) An order for the detention of the minor pending adjudication of the petition *alleged violation* may be made only after a hearing is conducted pursuant to Article 15 (commencing with Section 625) of this chapter.

(e) The filing of a supplemental petition and the hearing thereon shall not be required for the commitment of a minor to a county institution for a period of 30 days or less pursuant to an original or a previous order imposing a specified time in custody and staying the enforcement of the order subject to subsequent violation of a condition or conditions of probation; provided that in order to make the commitment; the court finds at a hearing that the minor has violated a condition of probation:

SEC. 28. Section 781 of the Welfare and Institutions Code is amended to read:

781. (a) In any case in which a petition has been filed with a juvenile court to commence proceedings to adjudge a person a ward of the court, in any case in which a person is cited to appear before a probation officer or is taken before a probation officer pursuant to Section 626, or in any case in which a minor is taken before any officer of a law enforcement agency, the person or the county probation officer may, five years or more after the jurisdiction of the juvenile court has terminated as to the person, or, in a case in which no petition is filed, five years or more after the person was cited to appear before a probation officer or was taken before a probation officer pursuant to Section 626 or was taken before any officer of a law enforcement agency, or, in any case, at any time after the person has reached the age of 18 years, petition the court for sealing of the records, including records of arrest, relating to the person's case, in the custody

of the juvenile court and probation officer and any other agencies, including law enforcement agencies, and public officials as the petitioner alleges, in his or her petition, to have custody of the records. The court shall notify the district attorney of the county and the county probation officer, if he or she is not the petitioner, and the district attorney or probation officer or any of their deputies or any other person having relevant evidence may testify at the hearing on the petition. If, after hearing, the court finds that since the termination of jurisdiction or action pursuant to Section 626, as the case may be, he or she has not been convicted of a felony or of any misdemeanor involving moral turpitude and that rehabilitation has been attained to the satisfaction of the court, it shall order all records, papers, and exhibits in the person's case in the custody of the juvenile court sealed, including the juvenile court record, minute book entries, and entries on dockets, and any other records relating to the case in the custody of the other agencies and officials as are named in the order. In any case in which a ward of the juvenile court is subject to the registration requirements set forth in Section 290 of the Penal Code, a court, in ordering the sealing of the juvenile records of the person, also shall provide in the order that the person is relieved from the registration requirement and for the destruction of all registration information in the custody of the Department of Justice and other agencies and officials. Notwithstanding any other provision of law, the court shall not order the person's records sealed in any case in which the person has been found by the juvenile court to have committed an offense listed in subdivision (b) ; ~~paragraph (2) of subdivision (d), or subdivision (e) of Section 707 until at least six years have elapsed since commission of the offense listed in subdivision (b), paragraph (2) of subdivision (d), or subdivision (e) of Section 707~~ *when he or she had attained 14 years of age or older*. Once the court has ordered the person's records sealed, the proceedings in the case shall be deemed never to have occurred, and the person may properly reply accordingly to any inquiry about the events, the records of which are ordered sealed. The court shall send a copy of the order to each agency and official named therein, directing the agency to seal its records and stating the date thereafter to destroy the sealed records. Each such agency and official shall seal the records in its custody as directed by the order, shall advise the court of its compliance, and thereupon shall seal the copy of the court's order for sealing of records that it, he, or she received. The person who is the subject of records sealed pursuant to this section may petition the superior court to permit inspection of the records by persons named in the petition, and the superior court may so order. Otherwise, except as provided in subdivision (b), the records shall not be open to inspection.

(b) In any action or proceeding based upon defamation, a court, upon a showing of good cause, may order any records sealed under this section to be opened and admitted into evidence. The records shall be confidential and shall be available for inspection only by the court, jury, parties, counsel for the parties, and any other person who is authorized by the court to inspect them. Upon the judgment in the action or proceeding becoming final, the court shall order the records sealed.

(c) (1) Subdivision (a) does not apply to Department of Motor Vehicle records of any convictions for offenses under the Vehicle Code or any local ordinance relating to the operation, stopping and standing, or parking of a vehicle where the record of any such conviction would be a public record under Section 1808 of the Vehicle Code. However, if a court orders a case record containing any such conviction to be sealed under this section, and if the Department of Motor

Vehicles maintains a public record of such a conviction, the court shall notify the Department of Motor Vehicles of the sealing and the department shall advise the court of its receipt of the notice.

Notwithstanding any other provision of law, subsequent to the notification, the Department of Motor Vehicles shall allow access to its record of convictions only to the subject of the record and to insurers which have been granted requestor code numbers by the department. Any insurer to which such a record of conviction is disclosed, when such a conviction record has otherwise been sealed under this section, shall be given notice of the sealing when the record is disclosed to the insurer. The insurer may use the information contained in the record for purposes of determining eligibility for insurance and insurance rates for the subject of the record, and the information shall not be used for any other purpose nor shall it be disclosed by an insurer to any person or party not having access to the record.

(2) This subdivision shall not be construed as preventing the sealing of any record which is maintained by any agency or party other than the Department of Motor Vehicles.

(3) This subdivision shall not be construed as affecting the procedures or authority of the Department of Motor Vehicles for purging department records.

(d) Unless for good cause the court determines that the juvenile court record shall be retained, the court shall order the destruction of a person's juvenile court records that are sealed pursuant to this section as follows: five years after the record was ordered sealed, if the person who is the subject of the record was alleged or adjudged to be a person described by Section 601; or when the person who is the subject of the record reaches the age of 38 if the person was alleged or adjudged to be a person described by Section 602, *except that if the subject of the record was found to be a person described in Section 602 because of the commission of an offense listed in subdivision (b), of Section 707, when he or she was 14 years of age or older, the record shall not be destroyed*. Any other agency in possession of sealed records may destroy its records five years after the record was ordered sealed.

(e) This section shall not permit the sealing of a person's juvenile court records for an offense where the person is convicted of that offense in a criminal court pursuant to the provisions of Section 707.1. This subdivision is declaratory of existing law.

SEC. 29. Article 20.5 (commencing with Section 790) is added to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, to read:

Article 20.5. Deferred Entry of Judgment

790. (a) *Notwithstanding Sections 654, 654.2, or any other provision of law, this article shall apply whenever a case is before the juvenile court for a determination of whether a minor is a person described in Section 602 because of the commission of a felony offense, if all of the following circumstances apply:*

(1) *The minor has not previously been declared to be a ward of the court for the commission of a felony offense.*

(2) *The offense charged is not one of the offenses enumerated in subdivision (b) of Section 707.*

(3) *The minor has not previously been committed to the custody of the Youth Authority.*

(4) *The minor's record does not indicate that probation has ever been revoked without being completed.*

(5) *The minor is at least 14 years of age at the time of the hearing.*

(6) *The minor is eligible for probation pursuant to Section 1203.06 of the Penal Code.*

(b) *The prosecuting attorney shall review his or her file to determine whether or not paragraphs (1) to (6), inclusive, of subdivision (a) apply. Upon the agreement of the prosecuting attorney, the public defender or the minor's private defense attorney, and the presiding judge of the juvenile court or a judge designated by the presiding judge to the application of this article, this procedure shall be completed as soon as possible after the initial filing of the petition. If the prosecuting attorney, the defense attorney, and the juvenile court judge do not agree, the case shall proceed according to Article 17 (commencing with Section 675). If the minor is found eligible for deferred entry of judgment, the prosecuting attorney shall file a declaration in writing with the court or state for the record the grounds upon which the determination is based, and shall make this information available to the minor and his or her attorney. Under this procedure, the court may set the hearing for deferred entry of judgment at the initial appearance under Section 657.*

791. (a) *The prosecuting attorney's written notification to the minor shall also include all of the following:*

(1) *A full description of the procedures for deferred entry of judgment.*

(2) *A general explanation of the roles and authorities of the probation department, the prosecuting attorney, the program, and the court in that process.*

(3) *A clear statement that, in lieu of jurisdictional and disposition hearings, the court may grant a deferred entry of judgment with respect to any offense charged in the petition, provided that the minor admits each allegation contained in the petition and waives time for the pronouncement of judgment, and that upon the successful completion of the terms of probation, as defined in Section 794, the positive recommendation of the probation department, and the motion of the prosecuting attorney, but no sooner than 12 months and no later than 36 months from the date of the minor's referral to the program, the court shall dismiss the charge or charges against the minor.*

(4) *A clear statement that upon any failure of the minor to comply with the terms of probation, including the rules of any program the minor is directed to attend, or any circumstances specified in Section 793, the prosecuting attorney or the probation department, or the court on its own, may make a motion to the court for entry of judgment and the court shall render a finding that the minor is a ward of the court pursuant to Section 602 for the offenses specified in the original petition and shall schedule a dispositional hearing.*

(5) *An explanation of record retention and disposition resulting from participation in the deferred entry of judgment program and the minor's rights relative to answering questions about his or her arrest and deferred entry of judgment following successful completion of the program.*

(6) *A statement that if the minor fails to comply with the terms of the program and judgment is entered, the offense may serve as a basis for a finding of unfitness pursuant to subdivision (d) of Section 707, if the minor commits two subsequent felony offenses.*

(b) *If the minor consents and waives his or her right to a speedy jurisdictional hearing, the court may refer the case to the probation department or the court may summarily grant deferred entry of judgment if the minor admits the charges in the petition and waives time for the pronouncement of judgment. When directed by the court, the probation department shall make an investigation and*

take into consideration the defendant's age, maturity, educational background, family relationships, demonstrable motivation, treatment history, if any, and other mitigating and aggravating factors in determining whether the minor is a person who would be benefited by education, treatment, or rehabilitation. The probation department shall also determine which programs would accept the minor. The probation department shall report its findings and recommendations to the court. The court shall make the final determination regarding education, treatment, and rehabilitation of the minor.

(c) A minor's admission of the charges contained in the petition pursuant to this chapter shall not constitute a finding that a petition has been sustained for any purpose, unless a judgment is entered pursuant to subdivision (b) of Section 793.

792. The judge shall issue a citation directing any custodial parent, guardian, or foster parent of the minor to appear at the time and place set for the hearing, and directing any person having custody or control of the minor concerning whom the petition has been filed to bring the minor with him or her. The notice shall in addition state that a parent, guardian, or foster parent may be required to participate in a counseling or education program with the minor concerning whom the petition has been filed. The notice shall explain the provisions of Section 170.6 of the Code of Civil Procedure. Personal service shall be made at least 24 hours before the time stated for the appearance.

793. (a) If it appears to the prosecuting attorney, the court, or the probation department that the minor is not performing satisfactorily in the assigned program or is not complying with the terms of the minor's probation, or that the minor is not benefiting from education, treatment, or rehabilitation, the court shall lift the deferred entry of judgment and schedule a dispositional hearing. If after accepting deferred entry of judgment and during the period in which deferred entry of judgment was granted, the minor is convicted of, or declared to be a person described in Section 602 for the commission of, any felony offense or of any two misdemeanor offenses committed on separate occasions, the judge shall enter judgment and schedule a dispositional hearing. If the minor is convicted of, or found to be a person described in Section 602, because of the commission of one misdemeanor offense, or multiple misdemeanor offenses committed during a single occasion, the court may enter judgment and schedule a dispositional hearing.

(b) If the judgment previously deferred is imposed and a dispositional hearing scheduled pursuant to subdivision (a), the juvenile court shall report the complete criminal history of the minor to the Department of Justice, pursuant to Section 602.5.

(c) If the minor has performed satisfactorily during the period in which deferred entry of judgment was granted, at the end of that period the charge or charges in the wardship petition shall be dismissed and the arrest upon which the judgment was deferred shall be deemed never to have occurred and any records in the possession of the juvenile court shall be sealed, except that the prosecuting attorney and the probation department of any county shall have access to these records after they are sealed for the limited purpose of determining whether a minor is eligible for deferred entry of judgment pursuant to Section 790.

794. When a minor is permitted to participate in a deferred entry of judgment procedure, the judge shall impose, as a condition of probation, the requirement that the minor be subject to warrantless searches of his or her person, residence, or property under his or her control, upon the request of a probation officer

or peace officer. The court shall also consider whether imposing random drug or alcohol testing, or both, including urinalysis, would be an appropriate condition of probation. The judge shall also, when appropriate, require the minor to periodically establish compliance with curfew and school attendance requirements. The court may, in consultation with the probation department, impose any other term of probation authorized by this code that the judge believes would assist in the education, treatment, and rehabilitation of the minor and the prevention of criminal activity. The minor may also be required to pay restitution to the victim or victims pursuant to the provisions of this code.

795. The county probation officer or a person designated by the county probation officer shall serve in each county as the program administrator for juveniles granted deferred entry of judgment and shall be responsible for developing, supervising, and monitoring treatment programs and otherwise overseeing the placement and supervision of minors granted probation pursuant to the provisions of this chapter.

SEC. 30. Section 827.1 of the Welfare and Institutions Code, as added by Chapter 422 of the Statutes of 1996, is amended and renumbered to read:

~~827.1.~~ 827.2. (a) Notwithstanding Section 827 or any other provision of law, written notice that a minor has been found by a court of competent jurisdiction to have committed any felony pursuant to Section 602 shall be provided by the court within seven days to the sheriff of the county in which the offense was committed and to the sheriff of the county in which the minor resides. Written notice shall include only that information regarding the felony offense found to have been committed by the minor and the disposition of the minor's case. If at any time thereafter the court modifies the disposition of the minor's case, it shall also notify the sheriff as provided above. The sheriff may disseminate the information to other law enforcement personnel upon request, provided that he or she reasonably believes that the release of this information is generally relevant to the prevention or control of juvenile crime.

(b) Any information received pursuant to this section shall be received in confidence for the limited law enforcement purpose for which it was provided and shall not be further disseminated except as provided in this section. An intentional violation of the confidentiality provisions of this section is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500).

(c) *Notwithstanding subdivision (a) or (b), a law enforcement agency may disclose to the public or to any interested person the information received pursuant to subdivision (a) regarding a minor 14 years of age or older who was found by the court to have committed any felony enumerated in subdivision (b) of Section 707. The law enforcement agency shall not release this information if the court for good cause, with a written statement of reasons, so orders.*

SEC. 31. Section 827.5 of the Welfare and Institutions Code is amended to read:

827.5. Notwithstanding any other provision of law except Sections 389 and 781 of this code and Section 1203.45 of the Penal Code, a law enforcement agency may disclose the name of any minor 14 years of age or older taken into custody for the commission of any serious felony, as defined in subdivision (c) of Section 1192.7 of the Penal Code, and the offenses allegedly committed, upon the request of interested persons, if a hearing has commenced that is based upon a petition that alleges that the minor is a person within the description of Section 602 following the minor's arrest for that offense .

SEC. 32. Section 827.6 of the Welfare and Institutions Code is amended to read:

827.6. (a) Notwithstanding any other provision of law, the presiding judge of the juvenile court may authorize a law enforcement agency to disclose only the name and other information necessary to identify a minor who is lawfully sought for arrest as a suspect in the commission of any felony listed in subdivision (b) of Section 707 where the disclosure is imperative for the apprehension of the minor. The court order shall be solely for the limited purpose of enabling law enforcement to apprehend the minor; and shall contain the exact nature of the data to be released. In determining whether to authorize the release of information pursuant to this section, the court shall balance the confidentiality interests of the minor under this chapter, the due diligence of law enforcement to apprehend the minor prior to the filing of a petition for disclosure, and public safety interests raised by the facts of the minor's case.

(b) When seeking an order of disclosure pursuant to this section, in addition to any other information requested by the presiding judge, a law enforcement agency shall submit to the court a verified declaration and any supporting exhibits indicating the probable cause for the lawful arrest of the minor; efforts to locate the minor, including, but not limited to, persons contacted; surveillance activity; search efforts; and any other pertinent information; all evidence regarding why the order is critical; including a minor's danger to himself or herself, the minor's danger to others; the minor's flight risk; and any other information indicating the urgency for the court order.

A law enforcement agency may release the name, description, and the alleged offense of any minor alleged to have committed a violent offense, as defined in subdivision (c) of Section 667.5 of the Penal Code, and against whom an arrest warrant is outstanding, if the release of this information would assist in the apprehension of the minor or the protection of public safety. Neither the agency nor the city, county, or city and county in which the agency is located shall be liable for civil damages resulting from release of this information.

SEC. 33. Section 828.01 of the Welfare and Institutions Code is repealed.

828.01. (a) Notwithstanding any other provision of law, a law enforcement agency may release the name of, and any descriptive information about, a minor, 14 years of age or older, and the offenses allegedly committed by that minor, if there is an outstanding warrant for the arrest of that minor for an offense described in paragraph (1) of subdivision (e) of Section 707. Any releases made pursuant to this section shall be reported to the presiding judge of the juvenile court.

(b) This section shall remain in effect only until January 1, 2000, and as of that date is repealed; unless a later enacted statute, that is enacted before January 1, 2000, deletes or extends that date.

SEC. 34. Section 1732.6 of the Welfare and Institutions Code is amended to read:

1732.6. (a) No minor shall be committed to the Youth Authority when he or she is convicted in a criminal action for an offense described in Section 667.5 or subdivision (c) of Section 1192.7 of the Penal Code and is sentenced to incarceration for life, an indeterminate period to life, or a determinate period of years such that the maximum number of years of potential confinement when added to the minor's age would exceed 25 years. *In Except as specified in subdivision (b), in all other cases in which the minor has been convicted in*

a criminal action, the court shall retain discretion to sentence the minor to the Department of Corrections or to commit the minor to the Youth Authority.

(b) No minor shall be committed to the Youth Authority when he or she is convicted in a criminal action for:

(1) An offense described in subdivision (b) of Section 602, or

(2) An offense described in paragraphs (1), (2), or (3) of subdivision (d) of Section 707, if the circumstances enumerated in those paragraphs are found to be true by the trier of fact.

(3) An offense described in subdivision (b) of Section 707, if the minor had attained the age of 16 years of age or older at the time of commission of the offense.

(c) Notwithstanding any other provision of law, no person under the age of 16 years shall be housed in any facility under the jurisdiction of the Department of Corrections.

SEC. 35. INTENT. In enacting Section 4 of this initiative, adding subdivision (i) to Section 186.22 of the Penal Code, it is the intent of the people to reaffirm the reasoning contained in footnote 4 of *In re Lincoln J.*, 223 Cal. App.3d 322 (1990) and to disapprove of the reasoning contained in *People v. Green*, 227 Cal.App.3d 693 (1991) (holding that proof that “the person must devote all, or a substantial part of his or her efforts to the criminal street gang” is necessary in order to secure a conviction under subdivision (a) of Section 186.22 of the Penal Code).

SEC. 36. INTENT. In enacting Section 11 of this initiative (amending Section 190.2 of the Penal Code to add intentional gang-related murders to the list of special circumstances, permitting imposition of the death penalty or life without the possibility of parole for this offense), it is not the intent of the people to abrogate Section 190.5 of the Penal Code. The people of the State of California reaffirm and declare that it is the policy of this state that the death penalty may not be imposed upon any person who was under the age of 18 years at the time of the commission of the crime.

SEC. 37. INTENT. It is the intent of the people of the State of California in enacting this measure that if any provision in this act conflicts with another section of law which provides for a greater penalty or longer period of imprisonment that the latter provision shall apply, pursuant to Section 654 of the Penal Code.

SEC. 38. 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.

SEC. 39. AMENDMENT. The provisions of this measure shall not be amended by the Legislature except by a statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, or by a statute that becomes effective only when approved by the voters.

22. **Limit on Marriages.**

[Submitted by the initiative and approved by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. This act may be cited as the “California Defense of Marriage Act.”

SECTION 2. Section 308.5 is added to the Family Code, to read:

308.5. *Only marriage between a man and a woman is valid or recognized in California.*

REFERENDUM STATUTE

29. **1998 Indian Gaming Compacts.**

[Submitted by the referendum and approved by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. Section 12012.5 is added to the Government Code, to read:

12012.5. (a) *The following tribal-state compacts entered in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:*

(1) *The compact between the State of California and the Barona Band of Mission Indians, executed on August 12, 1998.*

(2) *The compact between the State of California and the Big Sandy Rancheria of Mono Indians, executed on July 20, 1998.*

(3) *The compact between the State of California and the Cher-Ae Heights Indian Community of Trinidad Rancheria, executed on July 13, 1998.*

(4) *The compact between the State of California and the Jackson Rancheria Band of Miwuk Indians, executed on July 13, 1998.*

(5) *The compact between the State of California and the Mooretown Rancheria of Concow/Maidu Indians, executed on July 13, 1998.*

(6) *The compact between the State of California and the Pala Band of Mission Indians, as approved by the Secretary of the Interior on April 25, 1998.*

(7) *The compact between the State of California and the Redding Rancheria, executed on August 11, 1998.*

(8) *The compact between the State of California and the Rumsey Indian Rancheria of Wintun Indians of California, executed on July 13, 1998.*

(9) *The compact between the State of California and the Sycuan Band of Mission Indians, executed on August 12, 1998.*

(10) *The compact between the State of California and the Table Mountain Rancheria, executed on July 13, 1998.*

(11) *The compact between the State of California and the Viejas Band of Kumeyaay Indians, executed on or about August 17, 1998.*

The terms of each compact apply only to the State of California and the tribe that has signed it, and the terms of these compacts do not bind any tribe that is not a signatory to any of the compacts.

(b) Any other compact entered into between the State of California and any other federally recognized Indian tribe which is executed after August 24, 1998, is hereby ratified if (1) the compact is identical in all material respects to any of the compacts ratified pursuant to subdivision (a), and (2) the compact is not rejected by each house of the Legislature, two-thirds of the membership thereof concurring, within 30 days of the date of the submission of the compact to the Legislature by the Governor. However, if the 30-day period ends during a joint recess of the Legislature, the period shall be extended until the fifteenth day following the day on which the Legislature reconvenes. A compact will be deemed to be materially identical to a compact ratified pursuant to subdivision (a) if the Governor certifies that it is materially identical at the time he or she submits it to the Legislature.

(c) The Legislature acknowledges the right of federally recognized tribes to exercise their sovereignty to negotiate and enter into compacts with the state that are materially different from the compacts ratified pursuant to subdivision (a). These compacts shall be ratified upon approval of each house of the Legislature, a majority of the membership thereof concurring.

(d) The Governor is the designated state officer responsible for negotiating and executing, on behalf of the state, tribal-state gaming compacts with federally recognized Indian tribes in the State of California pursuant to the federal Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class III gaming, as defined in that act, on Indian lands. Nothing in this section shall be construed to deny the existence of the Governor's authority to have negotiated and executed tribal-state compacts prior to the effective date of this section.

(e) The Governor is authorized to waive the state's immunity to suit in federal court in connection with any compact negotiated with an Indian tribe or any action brought by an Indian tribe under the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.).

(f) In deference to tribal sovereignty, the execution of, and compliance with the terms of, any compact specified under subdivision (a) or (b) shall not be deemed to constitute a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(g) Nothing in this section shall be interpreted to authorize the unilateral imposition of a statewide limit on the number of lottery devices or of any allocation system for lottery devices on any Indian tribe that has not entered into a compact that provides for such a limit or allocation system. Each tribe may negotiate separately with the state over these matters on a government-to-government basis.

BOND ACTS SUBMITTED BY LEGISLATURE

Number
on ballot

12 **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (The Villaraigosa-Keeley Act).** (Statutes 1999, Chapter 461, AB 18 and Statutes 1999, Chapter 638, SB 1147)

[Approved by electors March 7, 2000.]

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. SAFE NEIGHBORHOOD PARKS, CLEAN WATER,
CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000
(THE VILLARAIGOSA-KEELEY ACT)*

Article 1. General Provisions

5096.300. This chapter shall be known, and may be cited, as the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act).

5096.301. Responding to the recreational and open-space needs of a growing population and expanding urban communities, this act will revive state stewardship of natural resources by investing in neighborhood parks and state parks, clean water protection, and coastal beaches and scenic areas.

5096.302. The Legislature finds and declares all of the following:

(a) Historically, California’s local and neighborhood parks often serve as the recreational, social, and cultural centers for cities and communities, providing venues for youth enrichment, senior activities, and family recreation.

(b) Neighborhood and state parks provide safe places to play in the urban neighborhoods, splendid scenic landscapes, exceptional experiences, and world-recognized recreational opportunities, and in so doing, are vital to California’s quality of life and economy.

(c) For over a decade, the state’s commitment to parks and natural resources has dwindled. California has not kept pace with the needed funding to adequately manage and maintain its multibillion dollar investment in neighborhood, urban, and state parks and natural areas resulting in disrepair and overcrowding of many park facilities and the degradation of wild lands.

(d) The magnificent Pacific Coast, outstanding mountain ranges, and unique scenic regions are the source of tremendous economic opportunity and contribute enormously to the quality of life of Californians.

(e) Continued economic success and enjoyment derived from California’s natural resources depends on maintaining clean water, healthy ecosystems, and expanding public access for a growing state.

(f) The backlog of needs for repair and maintenance of local and urban parks exceeds two billion five hundred million dollars and the need for maintenance of state parks exceeds one billion dollars. The state’s conservancies and wildlife agencies report a need for habitat acquisition and restoration exceeding \$1.8 billion.

(g) This act will begin to address these critical neighborhood park and natural resources needs.

5096.303. *The Legislature further finds and declares all of the following:*

(a) *Air pollution continues to be a major problem in California which harms the health of our residents, costs our economy billions of dollars related to health care costs, reduced agricultural productivity, and damage to our infrastructure, and otherwise decreases the quality of life in our state.*

(b) *Forests and trees improve air quality by removing carbon dioxide, particulates, and other pollutants from the air, and by producing oxygen.*

(c) *Park, open-space, and tree planting projects also improve air quality and decrease congestion by reducing sprawl, improving the quality of life in areas that are already developed by helping local agencies implement sound land use plans that promote energy efficiency, and by providing incentives to reduce development in inappropriate areas.*

5096.306. *It is the intent of the Legislature to strongly encourage every state or local government agency receiving the bond funds allocated pursuant to this chapter for an activity to give full and proper consideration to the use of recycled and reusable products whenever possible with regard to carrying out that activity.*

5096.307. (a) *Every proposed activity to be funded pursuant to this chapter shall be in compliance with the California Environmental Quality Act (Division 13 (commencing with Section 21000)).*

(b) *Lands acquired with funds allocated pursuant to this chapter shall be acquired from a willing seller of the land.*

5096.3075. *Upon a finding by the administering entity that a particular project for which funds have been allocated cannot be completed, or that the funds are in excess of the total needed, the Legislature may reallocate those funds for other high priority needs consistent with this act.*

5096.308. *As used in this chapter, the following terms have the following meanings:*

(a) *“Acquisition” means the acquisition from a willing seller of a fee interest or any other interest, including easements and development rights, in real property from a willing seller.*

(b) *“Board” means the Secretary of the Resources Agency designated in accordance with subdivision (b) of Section 5096.362.*

(c) *“Certified local community conservation corps programs” means programs operated by public or private nonprofit agencies pursuant to Section 14406.*

(d) *“Committee” means the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Finance Committee created pursuant to subdivision (a) of Section 5096.362.*

(e) *“District” means any regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3, any recreation and park district formed pursuant to Chapter 4 (commencing with Section 5780), or an authority formed pursuant to Division 26 (commencing with Section 35100). With respect to any community or unincorporated region that is not included within a district, and in which no city or county provides parks or recreational areas or facilities, “district” also means any other district that is authorized by statute to operate and manage parks or recreational areas or facilities, employs a full-time park and recreation director, 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.*

(f) “Fund” means the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Bond Fund created pursuant to Section 5096.310.

(g) “Historical resource” includes, but is not limited to, any building, structure, site area, place, artifact, or collection of artifacts that is historically or archaeologically significant in the cultural annals of California.

(h) “Program” means the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Program established pursuant to this chapter.

(i) “Secretary” means the Secretary of the Resources Agency.

(j) (1) “Stewardship” means the development and implementation of projects for the protection, preservation, rehabilitation, restoration, and improvement of natural systems and outstanding features of the state park system and historical and cultural resources. Those efforts may not include activities that merely supplement normal park operations or that are usually funded from other sources.

(2) (A) “Cultural resources stewardship” may include, but is not limited to, stabilization and protection of historical resources, including archaeological resources, in the state park system. Those resources may include sites, features, ruins, archaeological deposits, historical landscape resources, rock art features, and artifacts making up the physical legacy of California’s past.

(B) “Cultural resources stewardship” does not include the rehabilitation, restoration, reconstruction, interpretation, or mitigation of historical resources typically required as part of a development program.

(3) “Natural resources stewardship” may include, but is not limited to, such objectives 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, the stabilization of coastal dunes and bluffs, and the planning necessary to implement those objectives.

(k) “Wildlife conservation partnership” means a cooperative acquisition, restoration, or management of wildlife habitat for which the Wildlife Conservation Board provides matching funds to leverage other public, private, or nonprofit resources to maximize the conservation benefits to wildlife and wildlife habitat.

5096.309. Pursuant to guidelines issued by the secretary, all recipients of funding pursuant to this chapter shall post signs acknowledging the source of the funds.

Article 2. Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Program

5096.310. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Bond Fund, which is hereby created. Unless otherwise specified and except as provided in subdivision (m), the money in the fund shall be available for appropriation by the Legislature, in the manner set forth in this chapter, only for parks and resources improvement, in accordance with the following schedule:

(a) The sum of five hundred two million seven hundred fifty thousand dollars (\$502,750,000) to the department for the following purposes:

(1) To rehabilitate, restore, and improve units of the state park system that will ensure that state park system lands and facilities will remain open and accessible for public use.

(2) *To develop, improve, rehabilitate, restore, enhance, and protect facilities and trails at existing units of the state park system that will provide for optimal recreational and educational use, activities, improved access and safety, and the acquisition from a willing seller of inholdings and adjacent lands. Adjacent lands are lands contiguous to, or in the immediate vicinity of, existing state park system lands and that directly benefit an existing state park system unit.*

(3) *For stewardship of the public investment in the preservation of the critical natural heritage and scenic features, and cultural heritage stewardship projects that will preserve vanishing remnants of California's landscape, and protect and promote a greater understanding of California's past, and the planning necessary to implement those efforts.*

(4) *For facilities and improvements to enhance volunteer participation in the state park system.*

(5) *To develop, improve, and expand interpretive facilities at units of the state park system, including educational exhibits and visitor orientation centers.*

(6) *To rehabilitate and repair aging facilities at winter recreation facilities pursuant to the Sno-Park program, as provided for in Chapter 1.27 (commencing with Section 5091.01), that provide for improved public safety.*

(7) *For projects that improve air quality related to the state park system, including, but not limited to, the purchase of low-emission or advanced technology vehicles and equipment and clean fuel distribution facilities that will avoid or reduce air emissions at state park facilities.*

(b) *The sum of eighteen million dollars (\$18,000,000) to the department to undertake stewardship projects, including cultural resources stewardship and natural resources stewardship projects, that will restore and protect the natural treasures of the state park system, preserve vanishing remnants of California's landscape, and protect and promote a greater understanding of California's past.*

(c) *The sum of four million dollars (\$4,000,000) to the department for facilities and improvements to enhance volunteer participation in the state park system.*

(d) *The sum of twenty million dollars (\$20,000,000) to the department for grants to local agencies administering units of the state park system under an operating agreement with the department, for the development, improvement, rehabilitation, restoration, enhancement, protection, and interpretation of lands and facilities of, and improved access to, those locally operated units.*

(e) *The sum of ten million dollars (\$10,000,000) to the department for purposes consistent with Section 5079.10, for competitive grants, in accordance with Section 5096.335.*

(f) *The sum of three hundred eighty-eight million dollars (\$388,000,000) to the department for grants, in accordance with Sections 5096.332, 5096.333, and 5096.336, on the basis of population, for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and interpretation of local park and recreational lands and facilities, including renovation of recreational facilities conveyed to local agencies resulting from the downsizing or decommissioning of federal military installations.*

(g) *The sum of two hundred million dollars (\$200,000,000) to the department for grants to cities, counties, and districts for the acquisition, development, rehabilitation, and restoration of park and recreation areas and facilities pursuant to the Roberti-Z'berg-Harris Urban Open-Space and Recreational Program Act (Chapter 3.2 (commencing with Section 5620)).*

(h) The sum of ten million dollars (\$10,000,000) to the department for grants, in accordance with Section 5096.337, for the improvement or acquisition and restoration of riparian habitat, riverine aquatic habitat, and other lands in close proximity to rivers and streams for river and stream trail projects undertaken in accordance with Section 78682.2 of the Water Code, and for purposes of Section 7048 of the Water Code.

(i) The sum of ten million dollars (\$10,000,000) to the department for grants, in accordance with Section 5096.337, for the development, improvement, rehabilitation, restoration, enhancement, and interpretation of nonmotorized trails for the purpose of increasing public access to, and enjoyment of, public areas for increased recreational opportunities. Not less than one million five hundred thousand dollars (\$1,500,000) of this amount shall be allocated toward the completion of a project that links existing bicycle and pedestrian trail systems to major urban public transportation systems, to promote increased recreational opportunities and nonmotorized commuter usage in the City of Whittier. Of this amount, no less than two hundred seventy-five thousand dollars (\$275,000) shall be allocated to the East Bay Regional Park District toward the completion of the Iron Horse Trail. Of this amount, not less than one million dollars (\$1,000,000) shall be allocated to a regional park district for the completion of a bike trail in the City of Concord.

(j) The sum of one hundred million dollars (\$100,000,000) to the department for grants to public agencies and nonprofit organizations for park, youth center, and environmental enhancement projects that benefit youth in areas that lack safe neighborhood parks, open space, and natural areas, and that have significant poverty.

(k) The sum of two million five hundred thousand dollars (\$2,500,000) to the California Conservation Corps to complete capital outlay and resource conservation projects and administrative costs allocable to the bond funded projects.

(l) The sum of eighty-six million five hundred thousand dollars (\$86,500,000) to the department for the following purposes:

(1) The sum of seventy-one million five hundred thousand dollars (\$71,500,000) for grants, in accordance with Sections 5096.339 and 5096.340, for urban recreational and cultural centers, including, but not limited to, zoos, museums, aquariums, and facilities for wildlife, environmental, or natural science aquatic education or projects that combine curation of archaeological, paleontological, and historic resources with education and basic and applied research, and that emphasize specimens of California's extinct prehistoric plants and animals.

(2) The sum of fifteen million dollars (\$15,000,000) for grants for regional youth soccer and baseball facilities operated by nonprofit organizations. Priority shall be given to those grant projects that utilize existing school facilities or recreation facilities and serve disadvantaged youth.

(m) Notwithstanding Section 13340 of the Government Code, the sum of two hundred sixty-five million five hundred thousand dollars (\$265,500,000) is, except as provided in Section 5096.350, hereby continuously appropriated to the Wildlife Conservation Board, without regard to fiscal years, in accordance with Section 5096.350.

(n) The sum of fifty million dollars (\$50,000,000) to the California Tahoe Conservancy, in accordance with Section 5096.351.

(o) *The sum of two hundred twenty million four hundred thousand dollars (\$220,400,000) to the State Coastal Conservancy, in accordance with Section 5096.352.*

(p) *The sum of thirty-five million dollars (\$35,000,000) to the Santa Monica Mountains Conservancy, in accordance with Section 5096.353.*

(q) *The sum of five million dollars (\$5,000,000) to the Coachella Valley Mountains Conservancy, in accordance with Section 5096.354.*

(r) *The sum of fifteen million dollars (\$15,000,000) to the San Joaquin River Conservancy, in accordance with Section 5096.355.*

(s) *The sum of twelve million five hundred thousand dollars (\$12,500,000) to the California Conservation Corps for grants for the certified local community conservation corps program to complete capital outlay and resource conservation projects.*

(t) *The sum of twenty-five million dollars (\$25,000,000) to the Department of Conservation in accordance with Section 5096.356.*

(u) *The sum of ten million dollars (\$10,000,000) to the Department of Forestry and Fire Protection for urban forestry programs in accordance with Section 4799.12. The grants made pursuant to this subdivision shall be for costs associated with the purchase and planting of trees, and up to three years of care which ensures the long-term viability of those trees.*

(v) *Notwithstanding Section 711 of the Fish and Game Code, the sum of twelve million dollars (\$12,000,000) to the Department of Fish and Game for the following purposes:*

(1) *The sum of five million dollars (\$5,000,000) for expenditure in accordance with subdivision (a) of Section 5096.357.*

(2) *The sum of five million dollars (\$5,000,000) for expenditure in accordance with subdivision (b) of Section 5096.357.*

(3) *The sum of two million dollars (\$2,000,000) to remove nonnative vegetation harmful to ecological reserves in San Diego County.*

(w) *The sum of thirty million dollars (\$30,000,000) shall be available for purposes of Chapter 4.5 (commencing with Section 31160) of Division 21. Two hundred fifty thousand dollars (\$250,000) shall be allocated to Mount Diablo State Park.*

(x) *The sum of seven million dollars (\$7,000,000) to the California Integrated Waste Management Board for grants to local agencies to assist them in meeting state and federal accessibility standards relating to public playgrounds if the local agency guarantees that 50 percent of the grant funds will be used for the improvement or replacement of playground equipment or facilities through the use of recycled materials and that matching funds in an amount equal to not less than 50 percent of the total amount of those grant funds will be provided through either public or private funds or in-kind contributions. The board may reduce this matching fund requirement to not less than 25 percent if it determines that the 50-percent requirement would impose an extreme financial hardship on the local agency applying for the grant. The board may expend the funds allocated pursuant to this subdivision, upon appropriation by the Legislature, for the purposes specified herein.*

(y) *The sum of fifteen million dollars (\$15,000,000) to a city for rehabilitation, restoration, or enhancement to a city park that is over 1,000 acres that serves an urban area of over 750,000 population in northern California and that provides recreational, cultural, and scientific resources.*

(z) (1) *The sum of six million two hundred fifty thousand dollars (\$6,250,000) to the secretary to administer grants to the Sierra Nevada-Cascade Program, in accordance with Section 5096.347.*

(2) *The sum of thirty-three million five hundred thousand dollars (\$33,500,000) to the secretary to administer a river parkway and restoration program to assist local agencies and other districts to plan, create, and conserve river parkways. The secretary shall make funds available in accordance with Sections 7048 and 78682.2 of the Water Code, and any other applicable authority, for the following purposes:*

(A) *Twenty-five million dollars (\$25,000,000) for the acquisition or restoration of public lands within the Los Angeles River Watershed, the San Gabriel River Watershed, and the San Gabriel Mountains and to provide open space, nonmotorized trails, bike paths, and other low-impact recreational uses and wildlife and habitat restoration and protection. Ten million dollars (\$10,000,000) shall be allocated for the Los Angeles River Watershed, and fifteen million dollars (\$15,000,000) shall be allocated for the San Gabriel River Watershed and the San Gabriel Mountains and lower Los Angeles River.*

(B) *Two million five hundred thousand dollars (\$2,500,000) for river parkway projects along the Kern River between the mouth of the Kern Canyon and I-5.*

(C) *One million dollars (\$1,000,000) for land acquisition in the Santa Clarita Watershed.*

(D) *Three million dollars (\$3,000,000) for watershed, riparian, and wetlands restoration along the Sacramento River in Yolo, Glenn, and Colusa Counties.*

(E) *Two million dollars (\$2,000,000) for the construction of a visitor center at a state recreation area encompassing a body of water along the American River.*

(3) *The sum of two million dollars (\$2,000,000) to the secretary for resource conservation and urban water recycling that addresses multicounty regional recreational needs, provides habitat restoration, and enjoys joint sponsorship by multiple local agencies and nonprofit organizations in the County of Sonoma.*

(4) *The sum of one million one hundred thousand dollars (\$1,100,000) to the secretary, one hundred thousand dollars (\$100,000) of which shall be made available to fund a community center in San Benito County, one hundred thousand dollars (\$100,000) of which shall be made available to fund a veterans park in San Benito County, five hundred thousand dollars (\$500,000) of which shall be made available to fund a community center in the City of Galt, and four hundred thousand dollars (\$400,000) of which shall be made available to fund a community center in the City of Gilroy.*

(5) *The sum of two million dollars (\$2,000,000) to the secretary for Camp Arroyo in Alameda County.*

(6) *The sum of one million dollars (\$1,000,000) to the secretary to construct a rehabilitation center for injured endangered and indigenous wild animals at the Wildhaven Center in the San Bernardino Mountains.*

Article 3. State Park System Program

5096.320. *The Legislature hereby recognizes that public financial resources are inadequate to meet all capital outlay needs of the state park system and that the need for the acquisition, development, restoration, rehabilitation, improvement, and protection of state park system lands and facilities has increased to the point that their continued well-being and the realization of their full public benefit is in jeopardy.*

(a) *The department shall annually submit to the Legislature and to the secretary a report, consisting of a prioritized listing and comparative evaluation of needs.*

(b) *Projects approved by the secretary shall be forwarded by the secretary to the Director of Finance for inclusion in the Budget Bill.*

5096.322. (a) *No later than November 1, 2001, the director shall determine the amount of funding that is necessary to complete all deferred maintenance projects within each unit of the state park system.*

(b) *Except as provided in subdivision (c), no proceeds of the bonds issued and sold pursuant to this chapter may be used to acquire improved property for a unit of the state park system until 75 percent of the amount determined pursuant to subdivision (a) has been appropriated, and allocated to complete deferred maintenance projects within that unit from an appropriated funding source other than the proceeds of the bonds issued and sold pursuant to this chapter.*

(c) *Real property may be acquired under this chapter for a unit of the state park system that does not meet the requirements of subdivision (b) only if the director finds, with respect to that unit, that a unique opportunity is presented to acquire real property that will constitute a significant improvement of the state park system.*

(d) *As used in this section, "deferred maintenance project" means any project identified in the department's 2001 Deferred Maintenance Assessment that rehabilitates or repairs a facility to a safe and usable condition for the visiting public.*

5096.323. *Fifty million dollars (\$50,000,000) of the funds allocated pursuant to subdivision (a) of Section 5096.310 shall be expended for the acquisition of land from willing sellers that are a high priority for both the state parks system and for habitat purposes, with priority given to projects that protect habitat for rare, threatened, or endangered species pursuant to a natural community conservation plan adopted pursuant to Chapter 10 (commencing with Section 2800) of Division 10 of the Fish and Game Code, if the acquisition of the land is conducted in conjunction with a natural community conservation plan approved by the Department of Fish and Game prior to January 1, 1999, or if the acquisition is approved by statute. Notwithstanding paragraph (2) of subdivision (a) of Section 5096.310, those land acquisitions may be for either new or existing units of the state park system.*

5096.324. *Funds appropriated to the department pursuant to subdivision (a) of Section 5096.310 shall be made available for the following purposes:*

(a) *The sum of fifteen million dollars (\$15,000,000) to preserve and restore a unit of the state parks system that preserves and restores cultural and historical immigration resources in northern California.*

(b) *The sum of two million six hundred thousand dollars (\$2,600,000) to construct visitor centers in state parks, state recreation areas, and state historic parks. The department shall give priority to projects at Chino Hills State Park and California Citrus State Historic Park.*

(c) *Up to six hundred fifty thousand dollars (\$650,000) for playground equipment upgrades in state recreation areas.*

(d) *The sum of two hundred fifty thousand dollars (\$250,000) for restoration of state reserves that maintain the state flower.*

(e) *The sum of one million dollars (\$1,000,000) for restoration of state beaches.*

(f) *The sum of five million dollars (\$5,000,000) for restoration, study, and curation of paleontological, archaeological, and historical resource site protection. Priority shall be given to projects that combine curation of archaeological, paleontological, and historical resources with education and basic and applied research, and that emphasize specimens of California's extinct prehistoric plants and animals.*

(g) *The sum of two million seven hundred fifty thousand dollars (\$2,750,000), two million five hundred thousand dollars (\$2,500,000) of which shall be allocated for capital outlay projects at the Empire Mine State Historic Park, and two hundred fifty thousand dollars (\$250,000) of which shall be allocated for Columbia State Historic Park.*

(h) *The sum of ten million dollars (\$10,000,000) for the acquisition of lands from willing sellers of lands that are forested with redwoods or that will enhance the protection or preservation of the redwood forest ecosystem. The department shall give preference to projects where matching contributions in funding from other public agencies, private parties, or nonprofit organizations are available.*

(i) *Up to five hundred thousand dollars (\$500,000) to construct trails, trailheads, and parking, and to provide nonvehicular public access between the Bear and Mendoza Ranch open space and adjacent Henry Coe State Park.*

Article 4. Grant Program

5096.331. *The Legislature hereby recognizes that public financial resources are inadequate to meet all of the funding needs of local public park and recreation providers and that there is an urgent need for safe, open, and accessible local park and recreational facilities and for the increased recreational opportunities that provide positive alternatives to social problems. Accordingly, it is declared to be the policy of this state that the funds allocated pursuant to subdivisions (f) and (g) of Section 5096.310 to local agencies shall be appropriated primarily for projects that accomplish all of the following:*

(a) *Rehabilitate facilities at existing local parks that will provide for more efficient management and reduced operational costs. This may include grants to local agencies for the renovation of recreational facilities conveyed to local agencies resulting from the downsizing and decommissioning of federal military installations.*

(b) *Develop facilities that promote positive alternatives for youth and that promote cooperation between local park and recreation service providers and youth-serving nonprofit organizations.*

(c) *Promote family oriented recreation, including art activities.*

(d) *Provide for open, safe, and accessible local park lands, facilities, and botanical gardens.*

5096.332. (a) *Sixty percent of the total funds available for grants pursuant to subdivision (f) of Section 5096.310 shall be allocated to cities and to districts other than a regional park district, regional park and open-space district, or regional open-space district. Each city's and 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 unincorporated areas within the district, except that each city or district shall be 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 such a district, the population in the area of overlapping jurisdictions 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 such a district, and in the area of overlap the city does not operate and manage parks and recreational areas and facilities, all grant funds shall be allocated to the district.

(b) Each city and each district subject to subdivision (a) whose boundaries overlap shall develop a specific plan for allocating the grant funds in accordance with the formula specified in subdivision (a). If, by April 1, 2001, the plan has not been agreed to by the city and district and submitted to the department, the director shall determine the allocation of the grant funds among the affected jurisdictions.

5096.333. (a) Forty percent of the total funds available for grants pursuant to subdivision (f) of Section 5096.310 shall be allocated to counties and regional park districts, regional park and open-space districts, or regional open-space districts formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3.

(b) Each county's allocation under subdivision (a) shall be in the same ratio as the county's population, except that each county shall be entitled to a minimum allocation of one hundred fifty thousand dollars (\$150,000).

(c) In any county that embraces all or part of the territory of a regional park district, regional park and open-space district, or regional open-space district, whose board of directors is not the county board of supervisors, the amount allocated to the county shall be apportioned between that district and the county in proportion to the population of the county that is included within the territory of the district and the population of the county that is outside the territory of the district.

(d) In any county that currently embraces all or a part of the territory of a regional open-space district and an authority formed pursuant to Division 26 (commencing with Section 35100), the allocation shall be distributed between the county and these entities as follows:

(1) First, the funds shall be apportioned between the district and the county in proportion to the population of the county that is included within the territory of the district, and the proportion of the population of the county that is outside the district. The amounts resulting from this calculation shall be known as the district's share, and the county's first balance. The district's share shall be allocated to the district. The county's first balance shall be further apportioned as provided in paragraph (2).

(2) The county's first balance, as determined in accordance with paragraph (1), shall be further apportioned between the authority and the county in proportion to the population of the county that is included within the territory of the authority, and the proportion of the population of the county that is outside the authority. The amounts resulting from this calculation shall be known as the authority's share, and the county's second balance.

(3) The authority's share shall be divided equally between the county and the authority. The county shall receive all of the county's second balance.

5096.334. Notwithstanding Section 5096.331, of the funds allocated on the basis of population pursuant to subdivision (f) of Section 5096.310 within counties with a population of five million persons or more, not less than 75 percent of the total amount shall be available as follows:

(a) Not less than 20 percent for land acquisition, construction, development, and rehabilitation of at-risk youth recreation facilities. As used in this section, "at-risk youth" means persons who have not attained the age of 21 years and are at high risk of being involved in, or are involved in, one or more of the

following: gangs, juvenile delinquency, criminal activity, substance abuse, adolescent pregnancy, or school failure or dropout.

(b) Not less than 40 percent for projects within the most economically disadvantaged areas, which may include projects along river parkways, conservation corridors, and parkways along corridors of economic significance.

(c) Not less than 10 percent for urban reforestation projects.

(d) Not more than 5 percent for projects that convert publicly owned land to a neighborhood park providing open-space, recreational, cultural, and festival opportunities, if the bond proceeds do not exceed 25 percent of the total project cost and there is a 75 percent funding match.

5096.335. Funds authorized pursuant to subdivision (e) 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, local agencies formed for park purposes pursuant to a joint powers agreement between two or more local entities, and nonprofit organizations for the acquisition, development, rehabilitation, restoration, and interpretation of historical resources.

5096.336. (a) Of the funds authorized pursuant to subdivision (f) of Section 5096.310, three hundred thirty-eight million dollars (\$338,000,000) shall be available for grants to cities, counties, and districts on the basis of their populations, as determined by the department in cooperation with the Department of Finance, on the basis of the most recent verifiable census data and other population data that the department may require to be furnished by the applicant city, county, or district.

(b) Of the funds authorized pursuant to subdivision (f) of Section 5096.310, fifty million dollars (\$50,000,000) available for grants pursuant to subdivision (f) of Section 5096.310 shall be allocated to cities and districts in urbanized counties providing park and recreation services within jurisdictions of 200,000 or less in population. For purposes of this subdivision, "urbanized counties" means a county with a population of 200,000 or greater.

5096.337. (a) Funds authorized pursuant to subdivisions (h), (i), and (z) of Section 5096.310 shall be available as grants, on a competitive basis, to cities, counties, districts, local agencies formed for park purposes pursuant to a joint powers agreement as defined in subdivision (b), and other districts, as defined in subdivision (c).

(b) For purposes of this section, "local agency" means any local agency formed for park purposes pursuant to a joint powers agreement between two or more local entities, excluding school districts.

(c) For purposes of this section, "other districts" include any district authorized to provide park, recreational, or open-space services, or a combination of those services, except a school district.

5096.338. The funds allocated pursuant to subdivision (j) of Section 5096.310 shall, upon appropriation in the annual Budget Act, be available for existing or new entities or programs designated by statute for grants to public agencies and nonprofit organizations, and for related administrative costs. At least 50 percent of the funds shall be available for grants to local public agencies and districts.

5096.339. (a) Not less than 11 percent of the funds authorized in paragraph (1) of subdivision (l) of Section 5096.310 shall be available as grants administered by the department to cities, counties, and nonprofit organizations

for the development, rehabilitation, or restoration of facilities accredited by the American Zoo and Aquarium Association (AZA) and operated by cities, counties, and nonprofit organizations, and to cities, counties, and nonprofit organizations for the development, rehabilitation, or restoration of zoos and aquariums operated by cities, counties, and nonprofit organizations, but not yet accredited by the AZA. This program shall be known, and may be cited, as the Dr. Paul Chaffee Zoological Program. Allocation in awarding grants pursuant to this section shall be in accordance with the following schedule:

(1) Individual grants of up to one million dollars (\$1,000,000), or an amount to be determined by dividing 95 percent of the total zoo and aquarium funds available pursuant to this subdivision by the number of AZA accredited institutions at the time of enactment of this section, shall be made available to zoos and aquariums that are AZA accredited.

(2) Not less than 20 percent or two million dollars (\$2,000,000), whichever is greater, of the funds available pursuant to this subdivision shall be reserved for institutions with annual operating budgets of less than one million dollars (\$1,000,000).

(3) Not more than 5 percent of the total funds available pursuant to this subdivision, shall be made available as grants to zoos and aquariums that have initiated the AZA accreditation process but are not yet accredited at the time of the enactment of this section. Grants awarded under this subdivision shall be dedicated to projects which will enhance the institution's ability to meet standards of AZA accreditation.

(4) Not more than 5 percent of the total funds available pursuant to this subdivision shall be granted for publicly owned or nonprofit zoos and wildlife centers that may not be accredited, but that care for animals that have been injured or abandoned and that cannot be returned to the wild. To be eligible for this portion of those funds, applicants shall demonstrate that they serve a regional area, foster the environmental relationships of animals within that region, and operate outreach and onsite programs communicating those objectives to the public.

(b) At least ten million dollars (\$10,000,000) of the funds allocated pursuant to paragraph (1) of subdivision (1) of Section 5096.310 shall be provided to the California Science Center for implementation of the Exposition Master Plan. Three million dollars (\$3,000,000) of this amount shall be made available to the California African-American Museum for completion of its education and visitor facility in Exposition Park and seven million dollars (\$7,000,000) of this amount shall be made available for the California Science Center School.

(c) Not less than five hundred thousand dollars (\$500,000) of the funds allocated pursuant to paragraph (1) of subdivision (1) of Section 5096.310 shall be available as grants for facilities for education programs focused on the National Marine Sanctuaries along California's coast.

(d) Not less than forty-four million seven hundred fifty thousand dollars (\$44,750,000) of the funds allocated pursuant to paragraph (1) of subdivision (1) of Section 5096.310 shall be made available for the following purposes:

(1) At least ten million dollars (\$10,000,000) shall be provided to the Discovery Science Center in Santa Ana for capital improvement.

(2) At least ten million dollars (\$10,000,000) shall be provided to the California Academy of the Sciences for capital improvement projects.

(3) *At least two million dollars (\$2,000,000) shall be provided toward the creation of the Delta Science Center to carry out significant marine and delta aquatic education and interpretive programs.*

(4) *At least fifteen million dollars (\$15,000,000) shall be provided to the Alliance of Redding Museums for capital improvements for the Turtle Bay-Museums and the Arboretum on the River.*

(5) *An individual grant of four million two hundred fifty thousand dollars (\$4,250,000) shall be made to the California Division of Fairs and Expositions of the Department of Food and Agriculture for capital outlay to assist with an approved contract entered into on or before January 1, 2000, for an exposition or state fair relocation in any county with a population greater than 5,000,000.*

(6) *The sum of three million five hundred thousand dollars (\$3,500,000) to enhance the two-acre historical exhibit at the Kern County Museum.*

5096.340. (a) *Not less than 11 percent of the funds authorized in paragraph (1) of subdivision (1) of Section 5096.310 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 urban recreational and cultural centers, museums, and facilities for wildlife education or environmental education.*

(b) *To be eligible for funding, a project shall initially be nominated by a Member of the Legislature for study by the department. The department shall study each project so nominated and, prior to the April 1 preceding the fiscal year in which funds are 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 projects, the department shall consider any favorable project 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, technological, 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 that 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 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 other public agency, an institute of higher learning, or a nonprofit organization that cooperatively is operating, or will operate, the project.*

5096.341. (a) *The director shall prepare and adopt criteria and procedures for evaluating applications for grants allocated pursuant to subdivisions (f), (g), (h), (i), and (l) of Section 5096.310. Individual applications for funds shall be submitted to the department for approval as to their conformity with the requirements of this chapter. The application shall be accompanied by certification from the planning agency of the applicant that the project for which the grant is requested is consistent with the park and recreation element of the applicable city or county general plan or the district park and recreation plan, as the case may be, and will satisfy a high priority need. To utilize available grant funds as effectively as possible, overlapping or adjoining jurisdictions are encouraged to combine projects and submit a joint application.*

(b) *Any applicant may allocate all or a portion of its per capita share for a regional or state project.*

(c) *The director shall annually forward a statement of the total amount to be appropriated in each fiscal year for projects approved for grants pursuant to subdivisions (f), (g), (h), (i), and (l) of Section 5096.310 to the Director of Finance for inclusion in the Budget Bill. A list of eligible jurisdictions and the amount of grant funds to be allocated to each shall also be made available by the department.*

(d) (1) *Funds appropriated for grants pursuant to subdivisions (f), (g), (h), (i), and (l) of Section 5096.310 shall be encumbered by the recipient within three years from the date that the appropriation became effective. Regardless of the date of encumbrance of the granted funds, the recipient is expected to complete all funded projects within eight years of the effective date of the appropriation.*

(2) *Commencing with the Budget Bill for the 2009–10 fiscal year, any grant funds appropriated pursuant to subdivisions (f), (g), (h), (i), and (l) of Section 5096.310 that have not been expended by the grantee shall revert to the fund and be available for appropriation by the Legislature for one or more of the categories specified in Section 5096.310 that the Legislature determines to be of the highest priority statewide.*

5096.342. (a) *Grant funds appropriated pursuant to subdivisions (f), (g), (h), (i), and (l) of Section 5096.310 may be expended by the grantee only for projects on lands owned by, or subject to a lease or other interest held by, the grantee.*

(b) *If a grant applicant does not have fee title to the lands, the applicant shall demonstrate to the satisfaction of the department that the proposed project will provide public benefits that are commensurate with the type and duration of the interest in land that is held by the applicant.*

5096.343. (a) *Except as provided in subdivision (c), no grant funds authorized pursuant to subdivisions (f), (g), (h), (i), and (l) of Section 5096.310 may be disbursed unless the applicant has agreed, in writing, to both of the following:*

(1) *To maintain and operate the property funded pursuant to this chapter for a period that is commensurate with the type of project and the proportion of state funds and local matching funds or property allocated to the capital costs of the project. With the approval of the department, the grantee, or the grantee's successor in interest in the property, may transfer the responsibility to maintain and operate the property in accordance with this section.*

(2) *To use the property only for the purposes for which the grant was made and to make no other use or sale or other disposition of the property, except as authorized by specific act of the Legislature.*

(b) The agreements specified in subdivision (a) shall not prevent the transfer of the property from the applicant to a public agency, if the successor public agency assumes the obligations imposed by those agreements.

(c) If the use of the property is changed to a use that is not permitted by the category from which the grant funds were appropriated, or if the property is sold or otherwise disposed of, an amount equal to (1) the amount of the grant, (2) the fair market value of the real property, or (3) the proceeds from the sale or other disposition, whichever is greater, shall be used by the grantee for a purpose authorized by that category, pursuant to agreement with the department as specified in subdivision (a), or shall be reimbursed to the fund and be available for appropriation by the Legislature only for a purpose authorized by that category. If the property sold or otherwise disposed of is less than the entire interest in the property funded with the grant, an amount equal to either the proceeds from the sale or other disposition of the interest or the fair market value of the interest sold or otherwise disposed of, whichever is greater, shall be used by the grantee for a purpose authorized by the category from which the funds were appropriated, pursuant to agreement with the department as specified in subdivision (a), or shall be reimbursed to the fund and be available for appropriation by the Legislature only for a use authorized by that category.

5096.344. All grants, gifts, devises, or bequests to the state, that are conditioned upon being used for park, conservation, recreational, agricultural, or other such purposes, may be accepted and received on behalf of the state by the appropriate departmental director, with the approval of the Director of Finance, and those grants, gifts, devises, or bequests may be available, upon appropriation by the Legislature, for expenditure for the purposes specified in Section 5096.310.

5096.345. Except for funds continuously appropriated by this chapter, all appropriations of funds pursuant to Section 5096.310 for purposes of the program shall be included in the Budget Bill for the 2001–02 fiscal year, and each succeeding fiscal year, for consideration by the Legislature, and shall bear the label “Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Fund.” The Budget Bill section shall contain separate items for each project, each class of project, or each element of the program for which an appropriation is made.

Article 4.5. Clean Air Improvement Program

5096.346. (a) In allocating funds pursuant to subdivision (u) of Section 5096.310, the Department of Forestry and Fire Protection shall give preference to the planting of trees that provide greater air quality benefits and to urban forestry projects that provide greater energy conservation benefits.

(b) The Department of Forestry and Fire Protection shall consult with the State Air Resources Board in developing guidelines for the allocation of grant funds pursuant to subdivision (u) of Section 5096.310 that promote air quality benefits.

(c) State and local agencies shall consider potential air quality benefits when allocating funds received pursuant to this chapter.

Article 4.6. Sierra Nevada-Cascade Mountain Region

5096.347. (a) The Legislature hereby finds and declares that the Sierra Nevada and Cascade Mountain Region constitutes a unique and important environmental, anthropological, cultural, scientific, educational, recreational,

scenic, water, watershed, and wildlife resource that should be held in trust for the enjoyment of, and appreciated by, present and future generations.

(b) The secretary shall administer grants to the Sierra Nevada-Cascade Program to assist local governments, agencies, districts, and nonprofit organizations working in collaboration with those local governments, agencies, and districts to plan, create, and conserve the Sierra-Cascade natural ecosystem. The secretary shall make funds available on a competitive basis for all of the following activities:

(1) The acquisition and restoration of riparian habitat in accordance with Sections 7048 and 78682.2 of the Water Code to improve water quality, and to protect, restore, or rehabilitate watersheds, streams, wetlands, or other aquatic habitat.

(2) Capital improvement projects that provide park and recreational opportunities.

(3) Access to trails and public lands, in accordance with Article 6 (commencing with Section 5070) of Chapter 1 of Division 5.

(4) Acquisition of park lands or recreational facilities.

(c) The secretary shall give priority to fund up to two million dollars (\$2,000,000) for Commons Beach improvements on properties owned or administered by local agencies in the Lake Tahoe area, that will provide improved lake access, bicycle and pedestrian trail linkages, and interpretative facilities.

(d) The secretary may provide the following capital outlay grants:

(1) Five hundred thousand dollars (\$500,000) for capital outlay to an incorporated city all or part of the territory of which is located within five miles of the boundary line between San Joaquin County and Sacramento County.

(2) Two hundred fifty thousand dollars (\$250,000) to the department for the renovation of a state historical point of interest near the intersection of Jack Tone Road and State Highway 88.

(e) For the purposes of this article, the Sierra Nevada-Cascade Mountain Region includes those portions of Fresno County, Kern County, Stanislaus County, and Tulare County, and counties with populations of less than 250,000 as of the 1990 United States Census, that are located in the mountains, the foothills, and the area adjacent to the geologic formations of the Sierra Nevada and Cascade mountain ranges.

Article 4.7. Murray-Hayden Urban Parks and Youth Service Program

5096.348. (a) Notwithstanding any other provision of this chapter, funds allocated pursuant to subdivision (j) of Section 5096.310 shall be allocated, upon appropriation by the Legislature, for parks, park facilities, or environmental youth service centers that are within the immediate proximity of a neighborhood that has been identified by the department as having a critical lack of park or open-space lands or deteriorated park facilities, that are in an area of significant poverty and unemployment, and that have a shortage of services for youth. Priority shall be given to capital projects that employ neighborhood residents and at-risk youth.

(b) (1) Fifty percent of the funds allocated pursuant to subdivision (j) of Section 5096.310 shall be made available on a competitive basis to heavily urbanized counties and cities or to nonprofit organizations or park districts in those counties and cities, in compliance with subdivision (a) and the matching requirements of the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620)).

(2) No more than 10 percent of the amounts made available pursuant to paragraph (1) shall be allocated to fund grants pursuant to Chapter 2.5 (commencing with Section 990) of Part 1 of Division 2 of the Welfare and Institutions Code, at least 50 percent of which shall be granted to youth service organizations eligible for tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code that are chartered by a national youth service organization.

Article 5. Wildlife Program

5096.350. (a) Funds appropriated pursuant to subdivision (m) of Section 5096.310 shall be available for expenditure by the Wildlife Conservation Board for the acquisition, development, rehabilitation, restoration, and protection of real property benefiting fish and wildlife, for the acquisition, restoration, or protection of habitat that promotes recovery of threatened, endangered, or fully protected species, maintains the genetic integrity of wildlife populations, and serves as corridors linking otherwise separate habitat to prevent habitat fragmentation, and for grants and related state administrative costs 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 purposes:

(1) Ten million dollars (\$10,000,000) for the acquisition or restoration of wetland habitat, as follows:

(A) Five million dollars (\$5,000,000) for the acquisition, preservation, restoration, and establishment, or any combination thereof, of habitat for waterfowl or other wetlands-associated wildlife, as provided for in the Central Valley Habitat Joint Venture Component of the North American Waterfowl Management Plan and the Inland Wetlands Conservation Program, notwithstanding Section 711 of the Fish and Game Code. Preference shall be given to projects involving the acquisition of perpetual conservation easements; habitat development projects on lands which will be managed primarily as waterfowl habitat in perpetuity; waterfowl habitat development projects on agricultural lands; the reduction of fishery impacts resulting from supply diversions that have a direct benefit to wetlands and waterfowl habitat; or programs to establish permanent buffer areas, including, but not limited to, agricultural lands that are necessary to preserve the acreage and habitat values of existing wetlands.

(B) Five million dollars (\$5,000,000) for the acquisition, development, restoration, and protection of wetlands and adjacent lands, or any combination thereof, located outside the Sacramento-San Joaquin Valley.

(2) Ten million dollars (\$10,000,000) for the development, acquisition from a willing seller, or restoration of riparian habitat and watershed conservation programs.

(3) Forty-five million dollars (\$45,000,000), upon appropriation by the Legislature, for the restoration, or acquisition from a willing seller, of habitat for threatened and endangered species or for the purpose of promoting the recovery of those species. Five million dollars (\$5,000,000) of that amount shall be for the acquisition of property along the central coast containing coastal terrace prairie, federally listed spineflower, state listed San Francisco popcorn flower, and candidates for federal listing including ohlone tiger beetle and opler's longhorned moth. No funds may be expended pursuant to this paragraph for the acquisition of real property or other actions taken pursuant to Chapter 10 (commencing with Section 2800) of the Fish and Game Code.

(4) Thirteen million dollars (\$13,000,000) for the acquisition from a willing seller, or restoration of forest lands, including, but not limited to, ancient redwoods and oak woodlands. Not more than five million dollars (\$5,000,000) of this amount shall be expended on the federal Legacy Forest Program (16 U.S.C. Sec. 2103) to meet federal matching requirements and not less than five million dollars (\$5,000,000) of this amount shall be allocated for the preservation of oak woodlands. Not more than five million dollars (\$5,000,000) of this amount shall be expended on the federal Legacy Forest Program (16 U.S.C. Sec. 2103) to meet federal matching requirements and not less than five million dollars (\$5,000,000) of this amount shall be allocated for the preservation of oak woodlands.

(5) Eighty-two million five hundred thousand dollars (\$82,500,000), upon appropriation by the Legislature, to match funds contributed by federal or local agencies or nonprofit organizations for the acquisition, restoration, or protection of habitat or habitat corridors that promote the recovery of threatened, endangered, or fully protected species. Projects funded pursuant to this paragraph may include restoration projects authorized pursuant to Public Law 105-372, the Salton Sea Reclamation Act of 1998. The board shall require matching contributions of funds, real property, or other resources from other public agencies, private parties, or nonprofit organizations, at a level designed to obtain the maximum conservation benefits to wildlife and wildlife habitat. No funds may be expended pursuant to this paragraph for the acquisition of real property or other actions taken pursuant to Chapter 10 (commencing with Section 2800) of the Fish and Game Code.

(6) One hundred million dollars (\$100,000,000), upon appropriation by the Legislature, for the purpose of funding the acquisition of real property subject to a natural community conservation plan adopted pursuant to Chapter 10 (commencing with Section 2800) of the Fish and Game Code, if the acquisition of the real property is conducted in conjunction with a natural community conservation plan approved by the Department of Fish and Game prior to January 1, 1999, or if the acquisition is approved by statute.

(7) Five million dollars (\$5,000,000) for environmental restoration projects for the following purposes approved pursuant to the Salton Sea Restoration Project authorized by Public Law 105-372, the Salton Sea Reclamation Act of 1998, and identified in the Final Environmental Impact Statement of the Salton Sea Restoration Project:

(A) Reduce and stabilize the overall salinity of the Salton Sea.

(B) Stabilize the surface elevation of the Salton Sea.

(C) Reclaim, in the long term, healthy fish and wildlife resources and their habitats.

(D) Enhance the potential for recreational uses of the Salton Sea.

(b) Not more than 5 percent of the funds authorized for expenditure by this section may be used for public access and wildlife-oriented public use projects.

Article 6. Lake Tahoe Program

5096.351. (a) The Legislature has recognized the need to protect and restore the fragile environment at Lake Tahoe; and the Tahoe Regional Planning Agency has prepared an Environmental Improvement Program that outlines a capital outlay approach to help achieve environmental thresholds in the Lake Tahoe Basin, which allocates funding responsibilities over the first 10 years of the program in the amounts of approximately two hundred seventy-four million dollars (\$274,000,000) to the State of California, two hundred ninety-seven million dollars (\$297,000,000) to the federal government, eighty-two million

dollars (\$82,000,000) to the State of Nevada, one hundred one million dollars (\$101,000,000) to local governments, and one hundred fifty-three million dollars (\$153,000,000) to the private sector.

(b) Funds allocated pursuant to subdivision (n) of Section 5096.310 shall be available for expenditure for the development, restoration, acquisition from a willing seller, 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 for the following purposes:

(1) Protecting the natural environment through preservation of environmentally sensitive lands, soil erosion control, restoration or enhancement of watershed lands, and restoration or enhancement of streams and other natural areas.

(2) Providing public access and public recreation opportunities.

(3) Enhancing and restoring wildlife areas.

(c) The provision of these funds is to meet applicable state responsibilities pursuant to the Tahoe Regional Planning Agency's Environmental Improvement Program.

(d) The allocation of these funds has been made in the expectation that the federal government, the State of Nevada, local jurisdictions, and the private sector will fulfill their respective obligations pursuant to the Environmental Improvement Program. The secretary shall report annually to the Legislature on the progress of the development and implementation of the Environmental Improvement Program, and the provision of these funds may be restricted in the event that the parties are found to be making inadequate progress or are not making good faith efforts towards fulfilling their respective obligations.

Article 7. Coastal Protection Program

5096.352. Funds allocated pursuant to subdivision (o) of Section 5096.310 shall be available for expenditure by the State Coastal Conservancy pursuant to Division 21 (commencing with Section 31000) for the acquisition from a willing seller, preservation, restoration, and enhancement of real property or an interest in real property in coastal areas and watersheds within its jurisdiction and the development of public use facilities in those areas in accordance with the following schedule:

(a) Twenty-five million dollars (\$25,000,000) for projects funded pursuant to the San Francisco Bay Area Conservancy Program established pursuant to Chapter 4.5 (commencing with Section 31160) of Division 21.

(b) (1) Twenty-five million dollars (\$25,000,000) shall be made available to the Santa Monica Bay Restoration Project to fund grants to public entities and nonprofit organizations to implement storm water and urban runoff pollution prevention programs, habitat restoration, and other priority actions specified in the Santa Monica Restoration Plan. The Santa Monica Bay Watershed Council shall determine project eligibility and establish grant priority.

(2) The Santa Monica Bay Watershed Council or the State Coastal Conservancy may require the grant recipient to provide a portion of matching funds for any funding received. The council or the state conservancy may use the funds as matching funds for federal or other grant funding.

(c) Sixty-four million two hundred thousand dollars (\$64,200,000) of the funds available may be expended by the State Coastal Conservancy directly or as grants to government entities and nonprofit organizations for the purposes of Division 21 (commencing with Section 31000), and for the following and related purposes, including, but not limited to, the acquisition, enhancement, restoration,

protection, and development of coastal resources, beaches, waterfronts, and public accessways in accordance with the following schedule:

(1) An amount not to exceed three million dollars (\$3,000,000) may be expended on regional approaches to reduce beach erosion. Up to thirteen million dollars (\$13,000,000) shall be made available for the restoration and protection of the Upper Newport Bay Ecological Reserve.

(2) At least fifteen million dollars (\$15,000,000) shall be expended in coastal areas north of the Gualala River.

(3) At least twenty-five million dollars (\$25,000,000) shall be expended within Santa Cruz, Monterey, San Luis Obispo, or Santa Barbara Counties. One million dollars (\$1,000,000) shall be allocated to the City of Monterey to fund public access and open space along the waterfront for the Window on the Bay.

(4) At least five million dollars (\$5,000,000) shall be expended on completion of the Coastal Trail.

(5) Two million dollars (\$2,000,000) shall be dedicated to projects for the Guadalupe River Trail and the San Francisco Bay Ridge Trail.

(d) Twenty-two million dollars (\$22,000,000) may be expended by the State Coastal Conservancy directly or as grants to government entities and nonprofit organizations consistent with Division 21 (commencing with Section 31000), and for administrative costs in connection therewith, for the acquisition, development, rehabilitation, restoration, enhancement, and protection of real property, or other actions that benefit fish and wildlife. At least ten million dollars (\$10,000,000) of those funds shall be expended in coastal areas north of the Gualala River. Eight hundred thousand dollars (\$800,000) shall be spent to restore the arroyo chub, partially armored stickleback, and southern steelhead fisheries to their native creeks of San Mateo Creek, and its tributary Devil Canyon Creek, and San Onofre Creek located in San Diego County.

(e) Twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, to the State Coastal Conservancy and the Department of Fish and Game for direct expenditure and for grants to public agencies and nonprofit organizations to protect, restore, acquire, and enhance habitat for salmon. These funds may be used to match federal funding available for those purposes.

(f) Twenty-five million dollars (\$25,000,000) of the funds shall be allocated to acquire, protect, and restore wetlands projects that are a minimum of 400 acres in size in any county with a population greater than 5,000,000.

(g) Twelve million five hundred thousand dollars (\$12,500,000) shall be allocated to acquire land needed to connect important coastal watershed and scenic areas in the Laguna Coast Wilderness Park.

Article 8. Mountain Resource Program

5096.353. Funds allocated pursuant to subdivision (p) of Section 5096.310 shall be available to the Santa Monica Mountains Conservancy for capital outlay and grants for the acquisition from a willing seller, enhancement, and restoration of natural lands, improvement of public recreation facilities, and for grants to local agencies and nonprofit organizations to increase access to parks and recreational opportunities for underserved urban communities, in accordance with the following schedule:

Thirty-five million dollars (\$35,000,000) to acquire, improve, or restore park, wildlife, or natural areas, including areas near or adjacent to units of the state park system wherever such units may be situated within a local jurisdiction within the Santa Monica Mountains Zone or Rim of the Valley Trail Corridor.

5096.354. *Funds allocated pursuant to subdivision (q) of Section 5096.310 shall be available to the Coachella Valley Mountains Conservancy for expenditure for the acquisition, development, enhancement, and protection of land, and for administrative costs incurred in connection therewith, in accordance with Division 23.5 (commencing with Section 33500).*

Article 9. San Joaquin River Program

5096.355. *Funds allocated pursuant to subdivision (r) of Section 5096.310 shall be available to the San Joaquin River Conservancy for expenditure of the acquisition, development, enhancement, and protection of land, and for administrative costs incurred in connection therewith, in accordance with Division 22.5 (commencing with Section 32500).*

Article 10. Agriculture Program

5096.356. (a) *Funds allocated pursuant to subdivision (t) of Section 5096.310 shall be available to the Department of Conservation for grants, on a competitive basis, to state and local agencies and nonprofit organizations for farmland protection and administration of the Agricultural Land Stewardship Program Act of 1995 (Division 10.2 (commencing with Section 10200)), or its successor program. This purpose shall include, but not be limited to, the placement of improvements and acquisition of agricultural conservation easements and other interests in land pursuant to the Agricultural Land Stewardship Program.*

(b) *At least 20 percent of the funds allocated pursuant to subdivision (t) of Section 5096.310 shall be available for projects that preserve agricultural lands and protect water quality in the counties that serve the San Pablo Bay.*

Article 11. Fish and Game Program

5096.357. (a) *Funds allocated pursuant to paragraph (1) of subdivision (v) of Section 5096.310 shall be available to the Department of Fish and Game for the development, enhancement, restoration, and preservation of land pursuant to Sections 1580 and 10503 of, and subdivision (b) of Section 1525 of, the Fish and Game Code. The provision of these funds shall be in accordance with an expenditure plan developed by the Department of Fish and Game and approved by the Department of Finance.*

(b) *Funds allocated pursuant to paragraph (2) of subdivision (v) of Section 5096.310 shall be made available to the Department of Fish and Game for the exclusive purpose of acquiring habitat preservation and enhancement agreements on private wetlands pursuant to the California Waterfowl Habitat Program—Phase II and administrative costs incurred in connection therewith. Expenditure of those funds shall be consistent with the purposes identified in Section 3702 of the Fish and Game Code.*

Article 12. California Indian Tribe Participation

5096.358. *To the extent funds authorized pursuant to this chapter are available for competitive grants to local government entities, federally recognized California Indian tribes may apply for those grants, the tribe's application shall be considered on its merits, and the tribes shall expend any funds received for the purpose authorized by this chapter for which the funds are made available.*

Article 13. Fiscal Provisions

5096.360. *Bonds in the total amount of two billion one hundred million dollars (\$2,100,000,000), not including the amount of any refunding bonds issued in accordance with Section 5096.370, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes set forth in Section 5096.310 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 the principal of, and interest on, the bonds as the principal and interest become due and payable. Pursuant to this section, the Treasurer shall sell the bonds authorized by the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (the Villaraigosa-Keeley Act) Finance Committee created pursuant to subdivision (a) of Section 5096.362 at any different times that are necessary to service expenditures appropriated pursuant to this chapter.

5096.361. *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.*

5096.362. (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 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Finance Committee is hereby created. For purposes of this chapter, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists 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 the State General Obligation Bond Law, the secretary is designated the "board."*

5096.363. *The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter to carry out 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.*

5096.364. *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.*

5096.365. *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 necessary to carry out Section 5096.366, appropriated without regard to fiscal years.*

5096.366. *For 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 that have been authorized to be sold for the purpose of carrying out this chapter. Any amount withdrawn shall*

be deposited in the fund. Any money made available under this section shall be returned to the General Fund from proceeds received from the sale of bonds for the purpose of carrying out this chapter.

5096.367. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds. These costs shall be shared proportionally by each program funded through this bond act.

5096.367.5. Actual costs incurred in connection with administering programs authorized under the categories specified in Section 5096.310 shall be paid from the funds authorized by this act.

5096.368. The secretary may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, including other authorized forms of interim financing that include, but are not limited to, commercial paper, in accordance with Section 16312 of the Government Code, for purposes of carrying out this chapter. The amount of the request shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purpose of carrying out this chapter. The secretary 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.

5096.369. 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.

5096.370. 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 voters of the state of the issuance of the bonds described in this chapter includes the approval of the issuance of any bonds to refund any bonds originally issued under this chapter or any previously issued refunding bonds.

5096.371. 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 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.

5096.372. (a) 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.

(b) Funds provided pursuant to this chapter, and any appropriation or transfer of those funds, shall not be deemed to be a transfer of funds for the purposes of Chapter 9 (commencing with Section 2780) of Division 3 of the Fish and Game Code.

Number
on ballot

13. **Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Act.** (Statutes 1999, Chapter 725, AB 1584)

[Approved by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. Division 26 (commencing with Section 79000) is added to the Water Code, to read:

DIVISION 26. SAFE DRINKING WATER, CLEAN WATER, WATERSHED PROTECTION, AND FLOOD PROTECTION ACT

CHAPTER 1. SHORT TITLE

79000. *This division shall be known and may be cited as the Costa-Machado Water Act of 2000.*

CHAPTER 2. DEFINITIONS

79005. *Unless the context otherwise requires, the definitions set forth in this chapter govern the construction of this division.*

79006. *“Bay-delta” means the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.*

79007. *“Board” means the State Water Resources Control Board.*

79008. *“CALFED” refers to the consortium of state and federal agencies with management and regulatory responsibilities in the bay-delta that are developing a long-term solution to water management, environmental, and other problems in the bay-delta watershed.*

79009. *“Clean Water Act” means the federal Clean Water Act (33 U.S.C. Sec. 1251 et seq.), and includes any amendments thereto.*

79010. *“Committee” means the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Finance Committee created by Section 79212.*

79011. *“Delta” means the Sacramento-San Joaquin Delta.*

79012. *“Department” means the Department of Water Resources.*

79013. *“Fund” means the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund created by Section 79019.*

CHAPTER 3. SAFE DRINKING WATER, CLEAN WATER, WATERSHED PROTECTION, AND FLOOD PROTECTION BOND FUND

79019. *The proceeds of bonds issued and sold pursuant to this division shall be deposited in the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund, which is hereby created.*

CHAPTER 4. SAFE DRINKING WATER PROGRAM

Article 1. Definitions

79020. *Unless the context otherwise requires, the following definitions govern the construction of this chapter.*

(a) *“Federal act” means the federal Safe Drinking Water Act (42 U.S.C. Sec. 300f et seq.), and includes any amendments thereto.*

(b) *“State department” means the State Department of Health Services.*

(c) *“Supplier” means any person, partnership, corporation, association, public agency, or other entity, including any Indian tribe having a federally*

recognized governing body carrying out substantial governmental duties in and powers over any area, that owns or operates a public water system.

Article 2. Safe Drinking Water State Revolving Fund

79021. The sum of seventy million dollars (\$70,000,000) is hereby transferred from the fund to the Safe Drinking Water State Revolving Fund created by Section 116760.30 of the Health and Safety Code.

Article 3. Safe Drinking Water Program

79022. (a) The money transferred to the Safe Drinking Water State Revolving Fund pursuant to Section 79021, except as otherwise provided in Sections 79022.7 and 79025, shall be used by the state department for loans and grants to suppliers for the purposes of undertaking infrastructure improvements and related actions to meet safe drinking water standards, in accordance with the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760) of Part 12 of Division 104 of the Health and Safety Code).

(b) A supplier that is eligible for grants under Section 300j-12(i) of the federal act (42 U.S.C. Sec. 1452(i)) may concurrently make application for funds annually appropriated under the federal act and for bond proceeds made available under this chapter. The state department shall not place a public water system on the priority list for project funding or enter into a contract and award a grant or loan if a supplier has previously received a grant for public water system expenditure for the same project under Section 300j-12(i) of the federal act (42 U.S.C. Sec. 1452(i)) or if the supplier does not have a public water system permit pursuant to Section 116525 of the Health and Safety Code. The state department may place a public water system on the priority list for funding if a supplier has not otherwise received a letter of commitment to make a grant from the Administrator of the Environmental Protection Agency after 180 days from the date of the original submission of an application for a grant under Section 300j-12(i) of the federal act (42 U.S.C. Sec. 1452(i)).

(c) The Legislature finds and declares that Indian tribes shall be encouraged to cooperate with an adjacent public water system to determine whether the delivery of water from the public water system to the Indian tribe would be feasible and cost-effective in comparison to the improvement of a public water system owned or operated by the Indian tribe. The determination of feasibility shall include an assessment of whether the tribal water supplier possesses adequate financial, managerial, and technical capability to ensure the delivery of pure, wholesome, potable water to consumers. The Legislature further finds and declares that public water suppliers shall be encouraged to investigate opportunities for Indian tribes to deliver water beyond trust land boundaries to consumers that may not be economically served by a public water system.

(d) The state department shall encourage loan or grant applicants, where feasible, to consider the consolidation of small public water systems and community water systems with other public water systems to reduce the cost of service and improve the level of protection for consumers.

(e) To the extent that loans under this chapter that are made to a public water system regulated by the Public Utilities Commission bear a lower interest rate than that supplier could receive from nongovernmental sources, the Public Utilities Commission shall ensure that the entire benefit of the interest rate differential shall benefit the rate payers of that system by including the lower

interest rate when establishing the water system's weighted average cost of capital.

79022.5. Any repayment of loans made pursuant to this article, including interest payments, and all interest earnings on or accruing to, any money resulting from the implementation of this chapter in the Safe Drinking Water State Revolving Fund shall be deposited in that fund and shall be available for the purposes of this chapter.

79022.7. Notwithstanding Item No. 4260-115-0001 of Section 2.00 of the Budget Act of 1999 (Chapter 50, Statutes of 1999), no money transferred to the Safe Drinking Water State Revolving Fund pursuant to this article may be transferred to the General Fund.

79023. There is hereby created in the Safe Drinking Water State Revolving Fund the Technical Assistance Account.

79024. Of the funds transferred pursuant to Section 79021, the sum of two million dollars (\$2,000,000) is hereby transferred from the Safe Drinking Water State Revolving Fund to the Technical Assistance Account.

79025. (a) Notwithstanding Section 13340 of the Government Code, the money in the Technical Assistance Account is hereby continuously appropriated, without regard to fiscal years, to the state department, to provide technical assistance to public water systems in the state in accordance with Section 300j-12(g)(2) of the federal act (42 U.S.C. Sec. 1452(g)(2)). For the purposes of this section, "technical assistance" includes assistance to disadvantaged communities, including Indian tribes.

(b) In carrying out its responsibilities under subdivision (a), the state department may do any of the following:

(1) Assess the technical, managerial, and financial capability of a disadvantaged community.

(2) Assist an applicant in the preparation of an application for funding under Chapter 4.5 (commencing with Section 116760) of Part 12 of Division 104 of the Health and Safety Code or Section 300j-12(i) of the federal act (42 U.S.C. Sec. 1452(i)).

(3) Conduct workshops in locations in or near disadvantaged communities to provide information regarding grants or loans for the design and construction of projects for public water systems.

79026. Not more than 3 percent of the total amount deposited in the account may be used to pay costs incurred in connection with the administration of this chapter.

CHAPTER 5. FLOOD PROTECTION PROGRAM

Article 1. Flood Protection Account

79030. For the purposes of this chapter, "account" means the Flood Protection Account created by Section 79031.

79031. The Flood Protection Account is hereby created in the fund. The sum of two hundred ninety-two million dollars (\$292,000,000) is hereby transferred from the fund to the account.

Article 2. Floodplain Mapping Program

79033. (a) There is hereby created in the account the Floodplain Mapping Subaccount.

(b) The sum of two million five hundred thousand dollars (\$2,500,000) is hereby transferred from the account to the Floodplain Mapping Subaccount for the purposes of implementing this article.

79033.2. (a) *There is hereby created in the account the Agriculture and Open Space Mapping Subaccount.*

(b) *The sum of two million five hundred thousand dollars (\$2,500,000) is hereby transferred from the account to the Agriculture and Open Space Mapping Subaccount.*

79033.4. *The money in the Floodplain Mapping Subaccount, upon appropriation by the Legislature to the department, may be used by the department for the purpose of assisting local land-use planning, and to avoid or reduce future flood risks and damages. The use of the funds in that subaccount by the department shall include, but is not limited to, all of the following:*

(a) *Mapping newly identified floodplains.*

(b) *Mapping rural areas with potential for urbanization.*

(c) *Mapping flood hazard areas with undefined 100-year flood elevations.*

(d) *Updating outdated floodplain maps.*

(e) *Accelerating mapping of riverine floodplains, alluvial fans, and coastal flood hazard areas.*

(f) *Collecting topographic and hydrographic survey data.*

79033.6. (a) *The money in the Agriculture and Open Space Mapping Subaccount, upon appropriation by the Legislature to the Department of Conservation, may be used by the Department of Conservation for the purposes of assisting local land-use planning by making available Important Farmland Series maps and Interim Farmland maps, as those terms are defined in Section 65570 of the Government Code. The information provided by the Department of Conservation is intended for local government use in conjunction with floodplain and flood hazard maps developed by the department to protect agricultural land resources coincident with avoidance or reduction of future flood risk and damage to residential or commercial land uses. The use of the funds in that subaccount by the Department of Conservation shall include, but is not limited to, all of the following:*

(1) *Accelerating production of Important Farmland Series maps and Interim Farmland maps.*

(2) *Increasing the coverage and availability of soil surveys conducted by the United States Natural Resource Conservation Service.*

(3) *Increasing topographic, soil, and agricultural crop data collection and enhancing data gathering capability.*

(4) *Developing integrated mapping that incorporates Important Farmland Series mapping and Interim Farmland mapping data with other relevant information, including, but not limited to, floodplain or flood hazard information, planning designation, and other land and natural resource data.*

(b) *For the purposes of this article, "maps" and "mapping" may include digital map files.*

Article 2.5. Flood Protection Corridor Program

79035. (a) *There is hereby created in the account the Flood Protection Corridor Subaccount.*

(b) *For the purposes of this article, "subaccount" means the Flood Protection Corridor Subaccount created by subdivision (a).*

79036. *The sum of seventy million dollars (\$70,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.*

79037. (a) *The money in the subaccount, upon appropriation by the Legislature to the department, may be used by the department for flood control*

projects through direct expenditure for the acquisition, restoration, enhancement, and protection of real property for the purposes of flood control protection, agricultural land preservation, and wildlife habitat protection, and for grants to local public agencies or nonprofit organizations for these purposes, and for related administrative costs.

(b) The money in the subaccount, upon appropriation by the Legislature, shall be used for the protection, creation, and enhancement of flood protection corridors through all of the following actions:

(1) Acquiring easements and other interests in real property from willing sellers to protect or enhance flood protection corridors and floodplains while preserving or enhancing the agricultural use of the real property.

(2) Setting back existing flood control levees and, in conjunction with undertaking those setbacks, strengthening or modifying existing levees.

(3) Acquiring interests in real property from willing sellers located in a floodplain that cannot reasonably be made safe from future flooding.

(4) Acquiring easements and other interests in real property from willing sellers to protect or enhance flood protection corridors while preserving or enhancing the wildlife value of the real property.

79038. (a) For the purposes of this article, the department shall give highest priority to projects that include either of the following:

(1) Projects that have been assigned high priority for completion by the department for flood protection purposes and by the Department of Conservation for purposes of preserving agricultural land in accordance with the Agricultural Land Stewardship Program Act of 1995 (Division 10.2 (commencing with Section 10200) of the Public Resources Code).

(2) Projects that have been assigned high priority for completion by the department for flood protection purposes and by the Department of Fish and Game for wildlife habitat protection or restoration purposes.

(b) For restoration, enhancement, and protection projects, the services of the California Conservation Corps or community conservation corps shall be used whenever feasible.

79039. (a) In order to ensure that property acquired under paragraph (1) of subdivision (b) of Section 79037 remains on the county tax rolls and in agricultural use to the greatest extent practicable, the acquisition of easements shall be the preferred method of acquiring property interests under that paragraph unless the acquisition of a fee interest is required for management purposes or the landowner will only consider the sale of a fee interest in the land. No acquisition of a fee interest shall be undertaken under paragraph (1) of subdivision (b) of Section 79037 until all practical alternatives have been considered by the department.

(b) Any proceeds received from the disposal of a fee interest acquired under this article shall be deposited into the subaccount.

79040. Any acquisition pursuant to this article shall be from a willing seller.

79041. Prior to acquiring an easement or other interest in land pursuant to this article, the project shall include a plan to minimize the impact on adjacent landowners. The plan shall include, but not be limited to, an evaluation of the impact on floodwaters, the structural integrity of affected levees, diversion facilities, customary agricultural husbandry practices, and timber extraction operations, and an evaluation with regard to the maintenance required of any facilities that are proposed to be constructed or altered.

79042. *Prior to acquiring an easement or other interest in land pursuant to this article, a public hearing in the local community shall be held. Notification shall be given to the county board of supervisors of the affected county, adjacent landowners, affected water districts, local municipalities, and other interested parties, as determined by the department.*

79043. *Money in the subaccount may be used, upon appropriation by the Legislature, to repair breaches in the flood control system developed pursuant to this article or caused by the development of an easement program financed through this section and to repair water diversion facilities or flood control facilities damaged by a project developed pursuant to this section or financed pursuant to this section.*

79044. (a) (1) *In expending grant money pursuant to this article to acquire an interest in any particular parcel of land, a local public agency or nonprofit organization may use the money to establish a trust fund in the amount of not more than 20 percent of the amount of money paid for the acquisition. Interest from the trust fund shall be used only to maintain the lands that are acquired pursuant to this chapter.*

(2) *A local public agency or nonprofit organization that acquires land with money from the subaccount and transfers the land to another public agency or nonprofit organization shall also transfer the ownership of the trust fund that was established to maintain that land.*

(b) *If the local public agency or nonprofit organization does not establish a trust fund pursuant to subdivision (a), it shall certify to the department that it can maintain the land to be acquired from funds otherwise available to the agency or organization.*

(c) *This section does not apply to state agencies.*

79044.5. (a) *It is the intent of the Legislature to address the problem of soaring federal flood insurance rates by assisting local governments to meet technical requirements for participation in the National Flood Insurance Program and the National Flood Insurance Program's Community Rating System.*

(b) *Notwithstanding any other provision of this article, of the funds transferred pursuant to Section 79036, the sum of one million dollars (\$1,000,000) is hereby continuously appropriated, without regard to fiscal years, to the department, as follows:*

(1) *Five hundred thousand dollars (\$500,000) to educate and provide technical assistance to cities and counties regarding the National Flood Insurance Program and the enrollment process.*

(2) *Five hundred thousand dollars (\$500,000) to educate and provide technical assistance to cities and counties currently enrolled in the National Flood Insurance Program with regard to the National Flood Insurance Program's Community Rating System and the implementation of activities creditable under that system.*

79044.6. *Notwithstanding any other provision of this article, the sum of five million dollars (\$5,000,000), upon appropriation by the Legislature to the department, shall be allocated by the department to the City of Santee for the purposes of flood protection for streets and highways.*

79044.7. *Not more than 5 percent of the total amount deposited in the subaccount may be used to pay costs incurred in connection with the administration of this article.*

79044.9. *The department may adopt regulations to carry out this article.*

Article 3. Delta Levee Rehabilitation Program

79045. (a) *There is hereby created in the account the Delta Levee Rehabilitation Subaccount.*

(b) *For the purposes of this article, "subaccount" means the Delta Levee Rehabilitation Subaccount created by subdivision (a).*

79046. *The sum of thirty million dollars (\$30,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article pursuant to Section 12986.*

79047. *Notwithstanding Section 13340 of the Government Code, the money in the subaccount is hereby continuously appropriated, without regard to fiscal years, to the department, as follows:*

(a) *Fifteen million dollars (\$15,000,000) for local assistance under the delta levee maintenance subventions program under Part 9 (commencing with Section 12980) of Division 6, and for the administration of that assistance.*

(b) *Fifteen million dollars (\$15,000,000) for special flood protection projects under Chapter 2 (commencing with Section 12310) of Part 4.8 of Division 6, subsidence studies and monitoring, and for the administration of this subdivision. Allocation of these funds shall be for flood protection projects on Bethel, Bradford, Holland, Hotchkiss, Jersey, Sherman, Twitchell, and Webb Islands, and at other locations in the delta.*

(c) *Any funds that are made available under subdivision (a) may be used to reimburse local agencies for the state's share of costs for eligible projects completed on or after July 1, 1998.*

79048. *The expenditure of funds under this article is subject to Chapter 1.5 (commencing with Section 12306) of Part 4.8 of Division 6.*

79049. *Of the funds appropriated pursuant to subdivision (a) or (b) of Section 79047, not more than 5 percent may be expended by the department to repair levee road pavement if the damage is attributable to flood control maintenance.*

79050. *No expenditure of funds may be made under this article unless the Department of Fish and Game makes a written determination as part of its review and approval of a plan or project pursuant to Section 12314 or 12987. The Department of Fish and Game shall make its determination in a reasonable and timely manner following the submission of the project or plan to that department. For the purposes of this article, an expenditure may include more than one levee project or plan.*

79051. *For the purposes of this article, a levee project includes levee improvements and related habitat improvements undertaken in the delta at a location other than the location of that levee improvement.*

79052. *Following the date on which a program for the bay-delta is adopted by CALFED, the remaining funds in the subaccount shall be used for levee rehabilitation improvement projects that, to the greatest extent possible, are consistent with the program adopted by CALFED.*

Article 4. Flood Control Subventions Program

79055. (a) *There is hereby created in the account the Flood Control Subventions Subaccount.*

(b) *For the purposes of this article, "subaccount" means the Flood Control Subventions Subaccount created by subdivision (a).*

79056. *The sum of forty-five million dollars (\$45,000,000) is hereby transferred from the fund to the subaccount.*

79057. (a) Notwithstanding Section 13340 of the Government Code, or any other provision of law, the money in the subaccount is hereby continuously appropriated, without regard to fiscal year, to the department to pay for the state's share of the nonfederal costs of flood control and flood prevention projects adopted and authorized as of January 1, 1999, 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 the credits and loans to local agencies pursuant to Sections 12585.3 and 12585.4, subdivision (d) of Section 12585.5, and Sections 12866.3 and 12866.4, and to implement Chapter 3.5 (commencing with Section 12840) of Part 6 of Division 6.

(b) The money in the subaccount shall be allocated only to projects in the Counties of Contra Costa, Fresno, Kern, Los Angeles, Marin, Napa, Orange, Riverside, San Bernardino, San Diego, Santa Clara, Sonoma, and Ventura.

(c) It is the intent of the Legislature that the state's share of the nonfederal costs of projects for flood control and flood prevention adopted and authorized after January 1, 2001, shall not exceed that portion of the nonfederal costs authorized pursuant to Chapter 1 (commencing with Section 12570) of Part 6 or any amendments thereto.

Article 5. Urban Stream Restoration Program

79060. (a) There is hereby created in the account the Urban Stream Restoration Subaccount.

(b) For the purposes of this article, "subaccount" means the Urban Stream Restoration Subaccount created by subdivision (a).

79061. The sum of twenty-five million dollars (\$25,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.

79062. The money in the subaccount, upon appropriation by the Legislature to the department, may be used by the department for both of the following:

(a) Grants to local agencies and nonprofit organizations for effective, low-cost flood control projects pursuant to Section 7048.

(b) Grants to local community conservation corps and other nonprofit corporations for local stream clearance, flood mitigation, and cleanup activities.

79062.5. Notwithstanding any other provision of law, regulations set forth in Chapter 2.4 (commencing with Section 451.1) of Division 2 of Title 23 of the California Code of Regulations that are in effect on March 8, 2000, may be used to carry out this article.

Article 6. Capital Area Flood Protection Program

79065. The Legislature hereby finds and declares all of the following:

(a) Since Sacramento, the state capital, was founded over 150 years ago, it has suffered from flood disasters because of inadequate flood protection. Each year, the State Capitol and more than 1,300 other government-owned buildings and infrastructure of the capital region are at risk because of their location in the worst protected urban area in the country.

(b) The State of California's investment of money and other resources in the state's seat of government is important to preserve and protect.

(c) *It is in the best interest of this state to invest in a cost-shared program to protect life and property in the state capital from flooding, thus resulting in opportunities for sustainable economic development and continued protection of the state's natural resources.*

(d) *The Congress and the President of the United States have recognized the national importance of increasing the level of the state capital's flood protection by authorizing projects in the Water Resources Development Act of 1999.*

79065.2. (a) *There is hereby created in the account the State Capital Protection Subaccount.*

(b) *For purposes of this article, "subaccount" means the State Capital Protection Subaccount created by subdivision (a).*

79065.4. *The sum of twenty million dollars (\$20,000,000) is hereby transferred from the account to the subaccount for the purposes of this article.*

79065.6. *The money in the subaccount, upon appropriation by the Legislature to the Sacramento Area Flood Control Agency, may be used by the Sacramento Area Flood Control Agency to pay the state's share of the costs of flood management projects authorized by the United States to improve the level of flood protection in the state capital region.*

79065.8. *No money deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.*

Article 7. San Lorenzo River Flood Control Program

79067. (a) *There is hereby created in the account the San Lorenzo River Flood Control Subaccount.*

(b) *For purposes of this article, "subaccount" means the San Lorenzo River Flood Control Subaccount created by subdivision (a).*

79067.2. *The sum of two million dollars (\$2,000,000) is hereby transferred from the account to the subaccount for the purposes of this article.*

79067.4. *The money in the subaccount, upon appropriation by the Legislature to the department, shall be allocated by the department to the City of Santa Cruz to pay for the state's share of the costs of flood management projects authorized by the United States to improve the level of flood protection in the Santa Cruz region.*

Article 8. Yuba Feather Flood Protection Program

79068. *Unless the context otherwise requires, the definitions set forth in this section govern the construction of this article.*

(a) *"Nonstructural improvements" are projects that are intended to reduce or eliminate susceptibility to flooding by preserving or increasing the flood-carrying capacity of floodways, and include such measures as levees, setback levees, floodproofing structures, and zoning, designating, or acquiring flood prone areas.*

(b) *"Structural improvements" are projects that are intended to modify flood patterns and rely primarily on constructed components, and include such measures as levees, floodwalls, and improved channels.*

(c) *"Subaccount" means the Yuba Feather Flood Protection Subaccount created by Section 79068.2.*

79068.2. *There is hereby created in the account the Yuba Feather Flood Protection Subaccount.*

79068.4. *The sum of ninety million dollars (\$90,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.*

79068.6. *Seventy million dollars (\$70,000,000) in the subaccount, upon appropriation by the Legislature to the department or Reclamation Board, shall be used by the department or Reclamation Board to fund one or more of the following flood protection projects to be implemented by a local public entity that has legal authority and jurisdiction to implement a flood control program along the Yuba and Feather Rivers and their tributaries:*

(a) The construction or improvements of weirs, bypasses, and channels.

(b) The construction of levees or improving publicly maintained levees, including, but not limited to, setback levees, training walls, floodwalls, and streambank protection projects, which provide flood protection or flood damage reduction.

(c) The modification or reoperation of existing dams and waterworks, including spillways or other capital outlay facilities, for the purpose of increased efficiency in managing flood waters.

(d) The installation of tailwater suppression systems, detention basins, relief wells, test wells, flood warning systems, and telemetry devices.

(e) The relocation or floodproofing of structures within floodplains, which meet or exceed a community's floodplain regulations, pursuant to the National Flood Insurance Program.

(f) Implementation of watershed projects, which provide flood protection or flood damage reduction.

(g) The construction of, or improvement to, a state or interstate highway, county road, or a levee road, that is designated a flood emergency evacuation route, or that provides access to a levee for emergency vehicles, flood fights, or levee repair and maintenance, or a project that protects such a road or highway.

(h) The purchase of lands, easements, and rights-of-way.

(i) Capital costs of environmental mitigation.

79068.8. *No expenditures of state funds may be made under this article until the department or the Reclamation Board determines that all of the following requirements have been met:*

(a) There is a final environmental document prepared pursuant to the California Environmental Quality Act (commencing with Section 21000 of the Public Resources Code).

(b) The project is in compliance with the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), as demonstrated by documentation such as comments received from the Department of Fish and Game, a permit obtained from the Department of Fish and Game or other appropriate evidence.

(c) The local project proponent agrees to pay at least that portion of the nonfederal capital costs of the project required by Section 12585.5.

(d) The local project proponent agrees to operate and maintain the completed project.

(e) The local project proponent enters into an agreement indemnifying and holding the state, its agencies, officers and employees free and harmless from any and all liability arising out of the design, construction, operation and maintenance of the project.

(f) The project is recommended for implementation by the department or the Reclamation Board.

79068.10. *All of the following factors shall be considered by the department and the Reclamation Board for prioritizing projects:*

- (a) *Potential loss of life from flooding.*
- (b) *Increased flood protection or flood damage reduction for areas that have the greatest flood risk or have experienced repetitive flood loss.*
- (c) *The local community is a small community with financial hardship.*
- (d) *Projects that provide multiple benefits.*
- (e) *Projects that are implemented in accordance with the Sacramento/San Joaquin River Basins Comprehensive Study.*
- (f) *Projects that are implemented pursuant to the completion of feasibility studies conducted by the United States Army Corps of Engineers or local agencies.*
- (g) *Projects along the Yuba and Feather Rivers and their tributaries.*
- (h) *Projects that address regional flood problems.*
- (i) *Projects along the Colusa Drain and its tributaries.*
- (j) *Minimizing impacts to the environment.*

79068.12. *Of the fund appropriated pursuant to Section 79068.6, two million six hundred thousand dollars (\$2,600,000) in the subaccount shall be used for the local share of levee repairs and enhancements in Sutter County.*

79068.14. (a) *Twenty million dollars (\$20,000,000) in the subaccount, upon appropriation to the Department of Fish and Game, may be used by that department, if it determines that any flood control project undertaken pursuant to this article would result in a reduction of, or damage to, fish, wildlife, or riparian habitat, to protect, improve, restore, create, or enhance fish, wildlife, and riparian habitat of a comparable type to that which was reduced or damaged.*

(b) *Any land acquired pursuant to this section shall be acquired from willing sellers.*

79068.16. *If all of the funds appropriated pursuant to Section 79068.6 are encumbered, and any funds described in Section 79068.14 are not needed for the purposes of that section, as stated in writing by that department to the Legislature, the Legislature may appropriate the funds not needed for the purposes of Section 79068.14 for the purposes of Article 4 (commencing with Section 79055).*

79068.18. *Not more than 5 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this chapter.*

79068.20. *The department and board may adopt regulations to carry out this article.*

Article 9. Arroyo Pasajero Watershed Program

79069. *The Legislature hereby finds and declares all of the following:*

(a) *The Arroyo Pasajero Watershed incurred unprecedented flooding in 1995 that resulted in a loss of lives due to a bridge failure on Interstate Highway Route 5 (I-5).*

(b) *Flooding in the watershed caused damage to important federal, state, and local public facilities, including the Lemoore Naval Air Station, Interstate Highway Route 5 (I-5), the California Aqueduct, and critical local roads and highways, as well as private property.*

(c) *It is of statewide importance to undertake projects to eliminate future flooding in the watershed in order to protect life and property and to protect the drinking water supply of southern California.*

79069.2. *Unless the context otherwise requires, the definitions set forth in this section govern construction of this article.*

(a) *“Subaccount” means the Arroyo Pasajero Watershed Subaccount created pursuant to Section 79069.4.*

(b) “Watershed” means the Arroyo Pasajero Watershed.

79069.4. There is hereby created in the account the Arroyo Pasajero Watershed Subaccount. The sum of five million dollars (\$5,000,000) is hereby transferred from the account to the subaccount for the purposes of this article.

79069.6. The money in the subaccount, upon appropriation by the Legislature to the department, shall be used by the department for projects that improve flood protection for State Highway Route 269 in the area north of the City of Huron or improve flood control for the California Aqueduct in the area of the Arroyo Pasajero Crossing.

79069.8. For the purposes of carrying out projects pursuant to this article, the department is encouraged to utilize the services of the California Conservation Corps or community conservation corps or both.

79069.10. Not more than 5 percent of the total amount deposited in the subaccount may be used to pay costs incurred in connection with the administration of this article.

79069.12. The department may adopt regulations to carry out this article.

CHAPTER 6. WATERSHED PROTECTION PROGRAM

Article 1. Watershed Protection Account

79070. For the purposes of this chapter, “account” means the Watershed Protection Account created by Section 79071.

79071. The Watershed Protection Account is hereby created in the fund. The sum of four hundred sixty-eight million dollars (\$468,000,000) is hereby transferred from the fund to the account.

Article 2. Watershed Protection Program

79075. (a) There is hereby created in the account the Watershed Protection Subaccount.

(b) For the purposes of this article, “subaccount” means the Watershed Protection Subaccount created by subdivision (a).

79076. The sum of ninety million dollars (\$90,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.

79077. The purposes of this article are to provide funds to assist in implementing watershed plans to reduce flooding, control erosion, improve water quality, and improve aquatic and terrestrial species habitats, to restore natural systems of groundwater recharge, native vegetation, water flows, and riparian zones, to restore the beneficial uses of waters of the state in watersheds, and to provide matching funds for federal grant programs.

79078. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) “Local agency” means any city, county, city and county, district, or other political subdivision of the state.

(b) “Local watershed group” means a group consisting of owners and managers of land within the watershed of interest, local, state, and federal government representatives, and interested persons, other than landowners, who reside or work within the watershed of interest, and may include other persons, organizations, nonprofit corporations, and businesses.

(c) “Local watershed management plan” means a document prepared by a local watershed group that sets forth a strategy to achieve an ecologically stable watershed, and that does all of the following:

(1) Defines the geographical boundaries of the watershed.

- (2) *Describes the natural resource conditions within the watershed.*
- (3) *Describes measurable characteristics for water quality improvements.*
- (4) *Describes methods for achieving and sustaining water quality improvements.*
- (5) *Identifies any person, organization, or public agency that is responsible for implementing the methods described in paragraph (4).*
- (6) *Provides milestones for implementing the methods described in paragraph (4).*

(7) *Describes a monitoring program designed to measure the effectiveness of the methods described in paragraph (4).*

(d) *“Municipality” has the same meaning as defined in the Clean Water Act and also includes the state or any agency, department, or political subdivision thereof, and applicants eligible for technical assistance under Section 319 (33 U.S.C. Sec. 1329) or grants under Section 320 of the Clean Water Act (33 U.S.C. Sec. 1330).*

(e) *“Nonprofit organization” means any California corporation organized under Section 501(c)(3) or 501(c)(5) of the Internal Revenue Code.*

(f) *“Regional board” means a regional water quality control board.*

79079. *The money in the subaccount, upon appropriation by the Legislature to the board, may be used by the board for grants to municipalities, local agencies, or nonprofit organizations in accordance with this article. The grants shall be used to develop local watershed management plans or to implement projects that are consistent with local watershed management and regional water quality control plans. The board shall ensure that activities funded by these grants will be coordinated with activities undertaken by state and federal agencies, and with other appropriate watershed efforts.*

79079.5. *The funds used for the purposes described in Section 79079 shall be allocated as follows:*

(a) *Sixty percent to projects in the Counties of Los Angeles, Orange, Riverside, San Diego, San Bernardino, and Ventura.*

(b) *Forty percent to projects in counties not described in subdivision (a).*

79080. (a) *A municipality, local agency, or nonprofit organization may only receive a grant under this article if the board determines that both of the following apply:*

(1) *The municipality, local agency, or nonprofit organization has adequate legal authority to manage the grant money.*

(2) *The municipality, local agency, or nonprofit organization is a member of a local watershed group.*

(b) *Grants may be awarded for projects that implement methods for attaining watershed improvements or for a monitoring program described in a local watershed management plan in an amount not to exceed five million dollars (\$5,000,000) per project. At least 85 percent of the total amount in the subaccount shall be used for capital outlay projects described in this subdivision.*

(c) *Eligible projects under this article may do any of the following:*

(1) *Reduce chronic flooding problems or control water velocity and volume using vegetation management or other nonstructural methods.*

(2) *Protect and enhance greenbelts and riparian and wetlands habitats.*

(3) *Restore or improve habitat for aquatic or terrestrial species.*

(4) *Monitor the water quality conditions and assess the environmental health of the watershed.*

(5) Use geographic information systems to display and manage the environmental data describing the watershed.

(6) Prevent watershed soil erosion and sedimentation of surface waters.

(7) Support beneficial groundwater recharge capabilities.

(8) Otherwise reduce the discharge of pollutants to state waters from storm water or nonpoint sources.

(d) (1) Grants may be awarded to municipalities, local agencies, or nonprofit organizations for the development of local watershed management plans in amounts not to exceed two hundred thousand dollars (\$200,000) per local watershed management plan.

(2) Funding under this subdivision may be used to develop components of local watershed management plans that contribute to the development or implementation of species recovery plans.

(e) Grants may be awarded to meet requirements for nonfederal matching funds set forth in Section 205(j) of the Clean Water Act (33 U.S.C. Sec. 1285(j)) or Section 319(h) of the Clean Water Act (33 U.S.C. Sec. 1329(h)).

(f) Projects funded under this article shall be designed to withstand substantial flooding and shall include a minimum 10-year maintenance program and shall demonstrate the potential to provide watershed benefits for 20 years.

(g) A proponent of a project funded from the subaccount, except a grant recipient pursuant to subdivision (d), shall be required to submit to the board a monitoring and reporting plan that does all of the following:

(1) Describes the baseline water quality of the waterbody impacted.

(2) Describes the manner in which the proposed watershed restoration activities are implemented.

(3) Determines the effectiveness of the watershed restoration activities in preventing or reducing pollution.

(4) Determines, to the extent feasible, the changes in the pattern of flow in affected streams, including reduction of flood flows and increases in spring, summer, and fall flows that result from the implementation of the project.

(5) Determines, to the extent feasible, the economic benefits resulting from changes determined pursuant to paragraph (3) or (4).

(h) (1) A grant applicant shall inform the board with regard to necessary public agency approvals, entitlements, and permits that may be necessary to implement the project. The municipality, local agency, or nonprofit organization shall certify to the board, at the appropriate time, that those approvals, entitlements, and permits have been granted.

(2) A grant applicant shall notify, in writing, adjoining landowners of its request for funding under this article and the scope of the project for which the funding is requested. If this paragraph requires notification of more than 200 landowners, notification may be made by letter to the owners of record of the 200 largest parcels and by publication for at least 20 days in a local newspaper of general circulation. Upon completion of the notification required under this paragraph, the municipality, local agency, or nonprofit organization shall inform the board that the notification has occurred.

(i) The board may adopt regulations to carry out this article.

(j) In awarding grants under this article, the board shall consider the extent to which projects do the following:

(1) Consider the entire ecosystem to be protected or restored.

(2) Include definable targets and desired future conditions.

(3) Support local community institutional capacity to restore the watershed.

(4) Include community decisionmaking by affected stakeholders in project design and fund allocation.

(5) Help protect intact or nearly intact ecosystems and watersheds.

(6) Consider the economic benefits of the restoration project or program.

(7) Address the root causes of degradation, rather than the symptoms.

(8) Maximize the use of other restoration funds.

(9) Include an educational component, if appropriate.

(10) Improve the quality of drinking water and support other beneficial uses of waters of the state, including coastal waters.

79081. A grant recipient shall obtain written permission from the landowners of the parcel of land upon which the project is proposed to be carried out. The written permission shall expressly consent to the actions described in the grant application.

79082. Not more than 25 percent of a grant may be awarded in advance of actual expenditures.

79083. (a) A grant recipient shall submit to the board a report upon the completion of the project or activity funded under this article. The report shall summarize the completed project and identify additional steps necessary to achieve the purposes of the local watershed management plan. The board shall make the report available to interested federal, state, and local agencies and other interested parties.

(b) The board shall prepare and submit to the Governor a biennial report regarding the implementation of this article. The biennial report shall include, at a minimum, a discussion relating to the extent to which the purposes described in Section 79077 are being furthered by the implementation of this article.

79084. (a) Of the funds transferred pursuant to Section 79076, at least thirty-five million dollars (\$35,000,000) shall be for grants to small communities.

(b) For the purposes of this article, "small community" means a municipality with a population of 10,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger municipality where the population of the segment is 10,000 persons or less, with a financial hardship as determined by the board.

(c) If the board determines that any of the funds made available for grants under this section will not be encumbered for that purpose on or before January 1, 2007, the board may use these funds for other purposes of this article.

79085. The board shall give added consideration to projects that utilize the services of the California Conservation Corps, community conservation corps, or other local nonprofit entities employing underprivileged youths.

79085.5. Notwithstanding any other provision of this article, the following amounts from the subaccount, upon appropriation by the Legislature, shall be allocated as follows:

(a) The sum of two million dollars (\$2,000,000) to the board for allocation to the Pajaro River Watershed Flood Prevention Authority for a hydrologic study with regard to the Pajaro River Watershed.

(b) The sum of one million dollars (\$1,000,000) to the board for allocation to the County of Sonoma to develop and implement community-based watershed management activities that will protect, restore, and enhance the environmental and economic value of the Russian River Watershed in the County of Sonoma.

(c) The sum of five million dollars (\$5,000,000) to the board for the Clover Creek Flood Protection and Environmental Enhancement Project to provide for the acquisition, restoration, and conservation of low-flow stream channel, open

water, seasonal wetlands, riparian habitat, oak woodland regeneration, and grassland meadow preservation.

(d) The sum of two million dollars (\$2,000,000) to the board to rehabilitate and improve the Clear Lake Watershed by funding one or more of the following projects or activities: Clear Lake Basin 2000 Project, aeration, wetlands restoration, fishery enhancement, and wastewater treatment, or for grants awarded by the board to local public agencies for any of these purposes. The first priority for funding under this subdivision is for a grant award to fund eligible expenses of the Basin 2000 Project.

(e) To the maximum extent feasible, the watershed restoration and flood control projects described in this subdivision shall do one or more of the following:

(1) Preserve agricultural land.

(2) Protect and enhance wildlife habitat.

(3) Protect and enhance recreational and environmental education resources.

(4) Protect lake water quality.

79086. Notwithstanding any other provision of law, the board shall terminate any grant where it is determined that the project is not providing the proposed watershed benefits.

79087. Not more than 5 percent of the total amount deposited in the subaccount may be used to pay costs incurred in connection with the administration of this article.

79088. Where recovery plans for coho salmon, steelhead trout, or other threatened or endangered aquatic species exist, projects funded under this article shall be consistent with those plans, and to the extent feasible, shall seek to implement actions specified in those plans.

Article 3. Water and Watershed Education Program

79090. (a) There is hereby created in the account the Water and Watershed Education Subaccount.

(b) For the purposes of this article, "subaccount" means the Water and Watershed Education Subaccount created by subdivision (a).

79091. The sum of eight million dollars (\$8,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.

79092. Three million dollars (\$3,000,000) in the subaccount, upon appropriation by the Legislature to the department, may be used by the department for allocation to California State University, Fresno for the purposes of establishing and furthering the purposes of the San Joaquin Valley Water Institute at that campus.

79093. Two million dollars (\$2,000,000) in the subaccount, upon appropriation by the Legislature to the department, shall be used by the department for the development of a Delta Science Center, including, but not limited to, all of the following components:

(a) Public educational opportunities.

(b) Wildlife and habitat enhancement.

(c) Preservation of agricultural lands.

(d) Enhanced levee protection and rehabilitation.

(e) Water quality improvements.

(f) Nonstructural flood protection.

79094. Three million dollars (\$3,000,000) in the subaccount, upon appropriation by the Legislature to the University of California, may be used for the purpose of site acquisition, construction, and equipping of a Watershed Science Laboratory, for long-term monitoring and research with regard to the hydrology, geomorphology, water quality and aquatic and riparian ecology of the north delta and its tributary watersheds.

Article 4. River Protection Program

79100. (a) There is hereby created in the account the River Protection Subaccount.

(b) For the purposes of this article, "subaccount" means the River Protection Subaccount created by subdivision (a).

79101. The sum of ninety-five million dollars (\$95,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.

79102. The money in the subaccount, upon appropriation by the Legislature, may be used to meet the requirements of Article 6 (commencing with Section 78682) of Chapter 6 of Division 24.

79103. At least 60 percent of the funds transferred pursuant to Section 79101 shall be used for projects that are located in, or in close proximity to, major metropolitan areas.

79103.2. Notwithstanding any other provision of this article, of the funds transferred pursuant to Section 79101, ten million dollars (\$10,000,000) shall, upon appropriation to the department, be allocated to the San Joaquin River Parkway Conservancy for the purposes of the San Joaquin River Parkway.

79103.4. Notwithstanding any other provision of this article, of the funds transferred pursuant to Section 79101, two million five hundred thousand dollars (\$2,500,000) in the subaccount shall be used by the department, upon appropriation, for the purpose of the Kern River Parkway Project between the mouth of Kern Canyon and Interstate Highway Route 5.

79104. Not more than 3 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.

Article 5. Southern California Integrated Watershed Program

79104.20. The Legislature hereby finds and declares all of the following:

(a) The Santa Ana Watershed is experiencing increased water demands due to significant population growth that has caused undue infrastructure dependence and strain on imported water supplies.

(b) Regional programs have been developed to address the problems facing the watershed. These programs have four main elements, as follows:

(1) Storage of more than one million acre-feet of water from wet years in groundwater storage basins.

(2) Conservation, including water use efficiency and reclamation, that results in the substantial development of new usable supplies.

(3) Desalting and treatment of brackish water to allow poor quality water to be reclaimed and used.

(4) Enhancement of native habitat along the river and its tributaries.

(c) The water supply programs proposed by the Santa Ana Watershed Project Authority will develop significant new water supply and storage capabilities, thereby reducing the imported water needs of urban southern California, especially during dry years.

79104.22. (a) *There is hereby created in the account the Santa Ana River Watershed Subaccount.*

(b) *For purposes of this article, “subaccount” means the Santa Ana River Watershed Subaccount created by subdivision (a).*

79104.24. *The sum of two hundred thirty-five million dollars (\$235,000,000) is hereby transferred from the account to the subaccount.*

79104.26. *The money in the subaccount, upon appropriation by the Legislature to the board, may be used by the board for allocation to the Santa Ana Watershed Project Authority for all of the following projects for the purposes of rehabilitating and improving the Santa Ana River Watershed:*

(a) *Basin water banking in one or more of the following basins: Chino, Colton, Orange County, Riverside, San Bernardino, and San Jacinto.*

(b) *Contaminant and salt removal through reclamation and desalting in Orange County, San Jacinto, or other basins in the watershed.*

(c) *Removal of nonnative plants, and the creation of new open space and wetlands.*

(d) *Programs for water conservation and efficiency and storm water capture and management.*

(e) *Planning and implementation of a flood control program to protect agricultural operations and adjacent property, to assist in abating the effects of waste discharges into waters of the state, consistent with the requirements of Section 13442.*

79104.30. *It is the intent of the Legislature to urge the federal government to allocate funds for projects to improve the Santa Ana River Watershed to match the state’s financial commitment to the projects described in this article.*

79104.32. *It is the intent of the Legislature that the expenditure of the funds under this article be made through a broad-based watershed stakeholder process.*

79104.34. *Not more than 3 percent of the total amount deposited in the subaccount may be used to pay costs incurred by the board in connection with the administration of this article.*

Article 6. Lake Elsinore and San Jacinto Watershed Program

79104.100. (a) *There is hereby created in the account the Lake Elsinore and San Jacinto Watershed Subaccount.*

(b) *For purposes of this article, “subaccount” means the Lake Elsinore and San Jacinto Watershed Subaccount created by subdivision (a).*

79104.102. *The sum of fifteen million dollars (\$15,000,000) is hereby transferred from the account to the subaccount.*

79104.104. *The money in the subaccount, upon appropriation by the Legislature to the board, may be used by the board to rehabilitate and improve the Lake Elsinore Watershed and San Jacinto Watershed and the water quality of Lake Elsinore by funding one or more of the following projects: watershed monitoring, storm channel modification, nutrient control, aeration, wetlands restoration and enhancement, wildlife habitat enhancement, fishery enhancement, calcium quicklime treatment, and sediment removal, or for grants awarded by the board to the Santa Ana Watershed Project Authority, other joint powers authorities, or local public agencies for any of these purposes, and for related planning and administrative costs.*

79104.106. *To the maximum extent feasible, the watershed management and flood control projects described in Section 79104.104 shall do one or more of the following:*

- (a) *Preserve agricultural land.*
- (b) *Protect wildlife habitat.*
- (c) *Protect and enhance recreational resources.*
- (d) *Improve lake water quality.*

79104.108. *It is the intent of the Legislature to urge the federal government to allocate funds for projects to improve the Lake Elsinore Watershed and San Jacinto Watershed, and lake water quality by matching the state's financial commitment to those projects.*

79104.110. *The funds appropriated pursuant to Section 79104.104 shall be allocated to a joint powers agency consisting of the City of Lake Elsinore, the Santa Ana Watershed Project Authority, the Elsinore Valley Municipal Water District and other agencies for implementation of programs to improve the water quality and habitat of Lake Elsinore, and its back basin consistent with the Lake Elsinore Management Plan.*

79104.114. *Not more than 3 percent of the total amount deposited in the subaccount may be used to pay costs incurred in connection with the administration of this article.*

Article 7. Coastal Watershed Salmon Habitat Program

79104.200. (a) *There is hereby created in the account the Coastal Watershed Salmon Habitat Subaccount.*

(b) *For the purpose of this article, "subaccount" means the Coastal Watershed Salmon Habitat Subaccount created by subdivision (a).*

79104.202. *The sum of twenty-five million dollars (\$25,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.*

79104.204. *The money in the subaccount, upon appropriation by the Legislature to the Department of Fish and Game, shall be used by the Department of Fish and Game for direct expenditure and for grants to public agencies and nonprofit organizations to protect, restore, acquire, and enhance habitat for salmon. These funds may be used to match federal funding available for those purposes.*

79104.206. *Not more than 3 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.*

CHAPTER 7. CLEAN WATER AND WATER RECYCLING PROGRAM

Article 1. Clean Water and Water Recycling Account

79105. *For the purposes of this chapter, "account" means the Clean Water and Water Recycling Account created by Section 79106.*

79106. *The Clean Water and Water Recycling Account is hereby created in the fund. The sum of three hundred fifty-five million dollars (\$355,000,000) hereby transferred from the fund to the account.*

Article 2. Nonpoint Source Pollution Control Program

79110. *The purpose of this article is to provide grant funding for projects that protect the beneficial uses of water throughout the state through the control of nonpoint source pollution.*

79111. *Unless the context otherwise requires, the following definitions govern the construction of this article:*

(a) *"Best management practices" means those practices or set of practices determined by the board, a regional board, or the water quality planning agency for a designated area to be the most effective feasible means of preventing or*

reducing the generation of a specific type of nonpoint source pollution, given technological, institutional, environmental, and economic constraints.

(b) *“Capital costs” has the same meaning as “cost,” as defined in Section 32025 of the Public Resources Code.*

(c) *“Management measures” means economically achievable measures to prevent or control the addition of pollutants to state waters, which reflect the greatest degree of pollutant prevention achievable through the application of the best available nonpoint source pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives.*

(d) *“Regional board” means a regional water quality control board.*

(e) *“Subaccount” means the Nonpoint Source Pollution Control Subaccount created by Section 79112.*

79112. *There is hereby created in the account the Nonpoint Source Pollution Control Subaccount.*

79113. *The sum of one hundred million dollars (\$100,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.*

79114. (a) *The money in the subaccount, upon appropriation by the Legislature to the board, may be used by the board to award grants, not to exceed five million dollars (\$5,000,000) per project, to local public agencies or nonprofit organizations formed by landowners to prepare and implement local nonpoint source plans. Grants shall only be awarded for any of the following projects:*

(1) *A project that is consistent with local watershed management plans that are developed under subdivision (d) of Section 79080 and with regional water quality control plans.*

(2) *A broad-based nonpoint source project, including a project identified in the board’s “Initiatives in NPS Management,” dated September 1995, and nonpoint source technical advisory committee reports.*

(3) *A project that is consistent with the “Integrated Plan for Implementation of the Watershed Management Initiative” prepared by the board and the regional boards.*

(4) *A project that implements management measures and practices or other needed projects identified by the board pursuant to its nonpoint source pollution control program’s 15-year implementation strategy and five-year implementation plan that meets the requirements of Section 6217(g) of the federal Coastal Zone Act Reauthorization Amendments of 1990.*

(b) *The projects funded from the subaccount shall demonstrate a capability of sustaining water quality benefits for a period of 20 years. Categories of nonpoint source pollution addressed by projects may include, but are not limited to: silviculture, agriculture, urban runoff, mining, hydromodification, grazing, onsite disposal systems, boatyards and marinas, and animal feeding operations. Projects to address nonpoint source pollution may include, but are not limited to, wildfire management, installation of vegetative systems to filter or retard pollutant loading, incentive programs or large scale demonstration programs to reduce commercial reliance on polluting substances or to increase acceptance of alternative methods and materials, and engineered features to minimize impacts of nonpoint source pollution. Projects shall have defined water quality or beneficial use goals.*

(c) *Projects funded from the subaccount shall utilize best management practices, management measures, or both.*

(d) If projects include capital costs, those costs shall be identified by the project applicant. The grant recipient shall provide a matching contribution for the portion of the project consisting of capital expenditures for construction, according to the following formula:

Project Capital Cost/Capital Cost Match by Recipient

\$1,000,000 to \$5,000,000, inclusive	20%
\$125,000 to \$999,999, inclusive	15%
\$1 to \$124,999, inclusive	10%

(e) Not more than 25 percent of a grant may be awarded in advance of actual expenditure.

(f) A proponent of a project funded from the subaccount shall be required to submit to the board a monitoring and reporting plan that does all of the following:

- (1) Identifies one or more nonpoint sources of pollution.
- (2) Describes the baseline water quality of the waterbody impacted.
- (3) Describes the manner in which the proposed practices or measures are implemented.
- (4) Determines the effectiveness of the proposed practices or measures in preventing or reducing pollution.

(g) Notwithstanding subdivision (b), the board may award up to 5 percent of the total amount deposited in the subaccount for demonstration projects that are intended to prevent, reduce, or treat nonpoint source pollution.

(h) A grant recipient shall submit a report to the board, upon completion of the project, that summarizes completed activities and indicates whether the purposes of the project have been met. The report shall include information collected by the grant recipient in accordance with the project monitoring and reporting plan, including a determination of the effectiveness of the best management practices or management measures implemented as part of the project in preventing or reducing nonpoint source pollution. The board shall make the report available to watershed groups, and federal, state, and local agencies.

79114.2. Notwithstanding any other provision of this article, the sum of five million dollars (\$5,000,000) is hereby appropriated from the subaccount, to the board to be used by the board, after consultation with the Department of Food and Agriculture, for loans, not to exceed five hundred thousand dollars (\$500,000) per loan, to provide low interest loans to finance the construction of projects designed to manage animal nutrients from animal feeding operations. Grants may be made available to local public agencies to pay for the cost of developing ordinances, regulations, and elements for their General Plan or other planning devices to assist in providing uniform standards for the permitting and operation of animal feeding operations within their jurisdictions. These funds may also be used for the preparation of the related environmental reviews that may be necessary under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) for approval of the devices.

79114.3. No project shall receive funds under this article if it receives funds pursuant to Article 5 (commencing with Section 79148).

79114.5. (a) Sixty percent of the money in the subaccount shall be allocated to projects in the Counties of Riverside, Ventura, Los Angeles, San Diego, Orange, or San Bernardino.

(b) *Forty percent of the money in the subaccount shall be allocated to projects in counties not described in subdivision (a).*

(c) *This section does not apply to Section 79114.2 or Section 79117.*

79115. *The board may adopt regulations to implement this article.*

79116. *Not more than 5 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.*

79117. (a) *Notwithstanding any other provision of this article, of the funds transferred pursuant to Section 79113, the sum of ten million dollars (\$10,000,000), upon appropriation by the Legislature to the board, may be used by the board, after consultation with the Department of Pesticide Regulation and the Office of Environmental Health Hazard Assessment, for grants as follows:*

(1) *Two million dollars (\$2,000,000) for research and source identification.*

(2) *Eight million dollars (\$8,000,000) for mitigation measures to protect water quality from potential adverse effects of pesticides, which measures have the ability to provide benefits for a period of 20 years, as determined by the board after consultation with the Department of Pesticide Regulation and the Office of Environmental Health Hazard Assessment.*

(b) *The board shall adopt regulations to carry out this section.*

Article 3. Clean Water Program

79120. *Unless the context otherwise requires, the following definitions govern the construction of this article:*

(a) *“Eligible project” means a project or activity described in paragraph (1), (2), (3), or (4) of subdivision (a) of Section 13480 that is all of the following:*

(1) *Necessary to prevent water pollution, reclaim water, or improve water quality.*

(2) *Eligible for funds from the State Revolving Fund Loan Subaccount or federal assistance.*

(3) *Certified by the board as entitled to priority over other eligible projects.*

(4) *Complies with applicable water quality standards, policies, and plans.*

(b) *“Federal assistance” means money provided to a municipality, either directly or through allocation by the state, from the federal government to construct eligible projects pursuant to the Clean Water Act.*

(c) *“Municipality” has the same meaning as defined in the Clean Water Act and also includes the state or any agency, department, or political subdivision thereof, and applicants eligible for technical assistance under Section 319 (33 U.S.C. Sec. 1329) or grants under Section 320 of the Clean Water Act (33 U.S.C. Sec. 1330).*

(d) *“Small community” means a municipality with a population of 10,000 persons or less, or a reasonably isolated and divisible segment of a larger municipality where the segment of the population is 10,000 persons or less, with a financial hardship as determined by the board.*

(e) *“Treatment works” has the same meaning as defined in the Clean Water Act.*

79121. *There is hereby created in the account all of the following subaccounts:*

(a) *The State Revolving Fund Loan Subaccount.*

(b) *The Small Communities Grant Subaccount.*

(c) *The Wastewater Construction Grant Subaccount.*

79122. (a) *The following amounts are hereby transferred from the account to the following subaccounts and, notwithstanding Section 13340 of*

the Government Code, are hereby continuously appropriated, without regard to fiscal years, to the board, as follows:

(1) Thirty million five hundred thousand dollars (\$30,500,000) to the State Revolving Fund Loan Subaccount for the purposes of providing loans pursuant to the Clean Water Act, to aid in the construction or implementation of eligible projects, and for the purposes described in Section 79124.

(2) Thirty-four million dollars (\$34,000,000) to the Small Communities Grant Subaccount for grants by the board to small communities for construction of eligible treatment works, and for the purposes described in Section 79124.

79122.2. The sum of thirty-five million five hundred thousand dollars (\$35,500,000) is hereby transferred from the account to the Wastewater Construction Grant Subaccount and, upon appropriation by the Legislature to the board, may be used by the board for the purposes of providing grants to aid in the construction of treatment works for the Cities of Manteca, Stockton, Tracy, and Orange Cove.

79122.4. The board may transfer unallocated funds from the State Revolving Fund Loan Subaccount to the State Water Pollution Control Revolving Fund created pursuant to Section 13477 for the purposes of meeting federal requirements for state matching funds to provide loans in accordance with the Clean Water Act.

79123. The board may adopt regulations to carry out this article.

79124. The board may, by contract or otherwise, undertake plans, surveys, research, development, and studies necessary or desirable to carry out this article, and may prepare recommendations with regard thereto, including the preparation of comprehensive statewide or areawide studies and reports on the collection, treatment, and disposal of waste, and wastewater recycling. For the purposes of this section, "research" may include the design, acquisition, installation, or construction of monitoring and testing equipment and related facilities.

79125. Not more than 3 percent of the total amount deposited in each subaccount created pursuant to this article may be used to pay the costs incurred in connection with the administration of this article.

79126. Not more than 2 percent of the total amount deposited in each subaccount under this article may be used for the purposes of Section 79124.

79127. For the purposes of implementing paragraph (1) of subdivision (a) of Section 79122, the board may make loans to municipalities, pursuant to contract, to aid in the construction or implementation of eligible projects.

79128. (a) For purposes of paragraph (2) of subdivision (a) of Section 79122, the board may make grants to small communities so that any state grant does not exceed 97½ percent of the eligible cost of necessary studies, planning, design, and construction of the eligible project determined in accordance with applicable state law and regulations.

(b) The total amount of grants made pursuant to paragraph (2) of subdivision (a) of Section 79122, for any single project, may not exceed three million five hundred thousand dollars (\$3,500,000).

79128.5. For the purposes of paragraph (3) of subdivision (a) of Section 79122, the board may make grants for the cost of planning, design, and construction of treatment works necessary to comply with waste discharge requirements.

79129. Any contract entered into pursuant to this article for a loan or grant may include provisions determined by the board, and shall include all of the following provisions:

(a) An estimate of the reasonable cost of the project.

(b) A description of the type of assistance being offered.

(c) An agreement by the board to pay to the municipality or small community, during the progress of the project or following completion, as agreed upon by the parties, the amount specified in the contract determined pursuant to applicable federal and state laws.

(d) An agreement by the municipality or small community to proceed expeditiously with, and complete, the project, commence operation of the project upon completion, properly operate and maintain the project in accordance with applicable provisions of law, and provide for payment of its share of the costs of the project.

79130. All contracts entered into pursuant to this article for loans or grants are subject to both of the following requirements:

(a) Municipalities seeking assistance shall demonstrate, to the satisfaction of the board, that an adequate opportunity for public participation regarding the project has been provided.

(b) Any election held with respect to the project shall include the voters of the entire municipality unless the municipality proposes to accept the assistance on behalf of a specified portion or portions of the municipality, in which case the election shall be held in that portion or portions of the municipality only.

79131. Any loan made pursuant to Section 79127 shall meet the requirements of paragraph (1) of subdivision (b) of Section 13480.

79132. All principal and interest payments received pursuant to loan contracts entered into pursuant to this article shall be deposited in the State Revolving Fund Loan Subaccount for the purposes of entering into additional loans under this article, and shall not be transferred to the General Fund.

79133. (a) Notwithstanding any other provision of this article, of the continuously appropriated funds described in paragraph (1) of subdivision (a) of Section 79122, the sum of seven million dollars (\$7,000,000) shall be used by the Department of Toxic Substances Control for allocation to local agencies for groundwater remediation projects.

(b) The Department of Toxic Substances Control shall adopt regulations to carry out this subdivision.

Article 4. Water Recycling Program

79135. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) "Municipality" has the same meaning as that set forth in subdivision (c) of Section 79120.

(b) "Subaccount" means the Water Recycling Subaccount created by Section 79136.

(c) "Water recycling project" means a water recycling project that meets applicable reclamation criteria and water reclamation requirements and that complies with applicable water quality standards, policies, and plans.

79136. There is hereby created in the account the Water Recycling Subaccount.

79137. (a) The sum of forty million dollars (\$40,000,000) is hereby transferred from the account to the subaccount for the purposes of this article.

(b) (1) Sixty percent of the money in the subaccount shall be allocated to projects in the Counties of Riverside, Ventura, Los Angeles, San Diego, Orange, or San Bernardino.

(2) Forty percent of the money in the subaccount shall be allocated to projects in counties not described in paragraph (1).

79138. Unallocated funds remaining in the Water Recycling Subaccount in the Clean Water and Water Recycling Account in the Safe, Clean, Reliable Water Supply Fund on March 8, 2000, and any funds deposited into that subaccount after that date, shall be transferred to, and all money repaid to the state pursuant to any loan contract executed under Chapter 17 (commencing with Section 14050) of Division 7 or Article 3 (commencing with Section 78620) of Chapter 5 of Division 24 shall be deposited in, the subaccount for the purposes of this article.

79139. The board may enter into an agreement with the federal government for federal contributions to the subaccount if all of the following conditions have been met:

(a) The board has identified any required matching funds.

(b) The board is prepared to commit to the expenditure of any minimum amount in the subaccount in the manner required by the Clean Water Act.

(c) Any agreement between the board and the federal government is consistent with the purposes of this article.

79140. (a) Notwithstanding Section 13340 of the Government Code, 50 percent of the money in the subaccount is hereby continuously appropriated, without regard to fiscal years, to the board for loans to municipalities for the design and construction of water recycling projects in accordance with Section 79141, and for the purposes described in Sections 79143, 79144, and Section 79145.

(b) Fifty percent of the money in the subaccount, upon appropriation by the Legislature to the board, may be used by the board for grants to municipalities for the design and construction of water recycling projects in accordance with Section 79141.

79141. The board may enter into agreements with municipalities for loans and grants for projects to recycle water in accordance with this article. Criteria to be considered by the board in determining whether to enter into an agreement under this article may include, but are not limited to, whether the project is a cost-effective means to meet the state or local water supply needs, when compared to other sources of water supply that may be available to the municipality, whether the project is necessary to protect water quality, the readiness of the municipality to proceed with the design and construction of water recycling projects, the degree to which the recycled water improves water supply reliability, water quality, ecosystem restoration, and other environmental benefits, the net water savings benefit, the degree to which the recycled water would reduce water supply demands on the bay-delta system, the Colorado River, or other water systems critical to regional or statewide water supply, the ability to encourage development of new water recycling projects, and the amount of funding that the municipality is requesting under this article. The cost effectiveness of a project when compared to other sources of state or local water supply shall not be the sole factor in determining whether to enter into an agreement.

79142. An agreement entered into pursuant to Section 79141 may include those provisions determined by the board to be necessary for the purposes of this article.

79142.2. (a) A contract for a loan made pursuant to this article may not provide for a moratorium on, or the deferment of, the payment of the principal of, or interest on, the loan.

(b) Any loan made pursuant to Section 79141 shall be for a period not to exceed 20 years.

(c) The board may enter into a contract for a loan that equals up to 100 percent of the total eligible cost of design and construction of an eligible recycling project.

79142.4. (a) The board may establish the interest rate for a loan made pursuant to this article 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, to be computed according to the true interest cost method.

(b) 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.

(c) 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.

79142.6. All principal and interest payments received pursuant to loan contracts executed pursuant to this article shall be deposited in the subaccount for the purposes of this article, and shall not be transferred to the General Fund.

79142.8. All interest earned by assets in the subaccount shall be deposited in the subaccount.

79143. The board may make grants to municipalities for facility planning studies for water recycling projects. The amount of the grants may not exceed seventy-five thousand dollars (\$75,000) per study.

79144. The board may, by contract or otherwise, undertake plans, surveys, research, development, and studies necessary or desirable to carry out this article, and may prepare recommendations with regard thereto, including the preparation of comprehensive statewide or areawide studies and reports on the collection, treatment, and disposal of waste and wastewater recycling. For the purposes of this section, "research" may include the design, acquisition, installation, or construction of monitoring and testing equipment and related facilities.

79145. (a) Not more than 3 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.

(b) Not more than 3 percent of the total amount deposited in the subaccount may be used for the purposes of Section 79144.

79146. Notwithstanding any other provision of this article, the money in the subaccount may not be used to provide financial assistance to any water recycling project used to augment water supplies by discharging recycled water into a surface water reservoir that supplies water directly to a treatment facility for a water supply system that serves domestic uses.

79147. (a) The board may adopt regulations to carry out this article.

(b) The board is encouraged to expedite the review and processing of agreements to carry out the purposes of this article. The board shall report to the Legislature on the progress of implementing this article on or before June 30, 2001.

Article 5. Coastal Nonpoint Source Control Program

79148. The purpose of this article is to provide funding for projects that restore and protect the water quality and environment of coastal waters, estuaries, bays, and near shore waters and groundwaters.

79148.2. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) "Educational institution" means community colleges, state colleges, and the University of California.

(b) "Local public agency" means any city, county, city and county, district, or other political subdivision of the state.

(c) "Municipality" has the same meaning as defined in the Clean Water Act and also includes the state or any agency, department, or political subdivision thereof, and applicants eligible for technical assistance under Section 319 (33 U.S.C. Sec. 1329) or grants under Section 320 of the Clean Water Act (33 U.S.C. Sec. 1330).

(d) "Nonprofit organization" means any California corporation organized under Section 501(c)(3) or 501(c)(5) of the Internal Revenue Code.

(e) "Regional board" means a regional water quality control board.

(f) "Subaccount" means the Coastal Nonpoint Source Control Subaccount created by Section 79148.4.

79148.4. There is hereby created in the account the Coastal Nonpoint Source Control Subaccount.

79148.6. The sum of ninety million dollars (\$90,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.

79148.7. Notwithstanding any other provision of this article, the sum of four million dollars (\$4,000,000), upon appropriation by the Legislature to the board, shall be allocated by the board to the City of Huntington Beach to fund multiagency studies to establish recommendations to address coastal nonpoint source pollution in the tidal marshes and coastal waters, and to implement those recommendations. Agencies authorized to conduct the studies and implement the recommendations may include, but need not be limited to, municipal and county governments, flood control districts, and sanitation districts.

79148.8. (a) The money in the subaccount, upon appropriation by the Legislature to the board, may be used by the board, in consultation with the California Coastal Commission, to award loans as provided in subdivision (b), and to award grants not to exceed five million dollars (\$5,000,000) per project, to municipalities, local public agencies, educational institutions, or nonprofit organizations for the purposes of this article. Grants may be awarded for any of the following projects:

(1) A project designed to improve water quality at public beaches and to make improvements for the purpose of ensuring that coastal waters adjacent to public beaches meet the bacteriological standards set forth in Article 2 (commencing with Section 115880) of Chapter 5 of Part 10 of Division 104 of the Health and Safety Code.

(2) A project to provide comprehensive capability for monitoring, collecting, and analyzing ambient water quality, including monitoring technology that can be entered into a statewide information base with standardized protocols and sampling, collection, storage and retrieval procedures.

(3) A project to make improvements to existing sewer collection systems and septic systems for the restoration and protection of coastal water quality.

(4) A project designed to implement storm water and runoff pollution reduction and prevention programs for the restoration and protection of coastal water quality.

(5) A project that is consistent with the state’s nonpoint source control program, as revised to meet the requirements of Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990, Section 319 of the federal Clean Water Act (33 U.S.C. Sec. 1329), and the requirements of Division 7 (commencing with Section 13000).

(b) In addition to the grants authorized pursuant to subdivision (a), the board may make loans not to exceed five million dollars (\$5,000,000) per project to municipalities, local public agencies, educational institutions, or nonprofit organizations for the purposes set forth in paragraph (3) of subdivision (a).

(c) The projects funded from the subaccount shall demonstrate the capability of contributing to sustained, long-term water quality or environmental restoration or protection benefits for a period of 20 years, shall address the causes of degradation, rather than the symptoms, and shall be consistent with water quality and resource protection plans prepared, implemented, or adopted by the board, the applicable regional water quality control board, and the California Coastal Commission.

(d) An applicant for funds from the subaccount shall be required to submit to the board a monitoring and reporting plan that does all of the following:

(1) Identifies the nonpoint source or sources of pollution to be prevented or reduced by the project.

(2) Describes the baseline water quality or quality of the environment to be addressed.

(3) Describes the manner in which the project will be effective in preventing or reducing pollution and in demonstrating the desired environmental results.

(e) Upon completion of the project, a recipient of funds from the subaccount shall submit a report to the board that summarizes the completed activities and indicates whether the purposes of the project have been met. The report shall include information collected by the recipient in accordance with the project monitoring and reporting plan, including a determination of the effectiveness of the project in preventing or reducing pollution. The board shall make the report available to the public, watershed groups, and federal, state, and local agencies.

(f) If projects include capital costs for construction, those costs shall be identified by the project applicant. The grant recipient shall provide a matching contribution for the portion of the project consisting of capital costs for construction, according to the following formula:

Capital Cost Project Cost/Capital Cost Match by Recipient

\$1,000,000 to \$5,000,000, inclusive	20%
\$125,000 to \$999,999, inclusive	15%
\$1 to \$124,999, inclusive	10%

For the purposes of this subdivision, “capital costs” has the same meaning as “cost” as defined in Section 32025 of the Public Resources Code.

(g) Not more than 25 percent of a grant may be awarded in advance of actual expenditure.

(h) An applicant for funds from the subaccount shall inform the board of any necessary public agency approvals, entitlements, and permits that may be necessary to implement the project. The application shall certify to the board, at

the appropriate time, that those approvals, entitlements, and permits have been granted.

(i) Where recovery plans for coho salmon, steelhead trout, or other threatened or endangered aquatic species exist, projects funded under this article shall be consistent with those plans, and to the extent feasible, shall seek to implement actions specified in those plans.

79148.10. (a) Sixty percent of the money in the subaccount shall be allocated to projects in the Counties of Riverside, Ventura, Los Angeles, San Diego, Orange, or San Bernardino.

(b) Forty percent of the money in the subaccount shall be allocated to projects in the counties not described in subdivision (a).

79148.12. The board shall provide opportunity for public review and comment in awarding funds pursuant to this article, and may, in consultation with the California Coastal Commission, adopt regulations to implement this article.

79148.14. No project shall receive funds under this article if it receives funds pursuant to Article 2 (commencing with Section 79110).

79148.15. Notwithstanding any other provision of this article, three million dollars (\$3,000,000), upon appropriation by the Legislature to the board, shall be allocated by the board to the San Diego County Water Authority for environmental studies and engineering studies for the San Diego Regional Conveyance Facility.

79148.16. Not more than 5 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.

Article 6. Seawater Intrusion Control

79149. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) (1) "Eligible seawater intrusion control project" means a project that meets all of the following requirements:

(A) The project is necessary to protect groundwater and meets both of the following requirements:

(i) The project is within a basin that is subject to a local groundwater management plan for which a review is completed pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(ii) The project is threatened by seawater intrusion in an area where restrictions on groundwater pumping, a physical solution, or both, are necessary to prevent the destruction of, or irreparable injury to, groundwater quality.

(B) In the case of a project that would provide a substitute water supply, the project is cost-effective when compared to the development of other new sources of water and includes requirements or measures adequate to ensure that the substitute supply will be used in lieu of previously established extractions or diversions of groundwater.

(C) The project complies with applicable water quality standards, policies, and plans.

(2) Eligible projects may include, but are not limited to, water conservation, freshwater well injection, and substitution of groundwater pumping from local surface supplies.

(b) "Local agency" means any city, county, district, joint powers authority, or other political subdivision of the state involved in water management.

(c) "Subaccount" means the Seawater Intrusion Control Subaccount created by Section 79149.2.

79149.2. (a) There is hereby created in the account the Seawater Intrusion Control Subaccount. The sum of twenty-five million dollars (\$25,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.

(b) Notwithstanding Section 13340 of the Government Code, the money in the subaccount is hereby continuously appropriated, without regard to fiscal years, to the board for loans to local agencies to carry out eligible seawater intrusion control projects and for the purposes described in this article and for the administration of this article.

79149.3. Unallocated funds remaining in the Seawater Intrusion Control Subaccount in the Clean Water and Water Recycling Account in the Safe, Clean, Reliable Water Supply Fund on March 8, 2000, and any funds deposited into that subaccount after that date, shall be transferred to, and all money repaid to the state pursuant to any loan contract executed under Article 6 (commencing with Section 78648) of Chapter 5 of Division 24 shall be deposited in, the subaccount for the purposes of this article.

79149.4. The board may enter into contracts to make loans to local agencies for the purposes set forth in this article.

79149.6. Any contract for a loan entered into pursuant to Section 79149.4 may include those provisions determined by the board to be necessary for the purposes of this article and shall include both of the following provisions:

(a) An estimate of the reasonable cost of the eligible seawater intrusion control project.

(b) An agreement by the local agency to proceed expeditiously with, and complete, the eligible seawater intrusion control project, commence operation of the project in accordance with applicable provisions of law, and provide for the payment of the local agency's share of the cost of the project, including the principal of, and interest on, the loan.

79149.8. (a) A contract for a loan may not provide for a moratorium on the payment of the principal of, or interest on, the loan.

(b) Any loan made pursuant to Section 79149.4 shall be for a period not to exceed 20 years.

(c) The board may enter into a contract for a loan amount that equals up to 100 percent of the total eligible cost of design and construction of an eligible seawater intrusion control project.

79149.10. (a) The board shall establish the interest rate for a loan made pursuant to this article 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, to be computed according to the true interest cost method.

(b) 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.

(c) 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.

79149.12. All principal and interest payments received pursuant to loan contracts entered into pursuant to this article shall be deposited in the subaccount.

79149.14. *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 article.*

79149.16. *Not more than 3 percent of the total amount deposited in the subaccount may be used to pay for both of the following:*

(a) *To pay the costs incurred in connection with the administration of this article.*

(b) *For the purposes of Section 79149.14.*

CHAPTER 8. WATER CONSERVATION PROGRAM

Article 1. Findings and Declarations

79150. *The Legislature finds and declares that:*

(a) *Voluntary, cost-effective capital outlay water conservation programs can help meet the growing demand for clean and abundant water supplies throughout the state.*

(b) *The participation of the state in the construction of local water conservation projects is desirable to further the effective management of the water resources of the state.*

Article 2. General Provisions

79151. *Unless the context otherwise requires, the following definitions govern the construction of this chapter:*

(a) *“Account” means the Water Conservation Account created by Section 79152.*

(b) (1) *“Water conservation program or project” means those feasible capital outlay measures undertaken to improve the efficiency of water use through projects, the benefits of which exceed the costs.*

(2) *The programs include, but are not limited to, all of the following:*

(A) *The lining or piping of ditches.*

(B) *Improvements in water distribution system controls such as automated canal control, construction of small reservoirs within distribution systems that conserve water that has already been captured for use, and related physical improvements.*

(C) *Tailwater pumpback recovery systems.*

(D) *Major improvements to, or replacement of, deteriorated distribution systems to reduce leakage and maximize conservation.*

(E) *Capital outlay features of agricultural water conservation programs identified in the “Memorandum of Understanding Regarding Efficient Agricultural Water Management Practices,” dated July 16, 1997, and endorsed by the Agricultural Water Management Council, and any amendments thereto.*

(c) *“Economically disadvantaged area” means any area of the state for which both of the following statements apply:*

(1) *A median household income that is less than forty thousand dollars (\$40,000) based on the most recent federal census.*

(2) *An annual average unemployment rate that is greater than 9 percent based on the most recent federal census.*

(d) (1) *“Groundwater recharge facilities” means lands and facilities for artificial groundwater recharge through methods that include, but are not limited to, percolation using basins, pits, ditches, and furrows, modified streambeds, flooding, and well injection. For the purposes of this chapter, expenditures for “groundwater recharge facilities” include capital outlay expenditures to expand,*

renovate, or restructure land and facilities used for the purposes of groundwater recharge and to acquire additional land for recharge basins.

(2) Groundwater recharge facilities may include any of the following:

(A) Instream facilities for regulation of water levels, but not regulation of streamflow to accomplish diversion from the waterway.

(B) Agency-owned facilities for extraction.

(C) Conveyance facilities to convey water to the recharge site, including devices for flow regulation and measurement of recharge waters.

(3) Any part or all of the project facilities, including the land under the facilities, may consist of separable features, or an appropriate share of multipurpose features, of a larger system, or both.

(e) "Infrastructure rehabilitation project" means a project located in an economically disadvantaged area for the repair, replacement, restoration, or rehabilitation of an existing water distribution system that delivers water for domestic, municipal, or industrial uses, including pipelines, pump stations, valves, meters, reservoirs, and all other appurtenant water delivery facilities that result in the reduction or elimination of significant distribution system water losses or replace a failing system component that threatens the health, safety, welfare, and economy of areas relying on the water distribution system.

(f) "Local agency" or "agency" means any city, county, city and county, district, joint powers authority, or other political subdivision of the state involved with water management. "Local agency" or "agency" also means a mutual water company. For purposes of this chapter, mutual water company means a nonprofit corporation organized for, or engaged in the business of, developing, distributing, supplying, or delivering water for irrigation or domestic use, or both, to its members or shareholders, at actual cost plus necessary expenses.

(g) "Project" may include any of the following:

(1) Water conservation project.

(2) Groundwater recharge facilities.

(3) Urban water conservation project.

(4) Infrastructure rehabilitation project.

(h) "Urban water conservation project" means capital outlay features of urban water conservation programs identified in the "Memorandum of Understanding Regarding Urban Water Conservation in California," as amended on April 8, 1998, by the California Urban Water Conservation Council, and any amendments thereto.

79152. The Water Conservation Account is hereby created in the fund.

79153. (a) The sum of one hundred fifty-five million dollars (\$155,000,000) is hereby transferred from the fund to the account for the purposes of this chapter.

(b) Unallocated funds remaining in the Water Conservation and Groundwater Recharge Subaccount in the Water Supply Reliability Account in the Safe, Clean, Reliable Water Supply Fund on March 8, 2000, shall be transferred to, and all money repaid to the state pursuant to any loan contract executed under Article 3 (commencing with Section 78670) of Chapter 6 of Division 24 shall be deposited in, the account for the purposes of entering into additional loans under Article 3 (commencing with Section 79157) and Article 4 (commencing with Section 79161).

79154. (a) Any loan agreement entered into pursuant to this chapter may include provisions determined to be necessary by the department.

(b) Any loan agreement pursuant to this chapter shall include all of the following:

(1) A finding by the department that the agency has the ability to repay the loan, that the project is cost-effective, and that the project is feasible from an engineering or hydrologic standpoint, or both.

(2) An agreement by the agency to proceed expeditiously with, and complete, the project in conformance with approved plans and specifications and to operate and maintain the project properly upon completion throughout the repayment period.

(3) A provision that there shall be no moratorium on, or deferment of, payments of principal or interest.

(4) (A) A loan period of not more than 20 years with an interest rate 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, to be computed according to the true interest cost method.

(B) If the interest rate so determined is not a multiple of 1 percent, the interest rate shall be set at the next multiple of one-tenth of 1 percent.

(C) The interest rate for each loan agreement shall be applied throughout the repayment period of the contract. There shall be a level annual repayment of principal and interest on the loans.

79155. (a) Any grant agreement entered into pursuant to this chapter may include provisions determined to be necessary by the department.

(b) Any grant agreement pursuant to this chapter shall include both of the following:

(1) A determination by the department that the project is economically justified, and that the project is feasible.

(2) An estimate of the reasonable cost and benefit of the project, including a feasibility report that sets forth the engineering and financial feasibility of the project, and shall include a description of the proposed facilities and their relation to other water-related facilities in the system service area.

79155.5. Notwithstanding any other provision of law, regulations set forth in Chapter 2.3 (commencing with Section 450.1) of Division 2 of Title 23 of the California Code of Regulations that are in effect on March 8, 2000, may be used to carry out this chapter.

79156. Not more than 3 percent of the total amount deposited in the subaccount may be used by the department to pay the costs incurred in connection with the administration of this article.

Article 3. Agricultural Water Conservation Program

79157. (a) The sum of thirty-five million dollars (\$35,000,000) in the account, upon appropriation by the Legislature to the department, shall be used by the department for loans to local agencies to aid in the acquisition and construction of agricultural water conservation projects, and for grants in accordance with Section 79158.

(b) For the purposes of approving a loan under this section, the department shall determine if there will be a net saving of water as a result of each proposed project and if the project is determined by the department to be cost-effective.

(c) A project under this article shall not receive any more than five million dollars (\$5,000,000) in loan proceeds from the department.

(d) The department shall give preference to the agencies that propose the most cost-effective projects.

79158. (a) *The department may make grants to local agencies, under any terms and conditions that may be determined necessary by the department, for the purpose of financing feasibility studies of projects potentially eligible for a loan under Section 79157.*

(b) *No single feasibility study shall be eligible to receive more than one hundred thousand dollars (\$100,000), and not more than 5 percent of the total amount deposited in the account may be expended for the purposes of financing feasibility studies.*

(c) *A grant for a feasibility study shall not affect the maximum amount of any loan that may be made under this article.*

Article 4. Groundwater Recharge Facilities Program

79161. (a) *The sum of thirty million dollars (\$30,000,000) in the account is hereby appropriated to the department, without regard to fiscal years, for use by the department for loans and grants to local agencies for the acquisition and construction of groundwater recharge facilities.*

(b) *A loan application pursuant to this article shall include the reasonable cost and benefit of the proposed project, including a feasibility report that shall set forth the economic justification for the project, and shall include explanations of the proposed facilities and their relation to other water supply related facilities in the basin or region.*

(c) *A project under this article shall not receive any more than five million dollars (\$5,000,000) in loan proceeds from the department.*

(d) *The department shall give preference under this section to projects that are located in overdrafted groundwater basins, projects of critical need, projects whose feasibility studies demonstrate the greatest engineering and hydrogeologic feasibility as determined by the department, and projects located in areas that have groundwater management plans.*

79161.5. (a) *The department may make grants to local agencies, under any terms and conditions that may be determined necessary by the department, for the purpose of financing feasibility studies of projects potentially eligible for a loan under Section 79161.*

(b) *No single feasibility study shall be eligible to receive more than one hundred thousand dollars (\$100,000), and not more than 5 percent of the total amount deposited in the account may be expended for the purposes of financing feasibility studies.*

(c) *A grant for a feasibility study shall not affect the maximum amount of any loan that may be made under this article.*

Article 5. Infrastructure Rehabilitation Program

79162. (a) *The sum of sixty million dollars (\$60,000,000) in the account, upon appropriation by the Legislature to the department, shall be used by the department for grants awarded by the department to local agencies for the purposes of funding infrastructure rehabilitation projects.*

(b) (1) *For the purposes of making grants pursuant to subdivision (a), the factors to be considered by the department in determining whether to enter into an agreement shall include, but not be limited to, the need to implement projects that provide measurable conservation through the reduction of system water losses by rehabilitating water delivery systems.*

(2) *Grants awarded pursuant to subdivision (a) shall be available for public water systems owned and operated by local agencies in economically disadvantaged areas with service connections that exceed 200 but are not greater*

than 16,000 in number. The department shall give highest priority in awarding grants to those agencies with the highest retail water rates and service charges as of January 1, 1999.

(c) No single construction grant under this article shall exceed five million dollars (\$5,000,000).

79162.2. (a) The department may make grants to local agencies, under any terms and conditions as may be determined necessary by the department, for the purpose of financing feasibility studies of projects potentially eligible for a grant under Section 79162.

(b) No single feasibility study shall be eligible to receive more than one hundred thousand dollars (\$100,000), and not more than 5 percent of the total amount deposited in the account may be expended for the purposes of financing feasibility studies.

(c) A grant for a feasibility study shall not affect the maximum of any construction grant that may be made under this article.

79162.4. The department may adopt regulations to carry out this article.

Article 6. Urban Water Conservation Program

79163. (a) The sum of thirty million dollars (\$30,000,000) in the account, upon appropriation by the Legislature to the department, shall be used by the department for grants and loans awarded by the department to local agencies for the purposes of funding urban water conservation projects.

(b) A project under this article shall not receive more than five million dollars (\$5,000,000) in loan proceeds from the department.

79164. (a) The department may make grants to local agencies, under any terms and conditions that may be determined necessary by the department, for the purpose of financing feasibility studies of projects potentially eligible for a loan under Section 79163.

(b) No single feasibility study shall be eligible to receive more than one hundred thousand dollars (\$100,000), and not more than 5 percent of the total amount deposited in the account may be expended for the purposes of financing feasibility studies.

(c) A grant for a feasibility study shall not affect the maximum amount of any loan that may be made under this article.

CHAPTER 9. WATER SUPPLY, RELIABILITY, AND INFRASTRUCTURE PROGRAM

Article 1. Water Supply, Reliability, and Infrastructure Account

79165. For the purposes of this chapter, "account" means the Water Supply, Reliability, and Infrastructure Account created by Section 79166.

79166. The Water Supply, Reliability, and Infrastructure Account is hereby created in the fund. The sum of six hundred thirty million dollars (\$630,000,000) is hereby transferred from the fund to the account.

Article 2. Groundwater Storage Program

79170. The Legislature finds and declares that the conjunctive management of surface water and groundwater is an effective way to improve the reliability of water supply for all sectors in California.

79171. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) "Conjunctive use" means the temporary storage of water in a groundwater aquifer through intentional recharge and subsequent extraction for later use. Storage is accomplished by either of the following methods:

(1) "Direct recharge" of an aquifer by conducting surface water into the ground by various means, including, without limitation, spreading ponds and injection wells for the purpose of making the water stored in the aquifer available for extraction and later use in drier years.

(2) "In-lieu recharge" means increasing the amount of groundwater available in an aquifer by substituting surface water supplies to a user who would otherwise pump groundwater.

(b) "Conjunctive use facilities" include land and appurtenant facilities for any phase of a conjunctive use operation. Appurtenant facilities may include subsurface storage, treatment, conveyance, recharge ponds, injection wells, spreading grounds, monitoring, measurements, subsidence detection, flow regulation, detention basins to facilitate recharge, diversion facilities, and extraction facilities.

(c) "Conjunctive use project" means a project that is intended to produce water supply benefits for the local agency or a project that is intended to produce water supply benefits for water users, including the environment, in addition to the local agency.

(d) "Local agency" means any city, county, city and county, district, joint powers authority, mutual water company, or other political subdivision of the state.

(e) "Project participants" means any public agency participating in, and benefiting from, a conjunction use project under this article.

(f) "Subaccount" means the Conjunctive Use Subaccount created by Section 79172.

79172. There is hereby created in the account the Conjunctive Use Subaccount.

79173. The sum of two hundred million dollars (\$200,000,000) is hereby transferred from the account to the subaccount for the purposes of implementing this article.

79174. The money in the subaccount, upon appropriation by the Legislature to the department, may be used by the department for grants for feasibility studies, project design, or the construction of conjunctive use projects on a pilot or operational scale.

79175. Not more than 5 percent of the total amount deposited in the subaccount may be expended for purposes of financing feasibility studies.

79176. For the purpose of approving projects pursuant to this article, the department shall give priority to those projects for which there is available third-party funds from any source other than the Central Valley Project Restoration Fund authorized by the Central Valley Project Improvement Act. The department shall also take into consideration all of the following with regard to each proposed project:

(a) The magnitude of the actual increase in water supply yield and reliability compared to preexisting conditions.

(b) The consistency with the plans or recommendations proposed by CALFED.

(c) The distribution of the benefits to water supply and to the environment.

(d) The availability of the storage for conserved water.

(e) The technical and environmental suitability of the groundwater basin for conjunctive use.

(f) The potential to reduce critically overdrafted conditions in a groundwater basin.

- (g) *The need for the project.*
 - (h) *The potential to alleviate salt water intrusion into groundwater basins or other groundwater quality degradation.*
 - (i) *The economic, engineering, and hydrogeologic justification for the project.*
 - (j) *The availability of third-party or local matching funds from any source other than the Central Valley Project Restoration Fund authorized by the Central Valley Project Improvement Act.*
 - (k) *The involvement of one or more local agencies whose jurisdiction or water service area overlies or is adjacent to the aquifer utilized to store water.*
 - (l) *The potential to reduce dry year demand for surface water under existing contracts.*
 - (m) *The existence of a system for the recovery of the stored water or an agreement with the department or a local agency for the installation of that system.*
 - (n) *Whether the project is located in an area that is subject to a groundwater management program.*
79177. *To be eligible for funding for the construction of a conjunctive use project under this article, an applicant that is other than a local agency shall be required to carry out that project with the participation of a local agency. The department or a local agency may provide technical assistance, coordination, or any other assistance in implementing a project or study if requested by the participating local agency.*
79178. *No construction project may receive more than fifty million dollars (\$50,000,000) from the subaccount.*
79179. *Not more than 5 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.*
79180. *Not less than 40 percent of the total amount deposited in the subaccount shall be expended for studies, projects, and facilities within watersheds of the central valley.*
79181. (a) *A project undertaken pursuant to this article shall fully protect and preserve the groundwater rights of the overlying landowners and shall fully protect and preserve the water rights of the project participants. The department shall not provide funding for a project unless it determines that the project will be designed and operated in a manner that ensures that other users of the same or a hydrologically related aquifer will not suffer any unreasonable diminution of the quantity or quality of their groundwater supplies or incur additional uncompensated expense as a result of the implementation of the project.*
- (b) *For the purposes of receiving funding for a conjunctive use project pursuant to this article, the applicant shall be required to do both of the following:*
- (1) *Provide for a continuing groundwater monitoring and mitigation program.*
 - (2) *Limit the extraction of the groundwater to not more than the amount of water that is stored or recharged by the project participants or the amount that complies with all laws and contract terms governing the extraction, appropriation, and use of groundwater by the project participants.*
- (c) *Persons and agencies participating in the project may not assert a claim or file a cause of action against an overlying landowner who is not exceeding either of the following:*

(1) *The overlying landowner's historic rate of groundwater pumping.*

(2) *The full amount of groundwater to which the overlying landowner would be entitled to under state law regarding rights to groundwater and reasonable beneficial use on the landowner's land that overlies the groundwater.*

(d) *The overlying landowners may not assert a claim or file a cause of action against the persons or agencies participating in the project if the project is implemented in compliance with this section, except as provided by contract between the project participants.*

(e) *Nothing in this article modifies state law with regard to groundwater rights, regulation, or management.*

79182. *In carrying out this article and awarding grants, the department shall convene and consult with an advisory committee comprised of technically qualified representatives of local water agencies, project participants, environmental interests, agricultural laborer interests, and interests representing farmers who use groundwater. The advisory committee shall be geographically balanced to reflect the communities that use water in the central valley. If a member of the advisory committee, or a member of his or her immediate family, is employed by a grant applicant or the employer of a grant applicant, the committee members shall make that disclosure to the other members of the committee and shall not participate in the review of the grant application of that applicant.*

79183. *The department may adopt regulations to carry out this article.*

Article 3. Bay-Delta Multipurpose Water Management Program

79190. *Unless the context otherwise requires, the following definitions govern the construction of this article:*

(a) *"CALFED Bay-Delta Program" or "program" means the undertaking by CALFED pursuant to the Framework Agreement dated June 20, 1994, to develop a long-term solution to water management, environmental, and other problems in the bay-delta watershed by means of a programmatic environmental impact statement/environmental impact report.*

(b) *"CALFED EIS / EIR" means the final programmatic environmental impact statement/environmental impact report prepared by CALFED.*

(c) *"CALFED stage 1 action" means an action identified in the preferred alternative of the CALFED EIS / EIR as an action intended for implementation during stage 1 of Phase III of the CALFED Bay-Delta Program.*

(d) (1) *"Eligible project" means a demonstration project, subject to the CALFED adaptive management principle that requires an assessment of the performance of the demonstration projects in order to determine which projects are successful in achieving the goals of the program.*

(2) *"Eligible project" means a project that meets both of the following requirements.*

(A) *The project is identified in the CALFED EIS / EIR as a CALFED stage 1 action.*

(B) *The project does one or more of the following:*

(i) *Constructs treatment facilities or relocates discharge facilities for agricultural drainage generated within the delta to improve water quality in the delta or the quality of water that is transported from the delta.*

(ii) *Constructs facilities to control waste discharges that contribute to low dissolved oxygen and other water quality problems in the lower San Joaquin River and the south delta.*

(iii) *Constructs fish facilities for the State Water Project or the Central Valley Project intakes in the south delta, such as facilities for fish screens, fish handling,*

and fish passage, or modifications to intake structures or other facilities, to reduce losses of any life stages of fish to water diversions in the San Joaquin River and the delta in accordance with paragraph (1) of Section (C) of Chapter IV of the board's 1995 water quality control plan.

(iv) Constructs a permanent barrier at the head of Old River to improve fish migration and other permanent barriers in the south delta channels to improve water quality and water level for local diversions.

(v) Constructs facilities to control drainage from abandoned mines that adversely affect water quality in the bay-delta.

(vi) Constructs a permanent barrier at Grantline Canal to improve water quality and water levels for local diversion.

(e) "Subaccount" means the Bay-Delta Multipurpose Water Management Subaccount created by Section 79194.

79191. This article does not affect the authority of any agency pursuant to any other provision of law to expend funds for the purposes described in this article.

79192. The Legislature hereby finds and declares all of the following:

(a) CALFED is in the process of preparing a programmatic EIS / EIR for a long-term comprehensive plan that will resolve problems related to ecosystem restoration, including the recovery of endangered species such as chinook salmon, water quality, water supply, water management, and system integrity for the protection of beneficial uses of the bay-delta ecosystem.

(b) The CALFED Bay-Delta Program is of statewide and national importance. The state should participate in the funding of eligible projects as a part of its ongoing program to improve conditions in the bay-delta ecosystem.

(c) The programmatic EIS / EIR will include a schedule for funding and implementing all elements of the long-term comprehensive plan.

(d) The elements of the CALFED Bay-Delta Program will achieve balanced solutions in all identified problem areas, including the ecosystem, water quality, water supply, and system integrity.

79193. (a) This article does not authorize the implementation of the CALFED Bay-Delta Program or any element of that program. The implementation of the CALFED Bay-Delta Program, or any element of that program, shall only be undertaken pursuant to authority provided by law other than this division.

(b) Nothing in this article affects the obligation to comply with provisions of existing law in connection with the implementation of this article.

79194. There is hereby created in the account the Bay-Delta Multipurpose Water Management Subaccount.

79195. The sum of two hundred fifty million dollars (\$250,000,000) is hereby transferred from the account to the subaccount.

79196. (a) The money in the subaccount, upon appropriation by the Legislature to the department, may be used by the department to carry out eligible projects and for the purposes of Section 79202.

(b) Money in the subaccount that is allocated to carry out eligible projects, as described in clauses (ii), (iv), and (vi) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190, and is not expended for those purposes, may be reallocated by the department to carry out other eligible projects, as described in clauses (i), (iii), and (v) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190.

(c) No funds in the subaccount shall be used by the department unless and until the department has consulted, on an annual basis, with the state and federal

agencies that participate in CALFED, as well as representatives of the public convened as a duly authorized advisory committee, with regard to the specific projects proposed for funding under this article. Decisions regarding specific expenditures of funds provided under this article shall be jointly determined, to the maximum extent possible, by the recommendations of the state and federal CALFED agencies with the advice of the advisory committee.

79196.5. The funds appropriated pursuant to Section 79196 shall be allocated as follows:

(a) Seventeen million dollars (\$17,000,000) for the purposes of the project described in clause (i) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190.

(b) Forty million dollars (\$40,000,000) for the purposes of the project described in clause (ii) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190.

(c) One hundred twenty million dollars (\$120,000,000) for the purposes of the project described in clause (iii) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190.

(d) Forty million dollars (\$40,000,000) for the purposes of the project described in clause (iv) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190.

(e) Seventeen million dollars (\$17,000,000) for the purposes of the project described in clause (v) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190.

(f) Sixteen million dollars (\$16,000,000) for the purposes of the project described in clause (vi) of subparagraph (B) of paragraph (2) of subdivision (d) of Section 79190.

79197. No funds in the subaccount may be expended until all of the following conditions have been met:

(a) The CALFED EIS / EIR has been certified by the state lead agency and a notice of determination has been issued as required by Division 13 (commencing with Section 21000) of the Public Resources Code.

(b) The CALFED EIS / EIR has been filed by the federal lead agencies with the United States Environmental Protection Agency, the required notice has been published in the Federal Register, and there has been federal approval of a program identical to the program approved by the state.

79198. The state, to the greatest extent possible, shall secure federal and nonfederal funds to implement this article.

79199. Due to the importance of issuing permits and otherwise expediting all elements of the CALFED Bay-Delta Program in a timely and balanced manner, the following procedures shall apply to the use of funds authorized by this article:

(a) After the requirements set forth in Section 79197 are met, funds in the subaccount shall become available for use in accordance with the schedule for eligible projects set forth in the final programmatic EIS / EIR, unless the Secretary of the Resources Agency determines that the schedule established in the final programmatic EIS / EIR has not been substantially adhered to.

(b) On or before November 15 of each year, the Secretary of the Resources Agency, in consultation with state and federal CALFED representatives and other interested persons and agencies, shall review adherence to the schedule.

(c) The absence of funding from nonfederal or nonstate sources shall not be a basis for a determination that the schedule has not been adhered to.

(d) If, at the conclusion of each annual review, the Secretary of the Resources Agency determines that the schedule established in the final programmatic EIS/EIR, or a revised schedule prepared pursuant to this subdivision, has not been substantially adhered to, the secretary, after notice to, and consultation with, state and federal CALFED representatives and other interested persons and agencies, shall prepare a revised schedule that ensures that balanced solutions in all identified problem areas, including ecosystem restoration, water supply, water quality, and system integrity are achieved, consistent with the intent of the final programmatic EIS / EIR. Funds shall be available for expenditure unless a revised schedule has not been developed within six months from the date on which the secretary determines that the prior schedule has not been substantially adhered to. Upon the preparation of any revised schedule under this subdivision, funds shall be expended in accordance with that revised schedule.

(e) Funds in the subaccount shall become available in accordance with the cost-share agreement developed by the CALFED Bay-Delta Program, which shall describe the federal, state, and local share of funding for the programs, projects, and other CALFED stage 1 actions.

79200. On or before December 15 of each year, the Secretary of the Resources Agency shall submit an annual report to the Legislature that describes the status of the implementation of all elements of the CALFED Bay-Delta Program, any determinations made by the secretary pursuant to subdivisions (b) and (d) of Section 79199 and other significant scheduling issues. The report also shall include a detailed accounting of expenditures, descriptions of programs for which expenditures have been made, and a schedule of anticipated expenditures for the next year.

79201. The report prepared pursuant to Section 79200 shall include both of the following:

(a) A summary of the results achieved by the projects funded under this article.

(b) An identification of any necessary modifications that should be made to eligible projects or other CALFED bay-delta projects, to ensure that the goals and objectives of CALFED are met.

79201.5. Nothing in this article shall be construed to address the allocation of benefits from projects or programs funded by this article. It is anticipated that this issue will be settled in the CALFED process or by the Legislature by statute.

79202. Not more than 5 percent of the total amount deposited in the subaccount may be used to pay the costs incurred in connection with the administration of this article.

79203. The department may adopt regulations to carry out this article.

Article 4. Interim Water Reliable Supply and Water Quality Infrastructure and Management Program

79205.2. (a) "Delta export service area," as used in this article, means both of the following:

(1) The counties included within the Association of Bay Area Governments.

(2) Those areas of the state outside the delta that receive water from the State Water Project or the Central Valley Project, either directly or by exchange, by means of diversions from the delta.

(b) "Local agency," as used in this article, means any city, county, city and county, district, or other political subdivision of the state.

79205.4. (a) *There is hereby created the Interim Water Supply and Water Quality Infrastructure and Management Subaccount.*

(b) *For the purposes of this article, "subaccount" means the Interim Reliable Water Supply and Water Quality Infrastructure and Management Subaccount.*

79205.6. *The sum of one hundred eighty million dollars (\$180,000,000) is hereby transferred from the account to the subaccount for the purposes of this article.*

79205.8. (a) *The money in the subaccount, upon appropriation by the Legislature to the department, may be used by the department to provide grants or loans, or any combination thereof, which are approved by the Governor, to local agencies located in the delta export service areas for programs or projects that can be completed and provide the intended benefits not later than March 8, 2009, and are designed to increase water supplies, enhance water supply reliability, or improve water quality.*

(b) *The department shall provide grants for programs or projects located outside the delta and which meet one of the following requirements:*

(1) *The project or program constructs new or expands existing groundwater storage and recovery projects or acquires rights to use storage in existing reservoirs.*

(2) *The project or program implements measures that facilitate improved water treatment, water transfers, or exchanges, including, but not limited to, a project that improves water quality by shifting reliance from lower quality to higher quality water supplies.*

(3) *The project or program implements state of the art agricultural water conservation programs, and programs that treat or manage agricultural drainage water for reuse or instream water quality benefits.*

(c) *The department shall list the projects that are proposed to be funded from the subaccount.*

79205.10. *For purposes of prioritizing eligible programs or projects for funding under this article, the department shall give priority to programs or projects that meet one or more of the following requirements:*

(a) *Can be completed expeditiously and thereby provide near term benefits and more immediate mitigation of urgent problems related to water supply and water quality.*

(b) *Implements actions to improve water quality and protect water level conditions in San Luis Reservoir.*

(c) *Includes public-private partnerships or cost sharing arrangements that maximize public benefits.*

(d) *Sponsored by a public agency with water supplies that are being or would be impacted to a greater degree by delta-related water supply shortages and water quality degradation.*

79205.12. *The state, to the greatest extent possible, shall seek matching federal funds to implement this article.*

79205.14. *Funds available from the subaccount shall be available for all phases of project development including, but not limited to, project administration, permitting and environmental compliance, feasibility studies, and construction.*

79205.16. *Not more than 5 percent of the total amount deposited in the subaccount may be used to pay costs incurred in connection with the administration of this article.*

CHAPTER 10. FISCAL PROVISIONS

79210. Bonds in the total amount of one billion nine hundred seventy million dollars (\$1,970,000,000), not including the amount of any refunding bonds issued in accordance with Section 79219, 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 the principal of, and interest on, the bonds as the principal and interest become due and payable.

79211. (a) 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), except Section 16727, 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.

(b) For purposes of the State General Obligation Bond Law, each state agency that administers an appropriation of the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund is designated the "board."

79212. 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 Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Finance Committee is hereby created. For purposes of this division, the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection 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, and the Director of Finance, or their designated representatives. A majority of the committee may act for the committee.

79213. 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 this division 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.

79214. 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 that is necessary to collect that additional sum.

79215. 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 necessary to carry out Section 79216, appropriated without regard to fiscal years.

79216. *For the purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this division. Any amount 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 that 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 division.*

79217. *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.*

79218. *The agency that administers an appropriation of the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund 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 purpose of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purpose of carrying out this division. The requesting agency 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 requesting agency in accordance with this division.*

79219. *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 voters of the state for the issuance of the bonds described in this division includes the approval of the issuance of any other bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds.*

79220. *Notwithstanding any 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, subject to designated conditions, the Treasurer may maintain separate accounts for the investment of bond proceeds and for 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 those bond proceeds required or desirable under federal law to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of that state.*

79221. *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. 3. Section 14058 of the Water Code is amended to read:

14058. (a) The sum of thirty million dollars (\$30,000,000) of the money in the fund shall be deposited in the Water Reclamation Account and, notwithstanding Section 13340 of the Government Code, is hereby continuously appropriated to the board for the purposes of this section.

(b) The board may enter into contracts with local public agencies having authority to construct, operate, and maintain water reclamation projects, for loans to aid in the design and construction of eligible water reclamation projects. The board may loan up to 100 percent of the total eligible cost of design and construction of an eligible reclamation project.

(c) Any contract for an eligible water reclamation project entered into pursuant to this section may include such 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.

(d) Loan contracts may not provide for a moratorium on payments of principal or interest.

(e) Any loans made from the fund may 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 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.

(f) All money repaid to the state pursuant to any contract executed under this chapter shall be deposited in the ~~Water Recycling Subaccount~~ ~~created by Section 78621, of the Clean Water and Water Recycling Account in the Safe, Clean, Reliable Water Supply Fund,~~ for the purposes set forth in subdivision (b) of Section 78621 ~~in the Clean Water and Water Recycling Account in the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund created by Section 79136, for the purposes set forth in Article 4 (commencing with Section 79135) of Chapter 7 of Division 26.~~

SEC. 4. Section 78621 of the Water Code is amended to read:

78621. (a) (1) There is hereby created in the account the Water Recycling Subaccount. The sum of sixty million dollars (\$60,000,000) is hereby transferred from the account to the subaccount for the purpose of implementing this article.

(2) All money repaid to the state pursuant to any contract executed under the Clean Water and Water Reclamation Bond Law of 1988 (Chapter 17 (commencing with Section 14050) of Division 7) shall be deposited in the ~~subaccount for the purposes of subdivision (b)~~ *Water Recycling Subaccount in the Clean Water and Water Recycling Account in the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund created by Section 79136, for the purposes set forth in Article 4 (commencing with Section 79135) of Chapter 7 of Division 26.*

(b) Notwithstanding Section 13340 of the Government Code, the money in the subaccount is hereby continuously appropriated, without regard to fiscal years, to the board for loans to public agencies to construct, operate, and maintain eligible recycling projects, for loans to aid in the design and construction of eligible recycling projects, for grants in accordance with Section 78628, and for the purposes described in Section 78629 and subdivision (a) of Section 78630.

SEC. 5. Section 78626 of the Water Code is repealed.

78626. (a) All principal and interest payments received pursuant to loan contracts entered into pursuant to this article shall be deposited in the subaccount for additional loans under subdivision (b) of Section 78621; and shall not be transferred to the General Fund:

(b) The board may transfer any unallocated funds in the subaccount to the Water Reclamation Account in the 1984 State Clean Water Bond Fund for the purposes set forth in Section 13999.10:

SEC. 6. Section 78626 is added to the Water Code, to read:

78626. Unallocated funds remaining in the subaccount on March 8, 2000, and any funds deposited into the subaccount after that date, shall be transferred to, and all money repaid to the state pursuant to any loan contract executed under this article shall be deposited in, the Water Recycling Subaccount in the Clean Water and Water Recycling Account in the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund for the purposes set forth in Section 79140.

SEC. 7. Section 78648.12 of the Water Code is repealed.

78648.12: All principal and interest payments received pursuant to loan contracts entered into pursuant to this article shall be deposited in the subaccount:

SEC. 8. Section 78648.12 is added to the Water Code, to read:

78648.12. Unallocated funds remaining in the subaccount on March 8, 2000 and any funds deposited into the subaccount after that date, shall be transferred to, and all money repaid to the state pursuant to any loan contract executed under this article shall be deposited in, the Seawater Intrusion Control Subaccount in the Clean Water and Water Recycling Account in the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund for the purposes set forth in Article 6 (commencing with Section 79149) of Chapter 7 of Division 26.

SEC. 9. Section 78675 of the Water Code is repealed.

78675: Any repayments of loans made pursuant to this article; including interest payments; and all interest earned on; or accruing to; any money in the subaccount; shall be deposited in the subaccount and shall be available for the uses described in this article:

SEC. 10. Section 78675 is added to the Water Code, to read:

78675. Unallocated funds remaining in the subaccount on March 8, 2000, shall be transferred to, and all money repaid to the state pursuant to any loan contract executed under this article shall be deposited in, the Water Conservation Account in the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund for the purposes of entering into additional loans under Article 3 (commencing with Section 79157) and Article 4 (commencing with Section 79161) of Chapter 8 of Division 26.

Number
on ballot

14. **California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.** (Statutes 1999, Chapter 726, SB 3)

[Approved by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. Chapter 12 (commencing with Section 19985) is added to Part 11 of the Education Code, to read:

*CHAPTER 12. CALIFORNIA READING AND LITERACY
IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION
AND RENOVATION BOND ACT OF 2000*

Article 1. General Provisions

19985. *This chapter shall be known and may be cited as the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.*

19985.5. *The Legislature finds and declares the following:*

(a) *Reading and literacy skills are fundamental to success in our economy and our society.*

(b) *The Legislature and Governor have made enormous strides in improving the quality of reading instruction in public schools.*

(c) *Public libraries are an important resource to further California's reading and literacy goals both in conjunction with the public schools and for the adult population.*

(d) *The construction and renovation of public library facilities is necessary to expand access to reading and literacy programs in California's public education system and to expand access to public library services for all residents of California.*

19986. *As used in this chapter, the following terms have the following meanings:*

(a) *"Committee" means the California Library Construction and Renovation Finance Committee established pursuant to Section 19972.*

(b) *"Fund" means the California Public Library Construction and Renovation Fund.*

(c) *"Board" means the California Public Library Construction and Renovation Board. This board is comprised of the State Librarian, the Treasurer, the Director of Finance, an Assembly Member appointed by the Speaker of the Assembly, a Senator appointed by the Senate Rules Committee, and a member appointed by the Governor.*

Legislative members of the board shall meet with, and participate in, the work of the board to the extent that their participation is not incompatible with their duties as Members of the Legislature. For the purposes of this chapter, Members of the Legislature who are members of the board shall constitute a joint legislative committee on the subject matter of this chapter.

Article 2. Program Provisions

19987. *The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the California Public Library Construction and Renovation Fund, which is hereby established.*

19988. All moneys deposited in the fund, except as provided in Section 20011, are continuously appropriated to the State Librarian, notwithstanding Section 13340 of the Government Code, and shall be available for grants to any city, county, city and county, or district that is authorized at the time of the project application to own and maintain a public library facility for the purposes set forth in Section 19989.

19989. The grant funds authorized pursuant to Section 19988, and the matching funds provided pursuant to Section 19995, shall be used by the recipient for any of the following purposes:

(a) Acquisition or construction of new facilities or additions to existing public library facilities.

(b) Acquisition of land necessary for the purposes of subdivision (a).

(c) Remodeling or rehabilitation of existing public library facilities or of other facilities for the purpose of their conversion to public library facilities. All remodeling and rehabilitation projects funded with grants authorized pursuant to this chapter shall include any necessary upgrading of electrical and telecommunications systems to accommodate Internet and similar computer technology.

(d) Procurement or installation, or both, of furnishings and equipment required to make a facility fully operable, if the procurement or installation is part of a construction or remodeling project funded pursuant to this section.

(e) Payment of fees charged by architects, engineers, and other professionals, whose services are required to plan or execute a project authorized pursuant to this chapter.

19990. Any grant funds authorized pursuant to Section 19988, or matching funds provided pursuant to Section 19995, may not be used by a recipient for any of the following purposes:

(a) Books and other library materials.

(b) Administrative costs of the project, including, but not limited to, the costs of any of the following:

(1) Preparation of the grant application.

(2) Procurement of matching funds.

(3) Conduct of an election for obtaining voter approval of the project.

(c) Interest or other carrying charges for financing the project, including, but not limited to, costs of loans or lease-purchase agreements in excess of the direct costs of any of the authorized purposes specified in Section 19989.

(d) Any ongoing operating expenses for the facility, its personnel, supplies, or any other library operations.

19991. All construction contracts for projects funded in part through grants awarded pursuant to this chapter shall be awarded through competitive bidding pursuant to Part 3 (commencing with Section 20100) of Division 2 of the Public Contract Code.

19992. This chapter shall be administered by the State Librarian. The board shall adopt rules, regulations, and policies for the implementation of this chapter.

19993. A city, county, city and county, or district may apply to the State Librarian for a grant pursuant to this chapter, as follows:

(a) Each application shall be for a project for a purpose authorized by Section 19989.

(b) An application may not be submitted for a project for which construction bids already have been advertised.

(c) *The applicant shall request not less than fifty thousand dollars (\$50,000) per project.*

19994. (a) *The State Librarian shall consider applications for construction of new public library facilities submitted pursuant to Section 19993 in the following priority order:*

(1) *First priority shall be given to joint use projects in which the agency that operates the library and one or more school districts have a cooperative agreement.*

(2) *Second priority shall be given to all other public library projects.*

(b) *The State Librarian shall consider applications for remodeling or rehabilitation of existing public library facilities pursuant to Section 19993 in the following priority order:*

(1) *First priority shall be given to public library projects in the attendance areas of public schools that are determined, pursuant to regulations adopted by the board, to have inadequate infrastructure to support access to computers and other educational technology.*

(2) *Second priority shall be given to all other projects.*

19995. (a) *Each grant recipient shall provide matching funds from any available source in an amount equal to 35 percent of the costs of the project. The remaining 65 percent of the costs of the project, up to a maximum of twenty million dollars (\$20,000,000) per project, shall be provided through allocations from the fund.*

(b) *Qualifying matching funds shall be cash expenditures in the categories specified in Section 19989 which are made not earlier than three years prior to the submission of the application to the State Librarian. Except as otherwise provided in subdivision (c), in-kind expenditures do not qualify as matching funds.*

(c) *Land donated or otherwise acquired for use as a site for the facility, including, but not limited to, land purchased more than three years prior to the submission of the application to the State Librarian, may be credited towards the 35 percent matching funds requirement at its appraised value as of the date of the application. This subdivision shall not apply to land acquired with funds authorized pursuant to Part 68 (commencing with Section 100400).*

(d) *Architect fees for plans and drawings for library renovation and new construction, including, but not limited to, plans and drawings purchased more than three years prior to the submission of the application to the State Librarian, may be credited towards the 35 percent matching funds requirement.*

19996. (a) *The estimated costs of a project for which an application is submitted shall be consistent with normal public construction costs in the applicant's area.*

(b) *An applicant wishing to construct a project having costs that exceed normal public construction costs in the area may apply for a grant in an amount not to exceed 65 percent of the normal costs up to a maximum of twenty million dollars (\$20,000,000) per project if the applicant certifies that it is capable of financing the remainder of the project costs from other sources.*

19997. *Once an application has been approved by the board and included in the State Librarian's request to the committee, the amount of the funding to be provided to the applicant may not be increased. Any actual changes in project costs are the full responsibility of the applicant. If the amount of funding that is provided is greater than the cost of the project, the applicant shall return that portion of the funding that exceeds the cost of the project to the fund. If an*

applicant has been awarded funding by the board, but chooses not to proceed with the project, the applicant shall return all of the funding to the fund.

19998. (a) In reviewing applications, as part of establishing the priorities set forth in Section 19994 the board shall consider all of the following factors:

(1) Needs of urban and rural areas.

(2) Population growth.

(3) Age and condition of the existing library facility.

(4) The degree to which the existing library facility is inadequate in meeting the needs of the residents in the library service area and the degree to which the proposed project responds to the needs of those residents.

(5) The degree to which the library's plan of service integrates appropriate electronic technologies into the proposed project.

(6) The degree to which the proposed site is appropriate for the proposed project and its intended use.

(7) The financial capacity of the local agency submitting the application to open and maintain operation of the proposed library for applications for the construction of new public libraries.

(b) If, after an application has been submitted, material changes occur that would alter the evaluation of an application, the State Librarian may accept an additional written statement from the applicant for consideration by the board.

19999. (a) A facility, or the part thereof, acquired, constructed, or remodeled, or rehabilitated with grants received pursuant to this chapter shall be dedicated to public library direct service use for a period of not less than 20 years following completion of the project.

(b) The interest of the state in land or a facility, or both, pursuant to the funding of a project under this chapter, as described in subdivision (a), may be transferred by the State Librarian from the land or facility, or both, for which that funding was granted to a replacement site and facility acquired or constructed for the purpose of providing public library direct service.

(c) If the facility, or any part thereof, acquired, constructed, remodeled, or rehabilitated with grants received pursuant to this chapter ceases to be used for public library direct service prior to the expiration of the period specified in subdivision (a), the board is entitled to recover, from the grant recipient or the recipient's successor in the maintenance of the facility, an amount that bears the same ratio to the value of the facility, or the appropriate part thereof, at the time it ceased to be used for public library direct service as the amount of the grant bore to the cost of the facility or the appropriate part thereof. For purposes of this subdivision, the value of the facility, or the appropriate part thereof, is determined by the mutual agreement of the board and the grant recipient or successor, or through an action brought for that purpose in the superior court.

(d) Notwithstanding subdivision (f) of Section 16724 of the Government Code, any money recovered pursuant to subdivision (c) shall be deposited in the fund, and shall be available for the purpose of awarding grants for other projects.

Article 3. Fiscal Provisions

20000. Bonds in the amount of three hundred fifty million dollars (\$350,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold for deposit in the fund to be used in accordance with, and for carrying out the purposes expressed in, this chapter, including all acts amendatory thereof and supplementary thereto, 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 bonds as the principal and interest become due and payable.

20001. 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.

20002. (a) For purposes of this chapter, the California Library Construction and Renovation Finance Committee established pursuant to Section 19972 is the "committee" as that term is used in the State General Obligation Bond Law.

(b) For purposes of the State General Obligation Bond Law, the California Public Library Construction and Renovation Board established pursuant to subdivision (c) of Section 19986 is designated the "board."

20003. 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 this chapter, including all acts amendatory thereof and supplementary thereto, 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.

20004. 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 that is necessary to collect that additional sum.

20005. 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 necessary to carry out Section 20006, appropriated without regard to fiscal years.

20006. 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 that have been authorized 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, with interest at the rate earned by the money in the Pooled Money Investment Account during the time the money was withdrawn from the General Fund pursuant to this section, from money received from the sale of bonds for the purpose of carrying out this chapter.

20007. 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 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.

20008. 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 of the electors of the state for the issuance of bonds under this chapter shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

20009. All money deposited in the fund that is derived from premium and accrued interest on bonds sold pursuant to this chapter shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

20010. 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.

20011. Amounts deposited in the fund pursuant to this chapter may be appropriated in the annual Budget Act to the State Librarian for the actual amount of office, personnel, and other customary and usual expenses incurred in the direct administration of grant projects pursuant to this chapter, including, but not limited to, expenses incurred by the State Librarian in providing technical assistance to an applicant for a grant under this chapter.

Number
on ballot

16. **Veterans' Homes Bond Act of 2000.** (Statutes 1999, Chapter 728, SB 630)

[Approved by electors March 7, 2000.]

PROPOSED LAW

SEC. 2. Chapter 2 (commencing with Section 1100) is added to Division 5 of the Military and Veterans Code, to read:

CHAPTER 2. VETERANS' HOMES BOND ACT OF 2000

Article 1. General Provisions

1100. This chapter shall be known, and may be cited, as the Veterans' Homes Bond Act of 2000.

1102. As used in this chapter, the following terms have the following meaning:

(a) "Board" means the Department of Veterans Affairs designated in accordance with subdivision (b) of Section 1108.

(b) "Committee" means the Veterans' Home Finance Committee created pursuant to subdivision (a) of Section 1108.

(c) "Fund" means the Veterans' Home Fund created pursuant to Section 1103.

Article 2. Veterans' Homes

1103. *The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Veterans' Home Fund, which is hereby created in the State Treasury.*

1104. (a) *Upon appropriation by the Legislature, money in the fund shall be used by the Department of Veterans Affairs for the purpose of designing and constructing veterans' homes in California and completing a comprehensive renovation of the Veterans' Home at Yountville. Funding from this bond shall be allocated to fund the state's matching requirement to construct or renovate those veterans' homes in Section 1011 first, and then fund any additional homes established under this section. These homes shall be in addition to sites authorized under Section 1011.*

(b) *Notwithstanding any other provision of law, construction contracts awarded for veterans' homes shall have a statewide participation goal of not less than 3 percent for disabled veteran business enterprises, as defined in subdivision (g) of Section 999.*

Article 3. Fiscal Provisions

1105. *The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the State Treasury to the credit of the Veterans' Home Fund, created by Section 1103.*

1106. *Bonds in the total amount of fifty million dollars (\$50,000,000), not including the amount of any refunding bonds issued in accordance with Section 1130, or as 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 and sold for carrying out the purposes of Section 1104 and 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 shall 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 the principal of, and interest on, the bonds as the principal and interest become due and payable.*

1107. *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.*

1108. (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 Veterans' Home Finance Committee is hereby created. For purposes of this chapter, the Veterans' Home 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 Secretary of Veterans Affairs, 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 of Veterans Affairs is designated the "board."*

1109. *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 this chapter 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.

1110. *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 that is necessary to collect that additional sum.*

1111. *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 necessary to carry out Section 1112 appropriated without regard to fiscal years.*

1112. *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 that have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amount 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 that the money 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.*

1113. *The Department of Veterans Affairs 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, by resolution, has authorized to be sold for the purpose of carrying out this chapter. The department 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 department in accordance with this chapter.*

1114. *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.*

1115. *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 voters of the state for the issuance of the bonds described in this chapter includes the approval of the issuance of any bonds issued to refund any bonds originally issued under this chapter or any previously issued refunding bonds.*

1116. *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 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.

1117. 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 AMENDMENT AND STATUTE

Number
on ballot

26. **School Facilities. Local Majority Vote. Bonds, Taxes.**

[Submitted by the initiative and rejected by electors March 7, 2000.]

PROPOSED LAW

THE MAJORITY RULE ACT FOR SMALLER CLASSES, SAFER SCHOOLS, AND FINANCIAL ACCOUNTABILITY

SECTION 1. TITLE

This act shall be known as the Majority Rule Act for Smaller Classes, Safer Schools, and Financial Accountability.

SEC. 2. FINDINGS AND DECLARATIONS

The people of the State of California find and declare as follows:

(a) Investing in education is crucial if we are to prepare our children for the 21st century.

(b) We need to make sure our children have access to the learning tools of the 21st century like computers and the Internet, but most California classrooms do not have access to these technologies.

(c) We need to build new classrooms to facilitate class size reduction, so our children can learn basic skills like reading and mathematics in an environment that ensures that California’s commitment to class size reduction does not become an empty promise.

(d) We need to repair and rebuild our dilapidated schools to ensure that our children learn in a safe and secure environment.

(e) Students in public charter schools should be entitled to reasonable access to a safe and secure learning environment.

(f) We need to give local citizens and local parents the ability to build those classrooms by majority vote local elections so each community can decide what is best for its children.

(g) We need to ensure accountability so that funds are spent prudently and only as directed by citizens of the community.

SEC. 3. PURPOSE AND INTENT

In order to prepare our children for the 21st century, to implement class size reduction, to ensure that our children learn in a secure and safe environment, and to ensure that school districts are accountable for prudent and responsible

spending for school facilities, the people of the State of California do hereby enact the Majority Rule Act for Smaller Classes, Safer Schools, and Financial Accountability. This measure is intended to accomplish its purposes by amending the California Constitution and the Education Code:

(a) To provide an exception to the limitation on ad valorem property taxes and the two-thirds vote requirement to allow school districts, community college districts, and county offices of education to equip our schools for the 21st century, to provide our children with smaller classes, and to ensure our children's safety by repairing, building, furnishing, and equipping school facilities;

(b) To require school district boards, community college boards, and county offices of education to evaluate safety, class size reduction, and information technology needs in developing a list of specific projects to present to the voters;

(c) To ensure that before they vote, voters will be given a list of specific projects their bond money will be used for;

(d) To require an annual, independent financial audit of the proceeds from the sale of the school facilities bonds until all of the proceeds have been expended for the specified school facilities projects; and

(e) To ensure that the proceeds from the sale of school facilities bonds are used for specified school facilities projects only, and not for teacher and administrator salaries and other school operating expenses, by requiring an annual, independent performance audit to ensure that the funds have been expended on specific projects only.

SEC. 4. Section 1 of Article XIII A of the California Constitution is amended to read:

Section 1. (a) The maximum amount of any ad valorem tax on real property shall not exceed One percent (1%) of the full cash value of such property. The one percent (1%) tax to be collected by the counties and apportioned according to law to the districts within the counties.

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on ~~(+) any indebtedness of the following :~~

~~(1) Indebtedness approved by the voters prior to July 1, 1978 ; or (2) any bonded .~~

~~(2) Bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.~~

~~(3) Bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by a majority of the voters of the district or county, as appropriate, voting on the proposition on or after the effective date of the measure adding this paragraph. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:~~

~~(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.~~

(B) *A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.*

(C) *A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.*

(D) *A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.*

(c) *Notwithstanding any other provisions of law or of this Constitution, school districts, community college districts, and county offices of education may levy a majority vote ad valorem tax pursuant to subdivision (b).*

SEC. 5. Section 18 of Article XVI of the California Constitution is amended to read:

SEC. 18. (a) No county, city, town, ~~township~~, board of education, or school district ; shall incur any indebtedness or liability , in any manner or for any purpose , exceeding in any year the income and revenue provided for ~~such~~ that year, ~~without the assent of unless the indebtedness or liability is approved by two-thirds of the qualified electors thereof, voters of the public entity voting at an election to be held for that purpose, except provided that with respect to any such public entity which is authorized to incur indebtedness for public school purposes; any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purpose of repairing; reconstructing or replacing public school buildings determined; in the manner prescribed by law; to be structurally unsafe for school use; shall be adopted upon the approval of a majority of the qualified electors of the public entity voting on the proposition at such election; nor unless before or at the time of incurring such the indebtedness provision shall be is made for the collection of an annual tax sufficient to pay the interest on such the indebtedness as it falls due ; and also provision to constitute for a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty 40 years from the time of contracting the same; provided; however; anything to the contrary herein notwithstanding; when indebtedness.~~

(b) *Notwithstanding subdivision (a), on or after the effective date of the measure adding this subdivision, in the case of any school district, community college district, or county office of education, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, shall be adopted upon the approval of a majority of the voters of the district or county, as appropriate, voting on the proposition at an election. This subdivision shall apply only to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision if the proposition meets all of the accountability requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A.*

(c) *When two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds or a majority of the ~~qualified~~*

electors voters, as the case may be, voting on any one of such *those* propositions, vote in favor thereof, ~~such~~ *the* proposition shall be deemed adopted.

SEC. 6. Section 47614 of the Education Code is amended to read:

47614. A school district in which a charter school operates shall permit a charter school to use, at no charge, facilities not currently being used by the school district for instructional or administrative purposes; or that have not been historically used for rental purposes provided the charter school shall be responsible for reasonable maintenance of those facilities: (a) *The intent of the people in amending this section is that public school facilities should be shared fairly among all public school pupils, including those in charter schools.*

(b) *Each school district shall make available, to each charter school operating in the school district, facilities sufficient for the charter school to accommodate all of the charter school's in-district students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending other public schools of the district. Facilities provided shall be contiguous, furnished, and equipped, and shall remain the property of the school district. The school district shall make reasonable efforts to provide the charter school with facilities near to where the charter school wishes to locate, and shall not move the charter school unnecessarily.*

(1) *The school district may charge the charter school a pro rata share (based on the ratio of space allocated by the school district to the charter school divided by the total space of the district) of those school district facilities costs which the school district pays for with unrestricted general fund revenues. The charter school shall not be otherwise charged for use of the facilities. No school district shall be required to use unrestricted general fund revenues to rent, buy, or lease facilities for charter school students.*

(2) *Each year, each charter school desiring facilities from a school district in which it is operating shall provide the school district with a reasonable projection of the charter school's average daily classroom attendance by in-district students for the following year. The district shall allocate facilities to the charter school for that following year based upon this projection. If the charter school, during that following year, generates less average daily classroom attendance by in-district students than it projected, the charter school shall reimburse the district for the over-allocated space at rates to be set by the State Board of Education.*

(3) *Each school district's responsibilities under this section shall take effect on July 1, 2003, or if the school district passes a school bond measure in the years 2000, 2001, or 2002, on the first day of July next following such passage.*

(4) *Facilities requests based upon projections of fewer than 80 units of average daily classroom attendance for the year may be denied by the school district.*

(5) *The term "operating," as used in this section, shall mean either currently providing public education to in-district students, or having identified at least 80 in-district students who are meaningfully interested in enrolling in the charter school for the following year.*

(6) *The State Department of Education shall propose, and the State Board of Education may adopt, regulations implementing this subdivision, including, but not limited to, defining the terms "average daily classroom attendance," "conditions reasonably equivalent," "in-district students," and "facilities costs," as well as defining the procedures and establishing timelines for the request for, reimbursement for, and provision of, facilities.*

SEC. 7. CONFORMITY

The Legislature shall conform all applicable laws to this act. Until the Legislature has done so, any statutes that would be affected by this act shall be deemed to have been conformed with the majority vote requirements of this act.

SEC. 8. SEVERABILITY

If any of the provisions of this measure or the applicability of any provision of this measure to any person or circumstances shall be found to be unconstitutional or otherwise invalid, such finding shall not affect the remaining provisions or applications of this measure to other persons or circumstances, and to that extent the provisions of this measure are deemed to be severable.

SEC. 9. AMENDMENT

Section 6 of this measure may be amended to further its purpose by a bill passed by a majority of the membership of both houses of the Legislature and signed by the Governor, provided that at least 14 days prior to passage in each house, copies of the bill in final form shall be made available by the clerk of each house to the public and the news media.

SEC. 10. LIBERAL CONSTRUCTION

The provisions of this act shall be liberally construed to effectuate its purposes.

INITIATIVE STATUTES

*Number
on ballot*

23. **“None of the Above” Ballot Option.**

[Submitted by the initiative and rejected by electors March 7, 2000.]

PROPOSED LAW

“NONE OF THE ABOVE” ELECTION REFORM ACT

SECTION 1. This act shall be known and may be cited as the “None of the Above” Election Reform Act.

SEC. 2. FINDINGS AND DECLARATIONS

The people of the State of California find and declare:

(a) Many eligible citizens of all political parties do not participate in elections because they are angered by negative campaigns, frustrated with the narrow choice of candidates, and convinced that those elected to represent them are out of touch with their needs.

(b) Voters in the State of Nevada have, for more than 20 years, benefited from having the choice to vote for “none of these candidates” and have their choice counted and reported as part of official election results.

(c) Establishing the option of voting for “None of the Above” will encourage voter participation in elections by giving citizens who have tended not to vote in the past a means of participating responsibly while voicing a protest against negative campaigns, limited choice of candidates, and poor performance of officeholders.

(d) Establishing a nonbinding “None of the Above” option will not alter the principle that the election is won by the candidate who receives the most votes.

(e) Voters, candidates, and officeholders will benefit from official publication of information concerning how many voters choose “None of the Above”

rather than any of the candidates on the ballot for a particular public office. Specifically, when more voters cast their ballots for “None of the Above” than for any of the candidates, they will send a powerful message about the need for reform. Votes for “None of the Above” will tell politicians that their methods of recruiting candidates, campaigning, and communicating with the public need improvement.

SEC. 3. PURPOSE AND INTENT

The people of the State of California hereby declare their purpose and intent in enacting this act to be as follows:

- (a) To increase voter participation in elections.
- (b) To give voters a means to responsibly protest, and visibly express their dissatisfaction with, the choices offered on the ballot.
- (c) To send politicians a message about voter anger over negative campaigns, the lack of meaningful choices among candidates, and the inaccessibility of their elected representatives.

SEC. 4. Chapter 5 (commencing with Section 400) is added to Division 0.5 of the Elections Code, as follows:

CHAPTER 5. OPTION OF VOTING FOR NONE OF THE ABOVE

400. *Notwithstanding any other provision of law, in all primary, general, special, and recall elections for President, Vice President, Member of the United States Senate, Member of the House of Representatives, Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Insurance Commissioner, Member of the Board of Equalization, Member of the Assembly, and State Senator, voters shall be provided with the option of voting for “None of the Above.” Only votes cast for named candidates (including valid write-in candidates) shall be counted in determining the selection of presidential electors or nomination or election to any of the other specified federal and state offices, but for each office the number of ballots on which “None of the Above” was selected shall be listed below the names of the candidates and the number of their votes in every tally sheet, snap tally form, semiofficial return, official return, statement of the result, return, statement of the vote, supplement to the statement of the vote, or other official listing of election results.*

SEC. 5. Section 6480 of the Elections Code is amended to read:

6480. The format of the presidential portion of the Republican primary ballot shall be governed by Chapter 2 (commencing with Section 13100) of Division 13, with the following exceptions:

(a) Instructions to voters shall exclude any reference to groups of candidates preferring a person whose name appears on the ballot or references to any group of candidates not expressing a preference for a particular candidate.

(b) In place of the heading: “FOR DELEGATES TO NATIONAL CONVENTION. Vote for One Group or ‘None of the Above’ Only.” shall appear the heading: “PRESIDENTIAL PREFERENCE. Vote for One or ‘None of the Above’.”

(c) Candidates for President shall be listed on the ballot in the same order provided for in Chapter 2 (commencing with Section 13100) of Division 13 for statewide candidates.

(d) Only the names of selected and unselected presidential candidates shall appear on the ballot in the spaces provided. No reference shall be made to their being preferred by candidates for delegates to the national convention.

SEC. 6. Section 6620 of the Elections Code is amended to read:

6620. For the presidential primary election, the format of the American Independent Party ballot shall be governed by Chapter 2 (commencing with Section 13100) of Division 13, with the following exceptions:

(a) In place of the heading “Delegates to National Convention, vote for one group or ‘None of the Above’ only” shall appear the heading “Presidential Preference, vote for one or ‘None of the Above’.”

(b) Selected and unselected presidential candidates shall be listed below the heading specified in subdivision (a).

(c) Below the presidential candidates shall appear in the same column, or in the next column if there is not sufficient space in the first column, the heading “Delegates to National Convention, vote for one group or ‘None of the Above’.”

(d) The instructions to voters shall be the same as provided for in Chapter 2 (commencing with Section 13100) of Division 13 except that they shall begin with the words, “To express your preference for a candidate for nomination for President, stamp a cross (+) in the square opposite the name of the candidate or “None of the Above.” Your vote in this portion of the ballot is advisory only. Delegates to the national convention will be elected in the delegate selection portion of the ballot.”

SEC. 7. Section 6821 of the Elections Code is amended to read:

6821. For the presidential primary election, the format of the Peace and Freedom Party ballot shall be governed by Chapter 2 (commencing with Section 13100) of Division 13, with the following exceptions:

(a) In place of the heading “Delegates to National Convention, vote for one group only” shall appear the heading “Presidential Preference, vote for one or ‘None of the Above’.”

(b) Selected and unselected presidential candidates shall be listed below the heading specified in subdivision (a).

(c) Below the presidential candidates shall appear in the same column, or in the next column if there is not sufficient space in the first column, the heading “Delegates to National Convention, vote for one group or ‘None of the Above’.”

(d) Presidential candidates who have qualified for the ballot and to whom delegations are pledged, and the chairpersons of unpledged delegations which have qualified for the ballot, shall be listed below the heading specified in subdivision (c).

(e) The instructions to voters shall be the same as provided for in Chapter 2 (commencing with Section 13100) of Division 13, except that they shall begin with the words, “To express your preference for a candidate for nomination for President, stamp a cross (+) in the square opposite the name of the candidate or “None of the Above” . Your vote in this portion of the ballot is advisory only. Delegates to the national convention will be elected in the delegate selection portion of the ballot.”

SEC. 8. Section 9035 of the Elections Code is amended to read:

9035. 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 registered voters 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 voters for all candidates and for “None of the Above” for Governor at the last gubernatorial election preceding the issuance of the title and summary for the initiative measure by the Attorney General.

SEC. 9. Section 11322 of the Elections Code is amended to read:

11322. In addition to the material contained in Section 11320, the following shall appear on ballots at all recall elections, except at a landowner voting district recall election:

(a) The names of the candidates nominated to succeed the officer sought to be recalled shall appear under each recall question.

(b) Following each list of candidates, the ballot shall provide one blank line with a voting space to the right of it for the voter to write in a name not printed on the ballot.

(c) *In addition to the material contained in subdivisions (a) and (b), the following shall appear on ballots at all recall elections for the offices specified in Section 400: the phrase "None of the Above" with a voting space to the right of it.*

SEC. 10. Section 13204 of the Elections Code is amended to read:

13204. (a) (1) The instructions to voters shall be printed at least three-eighths of an inch below the district designation. The instructions shall begin with the words "INSTRUCTIONS TO VOTERS:" in no smaller than 16-point gothic condensed capital type. Thereafter, there shall be printed in 10-point gothic type all of the following directions that are applicable to the ballot:

"To vote for a candidate for Chief Justice of California; Associate Justice of the Supreme Court; Presiding Justice, Court of Appeal; or Associate Justice, Court of Appeal, stamp a cross (+) in the voting square after the word "Yes," to the right of the name of the candidate. To vote against that candidate, stamp a cross (+) in the voting square after the word "No," to the right of the name of that candidate."

"To vote for any other candidate of your selection, stamp a cross in the voting square to the right of the candidate's name. (When justices of the Supreme Court or court of appeal do not appear on the ballot, the instructions referring to voting after the word "Yes" or the word "No" will be deleted and the above sentence shall read: "To vote for a candidate whose name appears on the ballot, stamp a cross (+) in the voting square to the right of the candidate's name.") Where two or more candidates for the same office are to be elected, stamp a cross (+) after the names of all candidates for the office for whom you desire to vote, not to exceed, however, the number of candidates to be elected."

"To vote for a qualified write-in candidate, write the person's name in the blank space provided for that purpose after the names of the other candidates for the same office."

"To vote on any measure, stamp a cross (+) in the voting square after the word "Yes" or after the word "No."

"All distinguishing marks or erasures are forbidden and make the ballot void."

"If you wrongly stamp, tear, or deface this ballot, return it to the precinct board member and obtain another."

"On absent voter ballots mark a cross (+) with pen or pencil."

(2) *With respect only to elections in which the names of candidates for one or more of the affected offices appear, the instructions to voters shall include, printed after the directions set forth in paragraph (1), the following paragraph:*

"If you do not choose to vote for any candidate for the office of President, Vice President, Member of the United States Senate, Member of the House of Representatives, Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction,

Treasurer, Member of the Board of Equalization, Member of the Assembly, or State Senator, should any or all of these offices appear on the ballot, you may stamp a cross (+) in the voting square to the right of the phrase "None of the Above," or you may decline to vote with respect to that office."

(b) The instructions to voters shall be separated by no smaller than a two-point rule from the portion of the ballot which contains the various offices and measures to be voted on.

SEC. 11. Section 13205 of the Elections Code is amended to read:

13205. Additional instructions to voters shall appear on the ballot prior to those provided for in Section 13204 under the following conditions:

(a) In a primary election at which candidates for delegate to national convention are to be voted upon, the instructions shall read:

"To vote for the group of candidates preferring a person whose name appears on the ballot, stamp a cross (+) in the square opposite the name of the person preferred. To vote for a group of candidates not expressing a preference for a particular candidate, stamp a cross (+) in the square opposite the name of the chairman of the group. If you do not choose to vote for any group of candidates, you may stamp a cross (+) in the voting square to the right of the phrase "None of the Above," or you may decline to vote with respect to that office."

(b) In elections when electors of President and Vice President of the United States are to be chosen, there shall be placed upon the ballot, in addition to the instructions to voters as provided in this chapter, ~~an instruction~~ *instructions* as follows:

(1) *"To vote for all of the electors of a party, stamp a cross (+) in the square opposite the names of the presidential and vice presidential candidates of that party. A cross (+) stamped in the square opposite the name of a party and its presidential and vice presidential candidate, is a vote for all of the electors of that party, but for no other candidates."*

(2) *"If you do not choose to vote for any electors, you may stamp a cross (+) in the voting square to the right of the phrase "None of the Above," or you may decline to vote with respect to electors of President and Vice President of the United States."*

(c) If a group of candidates for electors has been nominated under Chapter 3 (commencing with Section 8400) of Division 8, and has under Chapter 1 (commencing at Section 8300) of Division 8 designated the names of the candidates for President and Vice President of the United States for whom those candidates have pledged themselves to vote, the instructions to voters shall also contain the following, *before the instruction required by paragraph (2) of subdivision (b)* :

"To vote for those electors who have pledged themselves to vote for a candidate for President and Vice President not supported by any particular party stamp a cross (+) in the square opposite the names of those presidential and vice presidential candidates."

(d) If a group of candidates for electors has been nominated by a party not qualified to participate in the election, the instructions to voters shall also contain the following, *before the instruction required by paragraph (2) of subdivision (b)* :

"To vote for those electors who have pledged themselves to vote for a candidate for President and for Vice President of any party not qualified to participate in the election write in the names and party of those presidential and vice presidential candidates in the blank space provided for that purpose."

SEC. 12. Section 13208 of the Elections Code is amended to read:

13208. (a) In the right-hand margin of each column light vertical lines shall be printed in such a way as to create a voting square after the name of each candidate for partisan office, nonpartisan office (except for justice of the Supreme Court or court of appeal), or for chairman of a group of candidates for delegate to a national convention who express no preference for a presidential candidate. *In the case of all elections for the offices of President, Vice President, Member of the United States Senate, Member of the House of Representatives, Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, Member of the Board of Equalization, Member of the Assembly, or State Senator, there shall be a voting square after the phrase "None of the Above."* In the case of Supreme Court or appellate justices and in the case of measures submitted to the voters, the lines shall be printed so as to create voting squares to the right of the words "Yes" and "No." The voting squares shall be used by the voters to express their choices as provided for in the instruction to voters.

(b) The standard voting square shall be at least three-eighths of an inch square but may be up to one-half inch square. Voting squares for measures may be as tall as is required by the space occupied by the title and summary.

SEC. 13. Section 13210 of the Elections Code is amended to read:

13210. (a) In the case of candidates for delegate to national convention, there shall be printed in boldface gothic type, not smaller than 12-point, across the column above the names of the persons preferred by the groups of candidates for delegates, the words, "President of the United States." The words "Vote for one group or 'None of the Above' only" shall extend to the extreme right-hand margin of the column and over the voting square.

(b) In the case of candidates for President and Vice President, the words "Vote for One Party or 'None of the Above'" shall appear just below the heading "President and Vice President" and shall be printed so as to appear above the voting squares for that office. The heading "President and Vice President" shall be printed in boldface 12-point gothic type, and shall be centered above the names of the candidates.

(c) In that section of the ballot designated for judicial offices, next to the heading "judicial" shall appear the instruction: "Vote yes or no for each office."

(d) In the case of candidates for Justice of the Supreme Court and court of appeal, within the rectangle provided for each candidate, and immediately above each candidate's name, there shall appear the following: "For (designation of judicial office)." There shall be as many of these headings as there are candidates for these judicial offices. No heading shall apply to more than one judicial office. Underneath each heading shall appear the words "Shall (title and name of Justice) be elected to the office for the term provided by law?"

(e) In the case of all other candidates, each group of candidates to be voted on shall be preceded by the designation of the office for which they are running, and the words "vote for one" or "vote for no more than two," or more, according to the number to be nominated or elected. The designation of the office shall be printed flush with the left-hand margin in boldfaced gothic type not smaller than 8-point. The words, "vote for ____" shall extend to the extreme right-hand margin of the column and over the voting square. The designation of the office and the directions for voting shall be separated from the candidates by a light line. There shall be no line between the headings for federal or legislative offices and the designation of the office and the directions for voting.

SEC. 14. Section 13211 of the Elections Code is amended to read:

13211. The names of the candidates *and, with regard to all elections for the offices specified in Section 400, the phrase "None of the Above,"* shall be printed on the ballot, without indentation, in roman capital, boldface type not smaller than eight-point, between light lines or rules at least three-eighths of an inch apart but no more than one-half inch apart. However, in the case of candidates for President and Vice President, the lines or rules may be as much as five-eighths of an inch apart.

SEC. 15. Section 14441 of the Elections Code is amended to read:

14441. (a) The elections official shall prepare and forward to each selected precinct forms containing a list of the offices and measures designated as being of more than ordinary interest, and stating the number of ballots to be counted for the snap tally. In each general election, the special form shall, for each office listed on it, include the names of all candidates for that office whose names appear on the ballot *; and, with regard to elections for the offices specified in Section 400, the designation "None of the Above."*

(b) The inspector at each selected precinct shall note the results of the count and the total number of votes cast in the precinct on the snap tally forms as soon as the designated number of ballots has been tallied. The inspector shall then communicate the figures in the manner directed by the elections official. In each general election, the figures shall include the votes cast for every candidate whose name appears on the ballot for an office listed on the forms. The inspector shall continue, each time the designated number of ballots have been tallied, to note and report the results as directed.

SEC. 16. Section 14442 of the Elections Code is amended to read:

14442. Upon receipt from the precincts of the reports of votes cast on the specially designated offices and measures, the elections official shall tabulate the results and make the results available to the public. In each general election, all these reports of the election results shall include the votes cast for all candidates whose names appear on the ballot for each office for which returns are reported *; and, with regard to the offices specified in Section 400, the votes cast for "None of the Above."*

SEC. 17. Section 15151 of the Elections Code is amended to read:

15151. (a) The elections official shall transmit the semifinal official results to the Secretary of State in the manner and according to the schedule prescribed by the Secretary of State prior to each election, for the following:

(1) All candidates *and, with regard to elections for the statewide offices specified in Section 400, "None of the Above,"* voted for statewide office.

(2) All candidates *and "None of the Above"* voted for the following offices:

(A) State Assembly.

(B) State Senate.

(C) Member of the United States House of Representatives.

(D) Member of the State Board of Equalization.

~~(E)~~ (3) *All candidates* voted for Justice of the Court of Appeals.

~~(F)~~ (4) All persons *and "None of the Above"* voted for at the presidential primary or for electors of President and Vice President of the United States. The results at the presidential primary for candidates for President to whom delegates of a political party are pledged shall be reported according to the number of votes each candidate *and "None of the Above"* received from all voters and separately according to the number of votes each candidate *and "None of the Above"* received from voters affiliated with each political party qualified to participate in

the presidential primary election, and from voters who have declined to affiliate with a qualified political party. The elections official shall adopt procedures required to tabulate the ballots separately by party affiliation.

(4) (5) Statewide ballot measures.

(b) The elections official shall transmit the results to the Secretary of State at intervals no greater than two hours, following commencement of the semifinal official canvass.

SEC. 18. Section 15276 of the Elections Code is amended to read:

15276. The precinct board members shall ascertain the number of votes cast for each person , *for "None of the Above,"* and for and against each measure in the following manner:

One precinct board member shall read from the ballots. As the ballots are read, at least one other precinct board member shall keep watch of each vote so as to check on any possible error or omission on the part of the officer reading or calling the ballot.

SEC. 19. Section 15277 of the Elections Code is amended to read:

15277. (a) Two of the precinct board members shall each keep a tally sheet in a form prescribed by the elections official. Each tally sheet shall contain all of the following:

(1) The name of each candidate *and, with regard to elections for the offices specified in Section 400, "None of the Above,"* being voted for and the specific office for which each candidate is *and "None of the Above" are* being voted. The offices shall be in the same order as on the ballot.

(2) A list of each measure being voted upon.

(3) Sufficient space to permit the tallying of the full vote cast for each candidate , *for "None of the Above,"* and for and against each measure.

(b) The precinct board members keeping the tally sheets shall record opposite each name or measure, with pen or indelible pencil, the number of votes by tallies as the name of each candidate , *"None of the Above,"* or measure voted upon is read aloud from the respective ballot.

(c) Immediately upon the completion of the tallies, the precinct board members keeping the tally shall draw two heavy lines in ink or indelible pencil from the last tally mark to the end of the line in which the tallies terminate and initial that line. The total number of votes counted for each candidate , *for "None of the Above,"* and for and against each measure shall be recorded on the tally sheets in words and figures.

SEC. 20. Section 15374 of the Elections Code is amended to read:

15374. (a) The statement of the result shall show all of the following:

(1) The total number of ballots cast.

(2) The number of votes cast at each precinct for each candidate , *for "None of the Above,"* and for and against each measure.

(3) The total number of votes cast for each candidate , *for "None of the Above,"* and for and against each measure.

(b) The statement of the result shall also show the number of votes cast in each city, Assembly district, congressional district, senatorial district, State Board of Equalization district, and supervisorial district located in whole or in part in the county, for each candidate for the offices of presidential elector and all statewide offices, depending on the offices to be filled, and on each statewide ballot proposition. *With regard to elections for the offices specified in Section 400, the statement of the result shall also show the number of votes cast for "None of the Above."*

SEC. 21. Section 15375 of the Elections Code is amended to read:

15375. The elections official shall *forthwith* send to the Secretary of State ~~within 35 days of the election~~ in the manner requested one complete copy of all results as to all of the following:

(a) All candidates voted for statewide office ; *and with regard to elections for the statewide offices specified in Section 400, "None of the Above."*

(b) All candidates *and "None of the Above"* voted for the following offices:

(1) Member of the Assembly.

(2) Member of the Senate.

(3) Member of the United States House of Representatives.

(4) Member of the State Board of Equalization.

~~(5)~~ (c) *All candidates voted for the following offices:*

~~(1)~~ (1) Justice of the Courts of Appeal.

~~(6)~~ (2) Judge of the Superior Court.

~~(7)~~ (3) Judge of the Municipal Court.

~~(e)~~ (d) All persons *and "None of the Above"* voted for at the presidential primary. The results for all persons voted for at the presidential primary for delegates to national conventions shall be canvassed and shall be sent within 20 days after the election. The results at the presidential primary for candidates for President to whom delegates of a political party are pledged *and "None of the Above"* shall be reported according to the number of votes each candidate *and "None of the Above"* received from all voters and separately according to the number of votes each candidate *and "None of the Above"* received from voters affiliated with each political party qualified to participate in the presidential primary election, and from voters who have declined to affiliate with a qualified political party.

~~(d)~~ (e) The vote given for persons *and "None of the Above"* for electors of President and Vice President of the United States. The results for presidential electors shall be endorsed "Presidential Election Returns," and sent so that they are received by the Secretary of State not later than the first Monday in the month following the election.

~~(e)~~ (f) All statewide measures.

SEC. 22. Section 15501 of the Elections Code is amended to read:

15501. (a) Except as to presidential electors, the Secretary of State shall compile the results for all of the following:

(1) All candidates for statewide office ; *and, with regard to statewide offices specified in Section 400, "None of the Above."*

(2) All candidates *and "None of the Above"* for Assembly, State Senate, Congress, *and State Board of Equalization ; ~~Supreme Court, and Courts of Appeal~~.*

~~(3)~~ (3) *All candidates for Supreme Court and Courts of Appeal.*

~~(4)~~ (4) All statewide measures.

(b) The Secretary of State shall prepare, certify, and file a statement of the vote from the compiled results no later than the 39th day after the election.

(c) The Secretary of State may gather returns for local elections, including, but not limited to, the following:

(1) Candidates for county office.

(2) Candidates for city office.

(3) Candidates for school and district office.

(4) County ballot measures.

(5) City ballot measures.

(6) School and district ballot measures.

SEC. 23. Section 15502 of the Elections Code is amended to read:

15502. Within 120 days of the filing of the statement of the vote, the Secretary of State, upon the basis of the information provided, shall compile a supplement to the statement of the vote, showing the number of votes cast in each county, city, Assembly district, senatorial district, congressional district and supervisorial district for each candidate *and "None of the Above"* for the offices of presidential elector, Governor, and United States Senator, depending on the offices to be filled, and on each statewide ballot proposition. A copy of this supplement shall be made available, upon request, to any elector of this state.

SEC. 24. No provision of this act may be amended by the Legislature except to further the purposes of that provision by a 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 electorate. No amendment by the Legislature shall be deemed to further the purposes of this act unless it furthers the purpose of the specified provision of this act being amended. In any judicial action with respect to any legislative amendment, the court shall exercise its independent judgment as to whether or not the amendment satisfies the requirements of this section.

SEC. 25. If this act is approved by voters but superseded by any other conflicting ballot measure approved by more voters at the same election, and the conflicting ballot measure is later held invalid, it is the intent of the voters that this act shall be self-executing and given full force of the law.

SEC. 26. In the event that this measure and another measure or measures relating to a "none of the above" option in this state shall appear on the same statewide election ballot, the provisions of these other measures shall be deemed to be in conflict with this measure. In the event that this measure shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void in their entirety. In the event that the other measure or measures shall receive a greater number of affirmative votes, the provisions of this measure shall take effect to the extent permitted by law.

SEC. 27. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

*Number
on ballot*

25. **Election Campaigns. Contributions and Spending Limits. Public Financing. Disclosures.**

[Submitted by the initiative and rejected by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. Title

This measure shall be known as the California Voters Bill of Rights Act.

SECTION 2. Findings and Declarations

The people of California find and declare as follows:

(a) The people of California should be governed by a political system that is fair to all persons, open to public scrutiny, and dedicated to the principle that government derives its powers from the consent of the governed.

(b) The existing political system has failed to provide fairness in representation and is disproportionately dominated by individuals and groups whose extraordinary financial or political advantages enable a disregard of the consent of the governed.

(c) The recent history in California of financing campaigns and providing disproportionate advantages to protect incumbent officeholders have undermined public confidence in government.

(d) This unfair current political system is recognized by many residents of California, leading to worrisome levels of voter apathy and disenchantment with politics.

(e) Our democracy cannot continue to flourish if elections are often unfair, and voters perceive them to be unfair.

SECTION 3. Purposes of This Act

The people enact this law to accomplish the following related purposes:

(a) To ensure that all individuals and interest groups in our society have a fair and equitable opportunity to participate in the elective and governmental processes.

(b) To minimize the potentially corrupting influence and appearance of corruption caused by excessive contributions and expenditures in campaigns.

(c) To lessen the potentially corrupting pressures on candidates and officeholders and the appearance of corruption by establishing sensible time periods for soliciting and accepting campaign contributions.

(d) To provide voters with ample and fair election information from which to make informed campaign decisions.

(e) To encourage fair representation of the governed.

(f) To nurture voter trust in the outcome of elections and confidence in the fairness of state government and the commitment of officeholders.

SECTION 4. Section 3513.5 is added to the Elections Code, to read:

3513.5. The proponent shall place at the top of each petition, in clearly visible font at least twice the size of any font on the petition, the following statement if the circulator is being paid to gather signatures: "THIS PETITION IS BEING CIRCULATED BY A PAID CIRCULATOR."

SECTION 5. Section 18521 of the Elections Code is amended to read:

18521. A person shall not directly or through any other person receive, agree, or contract for, before, during or after an election, any money, gift, loan, or other valuable consideration, office, place, or employment for himself or any other person because he or any other person:

(a) Voted, agreed to vote, refrained from voting, or agreed to refrain from voting for any particular person or measure.

(b) Remained away from the polls.

(c) Refrained or agreed to refrain from voting.

(d) *Voted or agreed to vote.*

(e) Induced any other person to:

(1) Remain away from the polls.

(2) Refrain from voting.

(3) Vote or refrain from voting for any particular person or measure.

(4) *Vote or agree to vote.*

Any person violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

SECTION 6. Section 20300 of the Elections Code is repealed.

20300: Upon leaving any elective office; or at the end of the postelection reporting period following the defeat of a candidate for elective office; whichever occurs last; surplus campaign funds raised prior to January 1, 1989; under the control of the former candidate or officeholder or his or her controlled committee shall be used or held only for the following purposes:

(a) (1) The repayment of personal or committee loans or other obligations if there is a reasonable relationship to a political, legislative, or governmental activity.

(2) For purposes of this subdivision, the payment for, or the reimbursement to the state of, the costs of installing and monitoring an electronic security system in the home or office; or both; of a candidate or elected officer who has received threats to his or her physical safety shall be deemed to have a reasonable relationship to a political, legislative, or governmental activity; provided that the threats arise from his or her activities, duties, or status as a candidate or elected officer and that the threats have been reported to and verified by an appropriate law enforcement agency. Verification shall be determined solely by the law enforcement agency to which the threat was reported. The candidate or elected officer shall report any expenditure of campaign funds made pursuant to this section to the commission. The report to the commission shall include the date that the candidate or elected officer informed the law enforcement agency of the threat; the name and phone number of the law enforcement agency; and a brief description of the threat. No more than five thousand dollars (\$5,000) in surplus campaign funds may be used; cumulatively; by a candidate or elected officer pursuant to this subdivision. Payments made pursuant to this subdivision shall be made during the two years immediately following the date upon which the campaign funds became surplus campaign funds. The candidate or elected officer shall reimburse the surplus campaign fund account for the fair market value of the security system no later than two years immediately following the date upon which the campaign funds become surplus campaign funds; upon sale of the property on which the system is installed; or prior to the closing of the surplus campaign fund account; whichever comes first. The electronic security system shall be the property of the campaign committee of the candidate or elected officer.

(b) The payment of the outstanding campaign expenses:

(c) Contributions to any candidate, committee, or political party; except where otherwise prohibited by law:

(d) The pro rata repayment of contributors:

(e) Donations to any religious, scientific, educational, social welfare, civic, or fraternal organization no part of the net earnings of which inures to the benefit of any private shareholder or individual or to any charitable or nonprofit organization which is exempt from taxation under subsection (c) of Section 501 of the Internal Revenue Code or Section 17214 or Sections 23701a to 23701j; inclusive; or Section 23701i, 23701n, 23701p, or 23701s of the Revenue and Taxation Code:

(f) Except where otherwise prohibited by law; held in a segregated fund for future political campaigns; not to be expended except for political activity reasonably related to preparing for future candidacy for elective office.

SECTION 7. Section 82002.5 is added to the Government Code, to read:

82002.5. (a) “Advertisement” means any general or public communication that is authorized and paid for by a person or committee for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or ballot measures, including a television broadcast, a radio broadcast, a web site display, text placed in a newspaper or magazine of general circulation, a mass mailing, a sign larger than 1,000 square inches, or telephone messages that are similar in nature and aggregate 2,000 or more in number. Communications in additional forms of media may be classified as advertisements under future regulations promulgated by the commission.

(b) “Advertisement” does not include a communication from an organization, other than a political party, reasonably restricted to its members, a campaign button smaller than 10 inches in diameter, a bumper sticker smaller than 60 square inches, a yard sign smaller than 1,000 square inches, pens, pins, articles of clothing, handbills not distributed by mail, or other communication as determined by the commission.

SECTION 8. Section 82013 of the Government Code is amended to read:

82013. “Committee” means any person or combination of persons who directly or indirectly does any of the following:

(a) Receives contributions totaling one thousand dollars (\$1,000) or more in a calendar year.

(b) Makes independent expenditures totaling one thousand dollars (\$1,000) or more in a calendar year; or

(c) Makes contributions totaling ten thousand dollars (~~\$10,000~~) *one hundred thousand dollars (\$100,000)* or more in a calendar year to or at the behest of candidates or committees.

A person or combination of persons that becomes a committee shall retain its status as a committee until such time as that status is terminated pursuant to Section 84214.

SECTION 9. Section 82016 of the Government Code is amended to read:

82016. “Controlled committee” means a committee which is controlled directly or indirectly by a candidate or state measure proponent *or opponent* or which acts jointly with a candidate, controlled committee, or state measure proponent *or opponent* in connection with the making of expenditures. A candidate or state measure proponent *or opponent* controls a committee if he, his agent or any other committee he controls has a significant influence on the actions or decisions of the committee.

SECTION 10. Section 82025 of the Government Code is amended to read:

82025. “Expenditure” means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes. *For purposes of disclosure and contribution limits, “expenditure” shall include payments for any mass communications referring to a clearly identified candidate or ballot measure broadcast or distributed to the public within 45 days of an election in which the candidate is on the ballot and that any reasonable person would conclude was done for the purpose of influencing the election. If coordinated with a candidate or committee, such payments shall be an in-kind contribution to the candidate or committee.* “Expenditure” does not include a candidate’s use of his or her own money to pay for either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code *or any payment made for communications*

appearing in a news story, commentary, or editorial distributed through the facilities of a broadcast station, newspaper, magazine, or Internet provider, unless the facilities are owned or controlled by a political party, committee, or candidate. An expenditure is made on the date the payment is made or on the date consideration, if any, is received, whichever is earlier.

SECTION 11. Section 83124 is added to the Government Code, to read:

83124. The commission shall adjust the contribution and spending limitations provisions in Chapter 5 (commencing with Section 85100) in October of every odd-numbered year to reflect any increase or decrease in the California Consumer Price Index. The adjustments shall be rounded to the nearest one thousand dollars (\$1,000) for the limitations on contributions and one hundred thousand dollars (\$100,000) for the limitations on expenditures.

SECTION 12. Section 84207 is added to the Government Code, to read:

84207. (a) Each state candidate or committee which is required to file an original campaign statement with the Secretary of State, that receives contributions or makes expenditures of twenty-five thousand dollars (\$25,000) or more in a calendar year, shall report each contribution of one thousand dollars (\$1,000) or more to the Secretary of State. The recipient of the contribution shall report the recipient's full name, street address, city, and ZIP Code, the committee identification number assigned by the Secretary of State, the date and amount of the contribution, and the office sought if the recipient is a candidate, or the ballot measure number or letter or, if none has yet been assigned, a brief description of the subject matter of the measure, if the recipient committee is a committee formed primarily to support or oppose a state ballot measure. The recipient shall also report the full name of the contributor, the contributor's street address, city, ZIP Code, occupation, and employer, or, if self-employed, the name of the business.

(b) Such contributions of one thousand dollars (\$1,000) or more shall be reported by electronic means pursuant to Chapter 4.6 (commencing with Section 84600) within 24 hours of receipt of the contribution.

(c) Each state candidate or committee that is required to file an original campaign statement with the Secretary of State, other than a committee of a political party, that makes cumulative expenditures of fifty thousand dollars (\$50,000) or more, or a committee of a political party that makes cumulative expenditures of two hundred thousand dollars (\$200,000) or more, since the filing of the last campaign expenditure report required by this article shall file an additional expenditure report with the Secretary of State, within 14 days of the expenditure, containing the following information:

(1) The name, street address, city, ZIP Code, and telephone number of the candidate or committee making the expenditure and of the committee's treasurer, and the committee identification number assigned by the Secretary of State.

(2) If the report is related to a candidate, the full name of the candidate and the office and district for which the candidate seeks election. If the report is related to a ballot measure, the number or letter of the measure, or, if none has yet been assigned, a brief description of the subject matter of the measure.

(3) The total amount of expenditures during the period covered.

(4) The amount of expenditures for each person to whom an expenditure of one thousand dollars (\$1,000) or more has been made during the period covered by the report, including the recipient's full name and street address, the number assigned to the recipient committee, if any, and a brief description of the consideration for which each such expenditure was made.

(d) A candidate or committee subject to reporting pursuant to subdivisions (a) and (b) shall not be subject to the reporting requirements of Section 84203.

(e) Within 30 days of the campaign statement required to be filed pursuant to Section 84200, the Secretary of State shall determine who has contributed an aggregate total of ten thousand dollars (\$10,000) or more in a calendar year to all state candidates and to committees that are required to file original campaign statements with the Secretary of State. The Secretary of State shall send a form listing the compiled contributions of each such contributor and request that the contributor verify the compilation as to that contributor. The contributor, under penalty of perjury, shall reply within 30 days, verifying, denying, or amending the compilation provided by the Secretary of State. A contributor that fails to respond in a timely manner shall be liable to the Secretary of State for the penalty set forth in subdivision (a) of Section 91013 but any such liability shall not exceed one thousand dollars (\$1,000). A contributor shall not be held civilly or criminally liable for violating this section but may be the subject of an administrative action brought pursuant to Section 83116.

SECTION 13. Section 84305.5 of the Government Code is amended to read:

84305.5. (a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:

(1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on every insert included with each piece of slate mail in no less than 8-point roman type font which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's street address of the slate mailer organization or the committee primarily formed to support or oppose one or more ballot measure is a matter of public record with the Secretary of State's Political Reform Division.

(2) At the top of each side or surface of a slate mailer or at the top of each side or surface of a postcard or other self-mailer; there is a notice in at least 8-point roman boldface type font, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. *The statement "THIS IS A PAID POLITICAL ADVERTISEMENT" shall be printed in a font at least one point larger than any other font on the page, and the remainder of the notice shall be printed in 8-point size font.* The notice shall consist of the following statement:

NOTICE TO VOTERS
THIS IS A PAID POLITICAL ADVERTISEMENT

THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. All candidates and ballot measures designated by \$\$\$ have paid for their listing in this mailer. A listing in this mailer does not necessarily imply endorsement of other candidates or measures listed. *Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer; nor does it imply endorsement of, or opposition to, any issues set forth in this mailer.*

(3) Any reference to a ballot measure that has paid to be included on the slate mailer shall also comply with the provisions of Section 84503 et seq.

(4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by ~~\$\$\$ the notice~~ “*PAID*” next to and clearly associated with the candidate or ballot measure. Any candidate or ballot measure that has not paid to appear in the slate mailer is not designated by ~~\$\$\$ the notice~~. ~~The \$\$\$~~

~~The notice required by this subdivision shall be of the same type size, type style, color or contrast, printed in boldface and at least the same font size and legibility as is are used for the name of the candidate or the ballot measure name or number and position advocated to which the \$\$\$ designation notice applies except that in no case shall the \$\$\$ be required to be larger than 10-point boldface type. The designation notice shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure in boldface and at least the same font size as any other font relating to that candidate or ballot measure.~~

(5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point roman type font which shall be in a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.

(6) ~~Any candidate endorsement appearing in the slate mailer that differs from the official endorsement of the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the endorsement, in no less than 9-point boldface font which shall be in a color or print that contrasts with the background so as to be easily legible, the following notice: THIS IS NOT THE POSITION OF THE (political party which the mailer appears by representation or indicia to represent) PARTY.~~

(b) For purposes of the ~~designations notice~~ required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of Section 84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the ~~\$\$\$ designation notice~~. The payment shall also be deemed to constitute authorization to appear in the mailer.

(c) A slate mailer that complies with this section shall be deemed to satisfy the requirements of Sections 20003 and 20004 of the Elections Code.

SECTION 14. Article 5 (commencing with Section 84501) is added to Chapter 4 of Title 9 of the Government Code, to read:

Article 5. Disclosure in Advertisements

84501. For purposes of Sections 84503 and 84505, “cumulative contributions” means the cumulative contributions to a committee placing an advertisement in which a disclosure pursuant to Section 84503 is required, beginning one year prior to and ending seven days prior to the time the advertisement is sent to the vendor.

84502. (a) *In addition to the information required in the ballot pamphlet in Section 88001, and in the sample ballot in Section 13307 of the Elections Code, the top five contributors, if any, of twenty-five thousand dollars (\$25,000) or more to committees primarily formed to support or oppose a state ballot measure shall be listed in the ballot pamphlet in a manner determined by the commission, together with the aggregate amount of contributions made by those contributors. For purposes of this section, the top five contributors and their aggregate contributions shall be determined as of the date at which the text of the ballot pamphlet is subject to public review.*

(b) *Following the list of the top five contributors shall be the statement: "This list reflects only the top five financial contributors as of [insert the date of public review for the ballot pamphlet]."*

84503. (a) *Any advertisement for or against any state or local ballot measure shall include a disclosure statement identifying any person, other than an individual, whose cumulative contributions to the committee placing the advertisement are fifty thousand dollars (\$50,000) or more, or any individual whose cumulative contributions are two hundred fifty thousand dollars (\$250,000) or more.*

(b) *If there are more than two donors whose disclosure is required under subdivision (a), the committee is required to disclose only the highest and second highest in that order. In the event that more than two donors meet this disclosure threshold at identical contribution levels, the highest and second highest shall be selected according to the chronological order of their contributions.*

(c) *If candidates or their controlled committees, as a group or individually, meet the contribution thresholds for a person, they shall be identified by the controlling candidate's name but are not treated as an individual under subdivision (a).*

84504. *In addition to the requirements of Sections 84503 and 84505, the committee placing the advertisement or persons acting in concert with that committee shall be prohibited from creating or using a non-candidate controlled committee or a nonsponsored committee to avoid, or that results in the avoidance of, the disclosure of any business entity, controlled committee, or sponsored committee as a major funding source.*

84505. *If the expenditure for a mailing advertisement that expressly advocates the election or defeat of any state candidate is an independent expenditure, the committee shall disclose in the advertisement the names of the two persons, other than individuals, making the largest contributions in excess of twenty-five thousand dollars (\$25,000) to the committee making the independent expenditure. If an acronym is used to specify any committee names in this section, the names of any sponsoring organization of the committee shall be prominently displayed on televised or printed advertisements or spoken in radio broadcast or phone message advertisements. For the purposes of determining the two contributors to be disclosed, the contributions of each person to the committee making the independent expenditure during the one-year period before the election shall be aggregated.*

84506. (a) *Any disclosure statement required by this article shall be printed clearly and legibly in no less than 10-point roman font and in a conspicuous manner as defined by the commission for televised or printed advertisements, or shall be spoken so as to be clearly audible and understood by the intended public for radio or phone message advertisements.*

(b) Phone calls that are advertisements shall disclose, during the course of the call, the name of the committee making the independent expenditure that paid for the call and the name of the donor if any, other than an individual, that has made the greatest contribution in dollar value greater than ten thousand dollars (\$10,000) to the independent expenditure committee.

84507. Notwithstanding the requirements of Sections 84503 and 84505, the committee shall not be required to disclose, in addition to the committee name, its major contributors in any advertisement that is:

(a) A radio broadcast of 15 seconds or less, or

(b) A newspaper, magazine, or other public print media advertisement which is 20 square inches or less.

84508. When a committee files an amended campaign statement pursuant to Section 81004.5, the committee shall change its advertisements to reflect the changed disclosure information.

84509. Any individual who appears in an advertisement paid for by a campaign committee or committees for or against a state or local ballot measure or candidate, and who is paid or promised payment of five thousand dollars (\$5,000) or more for that individual, or an organization controlled by the individual, from said campaign committee or from any donor of five thousand dollars (\$5,000) or more to said campaign committee, shall disclose that payment or promised payment in a manner prescribed by the commission. The campaign advertisement shall include the statement "(spokesperson's name) is being paid by this campaign or its donors" in highly visible roman font shown continuously if the advertisement consists of printed or televised material, or spoken in a clearly audible format if the advertisement is a radio broadcast or phone message.

84510. (a) In addition to the remedies provided for in Chapter 11 (commencing with Section 91000), any person who violates this article is liable in a civil or administrative action brought by the commission, or any person pursuant to the procedures set forth in Section 91007, for a fine of up to three times the cost of the advertisement, including placement costs, contributions, or expenditures.

(b) The remedies provided in subdivision (a) shall also apply to any person who purposely causes any other person to violate any provision of this article or who aids and abets any other person in a violation.

(c) If a judgment is entered against the defendant or defendants in an action brought under this section, the plaintiff shall receive 50 percent of the amount recovered. The remaining 50 percent shall be deposited in the General Fund of the State. In an action brought by a local civil prosecutor, 50 percent shall be deposited in the account of the agency bringing the action and 50 percent shall be paid to the general fund of the applicable jurisdiction.

84511. In addition to any reporting and disclosure requirements applicable to local candidates and committees, candidates and committees campaigning for or against a candidate or candidates or ballot measure or ballot measures in a local election, who raise or spend one hundred thousand dollars (\$100,000) or more in any single election held after January 1, 2002, or raise or spend fifty thousand dollars (\$50,000) or more in any single election held after January 1, 2003, shall be subject to the reporting and disclosure requirements applicable to state candidates of Section 84207 and this article, and the Internet campaign disclosure requirements of Chapter 4.7 (commencing with Section 84700). All such disclosures required pursuant to this section shall be sent to the appropriate

local filing officer. However, if the filing officer lacks the technological capability of receiving or making available any of the information to be disclosed in the manner contemplated by this act, then the information shall be sent to the Secretary of State who shall receive and make the information available in the same manner as is done with respect to state candidates and state ballot measures.

SECTION 15. Chapter 4.7 (commencing with Section 84700) is added to Title 9 of the Government Code, to read:

CHAPTER 4.7. ACCESS TO CAMPAIGN MATERIALS

84700. This chapter shall be known and may be cited as the Access to Campaign Materials Act of 2000.

84701. (a) The Secretary of State, notwithstanding any other provision of law, shall establish and maintain a campaign web site on the largest nonproprietary, nonprofit cooperative public network of computer networks which includes a grid for each state candidate and each state ballot measure from the time the candidate files the statement of intention pursuant to Section 85200 or the proponents of a ballot measure apply for title and summary pursuant to a qualification drive. The Secretary of State shall establish and maintain similar campaign web sites for all local candidates covered under Section 84511.

(b) The campaign web site shall contain all registration information for each state candidate committee and state ballot measure committee as filed with the Secretary of State, and provide links to the online disclosure network of campaign contributions and expenditures specified in Section 84602 as well as links to private campaign web sites managed by campaign committees, when available.

(c) The campaign web site shall also contain dynamic, multimedia copies of all campaign advertisements authorized by state campaign committees that are received and processed by the Secretary of State pursuant to Section 84702.

(d) All data on the campaign web site shall be available to the public within 24 hours utilizing telecommunications technology, which assures convenient public access, including dynamic multimedia access when feasible, and preserves the integrity of the data against efforts to tamper with or subvert the data.

(e) All contribution and expenditure data required by this act to be filed shall be made available on the Secretary of State's web site within 24 hours in a form that is sortable by donor, city, state, ZIP Code, amount, date, employer, occupation, and other information determined by the Secretary of State.

84702. (a) A digital copy of any television, radio, or other electronically distributed campaign advertisement, authorized by the official campaign committee of each state candidate and state ballot measure, shall be filed with the Secretary of State within 24 hours after its release on the airwaves. The digital copy of each such broadcast advertisement shall be provided in a standard, dynamic multimedia format.

(b) A digital copy of any essentially similar printed campaign advertisement, authorized by the campaign committee of each state candidate and state ballot measure, which has been mailed to or otherwise distributed to at least 10,000 persons, shall be filed with the Secretary of State within 24 hours of its mailing or distribution.

(c) A digital copy of any telephone message, authorized by the campaign committee of each state candidate and state ballot measure, which is provided in an essentially similar nature to 2,000 or more persons shall be filed with the

Secretary of State within 24 hours after its initial use, in a standard, dynamic multimedia format.

(d) Transmission of the campaign advertisements as required by this section shall be made online or through CD-ROM, diskette, or other electronic means according to procedures and formats determined by the Secretary of State.

84703. Any committee which qualifies as an independent expenditure committee shall also provide a digital multimedia copy of each advertisement set forth in Section 84702 for or against a state candidate or state ballot measure, for inclusion on the campaign web site, in accordance with the requirements of this chapter for campaign committees.

84704. There is hereby appropriated from the General Fund of the State to the Secretary of State the sum of one million five hundred thousand dollars (\$1,500,000) in the first fiscal year and seven hundred fifty thousand dollars (\$750,000) in each subsequent fiscal year, adjusted for the cost-of-living changes, for expenditures related to the full and expedited implementation of this chapter, above and beyond any sum that is appropriated for operations of the Secretary of State other than for the implementation of this chapter. The first fiscal year's appropriation shall be made available to the Secretary of State within 60 days of the election at which this measure is approved, and such appropriation shall not be prorated based on that date. The appropriation shall be increased by the Legislature to the extent necessary to fully and effectively implement the provisions of this chapter.

SECTION 16. Section 85100 of the Government Code is repealed.

85100: This chapter shall be known as the California Political Reform Act of 1996.

SECTION 17. Section 85102 of the Government Code is repealed.

85102: The people enact this law to accomplish the following separate but related purposes:

(a) To ensure that individuals and interest groups in our society have a fair and equitable opportunity to participate in the elective and governmental processes.

(b) To minimize the potentially corrupting influence and appearance of corruption caused by excessive contributions and expenditures in campaigns by providing for reasonable contribution and spending limits for candidates.

(c) To reduce the influence of large contributors with a specific financial stake in matters before government by severing the link between lobbying and campaign fundraising.

(d) To lessen the potentially corrupting pressures on candidates and officeholders for fundraising by establishing sensible time periods for soliciting and accepting campaign contributions.

(e) To limit overall expenditures in campaigns, thereby allowing candidates and officeholders to spend a lesser proportion of their time on fundraising and a greater proportion of their time communicating issues of importance to voters and constituents.

(f) To provide impartial and noncoercive incentives that encourage candidates to voluntarily limit campaign expenditures.

(g) To meet the citizens' right to know the sources of campaign contributions, expenditures, and political advertising.

(h) To enact tough penalties that will deter persons from violating this chapter and the Political Reform Act of 1974.

SECTION 18. Section 85202 of the Government Code is amended to read:

85202. Unless specifically superseded by this act, the definitions and provisions of this title *the Political Reform Act of 1974 (Title 9 (commencing with Section 81000))* shall govern the interpretation of this law.

SECTION 19. Section 85300 of the Government Code is repealed.

85300: No public officer shall expend and no candidate shall accept any public moneys for the purpose of seeking elective office.

SECTION 20. Section 85300 is added to the Government Code, to read:

85300. (a) *No person, other than political party committees, shall make to any candidate or candidate's controlled committee, and no such candidate or candidate's controlled committee shall accept, a contribution or contributions totaling more than three thousand dollars (\$3,000) for state or local office, other than statewide office, or contribution or contributions totaling more than five thousand dollars (\$5,000) for statewide office, for each election in which the candidate is attempting to be on the ballot, is on the ballot, or is a write-in candidate.*

(b) *No person shall make to any committee that contributes to any candidate or makes expenditures for or against any candidate, and no such committee shall accept from each such person, a contribution or contributions totaling more than five thousand dollars (\$5,000) per calendar year. This subdivision shall not apply to candidate-controlled committees or political party committees.*

(c) *This section shall not apply to a candidate's contribution of his or her personal funds to his or her own campaign committee, but shall apply to contributions from a spouse.*

SECTION 21. Section 85301 of the Government Code is repealed.

85301: (a) Except as provided in subdivision (a) of Section 85402 and Section 85706; no person, other than small contributor committees and political party committees; shall make to any candidate or the candidate's controlled committee for local office in districts with fewer than 100,000 residents; and no such candidate or the candidate's controlled committee shall accept from any person a contribution or contributions totaling more than one hundred dollars (\$100) for each election in which the candidate is attempting to be on the ballot or is a write-in candidate:

(b) Except as provided in subdivision (b) of Section 85402 and Section 85706; no person, other than small contributor committees and political party committees; shall make to any candidate or the candidate's controlled committee campaigning for office in districts of 100,000 or more residents; and no such candidate or the candidate's controlled committee shall accept from any such person a contribution or contributions totaling more than two hundred fifty dollars (\$250) for each election in which the candidate is attempting to be on the ballot or is a write-in candidate:

(c) Except as provided in subdivision (c) of Section 85402; no person, other than small contributor committees and political party committees; shall make to any candidate or the candidate's controlled committee for statewide office; and no such candidate or the candidate's controlled committee shall accept from any such person a contribution or contributions totaling more than five hundred dollars (\$500) for each election in which the candidate is attempting to be on the ballot or is a write-in candidate:

(d) No person shall make to any committee that contributes to any candidate and no such committee shall accept from each such person a contribution or contributions totaling more than five hundred dollars (\$500) per calendar year:

This subdivision shall not apply to candidate-controlled committees; political party committees; and independent expenditure committees.

(e) The provisions of this section shall not apply to a candidate's contribution of his or her personal funds to his or her own campaign committee; but shall apply to contributions from a spouse.

SECTION 22. Section 85301 is added to the Government Code, to read:

85301. *No person shall give in the aggregate to political party committees of the same political party, and no such party committees combined shall accept from any person, a contribution or contributions totaling more than twenty-five thousand dollars (\$25,000) per calendar year to be used for the purpose of promoting the support or defeat of any specific candidate, transfers to candidates or their controlled committees, or any expenditure on advertising through electronic media, except that a candidate may distribute a portion of any surplus, residual or unexpended campaign funds to a political party committee. This section shall not apply to a committee established by a political party committee for the exclusive purpose of supporting or opposing a ballot measure provided that the committee established is not controlled by a candidate or an elected official.*

SECTION 23. Section 85302 of the Government Code is repealed.

85302. ~~No small contributor committee shall make to any candidate or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from a small contributor committee, a contribution or contributions totaling more than two times the applicable contribution limit for persons prescribed in Section 85301 or 85402, whichever is applicable.~~

SECTION 24. Section 85302 is added to the Government Code, to read:

85302. *No more than 25 percent of the voluntary spending limits specified in this act at the time of adoption by the voters, subject to cost-of-living adjustments as specified in Section 83124, shall be accepted in cumulative contributions for any election from all political party committees by any candidate or the controlled committee of such a candidate.*

SECTION 25. Section 85303 of the Government Code is repealed.

85303. ~~No person shall give in the aggregate to political party committees of the same political party; and no such party committees combined shall accept from any person, a contribution or contributions totaling more than five thousand dollars (\$5,000) per calendar year; except a candidate may distribute any surplus, residual, or unexpended campaign funds to a political party committee.~~

SECTION 26. Section 85303 is added to the Government Code, to read:

85303. (a) *No candidate or the candidate's controlled committee for statewide office shall accept contributions prior to 12 months preceding any primary or special primary election or, in the event there is no primary or special primary election, any regular election or special election in which the candidate is attempting to be on the ballot or is a write-in candidate.*

(b) *No candidate or the candidate's controlled committee for state office, other than statewide office, shall accept contributions prior to six months preceding any primary or special primary election or, in the event there is no primary or special primary election, any regular election or special election in which the candidate is attempting to be on the ballot or is a write-in candidate.*

(c) *Notwithstanding subdivisions (a) and (b), candidates or their controlled committees may accept contributions at any time up to the lesser of 5 percent*

of the general election voluntary spending limits or fifty thousand dollars (\$50,000) per year to pay for legal expenses or campaign reporting expenses. Such expenditures shall not count against the voluntary spending limits.

(d) No candidate or the controlled committee of such candidate for state office shall accept contributions more than 90 days after the date of withdrawal, defeat, or election to office. Contributions accepted immediately following such an election or withdrawal and up to 90 days after that date shall be used only to pay outstanding bills or debts owed by the candidate or controlled committee. This section shall not apply to retiring debts incurred with respect to any election held prior to the effective date of this act, provided such funds are collected pursuant to the contribution limits specified in this act, applied separately for each prior election for which debts are being retired, and such funds raised shall not count against the contribution limitations applicable for any election following the effective date of this act.

(e) Notwithstanding subdivision (d), funds may be collected at any time to pay for attorney's fees for litigation or administrative action that arises directly out of a candidate's or elected officer's alleged violation of state or local campaign, disclosure, or election laws or for a fine or assessment for violations of this act or the Political Reform Act of 1974, or for a recount or contest of the validity of an election, or for any expense directly associated with an external audit or unresolved tax liability of the campaign by the candidate or the candidate's controlled committee; provided the funds are collected pursuant to the contribution limits of this act.

(f) Contributions pursuant to subdivisions (c), (d) and (e) shall be considered contributions raised for the election in which the debts, fines, assessments, recounts, contests, audits, or tax liabilities were incurred and shall be subject to the contribution limits of this act.

SECTION 27. Section 85304 of the Government Code is repealed.

85304. No more than 25 percent of the recommended expenditure limits specified in this act at the time of adoption by the voters, subject to cost of living adjustments as specified in Section 83124, shall be accepted in cumulative contributions for any election from all political party committees by any candidate or the controlled committee of such a candidate. Any expenditures made by a political party committee in support of a candidate shall be considered contributions to the candidate.

SECTION 28. Section 85304 is added to the Government Code, to read:

85304. No candidate, committee controlled by a candidate or officeholder, or ballot measure committee shall make any contribution to any other candidate running for office or his or her controlled committee or other ballot measure committee. This section shall not prohibit a candidate or proponent or opponent from making a contribution from his or her own personal funds to his or her own candidacy or to the candidacy of any other candidate for elective office or ballot measure campaign.

SECTION 29. Section 85305 of the Government Code is repealed.

85305. (a) In districts of fewer than 1,000,000 residents; no candidate or the candidate's controlled committee shall accept contributions more than six months before any primary or special primary election or; in the event there is no primary or special primary election; any regular election or special election in which the candidate is attempting to be on the ballot or is a write-in candidate.

(b) In districts of 1,000,000 residents or more and for statewide elective office; no candidate or the candidate's controlled committee shall accept contributions

more than 12 months before any primary or special primary election or, in the event there is no primary or special primary election, any regular election or special election in which the candidate is attempting to be on the ballot or is a write-in candidate:

(c) No candidate or the controlled committee of such candidate shall accept contributions more than 90 days after the date of withdrawal, defeat, or election to office. Contributions accepted immediately following such an election or withdrawal and up to 90 days after that date shall be used only to pay outstanding bills or debts owed by the candidate or controlled committee. This section shall not apply to retiring debts incurred with respect to any election held prior to the effective date of this act, provided such funds are collected pursuant to the contribution limits specified in Article 3 (commencing with Section 85300) of this act, applied separately for each prior election for which debts are being retired; and such funds raised shall not count against the contribution limitations applicable for any election following the effective date of this act.

(d) Notwithstanding subdivision (c), funds may be collected at any time to pay for attorney's fees for litigation or administrative action which arises directly out of a candidate's or elected officer's alleged violation of state or local campaign, disclosure, or election laws or for a fine or assessment imposed by any governmental agency for violations of this act or this title; or for a recount or contest of the validity of an election; or for any expense directly associated with an external audit or unresolved tax liability of the campaign by the candidate or the candidate's controlled committee; provided such funds are collected pursuant to the contribution limits of this act.

(e) Contributions pursuant to subdivisions (c) and (d) of this provision shall be considered contributions raised for the election in which the debts, fines, assessments, recounts, contests, audits, or tax liabilities were incurred and shall be subject to the contribution limits of that election.

SECTION 30. Section 85305 is added to the Government Code, to read:

85305. *Any campaign contribution to a candidate or candidate's controlled committee received after the election at which the measure adding this section is approved, and prior to the permissible fundraising period for each elective office set forth in Section 85303, shall not be used to support or oppose the election of any candidate for such elective office held after the effective date of this act.*

SECTION 31. Section 85306 of the Government Code is repealed.

85306. No candidate and no committee controlled by a candidate or officeholder, other than a political party committee, shall make any contribution to any other candidate running for office or his or her controlled committee. This section shall not prohibit a candidate from making a contribution from his or her own personal funds to his or her own candidacy or to the candidacy of any other candidate for elective office.

SECTION 32. Section 85306 is added to the Government Code, to read:

85306. (a) *A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to all contribution limitations.*

(b) *No candidate shall personally make outstanding loans to his or her campaign or campaign committee that total at any one point in time more than fifty thousand dollars (\$50,000) in the case of any candidate, except for candidates for Governor; or one hundred thousand dollars (\$100,000) in the case of candidates for Governor. Nothing in this act shall prohibit a candidate from making unlimited contributions to his or her own campaign.*

SECTION 33. Section 85307 of the Government Code is repealed.

85307. (a) A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to all contribution limitations.

(b) Extensions of credit for a period of more than 30 days, other than loans from financial institutions given in the normal course of business, are subject to all contribution limitations.

(c) No candidate shall personally make outstanding loans to his or her campaign or campaign committee that total at any one point in time more than twenty thousand dollars (\$20,000) in the case of any candidate, except for candidates for governor, or fifty thousand dollars (\$50,000) in the case of candidates for governor. Nothing in this chapter shall prohibit a candidate from making unlimited contributions to his or her own campaign.

SECTION 34. Section 85307 is added to the Government Code, to read:

85307. (a) *Contributions by a husband and wife shall not be aggregated.*

(b) *Contributions by children under 18 shall be treated as contributions attributed equally to each parent or guardian.*

SECTION 35. Section 85308 is added to the Government Code, to read:

85308. *No person shall contribute in the aggregate more than fifty thousand dollars (\$50,000) to all state candidates and the state candidates' controlled committees per election. Contributions from political parties shall be exempt from this provision.*

SECTION 36. Section 85309 is added to the Government Code, to read:

85309. *All payments made by a person established, financed, maintained, or controlled by any business entity, labor organization, association, political party, or any other person or group of such persons shall be considered to be made by a single person.*

SECTION 37. Section 85310 is added to the Government Code, to read:

85310. *A for-profit corporation or joint stock company shall not make direct contributions from general treasury funds to candidates or to committees primarily formed to support or oppose a candidate or candidates.*

SECTION 38. Section 85311 is added to the Government Code, to read:

85311. *Notwithstanding Section 85309, the costs of internal communications to members, employees, or shareholders of an organization for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or measures shall not be considered a contribution or independent expenditure under this act, provided such payments are not for the costs of campaign materials or activities used in connection with broadcasting, newspaper, billboard, or similar type of general public communication. This section does not apply to communications by political parties, whose contributions to candidates are governed by Section 85302.*

SECTION 39. Section 85312 is added to the Government Code, to read:

85312. *Any committee that accepts a contribution that is not from the person listed on the check or subsequent campaign disclosure statements shall be liable to pay to the state the entire amount of the laundered contribution. The liability imposed by this section shall extend to any committee controlled by a candidate or elected official, whether the committee was organized before or after the laundered contribution was accepted, if the controlling candidate or elected official controlled the committee that received the laundered contribution. The statute of limitations shall not apply to this provision, and repayments to the state shall be made as long as the committee has any funds sufficient to pay the state.*

SECTION 40. Section 85313 is added to the Government Code, to read:

85313. The cost of any advertisement in support of or in opposition to a ballot measure that is paid for by a committee controlled by a candidate appearing on the same ballot as the ballot measure, and who is prominently featured in the advertisement, shall be deemed an in-kind contribution from the committee and the contribution shall be subject to the limitations of Section 85300. The commission shall draft appropriate regulations to implement the purposes of this section.

SECTION 41. Article 4 (commencing with Section 85400) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 4. Campaign Spending Limits and Public Support

85400. (a) Each candidate for state office shall file a statement of acceptance or rejection of the voluntary spending limits prescribed in Section 85401 upon filing the statement of intention pursuant to Section 85200. A candidate who wishes to retain the option of contributing personal funds to his or her own campaign in excess of one-half of the voluntary spending limits must file a statement so indicating at this same time.

(b) Each state ballot initiative committee shall file a statement of acceptance or rejection of the voluntary spending limits prescribed in Section 85401 within 30 days of applying for title and summary for official proponents of a ballot initiative or upon receiving contributions or making expenditures of one thousand dollars (\$1,000) or more either for or against a ballot initiative for other persons.

(c) Any candidate or committee that neglects to file the statement indicating acceptance of the voluntary spending limits by the appropriate date shall be assumed to have rejected the voluntary spending limits.

(d) Any violation of the pledge to abide by the voluntary spending limits shall be subject to a fine of five thousand dollars (\$5,000) or three times the amount of expenditures in excess of the spending limits, whichever is greater.

85401. (a) No candidate for state office, and no proponent or opponent of a state ballot initiative, who voluntarily accepts spending limits and any controlled committee of such a candidate or proponent or opponent, shall make campaign expenditures above the following amount:

(1) For an Assembly candidate, three hundred thousand dollars (\$300,000) in the primary or special primary election and four hundred thousand dollars (\$400,000) in the general, special, or special runoff election.

(2) For a Senate candidate or a candidate for the State Board of Equalization, five hundred thousand dollars (\$500,000) in the primary or special primary election and eight hundred thousand dollars (\$800,000) in the general, special, or special runoff election.

(3) For a statewide candidate, other than Governor, one million five hundred thousand dollars (\$1,500,000) in the primary election and two million dollars (\$2,000,000) in the general, special, or special runoff election. Expenditures for postage for a statewide candidate, other than postage for slate mailers, shall be exempt from the spending limits.

(4) For Governor, six million dollars (\$6,000,000) in the primary election and ten million dollars (\$10,000,000) in the general, special, or special runoff election. Expenditures for postage for a gubernatorial candidate, other than postage for slate mailers, shall be exempt from the spending limits.

(5) For a state ballot initiative, six million dollars (\$6,000,000) per election. Expenditures for postage for a state ballot initiative, other than postage for

slate mailers, shall be exempt from the spending limits. Direct expenditures for signature-gathering purposes by an initiative proponent committee prior to the submission of the qualifying signatures shall also be exempt from the spending limits.

(b) Candidates and committees who accept the voluntary spending limits also agree to accept no more than one hundred thousand dollars (\$100,000) or 10 percent of their voluntary spending limit amounts, whichever is greater, from any single donor other than committees of a political party.

(c) Any candidate or committee who declines to accept the voluntary spending limits upon the filing deadline shall not be eligible to receive the benefits accompanying such an agreement specified in this act.

85402. For purposes of the spending limits for candidates, campaign expenditures made at any time up to and including the date of the primary, special primary, or special election shall be considered expenditures for that election, and campaign expenditures made after the date of such election shall be considered expenditures for the general or 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 campaign expenditures for the time period in which the goods or services are used. Payments for goods and services used in both periods shall be prorated.

85403. (a) If a candidate declines to accept voluntary spending limits and receives contributions, has cash on hand, or makes qualified expenditures equal to 75 percent or more of the voluntary spending limit for that office, the voluntary spending limit shall be two and one-half times the limit specified in this act for any candidate running for the same elective office.

(b) If a candidate declines to accept voluntary spending limits, has retained the option of contributing to his or her own campaign over one-half the voluntary spending limit, and has subsequently contributed to his or her own campaign 25 percent or more of the voluntary spending limit, the voluntary spending limit shall be two and one-half times the limit specified in this act for any candidate running for the same elective office.

(c) If the committee or committees either in support or in opposition to a state ballot measure have in aggregate raised or spent over 100 percent of the voluntary spending limit, the voluntary spending limit shall be two and one-half times the limit specified in this act.

(d) If an independent expenditure committee or committees in the aggregate spend in support or opposition to a state candidate or ballot measure more than 50 percent of the applicable voluntary spending limit, the voluntary spending limit shall be two and one-half times the limit specified in this act for any candidate running for the same elective office or any committee campaigning for or against the same ballot measure.

(e) The commission shall require, by regulation, candidates, committees supporting or opposing ballot measures, and independent expenditure committees subject to this section to provide sufficient notice to the commission and to all candidates for the same office and appropriate committees that they are approaching and exceeding the thresholds set forth in this section.

85404. (a) The Secretary of State and local elections officers shall prominently designate in the ballot pamphlet, the sample ballot, and the voter information packet those candidates and proponents and opponents of state initiative measures who have voluntarily agreed to the spending limits of this

act. The commission shall prescribe by regulation the method or methods of that designation.

(b) In addition to the disclosure requirements for campaign advertisements specified in Section 84503, candidates and ballot initiative committees shall disclose in each electronic media advertisement, in a highly conspicuous manner to be determined by the commission, a reasonable estimate of the dollar amount of total campaign expenditures made by the campaign committee at the time the advertisement airs. The expenditure estimates shall be rounded to a unit of either one million dollars (\$1,000,000) or the voluntary spending limit for that office or campaign, whichever is greater. In the event that the estimate of expenditures would round to zero, the campaign may at its discretion either disclose that it has spent less than the disclosure amount or may waive the disclosure requirement. In no event shall a campaign be required to change the disclosure in an advertisement more frequently than once every three days.

SECTION 42. Section 89519 of the Government Code is repealed.

89519. Any campaign funds in excess of expenses incurred for the campaign or for expenses specified in subdivision (d) of Section 85305; received by or on behalf of an individual who seeks nomination for election; or election to office; shall be deemed to be surplus campaign funds and shall be distributed within 90 days after withdrawal, defeat, or election to office in the following manner:

(a) No more than ten thousand dollars (\$10,000) may be deposited in the candidate's officeholder account; except such surplus from a campaign fund for the general election shall not be deposited into the officeholder account within 60 days immediately following the election:

(b) Any remaining surplus funds shall be distributed to any political party; returned to contributors on a pro rata basis; or turned over to the General Fund.

SECTION 43. Section 89519 is added to the Government Code, to read:

89519. Any campaign funds in excess of expenses incurred for the campaign or for expenses specified in subdivision (d) of Section 85303, received by or on behalf of an individual who seeks nomination for election, or election to office, shall be deemed to be surplus campaign funds and shall be distributed within 90 days after withdrawal, defeat, or election to office either to any political party, or to the General Fund of the State, or shall be returned to contributors on a pro rata basis.

SECTION 44. Article 5 (commencing with Section 85500) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 5. Campaign Advertising Media Credit Program

85500. *Candidates for statewide office, the committee or committees so designated by official proponents, and opponents of state initiative measures and their controlled committees who have agreed to the voluntary spending limits prescribed in this act, and who have met the qualification requirements specified in Article 6 (commencing with Section 85600) shall be eligible to receive public media credits to be used to purchase broadcast time for campaign advertisements.*

85501. (a) *Campaign broadcasting media credits awarded to qualified candidates and qualified proponents and opponents of state initiative measures shall be in the following amounts:*

(1) *For office of Governor or a state initiative measure, up to a limit of one million dollars (\$1,000,000) per election.*

(2) *For other statewide elective office, up to a limit of three hundred thousand dollars (\$300,000) per election.*

(b) A candidate or committee who is eligible to receive campaign broadcasting media credits shall receive media credits on the basis of the following formulas:

(1) For any dollar amount of a contribution or contributions amounting to the first one hundred dollars (\$100) or less from a contributor received after a declaration of accepting spending limits is filed, a matching ratio of ten dollars (\$10) in media credits for each dollar received.

(2) For any dollar amount of a contribution or contributions amounting in excess of one hundred dollars (\$100) up to the first one thousand dollars (\$1,000) or less from a contributor received after a declaration of accepting spending limits is filed, a matching ratio of two dollars (\$2) in media credits for each dollar received.

(c) The total payments from the campaign advertising media credits by the designated candidate or proponent or opponent and their controlled committees, when added to the total campaign expenditures by such candidate or proponent or opponent and their controlled committees, shall not exceed the amount that may be expended by those persons pursuant to this act.

(d) Only the campaign committee so designated by the official proponents of an initiative campaign shall be eligible for media credits. Campaign committees opposing a ballot initiative shall be awarded matching fund media credits on a first-come, first-served basis, up to the aggregate limit of one million dollars (\$1,000,000) in media credits for all such opposition committees. Only campaign committees that limit their expenditures to supporting or opposing a single ballot measure shall be eligible for media credits.

85502. Campaign broadcasting media credits shall be used exclusively to finance the purchase of advertising time on television, radio, or other telecommunications medium as determined by the commission for campaign purposes on behalf of the candidacy of the recipient candidate or for the promotion or defeat of the initiative measure represented by the proponent or opponent and their controlled committees.

85503. (a) The campaign advertising media credit program shall be funded by the General Fund of the State.

(b) The commission shall promulgate regulations for the authorization of issuing campaign advertising media credits by the Controller to eligible persons. These regulations shall include the promulgation and distribution of forms on which such expenditures are to be reported, the verification required, and the procedures for repayment by the candidate or proponent or opponent and their controlled committees in those cases where a subsequent audit discloses that the expenditures either had not been incurred or did not fulfill the requirements of this act.

85504. Total public funds allocated under this act for the provision of campaign advertising media credits for use by candidates or committees shall amount to one dollar (\$1) per income taxpayer of the State of California per fiscal year, deposited into the fund on July 1 of each year, starting July 1, 2000, adjusted for inflation and rounded to the nearest ten cents (\$0.10). Media credits shall be paid to candidates and ballot measure committees from this fund on a first-come, first-served basis up to the limit available in the fund each year. Public funds may be appropriated for this purpose in excess of one dollar (\$1) per taxpayer per year only by approval by a vote of the people. Unspent public funds for this purpose shall be carried over from year to year.

SECTION 45. Article 6 (commencing with Section 85600) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 6. Major Candidates and Qualified Official Proponents and Opponents of State Initiative Measures

85600. Primary and special primary election candidates eligible to participate in the campaign advertising media credit program specified in Section 85500, or the voter information packet program specified in Section 88100, shall be certified by the Secretary of State according to the following criteria:

(a) A candidate is declared a "major candidate" eligible for public funding assistance pursuant to this act upon submitting qualification petitions to the county registrars with valid signatures of registered voters amounting to:

(1) For office of Governor, 10 percent of the number of valid signatures required to qualify an initiative constitutional amendment for the state ballot.

(2) For other statewide office, 3 percent of the number of valid signatures required to qualify an initiative constitutional amendment for the state ballot.

(3) For the offices of State Senate and State Board of Equalization, 2,500 valid signatures.

(4) For the office of State Assembly, 1,000 valid signatures.

(b) Signatures shall be from registered voters able to vote for the candidate in question.

(c) Qualification petitions shall clearly state at the top of each petition in 18-point boldface font: "We the undersigned are seriously considering voting for this candidate in the next election." The statement of intent shall be immediately followed in the same legible font by the name and address of the candidate, the party affiliation of the candidate unless the elective office is nonpartisan, the office sought for election by the candidate, and the date of the election. The Secretary of State shall promulgate rules and regulations governing the format of qualification petitions.

(d) Verification of qualification petition signatures shall be conducted by county election officials in accordance with signature-verification procedures established for state initiative measures to be paid for from the General Fund of the State.

85601. General, special, and special runoff election candidates eligible to participate in the campaign advertising media credit program specified in Article 5 (commencing with Section 85500) or the voter information packet program specified in Section 88100 shall be certified by the Secretary of State according to the following criteria:

(a) A candidate is a "major candidate" eligible for all of the benefits of the public funding programs if the candidate received at least 12 percent of votes cast for that office in the preceding primary or special primary election.

(b) A candidate is eligible for 20 percent of the total value of the campaign advertising media credit program specified in Section 85500 if that candidate received at least 5 percent but less than 12 percent of votes cast for that office in the preceding primary or special primary election. Such candidate shall be eligible for the total public funding benefits of the voter information packet program specified in Section 88100.

(c) A candidate is eligible for the total public funding benefits of the voter information packet program specified in Section 88100 if that candidate received at least 2 percent of total votes cast in the preceding primary or special primary

election. Such candidate shall not be eligible to participate in the campaign advertisement media credit program specified in Section 85500.

85602. The official proponents and opponents of a state initiative measure shall be eligible for participation in the campaign advertising media credit program specified in Section 85500 and the voter information packet program specified in Section 88100 upon meeting the following conditions:

(a) Qualification of the initiative for the next statewide ballot.

(b) Voluntarily agreeing to comply to the spending limits prescribed in this act.

(c) The proponent or opponent is not a candidate for state office.

85603. (a) A candidate or proponent of a state initiative measure shall not be eligible for participation in the campaign advertising media credit program in Article 5 (commencing with Section 85500) or for public funding assistance under the voter information packet program in Chapter 8.5 (commencing with Section 88100) if that candidate or proponent is unopposed in the election. A write-in candidate or none-of-the-above option shall not constitute an opposition candidate for the purposes of this act.

(b) An opponent of a state initiative measure shall not be eligible for participation in the campaign advertising media credit program in Article 5 (commencing with Section 85500) or for public funding assistance in the voter information packet program in Chapter 8.5 (commencing with Section 88100) if the official proponent withdraws support for the measure and no other proponent qualifies.

(c) The Secretary of State shall promulgate regulations for determining whether an official proponent has withdrawn support for a state initiative measure.

SECTION 46. Chapter 8.5 (commencing with Section 88100) is added to Title 9 of the Government Code, to read:

CHAPTER 8.5. VOTER INFORMATION PACKET PROGRAM

88100. There shall be a "voter information packet" which shall be prepared and distributed by the Secretary of State to all households containing registered voters four times per election. One voter information packet shall be mailed to arrive no more than 90 days but no less than 60 days prior to the election, a second packet shall be mailed to arrive no more than 60 days but no less than 30 days prior to the election, a third packet shall be mailed to arrive no more than 30 days but no less than 20 days prior to the election, and another packet shall be mailed to arrive no more than 10 days prior to the election.

88101. (a) Each state candidate and each official proponent and opponent of a state initiative measure and their controlled committees may at their own cost design and print a single sheet campaign advertisement to be inserted in the voter information packet. Any campaign advertising information may be included on the inserts within the constraints of the law. Each insert must clearly be labeled as to source, including the name, street address and city of the candidate or proponent or opponent, printed in 12-point boldface roman font that is clearly legible.

(b) All submissions to the voter information packet shall be available for public examination for four days prior to mailing. Any elector may seek a writ of mandate requiring an advertisement submitted to the voter information packet to be amended or deleted upon clear and convincing proof that the advertisement is false or misleading. Expedited review for a proceeding under this section shall be exclusively in Sacramento County.

(c) For a ballot initiative with multiple opponents, the opponent provided this opportunity shall be the opponent or its designee selected by the Secretary of State to provide the opposition statement for the official ballot pamphlet.

88102. (a) The voter information packet shall be prepared according to the following format and procedures:

(1) Each candidate or official proponent or opponent shall design and print sufficient copies of a campaign insert 8.5 x 11 inches in size on paper no greater in weight than that specified by the Secretary of State.

(2) The candidate and proponent and opponent shall submit the inserts for inclusion in the voter information packet by the deadline determined by the Secretary of State's Office.

(3) The Secretary of State shall prepare and distribute the voter information packet which includes each insert compiled in the order that the races are to appear on the ballot.

(4) The voter information packet envelopes shall be clearly labeled "Important Election Information from the Secretary of State."

(b) The costs for major candidates and qualified proponents and opponents of state initiative measures as specified in Section 85600, voluntarily complying with the spending limits set forth in this act, shall be paid for from the General Fund of the State.

(c) Candidates and proponents and opponents of state initiative measures and their controlled committees not choosing to limit their campaign expenditures in accordance with this act, and state candidates and proponents and opponents of state initiative measures otherwise not eligible for public funding, may also submit an insert for publication and distribution with the voter information packet, but shall be charged the pro rata costs of preparing, printing, handling, and mailing of the packets. The pro rata costs shall be calculated among those candidates and committees submitting inserts but not participating in, or otherwise ineligible for, public funding as provided in this act, but not to exceed 10 percent of the total cost of preparing, printing, handling, and mailing the packets for each payor.

SECTION 47. Section 89001 of the Government Code is amended to read:

89001. No newsletter or other mass mailing, *other than official election materials established by the Political Reform Act of 1974, as amended, and the California Voters Bill of Rights*, shall be sent at public expense.

SECTION 48. Appropriations

(a) The Legislature shall make the necessary appropriations to finance the requirements of this act each fiscal year that this act remains in effect.

(b) There is hereby appropriated from the General Fund of the State to the Fair Political Practices Commission the sum of one million dollars (\$1,000,000) annually above and beyond the appropriations established for the commission in the fiscal year immediately prior to the effective date of this act, adjusted for cost-of-living changes, for expenditures to support the operations of the commission pursuant to this act.

SECTION 49. Construction

This act shall be liberally construed to accomplish its purposes.

SECTION 50. Applicability of Other Laws

Nothing in this law shall exempt any person from applicable provisions of any other laws of this state.

SECTION 51. Legislative Amendments

The statutory provisions of this act applicable to the Government Code or the Elections Code may be amended by the Legislature, to further the purposes and intent of this act, passed in each house by rollcall vote entered into the journal, two-thirds of the membership concurring and signed by the Governor, if at least 12 days prior to passage in each house the bill has been delivered to the Secretary of State and the commission for distribution to the public.

SECTION 52. Severability

If any provision of this law, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this law to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this law are severable.

SECTION 53. California Supreme Court

The California Supreme Court shall, to the fullest extent possible, reform any provisions of this initiative that it, or any federal court, determines to be unconstitutional or contrary to any superseding provision of law in order that such provisions carry out the purposes of the initiative.

SECTION 54. Status of Proponents

The proponents of this initiative shall be included among any defendants in any judicial challenge to any provision of this initiative.

SECTION 55. Effective Date

All other provisions shall become effective January 1, 2001, except as otherwise stated by this measure.

SECTION 56. Section References

For purposes of this act, except as otherwise specified, all references to sections shall be to those in effect on January 1, 1999.

SECTION 57. Amendment to Political Reform Act

(a) This act shall amend the Political Reform Act of 1974, as amended, and all of its provisions that do not conflict with this act shall apply to the provisions of this act, except as provided by subdivision (b).

(b) If Proposition 208, as approved by voters in the November 5, 1996, statewide general election, is reinstated by the courts, Sections 85301 to 85312, inclusive, of the Government Code and Section 45 of Proposition 208 shall prevail over conflicting provisions of this act. All other provisions of this act shall be appropriately codified and take effect as permitted by law.

*Number
on ballot*

27. Elections. Term Limit Declarations for Congressional Candidates.

[Submitted by the initiative and rejected by electors March 7, 2000.]

PROPOSED LAW**Section 1. Title**

This measure shall be known and may be cited as the "Congressional Term Limits Declaration Act of 1998."

Section 2. Findings and Declarations of Purpose

(a) The State of California allows a candidate's political party affiliation and profession, vocation, or occupation to appear on the ballot.

(b) A candidate’s party designation informs the people of certain basic choices a candidate will make with respect to the candidate’s service in public office. Party designations are allowed because they may help the people discern what kind of representative the candidate will make.

(c) Many candidates currently inform the people of how many terms of office they intend to serve, but in an unofficial and unaccountable way.

(d) A candidate’s position on voluntarily limiting his or her service helps the people discern what kind of representative the candidate will make to such an extent that the people of the State of California declare their desire to enact the Congressional Term Limits Declaration Act of 1998.

Section 3. Voluntary Term Limits Declaration

Section 13107.5 is added to the Elections Code, to read:

13107.5. (a) *Any person seeking to be elected to the United States Congress may submit to the Secretary of State, no later than 15 days prior to the certification of all congressional election ballots, an executed copy of any one of the following declarations but is not required to submit a declaration. If a candidate does not submit a declaration as described by this section, the Secretary of State may not, on that account, refuse to place his or her name on the official ballot.*

Term Limits Declaration One

Part A: I, _____, voluntarily declare that, if elected, I will not serve in the United States [House of Representatives more than 3 terms] [Senate more than 2 terms] after the effective date of the Congressional Term Limits Declaration Act of 1998.

Signature by candidate executes Part A

Date

After executing Part A, a candidate may execute and submit the voluntary statement in Part B.

Part B: I, _____, authorize and request the Secretary of State to place the applicable ballot designation, “Signed declaration to limit service to [3 terms] [2 terms]” or “Running for () term after declaring to limit service to no more than [3 terms] [2 terms]” next to my name on every election ballot and in all state-sponsored voter education material in which my name appears as a candidate for the office to which Term Limits Declaration One refers.

Signature by candidate executes Part B

Date

If the candidate chooses not to execute any or all parts of the above declaration, then he or she may execute and submit to the Secretary of State any or all parts of the following declaration:

Term Limits Declaration Two

Part A: I, _____, have voluntarily chosen not to sign Term Limits Declaration One. If I had signed this declaration, I would have voluntarily agreed to limit my service in the United States [House of Representatives to no more than 3 terms] [Senate to no more than 2 terms] after the effective date of the Congressional Term Limits Declaration Act of 1998.

Signature by candidate executes Part A

Date

After executing Part A, a candidate may execute and submit the voluntary statement in Part B.

Part B: I, _____, authorize and request the Secretary of State to place the ballot designation, “Chose not to sign declaration to limit service to [3 terms] [2 terms]” next to my name on every election ballot and in all state-sponsored voter education material in which my name appears as a candidate for the office to which Term Limits Declaration Two refers.

Signature by candidate executes Part B

Date

(b) In the ballot designations in this section, the Secretary of State shall incorporate the applicable language in brackets [] for the office the candidate seeks and shall calculate and put in place of the empty parentheses () the number of the term of office that the candidate seeks after the effective date of this section. However, service prior to January 1, 1999 may not be included in the calculation, and the terms shall be calculated without regard to whether the terms were served consecutively.

(c) The Secretary of State shall allow any candidate who at any time has submitted an executed copy of Term Limits Declaration Two to submit an executed copy of Term Limits Declaration One in accordance with this section, at which time all subdivisions affecting Term Limits Declaration One shall apply.

(d) Except when subdivision (e) applies, if a candidate has submitted an executed declaration, and the candidate is not elected to the office which that candidate sought, the executed term limits declaration will not be in effect for any future election. That candidate may resubmit any executed declaration in this section for a future election, pursuant to this section.

(e) If a candidate has submitted an executed copy of Term Limits Declaration One, and the candidate is elected to the office which that candidate sought, that executed declaration shall remain in effect for all future elections for that same office.

(f) Except when subdivision (d) applies, the Secretary of State shall place on that part of the official election ballot and in all state-sponsored voter education material, immediately following the name of each candidate who has executed and submitted Parts A and B of Term Limits Declaration One, either the words, “Signed declaration to limit service to [3 terms] [2 terms]” or, for any candidate who has executed and submitted Parts A and B of Term Limits Declaration One and thereafter qualifies as a candidate for a term that would exceed the number of terms set forth in Term Limits Declaration One, the words, “Running for () term after declaring to limit service to no more than [3 terms] [2 terms]”. Except when subdivision (d) applies, the Secretary of State shall place on that part of the official election ballot and in all state-sponsored voter education material, immediately following the name of each candidate who has executed and submitted Parts A and B of Term Limits Declaration Two, the words, “Chose not to sign declaration to limit service to [3 terms] [2 terms]”.

(g) For the purpose of this section, service in office for more than one-half of a term shall be deemed as service for a full term.

(h) A candidate may not have more than one declaration and ballot designation in effect for any office at the same time, and a candidate may execute and submit Part B of a declaration only if Part A of that declaration is or has been executed and submitted.

(i) The Secretary of State shall provide candidates with all the declarations in this section, and promulgate regulations as provided by law to facilitate implementation of this section as long as the regulations do not alter the intent of this section.

Section 4. Standing

The proponents of this initiative, as defined by Section 342 of the Elections Code, have standing to defend its provisions.

Section 5. Severability

If any part of Sections 1 to 4, inclusive, or their application to any person or circumstance is held invalid, the invalidity shall not affect other provisions, subdivisions or applications that reasonably can be given effect without the invalid provisions or application.

Number
on ballot

28. Repeal of Proposition 10 Tobacco Surtax.

[Submitted by the initiative and rejected by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. Declaration of Findings and Purposes

(a) In November, 1998, Californians adopted Proposition 10 which, among other things, imposed more than a 135% increase in the tax on tobacco products.

(b) Funds derived from the increased tax are distributed to a new state commission and 58 county commissions creating an enormous bureaucracy made up of unelected political appointees. This new bureaucracy is unnecessary because existing law provides mechanisms for local governments to fund children's programs, including a "Children's Trust Fund" which distributes both federal and state funds to counties for child abuse and neglect prevention and intervention programs.

(c) After the election, the office of the independent Legislative Analyst pointed out that neither the state Legislature nor the newly created state commission has any oversight or control over the expenditure of the nearly \$700 million annually raised by the tax. Not only is there no accountability for the expenditure of taxpayer funds, but Proposition 10 does not identify existing and successful programs to be implemented or expanded.

(d) The tax increase is extremely punitive and leveled against users of tobacco products, those least able to afford the massive tax increase. Yet, none of the funds raised by the tobacco tax are specifically dedicated to tobacco related education, prevention or research.

(e) The most critical problem facing our children is our failing public education system. Yet, not one penny of the \$700 million in taxes collected each year from Proposition 10 will go to public schools. In fact, Proposition 10 prohibits any of the new tax revenue to be used for schools.

(f) Therefore, the voters of the state of California hereby repeal the tax increase imposed by Proposition 10 and the creation of an enormous new bureaucracy. At the same time, the voters encourage the Legislature to identify and fund effective programs that promote early childhood development from the prenatal stage to five years of age.

SECTION 2. Repeal of Proposition 10 Tobacco Tax

Section 30131.2 of the Revenue and Taxation Code is amended to read:

30131.2. (a) *Except for* ~~in addition to~~ the taxes imposed upon the distribution of cigarettes *and tobacco products* by Article 1 (commencing with Section 30101) and Article 2 (commencing with Section 30121) and any other taxes in this chapter, *there shall be no additional surtax on the distribution of cigarettes or tobacco products unless adopted by a statute passed by the Legislature.* ~~there shall be imposed an additional surtax upon every distributor of cigarettes at the rate of twenty-five mills (\$.025) for each cigarette distributed.~~

(b) ~~In addition to the taxes imposed upon the distribution of tobacco products by Article 1 (commencing with Section 30101) and Article 2 (commencing with Section 30121); and any other taxes in this chapter; there shall be imposed an additional tax upon every distributor of tobacco products; based on the wholesale cost of these products; at a tax rate; as determined annually by the State Board of Equalization; which is equivalent to the rate of tax imposed on cigarettes by subdivision (a):~~

(b) All moneys collected pursuant to the taxes imposed by former Section 30131.2, as it existed on January 1, 1999, and in the California Children and Families First Trust Fund shall be appropriated pursuant to Section 30131.4 until all such monies are depleted, at which point the California Children and Families First Trust Fund shall be terminated.

SECTION 3. Repeal of New Bureaucracy Created by Proposition 10

Section 130105.1 is added to the Health and Safety Code, to read:

130105.1. After all monies collected pursuant to Section 30131.2 of the Revenue and Taxation Code and appropriated pursuant to Section 130105 are depleted, the California Children and Families First Trust Fund shall be terminated.

SECTION 4. Severability

If any provision of this act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this act are severable.

REFERENDUM STATUTES

Number
on ballot

30. **Insurance Claims Practices. Civil Remedies.**

[Submitted by the referendum and rejected by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. This act shall be known and may be cited as the "Fair Insurance Responsibility Act of 2000" or as "FAIR."

SEC. 2. Title 13.7 (commencing with Section 2870) is added to Part 4 of Division 3 of the Civil Code, to read:

TITLE 13.7. OBLIGATION TO SETTLE INSURANCE CLAIMS FAIRLY

2870. (a) For purposes of this title, the following definitions shall apply:

(1) "Third-party claimant" or "claimant" shall mean each person seeking recovery of benefits against an insured under a liability insurance policy or a

self-funded liability protection program, fund, or plan, whether for personal injury or wrongful death, or other economic loss, or both including, without limitation, damages resulting from loss of consortium or loss of care, comfort, society and the like resulting from wrongful death.

(2) “Insured” shall mean a person or entity named as an insured in a liability insurance policy or a private self-funded liability protection program, fund, or plan; a person or entity who is identified as an additional insured under a liability insurance policy or a private self-funded liability protection program, fund, or plan; a person or entity who is an additional insured under the definitions of insured persons set forth in a liability insurance policy or a private self-funded liability protection program, fund, or plan; a person or entity who is defined, by law, as an insured under a liability insurance policy or a private self-funded liability protection program, fund, or plan; or cooperative corporations or interindemnity arrangements provided for under Section 1280.7 of the Insurance Code.

(3) “Insurer” shall include any liability insurer licensed pursuant to, or subject to regulation under, the Insurance Code who provides liability coverage to an insured against whom the third-party claimant makes a claim for personal injury, wrongful death, or other economic loss, and the third-party administrator of any private self-funded liability protection program, fund, or plan; or cooperative corporations or interindemnity arrangements provided for under Section 1280.7 of the Insurance Code. However, “insurer” does not include the self-funded liability protection program, fund, or plan, itself, an insurer named as the insurer under a policy of workers’ compensation insurance, nor a self-insured public entity, a private administrator for a public entity, or a public entity insured by a private insurer or carrier. For purposes of this section, “public entity” has the meaning set forth in Section 811.2 of the Government Code.

2871. (a) Every insurer, as defined in paragraph (3) of subdivision (a) of Section 2870, doing business in the State of California shall act in good faith toward and deal fairly with third-party claimants. A third-party claimant may bring an action against an insurer doing business in the State of California to recover damages, including general, special, and exemplary damages, for commission of any unfair claims settlement practice specified in subdivision (h) of Section 790.03 of the Insurance Code as it relates to a third-party claimant.

(b) A third-party claimant shall not be entitled to assert the remedies set forth in subdivision (a) unless the third-party claimant (1) obtains in the underlying action a final judgment after trial, a judgment after default, or an arbitration award arising from a contractual predispute binding arbitration clause or agreement, and (2) the third-party claimant makes a written demand by certified mail to settle the claim in the underlying action, and the claimant’s judgment or arbitration award in that prior proceeding exceeded the amount of the final written demand on all claims by the third-party claimant made before the trial, entry of default or arbitration listed above. A final written demand sent by certified mail may not exceed the applicable policy limits and shall be deemed rejected if not responded to within 30 days of receipt of the final written demand. Subject to subdivision (h) of Section 790.03 of the Insurance Code, the verdict’s amount may be considered as evidence of bad faith, but shall not be the sole consideration.

(c) The remedies set forth in this title shall apply to any insurer who violates the standards set forth in subdivision (a) in its handling, processing, or settlement

of the claims made by a third-party claimant under the insured's insurance protection.

(d) A professional liability insurer is not liable under this title if all the following conditions apply:

(1) The consent of the policyholder to settlement is a prerequisite to settlement under the terms of the insurance policy or by statute.

(2) The insurance company has assessed the case against the policyholder as to potential liability and damages known at that time and has fully informed the policyholder of that assessment.

(3) The policyholder's refusal to consent is not based on intentionally erroneous or misleading information provided by the insurer.

(e) A person injured in an accident arising out of the operation or use of a motor vehicle, who at the time of the accident was operating a motor vehicle in violation of Section 23152 or 23153 of the Vehicle Code, and was convicted of that offense, may not assert a cause of action under this section.

(f) Any time period within which an action must be commenced pursuant to any applicable statute of limitations shall not begin until the underlying claim has been resolved through a final judgment. In the event of an appeal by either party, resolution of the appeal shall be a prerequisite to a claim under this title.

*(g) Nothing in this title shall abrogate or limit any theory of liability or remedy otherwise available at law including, but not limited to, tort remedies for the breach of implied covenant and fair dealing or any theory of liability or remedy based on *Comunale v. Traders & General Ins. Co.* (1958) 50 Cal.2d 654 or *Crisci v. Security Ins. Co.* (1967) 66 Cal.2d 425. Nothing in this section shall relieve an insurer of its obligation of good faith and fair dealing to its own insured. However, the insurer cannot wrongfully use its obligation to its own insured to violate its duties under this section.*

(h) The provisions of this title shall apply, prospectively, to events or accidents covered by the applicable insurance policy that occur on or after January 1, 2000.

SEC. 3. Title 11.65 (commencing with Section 1776) is added to Part 3 of the Code of Civil Procedure, to read:

TITLE 11.65. ALTERNATIVE DISPUTE RESOLUTION ACT

1776. For the purposes of this title, the following definitions apply:

(a) "Claimant" means a person defined in paragraph (1) of subdivision (a) of Section 2870 of the Civil Code.

(b) "Insurer" shall include any liability insurer licensed pursuant to or subject to regulation under the Insurance Code, any private self-funded liability protection program, fund or plan, and any person or entity meeting the Vehicle Code definition of a permissible self-insured. However, "insurer" does not include a self-insured public entity, a private administrator for a public entity, or a public entity insured by a private insurer or carrier. For purposes of this section, "public entity" has the meaning set forth in Section 811.2 of the Government Code.

1777. (a) In a claim where the amount in controversy is for either a dollar amount that does not exceed fifty thousand dollars (\$50,000), or is within policy limits, exclusive of applicable uninsured or underinsured motorist coverage, if the policy limits do not exceed fifty thousand dollars (\$50,000), whichever is less, a claimant who is represented by counsel may request arbitration pursuant to this title.

(b) Notwithstanding subdivision (b) of Section 2017, prior to a request for arbitration, a claimant may demand and obtain insurance coverage policy limits information concerning all applicable, and potentially applicable, policies of insurance, to decide whether to participate in arbitration as set forth in this title. The insurer shall respond within 10 days and verify in writing that the information about coverage and policies is true and correct. An insurer that releases such information shall not be subject to civil liability to the insured or any other insurer for release of the policy limits information.

(c) An insurer may request arbitration under this title where the claimant is represented by counsel under any of the following conditions:

(1) If a claimant makes a settlement demand against all responsible or potentially responsible persons or entities that does not exceed fifty thousand dollars (\$50,000) in total, and the arbitration request is made within 90 days of the settlement demand.

(2) In any action in which the policy limits applicable to the claimant do not exceed fifty thousand dollars (\$50,000), provided that the request for arbitration is made not later than 150 days after the service of the complaint.

(3) Subject to paragraphs (1) and (2), in an action involving more than one responsible party, an insurer may request arbitration under this title if all parties agree to arbitration or the insurer offers to settle the action for policy limits.

(d) The request for arbitration shall be in writing and sent by certified mail.

(e) (1) Within 30 days after receipt of a request for arbitration, the insurer or claimant shall respond to the request in writing, sent by certified mail, return receipt requested.

(2) The request shall be deemed rejected if not responded to within 30 days, unless the parties stipulate in writing to an extension of time.

(f) Nothing in this section shall relieve an insurer of its obligation of good faith and fair dealing to its own insured.

(g) An arbitration award pursuant to this section shall not exceed the available policy limits and shall not include damages that are not covered by the applicable insurance policies.

(h) A claimant or insurer requesting or agreeing to arbitration under this section shall at the same time send by certified mail a copy of each offer or agreement to arbitrate to all claimants and all insurers involved in the claim. Offers and agreements made by counsel under this section shall be deemed to be made with the authority of all clients represented by that counsel. The arbitration of all claims under this title shall be pursuant to a written arbitration agreement.

1778. If the insurer agrees to submit a claim to arbitration under Section 1777 the insurer shall be conclusively presumed to have complied with the duties under subdivision (a) of Section 2871 of the Civil Code.

1779. (a) Upon a showing of good cause in a petition before the court having jurisdiction over the amount in controversy, either side may request removal from arbitration under this title and to commence or continue a civil action, upon a showing of any of the following:

(1) Either party discovers new information regarding insurance coverage that creates aggregate coverage for the claim in excess of fifty thousand dollars (\$50,000).

(2) A change in the nature or extent of the claimant's injury or damages, which, despite reasonable inquiry, was not discovered prior to the acceptance of the offer to engage in alternative dispute resolution, and causes the claimant

or attorney to believe that the reasonable value of the claim will exceed fifty thousand dollars (\$50,000).

(3) A party discovers new, additional, potentially responsible persons or entities who are not parties to the arbitration.

(4) The insurer discovers evidence that the claim is in violation of Section 550 of the Penal Code. The insurer shall document the basis for its finding and provide the information to the court. The court shall make the information available to the claimant or his or her counsel, if represented, unless the court determines that releasing the information would substantially impede the investigation or future prosecution of the claim for fraud.

(5) A change of law affects the remedies available to a claimant, or a change in law expands or contracts the claimant's legal right to recover.

(6) The interests of justice support permitting a party to commence a civil action.

(7) A party unreasonably interferes with the completion of the arbitration.

(b) Within 60 days of discovery of one of the conditions outlined in subdivision (a), and before commencement of the arbitration, the party seeking to remove the claim from arbitration under this title shall petition the court having jurisdiction over the amount in controversy, establishing good cause for the request.

(c) If a court finds good cause pursuant to a petition filed by a claimant to remove the claim from arbitration under subdivision (a), the presumption of good faith under Section 1778 shall not apply if the good cause arises from a misrepresentation, error or unreasonable interference in the conduct of the arbitration by the insurer.

(d) If the insurer removes the claim from arbitration pursuant to this title, the presumption of good faith under Section 1778 does not apply.

1780. (a) Any applicable period of limitations shall be tolled from the date of receipt of a request to participate in arbitration until 30 days after the insurer responds to the offer. If the request for arbitration is accepted, the period is tolled until settlement, satisfaction of judgment, or 30 days after a court order to remove a claim from arbitration under Section 1779.

(b) Any applicable case management rules are suspended upon agreement of the parties to arbitrate a claim under this title. Additionally, an agreement to participate in arbitration under this title relieves the parties of any obligation to participate in court-ordered arbitration or mediation.

1781. Except as otherwise provided by this title, arbitration shall be conducted under the same procedures as are applicable to other arbitration agreements under Title 9 (commencing with Section 1280).

1782. The following additional and supplemental provisions govern arbitration under this title:

(a) The provisions of Section 1987 shall govern attendance of parties at arbitration.

(b) Arbitrators shall be paid at the prevailing rate for judicial arbitrators. The cost of the arbitrator will be borne equally between the insurers and the claimants. The obligation of the parties for the arbitrator's fee does not include preparation time, travel time, and postarbitration time, unless the parties agree otherwise.

(c) The parties shall select a single neutral arbitrator pursuant to Section 1281.6. Unless the parties agree otherwise, the arbitrator shall be a retired judge.

(d) *The parties to the arbitration shall pay an arbitration filing fee of two hundred dollars (\$200). The fee shall be borne in equal portions by each party to the arbitration.*

(e) *If the parties cannot agree on a date to commence arbitration, the arbitrator shall set a date convenient to the parties.*

(f) *Disputes arising regarding discovery shall be resolved by motion before the arbitrator. The arbitration shall be deemed to be a proceeding and the hearing before the arbitrator shall be deemed to be the trial of an issue for those purposes.*

(g) *No party may introduce new or different information from that provided under subdivision (f) at the arbitration unless it is provided to the other side at least 30 days before the arbitration except when such evidence is offered solely for impeachment. Upon a showing of good cause under Section 9 of the Standards for Judicial Administration, the arbitrator may grant a continuance to permit the introduction of the new information.*

(h) *Each party shall exchange a list of all witnesses and all exhibits no later than 20 days before the arbitration. Witnesses and exhibits not listed shall not be considered or relied upon by the arbitrator unless offered solely for impeachment.*

(i) *If more than one person or insurer may be liable for the injury, and if the actions against each are subject to this title, the arbitration proceedings with respect to each may be consolidated by agreement of the parties.*

(j) *The rules of evidence and rules for conduct of hearing set forth in Rules 1613 and 1614 of the California Rules of Court, shall apply to the arbitration.*

(k) *The arbitrator may continue the arbitration pursuant to Section 9 of the Standards of Judicial Administration.*

1783. (a) *The award shall be binding on all parties and upon the insurer and shall resolve all disputes between the parties, and may be reviewed only for the reasons set forth in Section 1286.2.*

(b) *The insurer shall satisfy the arbitration award within 20 days of conclusion of any postresolution motions or settlement. Interest shall accrue at the legal rate thereafter.*

1784. *A claimant and an insurer may agree in writing to submit any claim for personal injury or wrongful death to arbitration pursuant to this title, provided that the notice requirements set forth in Section 1777 are met. The agreement to, and subsequent participation in, binding arbitration by the parties provides the protections set forth in Section 1778.*

Number
on ballot

31. **Insurance Claims Practices. Civil Remedy Amendments.**

[Submitted by the referendum and rejected by electors March 7, 2000.]

PROPOSED LAW

SEC. 2. Section 2870 of the Civil Code, as added by Senate Bill 1237 of the 1999–2000 Regular Session, is amended to read:

2870. (a) For purposes of this title, the following definitions shall apply:

(1) “Third-party claimant” or “claimant” shall mean each ~~person~~ *individual* seeking recovery of ~~benefits~~ against an insured under a liability insurance policy or a self-funded liability protection program, fund, or plan, ~~whether~~ for ~~personal~~

bodily injury or ; wrongful death ; ; or other economic loss; or both property damage resulting from an incident involving a motor vehicle; including, without limitation, damages resulting from loss of consortium or loss of care, comfort, society and the like resulting from wrongful death.

(2) “Insured” shall mean a *natural* person or entity named as an insured in a liability insurance policy or a private self-funded liability protection program, fund, or plan; a *natural* person or entity who is identified as an additional insured under a liability insurance policy or a private self-funded liability protection program, fund, or plan; a *natural* person or entity who is an additional insured under the definitions of insured persons set forth in a liability insurance policy or a private self-funded liability protection program, fund, or plan; a *natural* person or entity who is defined, by law, as an insured under a liability insurance policy or a private self-funded liability protection program, fund, or plan; or cooperative corporations or interindemnity arrangements provided for under Section 1280.7 of the Insurance Code.

(3) “Insurer” shall ~~include~~ *mean* any liability insurer licensed pursuant to, or subject to regulation under, the Insurance Code ~~who~~ *which* provides liability ~~coverage~~ *insurance* to an insured against whom ~~the~~ *a* third-party claimant makes a claim for ~~personal~~ *bodily injury, wrongful death, or other economic loss; or for property damage resulting from an incident involving a motor vehicle,* and the third-party administrator of any private self-funded liability protection program, fund, or plan; or cooperative corporations or interindemnity arrangements provided for under Section 1280.7 of the Insurance Code. However, “insurer” does not include the self-funded liability protection program, fund, or plan, itself, an insurer named as the insurer under a policy of workers’ compensation insurance, nor a self-insured public entity, a private administrator for a public entity, or a public entity insured by a private insurer or carrier. For purposes of this section, “public entity” has the meaning set forth in Section 811.2 of the Government Code.

(4) “*Liability insurance*” shall mean *that portion of a personal or commercial insurance policy or a private self-funded liability protection program, fund or plan, which provides liability coverage for bodily injury, or for property damage resulting from an incident involving a motor vehicle.*

(5) “*Bodily injury*” shall mean *actual physical injury, sickness, or disease sustained by a person, including death therefrom. “Bodily injury” shall not mean (a) emotional distress, of any kind, resulting from economic loss, or (b) emotional distress resulting from a cause other than economic loss unless accompanied by actual physical manifestations of such emotional distress.*

SEC. 3. Section 2871 of the Civil Code, as added by Senate Bill 1237 of the 1999–2000 Regular Session, is amended to read:

2871. (a) (1) Every insurer, as defined in paragraph (3) of subdivision (a) of Section 2870, doing business in the State of California shall act in good faith toward and deal fairly with third-party claimants. A third-party claimant may bring an action against an insurer doing business in the State of California to recover damages, including general, special, and exemplary damages, for commission of any unfair claims settlement practice specified in *paragraph (1), (2), (3), (5), (8), (9), (10), (11), (12), (13), (14), or (15) of subdivision (h) of Section 790.03 of the Insurance Code* as it relates to a third-party claimant.

(2) (A) *In considering a third-party claim an insurer shall make an honest, intelligent and knowledgeable evaluation of the claim on its merits. However, an insurer shall not be considered to have violated its obligation to act in good*

faith and deal fairly with a third-party claimant because of the insurer's honest mistake in judgment in connection with the settlement of a claim.

(B) The fact that an insurer did not settle a claim is not necessarily proof of bad faith.

(b) A third-party claimant shall not be entitled to assert the remedies set forth in subdivision (a) unless the third-party claimant (1) obtains in the underlying action a final judgment after trial, a judgment after default, or an arbitration award arising from a contractual predispute binding arbitration clause or agreement, and (2) the third-party claimant makes a written demand by certified mail to settle the claim in the underlying action, and the claimant's judgment or arbitration award in that prior proceeding exceeded the amount of the final written demand on all claims by the third-party claimant made before the trial, entry of default or arbitration listed above. ~~A~~ *The* final written demand sent by certified mail may not exceed the applicable policy limits and shall be deemed rejected if not responded to within 30 days of receipt of the final written demand. Subject to subdivision (h) of Section 790.03 of the Insurance Code, the verdict's amount may be considered as evidence of bad faith; but shall not be the sole consideration.

(c) The remedies set forth in this title shall apply to any insurer who violates the standards set forth in subdivision (a) in its handling, processing, or settlement of the claims made by a third-party claimant under the insured's insurance protection.

(d) A professional liability insurer *for medical, health care, or legal malpractice* is not liable under this title if ~~at~~ *both of* the following conditions apply:

(1) The consent of the policyholder to settlement is a prerequisite to settlement under the terms of the insurance policy or by statute.

(2) The insurance company has assessed the case against the policyholder as to potential liability and damages known at that time and has fully informed the policyholder of that assessment.

(3) The policyholder's refusal to consent is not based on intentionally erroneous or misleading information provided by the insurer. .

(2) *The policyholder withholds consent to settlement.*

(e) A person injured in an accident arising out of the operation or use of a motor vehicle, who at the time of the accident was operating a motor vehicle in violation of Section 23152 or 23153 of the Vehicle Code, and was convicted of that offense, may not assert a cause of action under this section.

(f) Any time period within which an action must be commenced pursuant to any applicable statute of limitations shall not begin until the underlying claim has been resolved through a final judgment. In the event of an appeal by either party, resolution of the appeal shall be a prerequisite to a claim under this title.

(g) Nothing in this title shall abrogate or limit any theory of liability or remedy otherwise available at law including, but not limited to, tort remedies for the breach of implied covenant and fair dealing or any theory of liability or remedy based on *Comunale v. Traders & General Ins. Co.* (1958) 50 Cal.2d 654 or *Crisci v. Security Ins. Co.* (1967) 66 Cal.2d 425. ~~Nothing in this section shall relieve an insurer of its obligation of good faith and fair dealing to its own insured. However, the insurer cannot wrongfully use its obligation to its own insured to violate its duties under this section.~~

(h) ~~The provisions of this title shall apply, prospectively, to events or accidents covered by the applicable insurance policy that occur on or after January 1, 2000. The provisions of this title are prospective and are only applicable as follows:~~

~~(1) To accidents, events, occurrences, or losses that occur on or after January 1, 2000.~~

~~(2) To conduct by any insurer, its agents or employees concerning accidents, events, occurrences, or losses that occur on or after January 1, 2000.~~

SEC. 4. Section 1778 of the Code of Civil Procedure, as added by Senate Bill 1237 of the 1999–2000 Regular Session, is amended to read:

1778. If the insurer *requests or agrees* to submit a claim to arbitration under Section 1777 the insurer shall be conclusively presumed to have complied with the duties under subdivision (a) of Section 2871 of the Civil Code.

SEC. 6. Section 1872.91 is added to the Insurance Code, to read:

1872.91. (a) *The State Auditor shall prepare a report analyzing and evaluating the effect of the Fair Insurance Responsibility Act of 2000 (FAIR) on California insurance claims practices and rates. The report shall identify changes in claim practices and patterns caused by the enactment of FAIR. The report shall be delivered to the Governor and the Legislature on or before January 1, 2005. The report shall be funded from existing resources of the State Auditor. The report shall include, but not be limited to, an analysis of the following:*

(1) The number of complaints to the Department of Insurance regarding unfair claims settlement practices.

(2) The number and type of actions taken by the Department of Insurance in response to those complaints.

(3) The number of cases in which the parties enter into voluntary binding arbitration under Title 11.65 (commencing with Section 1776) of Part 3 of the Code of Civil Procedure, and the disposition of those cases, including whether the use of retired judges as arbitrators has provided an adequate pool of arbitrators.

(4) The number of cases that proceed to trial and the disposition of these cases, including appeals.

(5) The number of actions filed under Title 13.7 (commencing with Section 2870) of Part 4 of Division 3 of the Civil Code, and the disposition of these cases, including appeals.

(6) An analysis of the disposition of cases of third-party claimants who are not eligible to file a bad faith action and whether these claimants have been subject to unfair claims settlement practices.

(b) As part of the study, the State Auditor shall conduct a statistical closed claim study to compare auto insurance claims closed in 1999 and 2003. The study shall provide at least the same kinds of information as the August 1990 study, "Automobile Claims, A Study of Closed Claim Payments Patterns in California," prepared by the Statistical Analysis Bureau. The Insurance Commissioner shall cooperate with the State Auditor in this study, and shall provide information requested by the State Auditor. The study shall identify the component costs of claims, including, but not limited to, the items listed in subdivision (c) by coverage for major settlement methods, including each of the following:

(1) Closed without payment, no litigation.

(2) Closed with payment, no litigation.

(3) Closed without payment, litigated.

(4) Closed with payment after mediation.

(5) Closed with payment after judicial arbitration.

- (6) *Closed with payment after voluntary binding arbitration.*
- (7) *Closed with payment after trial, including appeals.*
- (c) *The part of the study required in subdivision (b) shall include the following items, shown separately by coverage:*
 - (1) *Number of claims.*
 - (2) *Amount of losses or claim payouts, including both economic damages shown separately by category and noneconomic damages.*
 - (3) *Punitive damages or bad faith awards, when applicable.*
 - (4) *Defense costs.*
 - (5) *Other claim or loss adjustment expenses.*
 - (6) *Time period between filing of claim and final settlement.*

SEC. 8. The provisions of Sections 2, 3, and 5 of this act, the provisions of Title 13.7 (commencing with Section 2870) of Part 4 of Division 3 of the Civil Code, and the provisions of Title 11.65 (commencing with Section 1776) of Part 3 of the Code of Civil Procedure, are severable. If any of those provisions or any of their applications is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 9. Sections 2, 3, 5, and 7 of this act shall not become operative unless Senate Bill 1237 of the 1999–2000 Regular Session is enacted, becomes operative, and this act is chaptered after Senate Bill 1237.

BOND ACT SUBMITTED BY LEGISLATURE

Number
on ballot

- 15 **The Hertzberg-Polanco Crime Laboratories Construction Bond Act of 1999.**
(Statutes 1999, Chapter 727, AB 1391)

[Rejected by electors March 7, 2000.]

PROPOSED LAW

SECTION 1. Title 9.5 (commencing with Section 14108) is added to Part 4 of the Penal Code, to read:

*TITLE 9.5. THE HERTZBERG-POLANCO CRIME LABORATORIES
CONSTRUCTION BOND ACT OF 1999*

CHAPTER 1. FINANCES

14108. The proceeds of bonds issued and sold pursuant to this title shall be deposited in the Forensic Laboratories Capital Expenditure Bond Fund, which is hereby created.

14108.1. Bonds in the total amount of two hundred twenty million dollars (\$220,000,000), not including the amount of any refunding bonds issued in accordance with Section 14108.11, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for the construction, renovation, and infrastructure costs associated with the construction of new local forensic laboratories and the remodeling of existing local forensic laboratories, for the costs of administering this title, including, but not limited to, the administrative costs of the Forensic Laboratories Authority, as established in Section 14109, and 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 the principal of, and interest on, the bonds as the principal and interest become due and payable.

14108.2. (a) General obligation bonds may be issued by the state to finance the working drawings, preliminary plans, construction, renovation, equipping of the laboratories, and parking facilities and other improvements, betterments, and facilities directly related thereto as described in Section 14108.1.

(b) The amount of the general obligation bonds to be sold shall equal the cost of construction, renovation, and equipping of the laboratories and facilities, the cost of working drawings and preliminary plans, sums necessary to pay financing costs, including interest during construction, and a reasonable reserve fund.

14108.3. 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 chapter.

14108.4. (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 Hertzberg-Polanco Forensic Laboratories Construction Act Finance Committee is hereby created. For purposes of this chapter, the Hertzberg-Polanco Forensic Laboratories Construction Act Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists 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 the State General Obligation Bond Law, the Forensic Laboratories Authority is designated the "board."

14108.5. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this title in order to carry out Section 14108.1 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.

14108.6. 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 that is necessary to collect that additional sum.

14108.7. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this title, 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 title, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 14108.8, appropriated without regard to fiscal years.

14108.8. For 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 that have been authorized to be sold for the purpose of carrying out this title. Any amount 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 that 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 title.

14108.9. 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 carrying out this title. The amount of the request shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purpose of carrying out this title. 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 title.

14108.10. 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.

14108.11. 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 voters of the state for the issuance of the bonds described in this title includes the approval of the issuance of any bonds issued to refund any bonds originally issued under this title or any previously issued refunding bonds.

14108.12. Notwithstanding any provision of this title or of the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this title 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.

14108.13. 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.

14108.14. The authority is authorized to apply for any funds that may be available from the federal government to further the purposes of this title.

CHAPTER 2. FORENSIC LABORATORIES AUTHORITY

14109. (a) There is hereby created within the Department of Justice the Forensic Laboratories Authority.

(b) (1) The authority shall be composed of (seven members, including the Attorney General, the State Director of Crime Laboratories, and five members who shall be appointed by the Governor, with the advice and consent of the Senate.

(2) *Of the members that are first appointed, two shall be appointed for a term of two years, two for a term of three years, and one for a term of four years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.*

(c) *The first appointments shall be made by April 1, 2000.*

(d) *The first meeting of the authority shall occur by May 15, 2000. The authority shall meet at least twice a year.*

(e) *The Governor shall select a chair and vice-chairperson from among its members. Four members of the authority shall constitute a quorum.*

(f) *If any appointed member is not in attendance for three consecutive meetings, the authority shall recommend to the Governor that the member be removed and the Governor shall make a new appointment for the remainder of the term.*

(g) *The authority shall comply with the state open meetings law pursuant to Article 9 (commencing with Section 11120) of Division 3 of Title 2 of, and Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of, the Government Code.*

14109.1. *Members of the authority shall receive no compensation, but shall be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties. For purposes of compensation, attendance at meetings of the authority shall be deemed performance by a member of the duties of his or her state or local governmental employment.*

14109.2. *This chapter shall be repealed on January 1, 2010.*

CHAPTER 3. FORENSIC LABORATORY CONSTRUCTION AND REMODELING APPLICATIONS

14109.5. (a) *The authority shall consider applications for funding the construction of new local forensic laboratories and the renovation of existing local forensic laboratories.*

(b) *Upon approval of an application, the authority shall have the authority to make grants from the Forensic Laboratories Capital Expenditure Bond Fund to fund the construction and renovation of forensic laboratories.*

(c) *The manner and form of the application shall be prescribed by the authority.*

(d) *The Legislature may establish additional criteria which the authority shall use for approval of applications for construction and renovation.*

(e) *The authority shall make grants for the construction and renovation of forensic laboratories only if the following requirements are met:*

(1) *The applicant provides 10 percent in matching funds. This requirement may be modified or waived by the Legislature where it determines that it is necessary to facilitate the expeditious and equitable construction or remodeling of local forensic laboratory facilities.*

(2) *The governing body of the entity, or of each entity, comprising the applicant approves a resolution or resolutions agreeing to pay for the ongoing operating costs of the laboratory.*

(3) *The application will not jeopardize the tax-exempt status of the bond issue.*

(4) *Construction or renovation project management is vested in a public works, or similar agency with the requisite expertise.*

(5) *The construction or renovation project complies with state or local bidding and contract requirements.*

**PROPOSITIONS SUBMITTED TO
VOTE OF ELECTORS**

General Election, November 7, 2000

MEASURES ADOPTED

INITIATIVE AMENDMENT SUBMITTED BY LEGISLATURE

*Number
on ballot*

34. **Campaign Contributions and Spending. Limits. Disclosure.** (Statutes 2000, Chapter 102, SB 1223)

[Approved by electors November 7, 2000.]

PROPOSED LAW

SECTION 1. (a) The people find and declare all of the following:

(1) Monetary contributions to political campaigns are a legitimate form of participation in the American political process, but large contributions may corrupt or appear to corrupt candidates for elective office.

(2) Increasing costs of political campaigns have forced many candidates to devote a substantial portion of their time to raising campaign contributions and less time to public policy.

(3) Political parties play an important role in the American political process and help insulate candidates from the potential corrupting influence of large contributions.

(b) The people enact the Campaign Contribution and Voluntary Expenditure Limits Without Taxpayer Financing Amendments to the Political Reform Act of 1974 to accomplish all of the following purposes:

(1) To ensure that individuals and interest groups in our society have a fair and equitable opportunity to participate in the elective and governmental processes.

(2) To minimize the potentially corrupting influence and appearance of corruption caused by large contributions by providing reasonable contribution and voluntary expenditure limits.

(3) To reduce the influence of large contributors with an interest in matters before state government by prohibiting lobbyist contributions.

(4) To provide voluntary expenditure limits so that candidates and officeholders can spend a lesser proportion of their time on fundraising and a greater proportion of their time conducting public policy.

(5) To increase public information regarding campaign contributions and expenditures.

(6) To enact increased penalties to deter persons from violating the Political Reform Act of 1974.

(7) To strengthen the role of political parties in financing political campaigns by means of reasonable limits on contributions to political party committees and by limiting restrictions on contributions to, and expenditures on behalf of, party candidates, to a full, complete, and timely disclosure to the public.

SEC. 2. Section 82016 of the Government Code is amended to read:

82016. (a) “Controlled committee” means a committee which that is controlled directly or indirectly by a candidate or state measure proponent or which that acts jointly with a candidate, controlled committee, or state measure proponent in connection with the making of expenditures. A candidate or state measure proponent controls a committee if he or she, his or her agent, or any other committee he or she controls has a significant influence on the actions or decisions of the committee.

(b) *Notwithstanding subdivision (a), a political party committee, as defined in Section 85205, is not a controlled committee.*

SEC. 3. Section 82053 of the Government Code is amended to read:

82053. “Statewide elective office” means the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, and Superintendent of Public Instruction *and member of the State Board of Equalization.*

SEC. 4. Section 83116 of the Government Code, as added by Proposition 9 at the June 4, 1974, statewide primary election, is repealed.

83116. 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, 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;

(c) Pay a monetary penalty of up to two thousand dollars (\$2,000) to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating:

SEC. 5. Section 83116 of the Government Code, as amended by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

83116. 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, 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;

(c) Pay a monetary penalty of up to five thousand dollars (\$5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating:

SEC. 6. Section 83116 is added to the Government Code, to read:

83116. *When the commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500),*

Part 1, Division 3, Title 2, Government Code). 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 that may require the violator to do all or any of the following:

(a) Cease and desist violation of this title.

(b) File any reports, statements, or other documents or information required by this title.

(c) Pay a monetary penalty of up to five thousand dollars (\$5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

SEC. 7. Section 83116.5 of the Government Code, as added by Chapter 670 of the Statutes of 1984, is repealed.

83116.5. Any person who violates any provision of this title; who purposely or negligently causes any other person to violate any provision of this title; or who aids and abets any other person in the violation of any provision of this title; shall be liable under the provisions of this chapter. Provided; however; that this section shall apply only to persons who have filing or reporting obligations under this title; or who are compensated for services involving the planning; organizing; or directing any activity regulated or required by this title; and that a violation of this section shall not constitute an additional violation under Chapter 11.

SEC. 8. Section 83116.5 of the Government Code, as amended by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

83116.5. Any person who violates any provision of this title; who purposely or negligently causes any other person to violate any provision of this title; or who aids and abets any other person in the violation of any provision of this title; shall be liable under the provisions of this chapter and Chapter 11 (commencing with Section 91000):

SEC. 9. Section 83116.5 is added to the Government Code, to read:

83116.5. Any person who violates any provision of this title, who purposely or negligently causes any other person to violate any provision of this title, or who aids and abets any other person in the violation of any provision of this title, shall be liable under the provisions of this chapter. However; this section shall apply only to persons who have filing or reporting obligations under this title, or who are compensated for services involving the planning, organizing, or directing any activity regulated or required by this title, and a violation of this section shall not constitute an additional violation under Chapter 11 (commencing with Section 91000).

SEC. 10. Section 83124 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

83124. The commission shall adjust the contribution limitations and expenditure limitations provisions in Sections 85100 et seq. in January of every even-numbered year to reflect any increase or decrease in the California Consumer Price Index. Such adjustments shall be rounded to the nearest 50 for the limitations on contributions and the nearest 1,000 for the limitations on expenditures:

SEC. 11. Section 83124 is added to the Government Code, to read:

83124. The commission shall adjust the contribution limitations and voluntary expenditure limitations provisions in Sections 85301, 85302, 85303, and 85400 in January of every odd-numbered year to reflect any increase or

decrease in the Consumer Price Index. Those adjustments shall be rounded to the nearest one hundred dollars (\$100) for limitations on contributions and one thousand dollars (\$1,000) for limitations on expenditures.

SEC. 12. Section 84201 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

~~84201.~~ The threshold for contributions and expenditures reported in the campaign statements designated in Sections 84203.5; 84211; and 84219, except for subdivision (i) of Section 84219; and for cash contributions and anonymous contributions designated in Sections 84300 and 84304; shall be set at no more than one hundred dollars (\$100) notwithstanding any other provision of law or any legislative amendment to such sections.

SEC. 13. Section 84204 of the Government Code is amended to read:

84204. (a) A candidate or committee that makes a late independent expenditure, as defined in Section 82036.5, shall report the late independent expenditure by facsimile transmission, telegram, guaranteed overnight mail through the United States Postal Service or personal delivery within 24 hours of the time it is made. A late independent expenditure shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(b) A candidate or committee that makes a late independent expenditure shall report its full name and street address, as well as the name, office, and district of the candidate if the report is related to a candidate, or if the report is related to a measure, the number or letter of the measure, the jurisdiction in which the measure is to be voted upon, and the amount and the date, as well as a description of goods or services for which the late independent expenditure was made. *In addition to the information required by this subdivision, a committee that makes a late independent expenditure shall include with its late independent expenditure report the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, covering the period from the day after the closing date of the last campaign report filed to the date of the late independent expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the late independent expenditure. No information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, that is required to be reported with a late independent expenditure report by this subdivision, is required to be reported on more than one late independent expenditure report.*

(c) A candidate or committee that makes a late independent expenditure shall file a late independent expenditure report in the places where it would be required to file campaign statements under this article as if it were formed or existing primarily to support or oppose the candidate or measure for or against which it is making the late independent expenditure.

(d) A report filed pursuant to this section shall be in addition to any other campaign statement required to be filed by this article.

SEC. 14. Section 84305.6 is added to the Government Code, to read:

84305.6. *In addition to the requirements of Section 84305.5, a slate mailer organization or committee primarily formed to support or oppose one or more ballot measures may not send a slate mailer unless any recommendation in the slate mailer to support or oppose a ballot measure or to support a candidate that is different from the official recommendation to support or oppose by the political party that the mailer appears by representation or indicia to represent is accompanied, immediately below the ballot measure or candidate*

recommendation in the slate mailer, in no less than nine-point roman boldface type in a color or print that contrasts with the background so as to be easily legible, the following notice: "THIS IS NOT THE OFFICIAL POSITION OF THE (political party that the mailer appears by representation or indicia to represent) PARTY."

SEC. 15. Section 84511 is added to the Government Code, to read:

84511. Any individual who appears in an advertisement to support or oppose the qualification, passage, or defeat of a ballot measure and who has been paid or promised payment of five thousand dollars (\$5,000) or more for that appearance shall disclose that payment or promised payment in a manner prescribed by the commission. The advertisement shall include the statement "(spokesperson's name) is being paid by this campaign or its donors" in highly visible roman font shown continuously if the advertisement consists of printed or televised material, or spoken in a clearly audible format if the advertisement is a radio broadcast or telephone message.

SEC. 16. Article 1 (commencing with Section 85100) of Chapter 5 of Title 9 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

SEC. 17. Article 1 (commencing with Section 85100) of Chapter 5 of Title 9 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

SEC. 18. Article 1 (commencing with Section 85100) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 1. Title of Chapter

85100. This chapter shall be known as the "Campaign Contribution and Voluntary Expenditure Limits Without Taxpayer Financing Amendments to the Political Reform Act of 1974."

SEC. 19. Article 2 (commencing with Section 85202) of Chapter 5 of Title 9 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

SEC. 20. Article 2.5 (commencing with Section 85202) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 2.5. Applicability of the Political Reform Act of 1974

85202. Unless specifically superseded by the act that adds this section, the definitions and provisions of this title shall govern the interpretation of this chapter.

85203. "Small contributor committee" means any committee that meets all of the following criteria:

- (a) The committee has been in existence for at least six months.*
- (b) The committee receives contributions from 100 or more persons.*
- (c) No one person has contributed to the committee more than two hundred dollars (\$200) per calendar year.*
- (d) The committee makes contributions to five or more candidates.*

85204. "Election cycle" for purposes of Sections 85309 and 85500, means the period of time commencing 90 days prior to an election and ending on the date of the election.

85204.5. With respect to special elections, the following terms have the following meanings:

- (a) "Special election cycle" means the day on which the office becomes vacant until the day of the special election.*

(b) *“Special runoff election cycle” means the day after the special election until the day of the special runoff election.*

85205. *“Political party committee” means the state central committee or county central committee of an organization that meets the requirements for recognition as a political party pursuant to Section 5100 of the Elections Code.*

85206. *“Public moneys” has the same meaning as defined in Section 426 of the Penal Code.*

SEC. 21. Section 85301 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

85301. (a) No person shall make, and no candidate for elective office, or campaign treasurer, shall solicit or accept any contribution or loan which would cause the total amount contributed or loaned by that person to that candidate, including contributions or loans to all committees controlled by the candidate, to exceed one thousand dollars (\$1,000) in any fiscal year.

(b) The provisions of this section shall not apply to a candidate’s contribution of his or her personal funds to his or her own campaign contribution account.

SEC. 22. Section 85301 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85301. (a) Except as provided in subdivision (a) of Section 85402 and Section 85706, no person, other than small contributor committees and political party committees, shall make to any candidate or the candidate’s controlled committee for local office in districts with fewer than 100,000 residents, and no such candidate or the candidate’s controlled committee shall accept from any person a contribution or contributions totaling more than one hundred dollars (\$100) for each election in which the candidate is attempting to be on the ballot or is a write-in candidate.

(b) Except as provided in subdivision (b) of Section 85402 and Section 85706, no person, other than small contributor committees and political party committees, shall make to any candidate or the candidate’s controlled committee campaigning for office in districts of 100,000 or more residents, and no such candidate or the candidate’s controlled committee shall accept from any such person a contribution or contributions totaling more than two hundred fifty dollars (\$250) for each election in which the candidate is attempting to be on the ballot or is a write in candidate.

(c) Except as provided in subdivision (c) of Section 85402, no person, other than small contributor committees and political party committees, shall make to any candidate or the candidate’s controlled committee for statewide office, and no such candidate or the candidate’s controlled committee shall accept from any such person a contribution or contributions totaling more than five hundred dollars (\$500) for each election in which the candidate is attempting to be on the ballot or is a write in candidate.

(d) No person shall make to any committee that contributes to any candidate and no such committee shall accept from each such person a contribution or contributions totaling more than five hundred dollars (\$500) per calendar year. This subdivision shall not apply to candidate-controlled committees, political party committees, and independent expenditure committees.

(e) The provisions of this section shall not apply to a candidate’s contribution of his or her personal funds to his or her own campaign committee, but shall apply to contributions from a spouse.

SEC. 23. Section 85301 is added to the Government Code, to read:

85301. (a) *A person, other than a small contributor committee or political party committee, may not make to any candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office other than a candidate for statewide elective office may not accept from a person, any contribution totaling more than three thousand dollars (\$3,000) per election.*

(b) *Except to a candidate for Governor, a person, other than a small contributor committee or political party committee, may not make to any candidate for statewide elective office, and except a candidate for Governor, a candidate for statewide elective office may not accept from a person other than a small contributor committee or a political party committee, any contribution totaling more than five thousand dollars (\$5,000) per election.*

(c) *A person, other than a small contributor committee or political party committee, may not make to any candidate for Governor, and a candidate for Governor may not accept from any person other than a small contributor committee or political party committee, any contribution totaling more than twenty thousand dollars (\$20,000) per election.*

(d) *The provisions of this section do not apply to a candidate's contributions of his or her personal funds to his or her own campaign.*

SEC. 24. Section 85302 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

~~85302: No person shall make and no political committee, broad based political committee, or political party shall solicit or accept, any contribution or loan from a person which would cause the total amount contributed or loaned by that person to the same political committee, broad based political committee, or political party to exceed two thousand five hundred dollars (\$2,500) in any fiscal year to make contributions to candidates for elective office:~~

SEC. 25. Section 85302 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

~~85302: No small contributor committee shall make to any candidate or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from a small contributor committee, a contribution or contributions totaling more than two times the applicable contribution limit for persons prescribed in Section 85301 or 85402, whichever is applicable:~~

SEC. 26. Section 85302 is added to the Government Code, to read:

85302. (a) *A small contributor committee may not make to any candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office, other than a candidate for statewide elective office may not accept from a small contributor committee, any contribution totaling more than six thousand dollars (\$6,000) per election.*

(b) *Except to a candidate for Governor, a small contributor committee may not make to any candidate for statewide elective office and except for a candidate for Governor, a candidate for statewide elective office may not accept from a small contributor committee, any contribution totaling more than ten thousand dollars (\$10,000) per election.*

(c) *A small contributor committee may not make to any candidate for Governor, and a candidate for Governor may not accept from a small contributor committee, any contribution totaling more than twenty thousand dollars (\$20,000) per election.*

SEC. 27. Section 85303 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

85303: (a) No political committee shall make, and no candidate or campaign treasurer shall solicit or accept, any contribution or loan which would cause the total amount contributed or loaned by that committee to that candidate for elective office or any committee controlled by that candidate to exceed two thousand five hundred dollars (\$2,500) in any fiscal year.

(b) No broad based political committee or political party shall make and no candidate or campaign treasurer shall solicit or accept, any contribution or loan which would cause the total amount contributed or loaned by that committee or political party to that candidate or any committee controlled by that candidate to exceed five thousand dollars (\$5,000) in any fiscal year.

(c) Nothing in this Chapter shall limit a person's ability to provide financial or other support to one or more political committees or broad based political committees provided the support is used for purposes other than making contributions directly to candidates for elective office.

SEC. 28. Section 85303 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85303: No person shall give in the aggregate to political party committees of the same political party; and no such party committees combined shall accept from any person, a contribution or contributions totaling more than five thousand dollars (\$5,000) per calendar year; except a candidate may distribute any surplus, residual, or unexpended campaign funds to a political party committee.

SEC. 29. Section 85303 is added to the Government Code, to read:

85303. (a) *A person may not make to any committee, other than a political party committee, and a committee other than a political party committee may not accept, any contribution totaling more than five thousand dollars (\$5,000) per calendar year for the purpose of making contributions to candidates for elective state office.*

(b) *A person may not make to any political party committee, and a political party committee may not accept, any contribution totaling more than twenty-five thousand dollars (\$25,000) per calendar year for the purpose of making contributions for the support or defeat of candidates for elective state office.*

(c) *Except as provided in Section 85310, nothing in this chapter shall limit a person's contributions to a committee or political party committee provided the contributions are used for purposes other than making contributions to candidates for elective state office.*

(d) *Nothing in this chapter limits a candidate for elected state office from transferring contributions received by the candidate in excess of any amount necessary to defray the candidate's expenses for election related activities or holding office to a political party committee, provided those transferred contributions are used for purposes consistent with paragraph (4) of subdivision (b) of Section 89519.*

SEC. 30. Section 85304 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

85304: No candidate for elective office or committee controlled by that candidate or candidates for elective office shall transfer any contribution to any other candidate for elective office. Transfers of funds between candidates or their controlled committees are prohibited.

SEC. 31. Section 85304 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85304. No more than 25 percent of the recommended expenditure limits specified in this act at the time of adoption by the voters; subject to cost of living adjustments as specified in Section 83124; shall be accepted in cumulative contributions for any election from all political party committees by any candidate or the controlled committee of such a candidate. Any expenditures made by a political party committee in support of a candidate shall be considered contributions to the candidate.

SEC. 32. Section 85304 is added to the Government Code, to read:

85304. (a) *A candidate for elective state office or an elected state officer may establish a separate account to defray attorney's fees and other related legal costs incurred for the candidate's or officer's legal defense if the candidate or officer is subject to one or more civil or criminal proceedings or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental activities and duties. These funds may be used only to defray those attorney fees and other related legal costs.*

(b) *A candidate may receive contributions to this account that are not subject to the contribution limits set forth in this article. However, all contributions shall be reported in a manner prescribed by the commission.*

(c) *Once the legal dispute is resolved, the candidate shall dispose of any funds remaining after all expenses associated with the dispute are discharged for one or more of the purposes set forth in paragraphs (1) to (5), inclusive, of subdivision (b) of Section 89519.*

SEC. 33. Section 85305 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

85305. (a) This Section shall apply to candidates who seek elective office during a special election or a special runoff election.

(b) As used in this Section, the following terms have the following meanings:

(1) "Special election cycle" means the day on which the office becomes vacant until the day of the special election.

(2) "Special runoff election cycle" means the day after the special election until the day of the special runoff election.

(c) Notwithstanding Section 85301 or 85303 the following contribution limitations shall apply during special election cycles and special runoff election cycles:

(1) No person shall make, and no candidate for elective office, or campaign treasurer, shall solicit or accept any contribution or loan which would cause the total amount contributed or loaned by that person to that candidate, including contributions or loans to all committees controlled by the candidate, to exceed one thousand dollars (\$1,000) during any special election cycle or special runoff election cycle.

(2) No political committee shall make, and no candidate or campaign treasurer shall solicit or accept, any contribution or loan which would cause the total amount contributed or loaned by that committee to that candidate for elective office or any committee controlled by that candidate to exceed two thousand five hundred dollars (\$2,500) during any special election cycle or special runoff election cycle.

(3) No broad-based political committee or political party shall make and no candidate or campaign treasurer shall solicit or accept, any contribution or loan which would cause the total amount contributed or loaned by that committee or

political party to that candidate or any committee controlled by that candidate to exceed five thousand dollars (\$5,000) during any special election cycle or special runoff election cycle.

SEC. 34. Section 85305 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85305. (a) In districts of fewer than 1,000,000 residents; no candidate or the candidate's controlled committee shall accept contributions more than six months before any primary or special primary election or; in the event there is no primary or special primary election; any regular election or special election in which the candidate is attempting to be on the ballot or is a write-in candidate.

(b) In districts of 1,000,000 residents or more and for statewide elective office; no candidate or the candidate's controlled committee shall accept contributions more than 12 months before any primary or special primary election or; in the event there is no primary or special primary election; any regular election or special election in which the candidate is attempting to be on the ballot or is a write-in candidate.

(c) No candidate or the controlled committee of such candidate shall accept contributions more than 90 days after the date of withdrawal, defeat, or election to office. Contributions accepted immediately following such an election or withdrawal and up to 90 days after that date shall be used only to pay outstanding bills or debts owed by the candidate or controlled committee. This section shall not apply to retiring debts incurred with respect to any election held prior to the effective date of this act; provided such funds are collected pursuant to the contribution limits specified in Article 3 (commencing with Section 85300) of this act, applied separately for each prior election for which debts are being retired; and such funds raised shall not count against the contribution limitations applicable for any election following the effective date of this act.

(d) Notwithstanding subdivision (c); funds may be collected at any time to pay for attorney's fees for litigation or administrative action which arises directly out of a candidate's or elected officer's alleged violation of state or local campaign, disclosure, or election laws or for a fine or assessment imposed by any governmental agency for violations of this act or this title; or for a recount or contest of the validity of an election; or for any expense directly associated with an external audit or unresolved tax liability of the campaign by the candidate or the candidate's controlled committee; provided such funds are collected pursuant to the contribution limits of this act.

(e) Contributions pursuant to subdivisions (c) and (d) of this provision shall be considered contributions raised for the election in which the debts, fines, assessments, recounts, contests, audits, or tax liabilities were incurred and shall be subject to the contribution limits of that election.

SEC. 35. Section 85305 is added to the Government Code, to read:

85305. *A candidate for elective state office or committee controlled by that candidate may not make any contribution to any other candidate for elective state office in excess of the limits set forth in subdivision (a) of Section 85301.*

SEC. 36. Section 85306 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

85306. Any person who possesses campaign funds on the effective date of this chapter may expend these funds for any lawful purpose other than to support or oppose a candidacy for elective office.

SEC. 37. Section 85306 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85306. No candidate and no committee controlled by a candidate or officeholder, other than a political party committee, shall make any contribution to any other candidate running for office or his or her controlled committee. This section shall not prohibit a candidate from making a contribution from his or her own personal funds to his or her own candidacy or to the candidacy of any other candidate for elective office.

SEC. 38. Section 85306 is added to the Government Code, to read:

85306. (a) *A candidate may transfer campaign funds from one controlled committee to a controlled committee for elective state office of the same candidate. Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, first out" accounting method, and these attributed contributions when aggregated with all other contributions from the same contributor may not exceed the limits set forth in Section 85301 or 85302.*

(b) *Notwithstanding subdivision (a), a candidate for elective state office, other than a candidate for statewide elective office who possesses campaign funds on January 1, 2001, may use those funds to seek elective office without attributing the funds to specific contributors.*

(c) *Notwithstanding subdivision (a), a candidate for statewide elective office who possesses campaign funds on November 6, 2002, may use those funds to seek elective office without attributing the funds to specific contributors.*

SEC. 39. Section 85307 of the Government Code, as added by Proposition 73 at the June 7, 1988, statewide primary election, is repealed.

85307. The provisions of this article regarding loans shall apply to extensions of credit, but shall not apply to loans made to the candidate by a commercial lending institution in the lender's regular course of business on terms available to members of the general public for which the candidate is personally liable.

SEC. 40. Section 85307 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85307. (a) A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to all contribution limitations.

(b) Extensions of credit for a period of more than 30 days, other than loans from financial institutions given in the normal course of business, are subject to all contribution limitations.

(c) No candidate shall personally make outstanding loans to his or her campaign or campaign committee that total at any one point in time more than twenty thousand dollars (\$20,000) in the case of any candidate, except for candidates for governor, or fifty thousand dollars (\$50,000) in the case of candidates for governor. Nothing in this chapter shall prohibit a candidate from making unlimited contributions to his or her own campaign.

SEC. 41. Section 85307 is added to the Government Code, to read:

85307. (a) *The provisions of this article regarding loans apply to extensions of credit, but do not apply to loans made to a candidate by a commercial lending institution in the lender's regular course of business on terms available to members of the general public for which the candidate is personally liable.*

(b) *A candidate for elective state office may not personally loan to his or her campaign an amount, the outstanding balance of which exceeds one hundred thousand dollars (\$100,000). A candidate may not charge interest on any loan he or she makes to his or her campaign.*

SEC. 42. Section 85308 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85308. (a) Contributions by a husband and wife shall not be aggregated.

(b) Contributions by children under 18 shall be treated as contributions attributed equally to each parent or guardian.

SEC. 43. Section 85308 is added to the Government Code, to read:

85308. (a) *Contributions made by a husband and wife may not be aggregated.*

(b) *A contribution made by a child under 18 years of age is presumed to be a contribution from the parent or guardian of the child.*

SEC. 44. Section 85309 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85309: No more than 25 percent of the recommended voluntary expenditure limits specified in this act at the time of adoption by the voters; subject to cost-of-living adjustments as specified in Section 83124; for any election shall be accepted in contributions from other than individuals; small contributor committee; and political party committees in the aggregate by any candidate or the controlled committee of such a candidate. The limitation in this section shall apply whether or not the candidate agrees to the expenditure ceilings specified in Section 85400.

SEC. 45. Section 85309 is added to the Government Code, to read:

85309. (a) *In addition to any other report required by this title, candidates for elective state office who are required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars (\$1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.*

(b) *In addition to any other reports required by this title, any committee primarily formed to support one or more state ballot measures that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars (\$1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.*

SEC. 46. Section 85310 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85310: No person shall contribute in the aggregate more than twenty five thousand dollars (\$25,000) to all state candidates and the state candidates' controlled committees and political party committees in any two-year period. Contributions from political parties shall be exempt from this provision.

SEC. 47. Section 85310 is added to the Government Code, to read:

85310. (a) *Any person who makes a payment or a promise of payment totaling fifty thousand dollars (\$50,000) or more for a communication that clearly identifies a candidate for elective state office, but does not expressly advocate the election or defeat of the candidate, and that is disseminated, broadcast, or otherwise published within 45 days of an election, shall file online or electronically with the Secretary of State a report disclosing the name of the person, address, occupation, and employer; and amount of the payment. The report shall be filed within 48 hours of making the payment or the promise to make the payment.*

(b) (1) *Except as provided in paragraph (2), if any person has received a payment or a promise of a payment from other persons totaling five thousand dollars (\$5,000) or more for the purpose of making a communication described*

in subdivision (a), the person receiving the payments shall disclose on the report the name, address, occupation and employer, and date and amount received from the person.

(2) A person who receives or is promised a payment that is otherwise reportable under paragraph (1) is not required to report the payment if the person is in the business of providing goods or services and receives or is promised the payment for the purpose of providing those goods or services.

(c) Any payment received by a person who makes a communication described in subdivision (a) is subject to the limits specified in subdivision (b) of Section 85303 if the communication is made at the behest of the clearly identified candidate.

SEC. 48. Section 85311 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

~~85311. All payments made by a person established, financed, maintained, or controlled by any business entity, labor organization, association, political party, or any other person or group of such persons shall be considered to be made by a single person.~~

SEC. 49. Section 85311 is added to the Government Code, to read:

85311. (a) For purposes of this chapter the following terms have the following meanings:

(1) "Entity" means any person, other than an individual.

(2) "Majority-owned" means a direct or indirect ownership of more than 50 percent.

(b) The contributions of an entity whose contributions are directed and controlled by any individual shall be aggregated with contributions made by that individual and any other entity whose contributions are directed and controlled by the same individual.

(c) If two or more entities make contributions that are directed and controlled by a majority of the same persons, the contributions of those entities shall be aggregated.

(d) Contributions made by entities that are majority-owned by any person shall be aggregated with the contributions of the majority owner and all other entities majority-owned by that person, unless those entities act independently in their decisions to make contributions.

SEC. 50. Section 85312 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

~~85312. The costs of internal communications to members, employees, or shareholders of an organization, other than a political party, for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or measures shall not be considered a contribution or independent expenditure under the provisions of this act, provided such payments are not for the costs of campaign materials or activities used in connection with broadcasting, newspaper, billboard, or similar type of general public communication.~~

SEC. 51. Section 85312 is added to the Government Code, to read:

85312. For purpose of this title, payments for communications for purpose of this title to members, employees, shareholders, or families of members, employees, or shareholders of an organization for the purpose of supporting or opposing a candidate or a ballot measure are not contributions or independent expenditures, provided those payments are not made for general public advertising such as broadcasting, billboards, and newspaper advertisements.

SEC. 52. Section 85313 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

85313. (a) Each elected officer may be permitted to establish one segregated officerholder expense fund for expenses related to assisting; serving; or communicating with constituents; or with carrying out the official duties of the elected officer; provided aggregate contributions to such a fund do not exceed ten thousand dollars (\$10,000) within any calendar year and that the expenditures are not made in connection with any campaign for elective office or ballot measure.

(b) No person shall make; and no elected officer or officeholder account shall solicit or accept from any person; a contribution or contributions to the officerholder account totaling more than two hundred fifty dollars (\$250) during any calendar year. Contributions to an officeholder account shall not be considered campaign contributions.

(c) No elected officerholder or officeholder account shall solicit or accept a contribution to the officeholder account from; through; or arranged by a registered state or local lobbyist or a state or local lobbyist employer if that lobbyist or lobbyist employer finances; engages; or is authorized to engage in lobbying the governmental agency of the officeholder.

(d) All expenditures from; and contributions to; an officeholder account are subject to the campaign disclosure and reporting requirements of this title.

(e) Any funds in an officeholder account remaining after leaving office shall be turned over to the General Fund.

SEC. 53. Section 85314 is added to the Government Code, to read:

85314. *The contribution limits of this chapter apply to special elections and apply to special runoff elections. A special election and a special runoff election are separate elections for purposes of the contribution and voluntary expenditure limits set forth in this chapter.*

SEC. 54. Section 85315 is added to the Government Code, to read:

85315. (a) *Notwithstanding any other provision of this chapter, an elected state officer may establish a committee to oppose the qualification of a recall measure, and the recall election. This committee may be established when the elected state officer receives a notice of intent to recall pursuant to Section 11021 of the Elections Code. An elected state officer may accept campaign contributions to oppose the qualification of a recall measure, and if qualification is successful, the recall election, without regard to the campaign contributions limits set forth in this chapter. The voluntary expenditure limits do not apply to expenditures made to oppose the qualification of a recall measure or to oppose the recall election.*

(b) *After the failure of a recall petition or after the recall election, the committee formed by the elected state officer shall wind down its activities and dissolve. Any remaining funds shall be treated as surplus funds and shall be expended within 30 days after the failure of the recall petition or after the recall election for a purpose specified in subdivision (b) of Section 89519.*

SEC. 55. Section 85316 is added to the Government Code, to read:

85316. *A contribution for an election may be accepted by a candidate for elective state office after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed the applicable contribution limit for that election.*

SEC. 56. Section 85317 is added to the Government Code, to read:

85317. *Notwithstanding subdivision (a) of Section 85306, a candidate for state elective office may carry over contributions raised in connection with one election for elective state office to pay campaign expenditures incurred in connection with a subsequent election for the same elective state office.*

SEC. 57. Section 85318 is added to the Government Code, to read:

85318. *A candidate for state elective office may raise contributions for a general election prior to the primary election for the same elective state office if the candidate set aside these contributions and uses these contributions for the general election. If the candidate for state elective office is defeated in the primary election or otherwise withdraws from the general election, the general election funds shall be refunded to the contributors on a pro rata basis less any expenses associated with the raising and administration of general election contributions.*

SEC. 58. Section 85319 is added to the Government Code, to read:

85319. *A candidate for state elective office may return all or part of any contribution to the donor who made the contribution at any time, whether or not other contributions are returned.*

SEC. 59. Article 4 (commencing with Section 85400) of Chapter 5 of Title 9 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

SEC. 60. Article 4 (commencing with Section 85400) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 4. Voluntary Expenditure Ceilings

85400. (a) *A candidate for elective state office, other than the Board of Administration of the Public Employees' Retirement System, who voluntarily accepts expenditure limits may not make campaign expenditures in excess of the following:*

(1) *For an Assembly candidate, four hundred thousand dollars (\$400,000) in the primary or special primary election and seven hundred thousand dollars (\$700,000) in the general, special, or special runoff election.*

(2) *For a Senate candidate, six hundred thousand dollars (\$600,000) in the primary or special primary election and nine hundred thousand dollars (\$900,000) in the general, special, or special runoff election.*

(3) *For a candidate for the State Board of Equalization, one million dollars (\$1,000,000) in the primary election and one million five hundred thousand dollars (\$1,500,000) in the general election.*

(4) *For a statewide candidate other than a candidate for Governor or the State Board of Equalization, four million dollars (\$4,000,000) in the primary election and six million dollars (\$6,000,000) in the general election.*

(5) *For a candidate for Governor, six million dollars (\$6,000,000) in the primary election and ten million dollars (\$10,000,000) in the general election.*

(b) *For purposes of this section "campaign expenditures" has the same meaning as "election related activities" as defined in subparagraph (C) of paragraph (2) of subdivision (b) of Section 82015.*

(c) *A campaign expenditure made by a political party on behalf of a candidate may not be attributed to the limitations on campaign expenditures set forth in this section.*

85401. (a) *Each candidate for elective state office shall file a statement of acceptance or rejection of the voluntary expenditure limits set forth in Section 85400 at the time he or she files the statement of intention specified in Section 85200.*

(b) Any candidate for elective state office who declined to accept the voluntary expenditure limits but who nevertheless does not exceed the limits in the primary, special primary, or special election, may file a statement of acceptance of the expenditure limits for a general or special runoff election within 14 days following the primary, special primary, or special election.

85402. *(a) Any candidate for elective state office who has filed a statement accepting the voluntary expenditure limits is not bound by those limits if an opposing candidate contributes personal funds to his or her own campaign in excess of the limits set forth in Section 85400.*

(b) The commission shall require by regulation timely notification by candidates for elective state office who make personal contributions to their own campaign.

85403. *Any candidate who files a statement of acceptance pursuant to Section 85401 and makes campaign expenditures in excess of the limits shall be subject to the remedies in Chapter 3 (commencing with Section 83100) and Chapter 11 (commencing with Section 91000).*

SEC. 61. Article 5 (commencing with Section 85500) of Chapter 5 of Title 9 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

SEC. 62. Article 5 (commencing with Section 85500) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 5. Independent Expenditures

85500. *(a) In addition to any other report required by this title, committees, including political party committees, which are required to file reports pursuant to Section 84605 and that make independent expenditures of one thousand dollars (\$1,000) or more during an election cycle in connection with a candidate for elective state office, shall file online or electronically a report with the Secretary of State disclosing the making of the independent expenditure. Those reports shall disclose the same information required by subdivision (b) of Section 84204 and shall be filed within 24 hours of the time the independent expenditure is made.*

(b) An expenditure may not be considered independent, and shall be treated as a contribution from the person making the expenditure to the candidate on whose behalf, or for whose benefit, the expenditure is made, if the expenditure is made under any of the following circumstances:

(1) The expenditure is made with the cooperation of, or in consultation with, any candidate or any authorized committee or agent of the candidate.

(2) The expenditure is made in concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of the candidate.

(3) The expenditure is made under any arrangement, coordination, or direction with respect to the candidate or the candidate's agent and the person making the expenditure.

85501. *A controlled committee of a candidate may not make independent expenditures and may not contribute funds to another committee for the purpose of making independent expenditures.*

SEC. 63. Article 6 (commencing with Section 85600) of Chapter 5 of Title 9 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

SEC. 64. Article 6 (commencing with Section 85600) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 6. Ballot Pamphlet

85600. *The Secretary of State and local election officers shall designate in the ballot pamphlet those candidates for elective state office who have voluntarily agreed to expenditure limitations set forth in Section 85400.*

85601. *A candidate for elective state office who accepts voluntary expenditure limits may purchase the space to place a statement in the ballot pamphlet that does not exceed 250 words. The statement may not make any reference to any opponent of the candidate. The statement shall be submitted in accordance with timeframes and procedures set forth in the Elections Code for the preparation of ballot pamphlets.*

SEC. 65. Article 7 (commencing with Section 85700) of Chapter 5 of Title 9 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

SEC. 66. Article 7 (commencing with Section 85700) is added to Chapter 5 of Title 9 of the Government Code, to read:

Article 7. Additional Contribution Requirements

85700. *A candidate or committee shall return within 60 days any contribution of one hundred dollars (\$100) or more for which the candidate or committee does not have on file in the records of the candidate or committee the name, address, occupation, and employer of the contributor.*

85701. *Any candidate or committee that receives a contribution in violation of Section 84301 shall pay to the General Fund of the state the amount of the contribution.*

85702. *An elected state officer or candidate for elected state office may not accept a contribution from a lobbyist, and a lobbyist may not make a contribution to an elected state officer or candidate for elected state office, if that lobbyist is registered to lobby the governmental agency for which the candidate is seeking election or the governmental agency of the elected state officer.*

85703. *Nothing in this act shall nullify contribution limitations or prohibitions of any local jurisdiction that apply to elections for local elective office, except that these limitations and prohibitions may not conflict with the provisions of Section 85312.*

85704. *A person may not make any contribution to a committee on the condition or with the agreement that it will be contributed to any particular candidate unless the contribution is fully disclosed pursuant to Section 84302.*

SEC. 67. Section 89510 of the Government Code is amended to read:

89510. (a) A candidate may only accept contributions from persons; political committees; broad based political committees; and political parties and only in the amounts specified in Article 3 (commencing with Section 85300). A candidate shall not accept contributions from any other source in accordance with the provision set forth in Chapter 5 (commencing with Section 85100).

(b) All contributions deposited into the campaign account shall be deemed to be held in trust for expenses associated with the election of the candidate to the specific office for which the candidate has stated, pursuant to Section 85200; that he or she intends to seek or expenses associated with holding that office for purposes set forth in Chapter 5 (commencing with Section 85100).

(c) In the event that the numerical reference to a district changes due to a reapportionment subsequent to a candidate declaring an intention to seek a specific office; the candidate may use the contribution raised under the old numbered district to seek office; and for office expenses; in the new numbered district.

(d) In the event that the boundaries of the district for a specific office change as a result of a reapportionment which is enacted after a candidate files a statement of intention to be a candidate for that specific office, the candidate may use any contributions received for that specific office for expenses associated with the election of the candidate to any other equivalent district office of the agency body which includes the specific office, at the next election for that other district office, and for expenses associated with holding that other district office.

SEC. 68. Section 89519 of the Government Code, as added by Chapter 84 of the Statutes of 1990, is repealed.

89519. 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 Chapter 4 (commencing with Section 84100) and shall be used 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.

SEC. 69. Section 89519 of the Government Code, as added by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

89519. Any campaign funds in excess of expenses incurred for the campaign or for expenses specified in subdivision (d) of Section 85305, received by or on behalf of an individual who seeks nomination for election, or election to office, shall be deemed to be surplus campaign funds and shall be distributed within 90 days after withdrawal, defeat, or election to office in the following manner:

(a) No more than ten thousand dollars (\$10,000) may be deposited in the candidate's officeholder account; except such surplus from a campaign fund for the general election shall not be deposited into the officeholder account within 60 days immediately following the election:

(b) Any remaining surplus funds shall be distributed to any political party, returned to contributors on a pro rata basis, or turned over to the General Fund.

SEC. 70. Section 89519 is added to the Government Code, to read:

89519. (a) 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 Chapter 4 (commencing with Section 84100).

(b) Surplus campaign funds shall be used only for the following purposes:

(1) The payment of outstanding campaign debts or elected officer's expenses.

(2) The repayment of contributions.

(3) 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.

(4) Contributions to a political party committee, provided the campaign funds are not used to support or oppose candidates for elective office. However, the campaign funds may be used by a political party committee to conduct partisan voter registration, partisan get-out-the-vote activities, and slate mailers as that term is defined in Section 82048.3.

(5) 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.

(6) The payment for professional services reasonably required by the committee to assist in the performance of its administrative functions, including payment for attorney's fees for litigation which arises directly out of a candidate's or elected officer's activities, duties, or status as a candidate or elected officer, including, but not limited to, an action to enjoin defamation, defense of an action brought of a violation of state or local campaign, disclosure, or election laws, and an action from an election contest or recount.

(c) For purposes of this section, the payment for, or the reimbursement to the state of, the costs of installing and monitoring an electronic security system in the home or office, or both, of a candidate or elected officer who has received threats to his or her physical safety shall be deemed an outstanding campaign debt or elected officer's expense, provided that the threats arise from his or her activities, duties, or status as a candidate or elected officer and that the threats have been reported to and verified by an appropriate law enforcement agency. Verification shall be determined solely by the law enforcement agency to which the threat was reported. The candidate or elected officer shall report any expenditure of campaign funds made pursuant to this section to the commission. The report to the commission shall include the date that the candidate or elected officer informed the law enforcement agency of the threat, the name and the telephone number of the law enforcement agency, and a brief description of the threat. No more than five thousand dollars (\$5,000) in surplus campaign funds may be used, cumulatively, by a candidate or elected officer pursuant to this subdivision. Payments made pursuant to this subdivision shall be made during the two years immediately following the date upon which the campaign funds become surplus campaign funds. The candidate or elected officer shall reimburse the surplus fund account for the fair market value of the security system no later than two years immediately following the date upon which the campaign funds became surplus campaign funds. The campaign funds become surplus campaign funds upon sale of the property on which the system is installed, or prior to the closing of the surplus campaign fund account, whichever comes first. The electronic security system shall be the property of the campaign committee of the candidate or elected officer.

SEC. 71. Section 91000 of the Government Code, added by Proposition 9 at the June 4, 1974, statewide primary election, is repealed.

91000: (a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor:

(b) 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 for each violation:

(c) Prosecution for violation of this title must be commenced within two years after the date on which the violation occurred:

SEC. 72. Section 91000 of the Government Code, as amended by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

91000: (a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor:

(b) 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 for each violation:

(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred:

(d) The commission has concurrent jurisdiction in enforcing the criminal misdemeanor provisions of this title:

SEC. 73. Section 91000 is added to the Government Code, to read:

91000. (a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor:

(b) 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 for each violation.

(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

SEC. 74. Section 91004 of the Government Code, added by Proposition 9 at the June 4, 1974, statewide primary election, is repealed.

91004: Any person who intentionally or negligently violates any of the reporting requirements of this act shall be liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount not more than the amount or value not properly reported:

SEC. 75. Section 91004 of the Government Code, as amended by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

91004: Any person who intentionally or negligently violates any of the reporting requirements of this act, or who aids and abets any person who violates any of the reporting requirements of this act, shall be liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount not more than the amount or value not properly reported:

SEC. 76. Section 91004 is added to the Government Code, to read:

91004. Any person who intentionally or negligently violates any of the reporting requirements of this title shall be liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount not more than the amount or value not properly reported.

SEC. 77. Section 91005.5 of the Government Code, as added by Chapter 727 of the Statutes of 1982, is repealed.

91005.5. Any person who violates any provision of this title, except Sections 84305, 84307, and 89001, for which no specific civil penalty is provided; shall be liable in a civil action brought by the commission or the district attorney pursuant to subdivision (b) of Section 91001, or the elected city attorney pursuant to Section 91001.5, for an amount up to two thousand dollars (\$2,000):

No civil action alleging a violation of this title may be filed against a person pursuant to this section if the criminal prosecutor is maintaining a criminal action against that person pursuant to Section 91000:

The provisions of this section shall be applicable only as to violations occurring after the effective date of this section:

SEC. 78. Section 91005.5 of the Government Code, as amended by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

91005.5. Any person who violates any provision of this title, except Sections 84305, 84307, and 89001, for which no specific civil penalty is provided; shall be liable in a civil action brought by the commission or the district attorney pursuant to subdivision (b) of Section 91001, or the elected city attorney pursuant to Section 91001.5, for an amount up to five thousand dollars (\$5,000) per violation:

No civil action alleging a violation of this title may be filed against a person pursuant to this section if the criminal prosecutor is maintaining a criminal action against that person pursuant to Section 91000:

The provisions of this section shall be applicable only as to violations occurring after the effective date of this section:

SEC. 79. Section 91005.5 is added to the Government Code, to read:

91005.5. Any person who violates any provision of this title, except Sections 84305, 84307, and 89001, for which no specific civil penalty is provided, shall be liable in a civil action brought by the commission or the district attorney pursuant to subdivision (b) of Section 91001, or the elected city attorney pursuant to Section 91001.5, for an amount up to five thousand dollars (\$5,000) per violation.

No civil action alleging a violation of this title may be filed against a person pursuant to this section if the criminal prosecutor is maintaining a criminal action against that person pursuant to Section 91000.

The provisions of this section shall be applicable only as to violations occurring after the effective date of this section.

SEC. 80. Section 91006 of the Government Code, added by Proposition 9 at the June 4, 1974, statewide primary election, is repealed.

91006. If two or more persons are responsible for any violation; they shall be jointly and severally liable:

SEC. 81. Section 91006 of the Government Code, as amended by Proposition 208 at the November 5, 1996, statewide general election, is repealed.

91006. Any person who violates any provision of this title; who purposely or negligently causes any other person to violate any provision of this title; or who aids and abets any other person in the violation of any provision of this title; shall be liable under the provisions of this chapter and Chapter 3 (commencing with Section 83100) of this title. If two or more persons are responsible for any violation; they shall be jointly and severally liable:

SEC. 82. Section 91006 is added to the Government Code, to read:

91006. If two or more persons are responsible for any violation, they shall be jointly and severally liable.

SEC. 83. This act shall become operative on January 1, 2001. However, Chapter 5 (commencing with Section 85100) of Title 9 of the Government Code,

except subdivision (a) of Section 85309 of the Government Code, shall apply to candidates for statewide elective office beginning on and after November 6, 2002.

SEC. 84. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 85. (a) A special election is hereby called to be held throughout the state on November 7, 2000. The election shall be consolidated with the statewide general election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used.

(b) Notwithstanding Section 9040 of the Elections Code or any other provision of law, the Secretary of State, pursuant to subdivision (b) of Section 81012 of the Government Code shall submit this act for approval to the voters at the November 7, 2000, statewide general election.

SEC. 86. This is an act calling an election pursuant to paragraph (3) of subdivision (c) of Section 8 of Article IV of the California Constitution, and shall take effect immediately.

INITIATIVE CONSTITUTIONAL AMENDMENTS AND STATUTES

*Number
on ballot*

35. **Public Works Projects. Use of Private Contractors for Engineering and Architectural Services.**

[Submitted by the initiative and approved by electors November 7, 2000.]

PROPOSED LAW

FAIR COMPETITION AND TAXPAYER SAVINGS INITIATIVE

SECTION 1. TITLE

This measure shall be known and may be cited as the "Fair Competition and Taxpayer Savings Act."

SEC. 2. PURPOSE AND INTENT

It is the intent of the people of the State of California in enacting this measure:

(a) To remove existing restrictions on contracting for architectural and engineering services and to allow state, regional and local governments to use qualified private architectural and engineering firms to help deliver transportation, schools, water, seismic retrofit and other infrastructure projects safely, cost effectively and on time;

(b) To encourage the kind of public/private partnerships necessary to ensure that California taxpayers benefit from the use of private sector experts to deliver transportation, schools, water, seismic retrofit and other infrastructure projects;

(c) To promote fair competition so that both public and private sector architects and engineers work smarter, more efficiently and ultimately deliver better value to taxpayers;

(d) To speed the completion of a multi-billion dollar backlog of highway, bridge, transit and other projects;

(e) To ensure that contracting for architectural and engineering services occurs through a fair, competitive selection process, free of undue political influence, to obtain the best quality and value for California taxpayers; and

(f) To ensure that private firms contracting for architectural and engineering services with governmental entities meet established design and construction standards and comply with standard accounting practices and permit financial and performance audits as necessary to ensure contract services are delivered within the agreed schedule and budget.

SEC. 3. Article XXII is added to the California Constitution, to read:

SECTION 1. The State of California and all other governmental entities, including, but not limited to, cities, counties, cities and counties, school districts and other special districts, local and regional agencies and joint power agencies, shall be allowed to contract with qualified private entities for architectural and engineering services for all public works of improvement. The choice and authority to contract shall extend to all phases of project development including permitting and environmental studies, rights-of-way services, design phase services and construction phase services. The choice and authority shall exist without regard to funding sources whether federal, state, regional, local or private, whether or not the project is programmed by a state, regional or local governmental entity, and whether or not the completed project is a part of any state owned or state operated system or facility.

SEC. 2. Nothing contained in Article VII of this Constitution shall be construed to limit, restrict or prohibit the State or any other governmental entities, including, but not limited to, cities, counties, cities and counties, school districts and other special districts, local and regional agencies and joint power agencies, from contracting with private entities for the performance of architectural and engineering services.

SEC. 4. Chapter 10.1 (commencing with Section 4529.10) is added to Division 5 of Title 1 of the Government Code, to read:

4529.10. For purposes of Article XXII of the California Constitution and this act, the term "architectural and engineering services" shall include all architectural, landscape architectural, environmental, engineering, land surveying, and construction project management services.

4529.11. All projects included in the State Transportation Improvement Program programmed and funded as interregional improvements or as regional improvements shall be subject to Article XXII of the California Constitution. The sponsoring governmental entity shall have the choice and the authority to contract with qualified private entities for architectural and engineering services. For projects programmed and funded as regional improvements, the sponsoring governmental entity shall be the regional or local project sponsor. For projects programmed and funded as interregional improvements, the sponsoring governmental entity shall be the State of California, unless there is a regional or local project sponsor, in which case the sponsoring governmental entity shall be the regional or local project sponsor. The regional or local project sponsor shall be a regional or local governmental entity.

4529.12. All architectural and engineering services shall be procured pursuant to a fair, competitive selection process which prohibits governmental agency employees from participating in the selection process when they have a financial or business relationship with any private entity seeking the contract, and the procedure shall require compliance with all laws regarding political contributions, conflicts of interest or unlawful activities.

4529.13. *Nothing contained in this act shall be construed to change project design standards, seismic safety standards or project construction standards established by state, regional or local governmental entities. Nor shall any provision of this act be construed to prohibit or restrict the authority of the Legislature to statutorily provide different procurement methods for design-build projects or design-build-and-operate projects.*

4529.14. *Architectural and engineering services contracts procured by public agencies shall be subject to standard accounting practices and may require financial and performance audits as necessary to ensure contract services are delivered within the agreed schedule and budget.*

4529.15. *This act only applies to architectural and engineering services defined in Government Code Section 4529.10. Nothing contained in this act shall be construed to expand or restrict the authority of governmental entities to contract for fire, ambulance, police, sheriff, probation, corrections or other peace officer services. Nor shall anything in this act be construed to expand or restrict the authority of governmental entities to contract for education services including but not limited to, teaching services, services of classified school personnel and school administrators.*

4529.16. *This act shall not be applied in a manner that will result in the loss of federal funding to any governmental entity.*

4529.17. *The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.*

4529.18. *If any act of the Legislature conflicts with the provisions of this act, this act shall prevail.*

4529.19. *This act shall be liberally construed to accomplish its purposes.*

4529.20. *This act seeks to comprehensively regulate the matters which are contained within its provisions. These are matters of statewide concern and when enacted are intended to apply to charter cities as well as all other governmental entities.*

SEC. 5. This initiative may be amended to further its purposes by statute, passed in each house by roll call vote entered in the journal, two-thirds of the membership concurring, and signed by the Governor.

SEC. 6. If there is a conflicting initiative measure on the same ballot, which addresses and seeks to comprehensively regulate the same subject, only the provisions of this measure shall become operative if this measure receives the highest affirmative vote.

Number
on ballot

39. **School Facilities. 55% Local Vote. Bonds, Taxes. Accountability Requirements.**

[Submitted by the initiative and approved by electors November 7, 2000.]

PROPOSED LAW

SMALLER CLASSES, SAFER SCHOOLS AND FINANCIAL ACCOUNTABILITY ACT

SECTION ONE. TITLE

This act shall be known as the Smaller Classes, Safer Schools and Financial Accountability Act.

SECTION TWO. FINDINGS AND DECLARATIONS

The people of the State of California find and declare as follows:

(a) Investing in education is crucial if we are to prepare our children for the 21st Century.

(b) We need to make sure our children have access to the learning tools of the 21st Century like computers and the Internet, but most California classrooms do not have access to these technologies.

(c) We need to build new classrooms to facilitate class size reduction, so our children can learn basic skills like reading and mathematics in an environment that ensures that California's commitment to class size reduction does not become an empty promise.

(d) We need to repair and rebuild our dilapidated schools to ensure that our children learn in a safe and secure environment.

(e) Students in public charter schools should be entitled to reasonable access to a safe and secure learning environment.

(f) We need to give local citizens and local parents the ability to build those classrooms by a 55 percent vote in local elections so each community can decide what is best for its children.

(g) We need to ensure accountability so that funds are spent prudently and only as directed by citizens of the community.

SECTION THREE. PURPOSE AND INTENT

In order to prepare our children for the 21st Century, to implement class size reduction, to ensure that our children learn in a secure and safe environment, and to ensure that school districts are accountable for prudent and responsible spending for school facilities, the people of the State of California do hereby enact the Smaller Classes, Safer Schools and Financial Accountability Act. This measure is intended to accomplish its purposes by amending the California Constitution and the California Education Code:

(a) To provide an exception to the limitation on ad valorem property taxes and the two-thirds vote requirement to allow school districts, community college districts, and county offices of education to equip our schools for the 21st Century, to provide our children with smaller classes, and to ensure our children's safety by repairing, building, furnishing and equipping school facilities;

(b) To require school district boards, community college boards, and county offices of education to evaluate safety, class size reduction, and information technology needs in developing a list of specific projects to present to the voters;

(c) To ensure that before they vote, voters will be given a list of specific projects their bond money will be used for;

(d) To require an annual, independent financial audit of the proceeds from the sale of the school facilities bonds until all of the proceeds have been expended for the specified school facilities projects; and

(e) To ensure that the proceeds from the sale of school facilities bonds are used for specified school facilities projects only, and not for teacher and administrator salaries and other school operating expenses, by requiring an annual, independent performance audit to ensure that the funds have been expended on specific projects only.

SECTION FOUR

Section 1 of Article XIII A of the California Constitution is amended to read:

SEC. 1. (a) The maximum amount of any ad valorem tax on real property shall not exceed One percent (1%) of the full cash value of such property. The one percent (1%) tax to be collected by the counties and apportioned according to law to the districts within the counties.

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on ~~(1) any indebtedness of the following:~~

~~(1) Indebtedness approved by the voters prior to July 1, 1978. ; or (2) any bonded~~

~~(2) Bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.~~

~~(3) Bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of the district or county, as appropriate, voting on the proposition on or after the effective date of the measure adding this paragraph. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:~~

~~(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in Article XIII A, Section 1(b)(3), and not for any other purpose, including teacher and administrator salaries and other school operating expenses.~~

~~(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.~~

~~(C) A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.~~

~~(D) A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.~~

~~(c) Notwithstanding any other provisions of law or of this Constitution, school districts, community college districts, and county offices of education may levy a 55 percent vote ad valorem tax pursuant to subdivision (b).~~

SECTION FIVE

Section 18 of Article XVI of the California Constitution is amended to read:

SEC. 18. (a) No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the ~~qualified electors thereof~~, voters of the public entity voting at an election to be held for that purpose, except that with respect to any such public entity which is authorized to incur indebtedness for public school purposes, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purpose of repairing, reconstructing or replacing public school buildings determined, in the manner prescribed by law, to be structurally unsafe for school use, shall be adopted upon the approval

of a majority of the ~~qualified electors voters~~ of the public entity voting on the proposition at such election; nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and ~~also provision to constitute~~ *provide for* a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty years from the time of contracting the same; ~~provided; however; anything to the contrary herein notwithstanding; when indebtedness.~~

(b) Notwithstanding subdivision (a), on or after the effective date of the measure adding this subdivision, in the case of any school district, community college district, or county office of education, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, shall be adopted upon the approval of 55 percent of the voters of the district or county, as appropriate, voting on the proposition at an election. This subdivision shall apply only to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision if the proposition meets all of the accountability requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A.

(c) When two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds or a majority or 55 percent of the ~~qualified electors voters~~, as the case may be, voting on any one of ~~such those~~ propositions, vote in favor thereof, ~~such the~~ proposition shall be deemed adopted.

SECTION SIX

Section 47614 of the Education Code is amended to read:

47614. ~~A school district in which a charter school operates shall permit a charter school to use, at no charge, facilities not currently being used by the school district for instructional or administrative purposes; or that have not been historically used for rental purposes provided the charter school shall be responsible for reasonable maintenance of those facilities.~~

(a) The intent of the people in amending Section 47614 is that public school facilities should be shared fairly among all public school pupils, including those in charter schools.

(b) Each school district shall make available, to each charter school operating in the school district, facilities sufficient for the charter school to accommodate all of the charter school's in-district students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending other public schools of the district. Facilities provided shall be contiguous, furnished, and equipped, and shall remain the property of the school district. The school district shall make reasonable efforts to provide the charter school with facilities near to where the charter school wishes to locate, and shall not move the charter school unnecessarily.

(1) The school district may charge the charter school a pro rata share (based on the ratio of space allocated by the school district to the charter school divided by the total space of the district) of those school district facilities costs which the school district pays for with unrestricted general fund revenues. The charter school shall not be otherwise charged for use of the facilities. No school district

shall be required to use unrestricted general fund revenues to rent, buy, or lease facilities for charter school students.

(2) Each year each charter school desiring facilities from a school district in which it is operating shall provide the school district with a reasonable projection of the charter school's average daily classroom attendance by in-district students for the following year. The district shall allocate facilities to the charter school for that following year based upon this projection. If the charter school, during that following year, generates less average daily classroom attendance by in-district students than it projected, the charter school shall reimburse the district for the over-allocated space at rates to be set by the State Board of Education.

(3) Each school district's responsibilities under this section shall take effect three years from the effective date of the measure which added this subparagraph, or if the school district passes a school bond measure prior to that time on the first day of July next following such passage.

(4) Facilities requests based upon projections of fewer than 80 units of average daily classroom attendance for the year may be denied by the school district.

(5) The term "operating," as used in this section, shall mean either currently providing public education to in-district students, or having identified at least 80 in-district students who are meaningfully interested in enrolling in the charter school for the following year.

(6) The State Department of Education shall propose, and the State Board of Education may adopt, regulations implementing this subdivision, including but not limited to defining the terms "average daily classroom attendance," "conditions reasonably equivalent," "in-district students," "facilities costs," as well as defining the procedures and establishing timelines for the request for, reimbursement for, and provision of, facilities.

SECTION SEVEN. CONFORMITY

The Legislature shall conform all applicable laws to this act. Until the Legislature has done so, any statutes that would be affected by this act shall be deemed to have been conformed with the 55 percent vote requirements of this act.

SECTION EIGHT. SEVERABILITY

If any of the provisions of this measure or the applicability of any provision of this measure to any person or circumstances shall be found to be unconstitutional or otherwise invalid, such finding shall not affect the remaining provisions or applications of this measure to other persons or circumstances, and to that extent the provisions of this measure are deemed to be severable.

SECTION NINE. AMENDMENT

Section 6 of this measure may be amended to further its purpose by a bill passed by a majority of the membership of both houses of the Legislature and signed by the Governor, provided that at least 14 days prior to passage in each house, copies of the bill in final form shall be made available by the clerk of each house to the public and the news media.

SECTION TEN. LIBERAL CONSTRUCTION

The provisions of this act shall be liberally construed to effectuate its purposes.

INITIATIVE STATUTE

Number
on ballot

36. Drugs. Probation and Treatment Program.

[Submitted by the initiative and approved by electors November 7, 2000.]

PROPOSED LAW

SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000

SECTION 1. Title

This act shall be known and may be cited as the “Substance Abuse and Crime Prevention Act of 2000.”

SEC. 2. Findings and Declarations

The People of the State of California hereby find and declare all of the following:

(a) Substance abuse treatment is a proven public safety and health measure. Nonviolent, drug-dependent criminal offenders who receive drug treatment are much less likely to abuse drugs and commit future crimes, and are likelier to live healthier, more stable and more productive lives.

(b) Community safety and health are promoted, and taxpayer dollars are saved, when nonviolent persons convicted of drug possession or drug use are provided appropriate community-based treatment instead of incarceration.

(c) In 1996, Arizona voters by a 2–1 margin passed the Drug Medicalization, Prevention, and Control Act, which diverted nonviolent drug offenders into drug treatment and education services rather than incarceration. According to a Report Card prepared by the Arizona Supreme Court, the Arizona law: is “resulting in safer communities and more substance abusing probationers in recovery,” has already saved state taxpayers millions of dollars, and is helping more than 75 percent of program participants to remain drug free.

SEC. 3. Purpose and Intent

The People of the State of California hereby declare their purpose and intent in enacting this act to be as follows:

(a) To divert from incarceration into community-based substance abuse treatment programs nonviolent defendants, probationers and parolees charged with simple drug possession or drug use offenses;

(b) To halt the wasteful expenditure of hundreds of millions of dollars each year on the incarceration—and reincarceration—of nonviolent drug users who would be better served by community-based treatment; and

(c) To enhance public safety by reducing drug-related crime and preserving jails and prison cells for serious and violent offenders, and to improve public health by reducing drug abuse and drug dependence through proven and effective drug treatment strategies.

SEC. 4. Section 1210 is added to the Penal Code, to read:

1210. Definitions

As used in Sections 1210.1 and 3063.1 of this code, and Division 10.8 (commencing with Section 11999.4) of the Health and Safety Code:

(a) The term “nonviolent drug possession offense” means the unlawful possession, use, or transportation for personal use of any controlled substance identified in Section 11054, 11055, 11056, 11057 or 11058 of the Health and

Safety Code, or the offense of being under the influence of a controlled substance in violation of Section 11550 of the Health and Safety Code. The term “nonviolent drug possession offense” does not include the possession for sale, production, or manufacturing of any controlled substance.

(b) The term “drug treatment program” or “drug treatment” means a licensed and/or certified community drug treatment program, which may include one or more of the following: outpatient treatment, half-way house treatment, narcotic replacement therapy, drug education or prevention courses and/or limited inpatient or residential drug treatment as needed to address special detoxification or relapse situations or severe dependence. The term “drug treatment program” or “drug treatment” does not include drug treatment programs offered in a prison or jail facility.

(c) The term “successful completion of treatment” means that a defendant who has had drug treatment imposed as a condition of probation has completed the prescribed course of drug treatment and, as a result, there is reasonable cause to believe that the defendant will not abuse controlled substances in the future.

(d) The term “misdemeanor not related to the use of drugs” means a misdemeanor that does not involve (1) the simple possession or use of drugs or drug paraphernalia, being present where drugs are used, or failure to register as a drug offender, or (2) any activity similar to those listed in paragraph (1).

SEC. 5. Section 1210.1 is added to the Penal Code, to read:

1210.1. Possession of Controlled Substances; Probation; Exceptions

(a) Notwithstanding any other provision of law, and except as provided in subdivision (b), any person convicted of a nonviolent drug possession offense shall receive probation.

As a condition of probation the court shall require participation in and completion of an appropriate drug treatment program. The court may also impose, as a condition of probation, participation in vocational training, family counseling, literacy training and/or community service. A court may not impose incarceration as an additional condition of probation. Aside from the limitations imposed in this subdivision, the trial court is not otherwise limited in the type of probation conditions it may impose.

In addition to any fine assessed under other provisions of law, the trial judge may require any person convicted of a nonviolent drug possession offense who is reasonably able to do so to contribute to the cost of his or her own placement in a drug treatment program.

(b) Subdivision (a) does not apply to either of the following:

(1) Any defendant who previously has been convicted of one or more serious or violent felonies in violation of subdivision (c) of Section 667.5 or Section 1192.7, unless the nonviolent drug possession offense occurred after a period of five years in which the defendant remained free of both prison custody and the commission of an offense that results in (A) a felony conviction other than a nonviolent drug possession offense, or (B) a misdemeanor conviction involving physical injury or the threat of physical injury to another person.

(2) Any defendant who, in addition to one or more nonviolent drug possession offenses, has been convicted in the same proceeding of a misdemeanor not related to the use of drugs or any felony.

(3) Any defendant who:

(A) While using a firearm, unlawfully possesses any amount of (i) a substance containing either cocaine base, cocaine, heroin, methamphetamine,

or (ii) a liquid, non-liquid, plant substance, or hand-rolled cigarette, containing phencyclidine.

(B) While using a firearm, is unlawfully under the influence of cocaine base, cocaine, heroin, methamphetamine or phencyclidine.

(4) Any defendant who refuses drug treatment as a condition of probation.

(5) Any defendant who (A) has two separate convictions for nonviolent drug possession offenses, (B) has participated in two separate courses of drug treatment pursuant to subdivision (a), and (C) is found by the court, by clear and convincing evidence, to be unamenable to any and all forms of available drug treatment. Notwithstanding any other provision of law, the trial court shall sentence such defendants to 30 days in jail.

(c) Within seven days of an order imposing probation under subdivision (a), the probation department shall notify the drug treatment provider designated to provide drug treatment under subdivision (a). Within 30 days of receiving that notice, the treatment provider shall prepare a treatment plan and forward it to the probation department. On a quarterly basis after the defendant begins the drug treatment program, the treatment provider shall prepare and forward a progress report to the probation department.

(1) If at any point during the course of drug treatment the treatment provider notifies the probation department that the defendant is unamenable to the drug treatment being provided, but may be amenable to other drug treatments or related programs, the probation department may move the court to modify the terms of probation to ensure that the defendant receives the alternative drug treatment or program.

(2) If at any point during the course of drug treatment the treatment provider notifies the probation department that the defendant is unamenable to the drug treatment provided and all other forms of drug treatment, the probation department may move to revoke probation. At the revocation hearing, unless the defendant proves by a preponderance of the evidence that there is a drug treatment program to which he or she is amenable, the court may revoke probation.

(3) Drug treatment services provided by subdivision (a) as a required condition of probation may not exceed 12 months, provided, however, that additional aftercare services as a condition of probation may be required for up to six months.

(d) Dismissal of charges upon successful completion of drug treatment

(1) At any time after completion of drug treatment, a defendant may petition the sentencing court for dismissal of the charges. If the court finds that the defendant successfully completed drug treatment, and substantially complied with the conditions of probation, the conviction on which the probation was based shall be set aside and the court shall dismiss the indictment or information against the defendant. In addition, the arrest on which the conviction was based shall be deemed never to have occurred. Except as provided in paragraph (2) or (3), the defendant shall thereafter be released from all penalties and disabilities resulting from the offense of which he or she has been convicted.

(2) Dismissal of an indictment or information pursuant to paragraph (1) does not permit a person to own, possess, or have in his or her custody or control any firearm capable of being concealed upon the person or prevent his or her conviction under Section 12021.

(3) Except as provided below, after an indictment or information is dismissed pursuant to paragraph (1), the defendant may indicate in response to any question

concerning his or her prior criminal record that he or she was not arrested or convicted for the offense. Except as provided below, a record pertaining to an arrest or conviction resulting in successful completion of a drug treatment program under this section may not, without the defendant's consent, be used in any way that could result in the denial of any employment, benefit, license, or certificate.

Regardless of his or her successful completion of drug treatment, the arrest and conviction on which the probation was based may be recorded by the Department of Justice and disclosed in response to any peace officer application request or any law enforcement inquiry. Dismissal of an information or indictment under this section does not relieve a defendant of the obligation to disclose the arrest and conviction in response to any direct question contained in any questionnaire or application for public office, for a position as a peace officer as defined in Section 830, for licensure by any state or local agency, for contracting with the California State Lottery, or for purposes of serving on a jury.

(e) Violation of probation

(1) If probation is revoked pursuant to the provisions of this subdivision, the defendant may be incarcerated pursuant to otherwise applicable law without regard to the provisions of this section.

(2) Non-drug-related probation violations

If a defendant receives probation under subdivision (a), and violates that probation either by being arrested for an offense that is not a nonviolent drug possession offense, or by violating a non-drug-related condition of probation, and the state moves to revoke probation, the court shall conduct a hearing to determine whether probation shall be revoked. The court may modify or revoke probation if the alleged violation is proved.

(3) Drug-related probation violations

(A) If a defendant receives probation under subdivision (a), and violates that probation either by being arrested for a nonviolent drug possession offense or by violating a drug-related condition of probation, and the state moves to revoke probation, the court shall conduct a hearing to determine whether probation shall be revoked. The trial court shall revoke probation if the alleged probation violation is proved and the state proves by a preponderance of the evidence that the defendant poses a danger to the safety of others. If the court does not revoke probation, it may intensify or alter the drug treatment plan.

(B) If a defendant receives probation under subdivision (a), and for the second time violates that probation either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of probation, and the state moves for a second time to revoke probation, the court shall conduct a hearing to determine whether probation shall be revoked. The trial court shall revoke probation if the alleged probation violation is proved and the state proves by a preponderance of the evidence either that the defendant poses a danger to the safety of others or is unamenable to drug treatment. In determining whether a defendant is unamenable to drug treatment, the court may consider, to the extent relevant, whether the defendant (i) has committed a serious violation of rules at the drug treatment program, (ii) has repeatedly committed violations of program rules that inhibit the defendant's ability to function in the program, or (iii) has continually refused to participate in the program or asked to be removed from the program. If the court does not revoke probation, it may intensify or alter the drug treatment plan.

(C) *If a defendant receives probation under subdivision (a), and for the third time violates that probation either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of probation, and the state moves for a third time to revoke probation, the court shall conduct a hearing to determine whether probation shall be revoked. If the alleged probation violation is proved, the defendant is not eligible for continued probation under subdivision (a).*

(D) *If a defendant on probation at the effective date of this act for a nonviolent drug possession offense violates that probation either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of probation, and the state moves to revoke probation, the court shall conduct a hearing to determine whether probation shall be revoked. The trial court shall revoke probation if the alleged probation violation is proved and the state proves by a preponderance of the evidence that the defendant poses a danger to the safety of others. If the court does not revoke probation, it may modify probation and impose as an additional condition participation in a drug treatment program.*

(E) *If a defendant on probation at the effective date of this act for a nonviolent drug possession offense violates that probation a second time either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of probation, and the state moves for a second time to revoke probation, the court shall conduct a hearing to determine whether probation shall be revoked. The trial court shall revoke probation if the alleged probation violation is proved and the state proves by a preponderance of the evidence either that the defendant poses a danger to the safety of others or that the defendant is unamenable to drug treatment. If the court does not revoke probation, it may modify probation and impose as an additional condition participation in a drug treatment program.*

(F) *If a defendant on probation at the effective date of this act for a nonviolent drug offense violates that probation a third time either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of probation, and the state moves for a third time to revoke probation, the court shall conduct a hearing to determine whether probation shall be revoked. If the alleged probation violation is proved, the defendant is not eligible for continued probation under subdivision (a).*

SEC. 6. Section 3063.1 is added to the Penal Code, to read:

3063.1. *Possession of Controlled Substances; Parole; Exceptions*

(a) *Notwithstanding any other provision of law, and except as provided in subdivision (b), parole may not be suspended or revoked for commission of a nonviolent drug possession offense or for violating any drug-related condition of parole.*

As an additional condition of parole for all such offenses or violations, the Parole Authority shall require participation in and completion of an appropriate drug treatment program. Vocational training, family counseling and literacy training may be imposed as additional parole conditions.

The Parole Authority may require any person on parole who commits a nonviolent drug possession offense or violates any drug-related condition of parole, and who is reasonably able to do so, to contribute to the cost of his or her own placement in a drug treatment program.

(b) *Subdivision (a) does not apply to:*

(1) *Any parolee who has been convicted of one or more serious or violent felonies in violation of subdivision (c) of Section 667.5 or Section 1192.7.*

(2) Any parolee who, while on parole, commits one or more nonviolent drug possession offenses and is found to have concurrently committed a misdemeanor not related to the use of drugs or any felony.

(3) Any parolee who refuses drug treatment as a condition of parole.

(c) Within seven days of a finding that the parolee has either committed a nonviolent drug possession offense or violated any drug-related condition of parole, the Parole Authority shall notify the treatment provider designated to provide drug treatment under subdivision (a). Within 30 days thereafter the treatment provider shall prepare a drug treatment plan and forward it to the Parole Authority and to the California Department of Corrections Parole Division agent responsible for supervising the parolee. On a quarterly basis after the parolee begins drug treatment, the treatment provider shall prepare and forward a progress report to these entities and individuals.

(1) If at any point during the course of drug treatment the treatment provider notifies the Parole Authority that the parolee is unamenable to the drug treatment provided, but amenable to other drug treatments or related programs, the Parole Authority may act to modify the terms of parole to ensure that the parolee receives the alternative drug treatment or program.

(2) If at any point during the course of drug treatment the treatment provider notifies the Parole Authority that the parolee is unamenable to the drug treatment provided and all other forms of drug treatment, the Parole Authority may act to revoke parole. At the revocation hearing, parole may be revoked unless the parolee proves by a preponderance of the evidence that there is a drug treatment program to which he or she is amenable.

(3) Drug treatment services provided by subdivision (a) as a required condition of parole may not exceed 12 months, provided, however, that additional aftercare services as a condition of probation may be required for up to six months.

(d) Violation of parole

(1) If parole is revoked pursuant to the provisions of this subdivision, the defendant may be incarcerated pursuant to otherwise applicable law without regard to the provisions of this section.

(2) Non-drug-related parole violations

If a parolee receives drug treatment under subdivision (a), and during the course of drug treatment violates parole either by being arrested for an offense other than a nonviolent drug possession offense, or by violating a non-drug-related condition of parole, and the Parole Authority acts to revoke parole, a hearing shall be conducted to determine whether parole shall be revoked. Parole may be modified or revoked if the parole violation is proved.

(3) Drug-related parole violations

(A) If a parolee receives drug treatment under subdivision (a), and during the course of drug treatment violates parole either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of parole, and the Parole Authority acts to revoke parole, a hearing shall be conducted to determine whether parole shall be revoked. Parole shall be revoked if the parole violation is proved and a preponderance of the evidence establishes that the parolee poses a danger to the safety of others. If parole is not revoked, the conditions of parole may be intensified to achieve the goals of drug treatment.

(B) If a parolee receives drug treatment under subdivision (a), and during the course of drug treatment for the second time violates that parole either by being arrested for a nonviolent drug possession offense, or by violating a

drug-related condition of parole, and the Parole Authority acts for a second time to revoke parole, a hearing shall be conducted to determine whether parole shall be revoked. If the alleged parole violation is proved, the parolee is not eligible for continued parole under any provision of this section and may be reincarcerated.

(C) If a parolee already on parole at the effective date of this act violates that parole either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of parole, and the Parole Authority acts to revoke parole, a hearing shall be conducted to determine whether parole shall be revoked. Parole shall be revoked if the parole violation is proved and a preponderance of the evidence establishes that the parolee poses a danger to the safety of others. If parole is not revoked, the conditions of parole may be modified to include participation in a drug treatment program as provided in subdivision (a). This paragraph does not apply to any parolee who at the effective date of this act has been convicted of one or more serious or violent felonies in violation of subdivision (c) of Section 667.5 or Section 1192.7.

(D) If a parolee already on parole at the effective date of this act violates that parole for the second time either by being arrested for a nonviolent drug possession offense, or by violating a drug-related condition of parole, and the Parole Authority acts for a second time to revoke parole, a hearing shall be conducted to determine whether parole shall be revoked. If the alleged parole violation is proved, the parolee is not eligible for continued parole under any provision of this section and may be reincarcerated.

SEC. 7. Division 10.8 (commencing with Section 11999.4) is added to the Health and Safety Code, to read:

DIVISION 10.8. SUBSTANCE ABUSE TREATMENT FUNDING

11999.4. Establishment of the Substance Abuse Treatment Trust Fund

A special fund to be known as the "Substance Abuse Treatment Trust Fund" is created within the State Treasury and is continuously appropriated for carrying out the purposes of this division.

11999.5. Funding Appropriation

Upon passage of this act, \$60,000,000 shall be continuously appropriated from the General Fund to the Substance Abuse Treatment Trust Fund for the 2000–01 fiscal year. There is hereby continuously appropriated from the General Fund to the Substance Abuse Treatment Trust Fund an additional \$120,000,000 for the 2001–02 fiscal year, and an additional sum of \$120,000,000 for each such subsequent fiscal year concluding with the 2005–06 fiscal year. These funds shall be transferred to the Substance Abuse Treatment Trust Fund on July 1 of each of these specified fiscal years. Funds transferred to the Substance Abuse Treatment Trust Fund are not subject to annual appropriation by the Legislature and may be used without a time limit. Nothing in this section precludes additional appropriations by the Legislature to the Substance Abuse Treatment Trust Fund.

11999.6. Distribution of Monies from Substance Abuse Treatment Trust Fund

Monies deposited in the Substance Abuse Treatment Trust Fund shall be distributed annually by the Secretary of the Health and Human Services Agency through the State Department of Alcohol and Drug Programs to counties to cover the costs of placing persons in and providing (a) drug treatment programs under this act, and (b) vocational training, family counseling and literacy training under this act. Additional costs that may be reimbursed from the Substance Abuse

Treatment Trust Fund include probation department costs, court monitoring costs and any miscellaneous costs made necessary by the provisions of this act other than drug testing services of any kind. Such monies shall be allocated to counties through a fair and equitable distribution formula that includes, but is not limited to, per capita arrests for controlled substance possession violations and substance abuse treatment caseload, as determined by the department as necessary to carry out the purposes of this act. The department may reserve a portion of the fund to pay for direct contracts with drug treatment service providers in counties or areas in which the director of the department has determined that demand for drug treatment services is not adequately met by existing programs. However, nothing in this section shall be interpreted or construed to allow any entity to use funds from the Substance Abuse Treatment Trust Fund to supplant funds from any existing fund source or mechanism currently used to provide substance abuse treatment.

11999.7. Local Government Authority to Control Location of Drug Treatment Programs

Notwithstanding any other provision of law, no community drug treatment program may receive any funds from the Substance Abuse Treatment Trust Fund unless the program agrees to make its facilities subject to valid local government zoning ordinances and development agreements.

11999.8. Surplus Funds

Any funds remaining in the Substance Abuse Treatment Trust Fund at the end of a fiscal year may be utilized to pay for drug treatment programs to be carried out in the subsequent fiscal year.

11999.9. Annual Evaluation Process

The department shall annually conduct a study to evaluate the effectiveness and financial impact of the programs that are funded pursuant to the requirements of this act. The study shall include, but not be limited to, a study of the implementation process, a review of lower incarceration costs, reductions in crime, reduced prison and jail construction, reduced welfare costs, the adequacy of funds appropriated, and any other impacts or issues the department can identify.

11999.10. Outside Evaluation Process

The department shall allocate up to 0.5 percent of the fund's total monies each year for a long-term study to be conducted by a public university in California aimed at evaluating the effectiveness and financial impact of the programs that are funded pursuant to the requirements of this act.

11999.11. County Reports

Counties shall submit a report annually to the department detailing the numbers and characteristics of clients-participants served as a result of funding provided by this act. The department shall promulgate a form which shall be used by the counties for the reporting of this information, as well as any other information that may be required by the department. The department shall establish a deadline by which the counties shall submit their reports.

11999.12. Audit of Expenditures

The department shall annually audit the expenditures made by any county that is funded, in whole or in part, with funds provided by this act. Counties shall repay to the department any funds that are not spent in accordance with the requirements of this act.

11999.13. Excess Funds

At the end of each fiscal year, a county may retain unspent funds received from the Substance Abuse Treatment Trust Fund and may spend those funds, if approved by the department, on drug programs that further the purposes of this act.

SEC. 8. Effective Date

Except as otherwise provided, the provisions of this act shall become effective July 1, 2001, and its provisions shall be applied prospectively.

SEC. 9. Amendment

This act may be amended only by a roll call vote of two thirds of the membership of both houses of the Legislature. All amendments to this act shall be to further the act and shall be consistent with its purposes.

SEC. 10. 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 initiative that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this initiative are severable.

BOND ACT SUBMITTED BY LEGISLATURE

Number
on ballot

32. **Veterans' Bond Act of 2000.** (Statutes 2000, Chapter 51, AB 2305)

[Approved by electors November 7, 2000.]

PROPOSED LAW

SECTION 1. Article 5w (commencing with Section 998.300) is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5w. Veterans' Bond Act of 2000

998.300. This article may be cited as the Veterans' Bond Act of 2000.

998.301. (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.

998.302. As used herein, the following words have the following meanings:

(a) "Board" means the Department of Veterans Affairs.

(b) "Bond" means veterans' bond, a state general obligation bond, issued pursuant to this article adopting the provisions of the State General Obligation Bond Law.

(c) "Bond act" means this article authorizing the issuance of state general obligation bonds and adopting the State General Obligation Bond Law by reference.

(d) “Committee” means the Veterans’ Finance Committee of 1943, established by Section 991.

(e) “Fund” means the Veterans’ Farm and Home Building Fund of 1943, established by Section 998.

998.303. 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 five hundred million dollars (\$500,000,000), exclusive of refunding bonds, in the manner provided herein.

998.304. (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. 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 returned, at the same rate of interest as borne by the bonds, compounded semiannually.

Notwithstanding any other provision of law to the contrary, this subdivision shall apply to all veterans farm and home purchase contracts pursuant to this chapter. This subdivision does not grant any lien on the fund or the moneys therein to holders of any bonds issued under this article. For the purposes of the subdivision, “debt service” means the principal (whether due at maturity, by redemption, or acceleration), premium, if any, or interest payable on any date to any series of bonds. This subdivision shall not apply, however, in the case of any debt service that is payable from the proceeds of any refunding bonds.

998.305. 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 998.306, appropriated without regard to fiscal years.

998.306. For the 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 moneys 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.

998.307. *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 article. 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 article. 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 article.*

998.308. *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 of the bonds be issued or sold at any one time.*

998.309. *As long as any bonds authorized under this article are outstanding, the Secretary 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 Secretary of Veterans Affairs, the California Veterans Board, the appropriate policy committees dealing with veterans affairs in the Senate and the Assembly, 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.

998.310. *The committee may authorize the Treasurer to sell all or any part of the bonds authorized by this article at the time or times established 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.

998.311. *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.*

998.312. *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.

998.313. *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.*

998.314. *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.*

998.315. *Notwithstanding any other provision of law, any bonds issued and sold under the Veterans Bond Act of 1982, and the Veterans Bond Act of 1984 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, without regard to the first sentence of Section 16786 of the Government Code.*

MEASURES DEFEATED

CONSTITUTIONAL AMENDMENT SUBMITTED BY LEGISLATURE

Number
on ballot

33. **Legislature. Participation in Public Employees' Retirement System.** (Statutes 2000, Resolution Chapter 83, ACA 12)

[Rejected by electors November 7, 2000.]

PROPOSED AMENDMENT TO SECTION 4.5 OF ARTICLE IV

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~~ System, ~~and the~~ may elect to participate in the Public Employees' Retirement System in any state retirement plan in which a majority of the employees of the state may participate. The State shall pay only the employer's share of the ~~contribution~~ contributions necessary to such that participation. No other pension or retirement benefit shall accrue as a result of service in the Legislature, ~~such that~~ service not being intended as a career occupation. This ~~Section~~ section shall not be construed to abrogate or diminish any vested pension or retirement benefit ~~which~~ that may have accrued under an existing law to a person holding or having held office in the Legislature, but upon adoption of this ~~Act~~ act no further entitlement to nor vesting in any existing ~~program~~ programs shall accrue to any such person, other than the Social

Security System and the Public Employees' Retirement System to the extent herein provided.

INITIATIVE CONSTITUTIONAL AMENDMENTS

Number
on ballot

37. Fees. Vote Requirements. Taxes.

[Submitted by the initiative and rejected by electors November 7, 2000.]

PROPOSED LAW

Two-Thirds Vote Preservation Act of 2000

SECTION 1. Title

This measure shall be known and may be cited as the "Two-Thirds Vote Preservation Act of 2000."

SECTION 2. Findings and Declaration of Purpose

The People of the State of California find and declare that:

(a) Article XIII A, Section 3, of the California Constitution prohibits the California Legislature from imposing a state tax without approval by a two-thirds vote of the members of each house.

(b) Article XIII C, Section 2, subdivisions (b) and (d), of the California Constitution prohibit local governments from imposing a general tax without approval by a majority vote of the people or a special tax without approval by a two-thirds vote of the people.

(c) These vote requirements do not apply to the imposition of legitimate fees.

(d) There have been increasing attempts by the state and local governments to disguise new taxes as fees in order to avoid the vote requirements.

(e) In 1997 the California Supreme Court in the case of Sinclair Paint Company v. State Board of Equalization defined a fee in such manner as to unreasonably broaden the purposes for which fees can be imposed.

(f) The breadth of the Supreme Court's decision will encourage the use of fees to avoid the vote requirements of Articles XIII A and XIII C and significantly weaken the tax protections created by these propositions.

(g) The distinction between a fee and a tax was reasonably clear before the Supreme Court decision.

(h) In order to preserve that distinction and prevent avoidance of the two-thirds legislative vote requirement of Article XIII A and the majority and two-thirds popular vote requirements of Article XIII C, it is necessary to amend the Constitution.

SECTION 3. Section 3 of Article XIII A of the California Constitution is amended to read:

SEC. 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~~ *the method* 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. *For purposes of this section, "state taxes" do*

not include an “assessment” or “fee” as defined in Article XIII D, Section 2, subdivisions (b) and (e), real property development fees, or regulatory fees that do not exceed the reasonable cost of regulating the activity for which the fee is charged. Provided, however, compulsory fees enacted after July 1, 1999, to monitor, study or mitigate the societal or economic effects of an activity, and which impose no significant regulatory obligation on the fee payor’s activity other than the payment of the fee, and regulatory fees that exceed the reasonable cost of regulating the activity for which the fee is charged, shall be deemed state taxes subject to the two-thirds vote requirement of this section. Monies recoverable as damages, remedial expenses or penalties arising from a specific event shall not be deemed taxes or fees.

This section shall not apply to (1) any fee that was authorized by law prior to July 1, 1999, (2) any increase in such fee attributable to inflation, or (3) any increase in such fee attributable to increased workload, provided such increased workload is not the result of expansion of the class of activity or activities to which the fee applied prior to July 1, 1999.

SECTION 4. Section 1 of Article XIII C of the California Constitution is amended to read as follows:

SECTION 1. Definitions. As used in this article:

(a) “General tax” means any tax imposed for general governmental purposes.

(b) “Local government” means any county, city, city and county, including a charter city or county, any special district, or any other local or regional governmental entity.

(c) “Special district” means an agency of the State, formed pursuant to general law or a special act, for the local performance of governmental or proprietary functions with limited geographic boundaries including, but not limited to, school districts and redevelopment agencies.

(d) “Special tax” means any tax imposed for specific purposes, including a tax imposed for specific purposes, which is placed into a general fund.

(e) For purposes of subdivisions (a) and (d), “general taxes” and “special taxes” do not include an “assessment” or “fee” as defined in Article XIII D, Section 2, subdivisions (b) and (e), real property development fees, or regulatory fees that do not exceed the reasonable cost of regulating the activity for which the fee is charged. Provided, however, compulsory fees enacted after July 1, 1999, to monitor, study or mitigate the societal or economic effects of an activity, and which impose no significant regulatory obligation on the fee payor’s activity other than the payment of the fee, and regulatory fees that exceed the reasonable cost of regulating the activity for which the fee is charged, shall be deemed general or special taxes subject to the majority or two-thirds vote requirements of Section 2, subdivisions (b) and (d), of this article. Monies recoverable as damages, remedial expenses or penalties arising from a specific event shall not be deemed taxes, special taxes, assessments or fees.

This section shall not apply to (1) any fee that was authorized by law prior to July 1, 1999, (2) any increase in such fee attributable to inflation, or (3) any increase in such fee attributable to increased workload, provided such increased workload is not the result of expansion of the class of activity or activities to which the fee applied prior to July 1, 1999.

SECTION 5. Severability

If any provision of this act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions 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

38. **School Vouchers. State-Funded Private and Religious Education. Public School Funding.**

[Submitted by the initiative and rejected by electors November 7, 2000.]

PROPOSED LAW

The National Average School Funding Guarantee and
Parental Right to Choose Quality Education Amendment

SECTION 1. TITLE

This measure shall be known and may be cited as “The National Average School Funding Guarantee and Parental Right to Choose Quality Education Amendment.”

SECTION 2. Section 8.1 is added to Article IX of the Constitution, to read:

SEC. 8.1. The people of the State of California find and declare:

(a) The economic and social viability of California depends on a well educated citizenry.

(b) Test scores from students in government operated schools reveal that the public school system in this state has become an inefficient monopoly, with many parents forced to enroll their children in schools that are failing to prepare students with the foundation skills of reading, writing and mathematics.

(c) As California embarks on the 21st century, basic changes in California’s education delivery structure must be made to ensure that our children receive the benefits of quality education services.

(d) Parents are best equipped to make decisions for their children and have the right to select the educational setting that will best serve the interests and educational needs of their child.

(e) Families have the right to have their children attend schools that successfully teach reading, writing and mathematics to all enrolled students.

(f) The scholarship provided pursuant to this measure is a grant in aid to the parents for the education of their children. The decision by a parent to accept a scholarship and how it is used is not the decision of the state but an exercise of independent parental judgement.

(g) The scholarships provided pursuant to this measure are consistent with existing programs operated by the state including Cal-Grants, special education services in non-public schools, and child care services, all of which use government revenues to provide services at privately operated institutions chosen by eligible individuals.

(h) The scholarship program enacted by this article is not intended to establish, support, promote or in any way endorse any religion. The people of this State intend only to provide the parents of schoolchildren with the financial means to make their own school choices, not to promote or disadvantage any particular class of schools.

(i) In order for California’s students to compete with the students of other states and countries in the global economy of the 21st century, the people of

the State of California hereby declare the importance of restoring the focus on academic outcome, introducing competition into the delivery of education services, eliminating waste and inefficiency in government operated schools while providing necessary resources for a quality public education.

(j) This measure recognizes the importance of maintaining and enhancing the per-pupil funding base in government schools at or above the national average amount as part of the system-wide reform of introducing competition and expanding the educational options for parents, which it would accomplish.

SECTION 3. Section 8.3 is added to Article IX of the Constitution, to read:

SEC. 8.3. (a) The Legislature may fund public schools by an amount equal to or exceeding the national average on a dollar per pupil basis pursuant to this section by a statute passed by a majority vote of the members of each house concurring. The amount of funding provided for the support of public schools pursuant to this section each fiscal year thereafter shall be equal to the number of students enrolled in the public school system in kindergarten through grade 12, inclusive, multiplied by an amount equal to or greater than the national average dollar per pupil funding amount calculated pursuant to subdivision (c). This amount shall be known as the national average school funding guarantee.

(b) If the national average school funding guarantee is operative it may only be suspended for a period of one fiscal year by a statute passed in each house by roll call vote entered in the journal, three fourths of the membership concurring provided that the statute may not be made part of, or included within, any bill enacted pursuant to Section 12 of Article IV.

(c) Each fiscal year, the Director of the Department of Finance shall calculate the amount of funding provided for support of public schools in this state, the enrollment in public schools in this state, and the national average dollar per pupil funding amount for support of public schools. To the extent that the Director of Finance is unable to determine the current year amount dedicated in each of the states for the public schools, the most recent amount for each state shall be adjusted upward by the appropriate number of times using the latest positive dollar per pupil growth rate in that state.

(d) If in any fiscal year, the amount of funding provided for support of public schools is at least the national average school funding guarantee calculated pursuant to subdivision (a), the amount calculated pursuant to subdivision (a) shall be used to calculate the amount of funds provided for the support of public schools in all subsequent fiscal years and this section shall supercede Section 8 of Article XVI.

(e) If the national average school funding guarantee becomes operative pursuant to this section, then this section shall supercede all the provisions of Section 8 of Article XVI with respect to funding for school districts and will define the amount of funds required to be appropriated for the support of public schools, thereby guaranteeing that students enrolled in California public schools are funded at or above the national average dollar per pupil amount.

(f) For purposes of this article, the following terms have the following meanings:

(1) "Amount of funding provided for the support of public schools" shall include all funds used to support services to students in public schools in grades kindergarten through 12, inclusive, including federal, state, and local sources, unrestricted funds, categorical funding, and funding dedicated to cover annual debt service on state and local bonds, certificates of participation, notes, and

other forms of indebtedness, or any other funds, which are dedicated to finance local and state educational programs, administration or facilities for grades kindergarten through 12, inclusive, including disbursements, if any, pursuant to Section 8.5 of Article XVI.

(2) "National average dollar per pupil funding" shall be the average amount of funds provided in the United States for public school students in grades kindergarten through 12, inclusive, determined by calculating a statewide dollar per pupil average for each state which is the amount of funding provided for the support of public schools in that state, pursuant to paragraph (1), divided by the number of public school students enrolled in grades kindergarten through 12, inclusive. These dollar per pupil amounts shall then be averaged across all the states.

(3) "Child," "pupil," or "student" is a person eligible to attend kindergarten or any grades 1 to 12, inclusive.

(4) "Parent" is any person having legal or effective custody of a child.

(5) "Gender" means either a male human being or a female human being.

(g) The Legislature may enact a statute pursuant to Section 12 of Article IV for the necessary support of the community colleges in each fiscal year this section is operative. The intent of the people is that any such statute fully fund the demand for programs offered by the community colleges.

SECTION 4. Section 8.5 is added to Article IX of the Constitution, to read:

SEC. 8.5. (a) The people of this state, in recognition of their right to promote the general welfare, to secure the blessings of liberty to themselves and their posterity, and to pursue happiness, find that parents and not the state have the right to choose the appropriate educational setting for their children, whether that setting is a public school or a private school. Therefore, parents who choose to send their children to schools operated or owned by an entity other than the state or any of its subdivisions or agencies are eligible to receive a scholarship which may be used for the education of their children, consistent with this section.

(b) Commencing with the fiscal year following the approval by the voters of this section, the parents of school age children whose children are starting kindergarten or were enrolled for the previous school year in any of the grades kindergarten through 11, inclusive, in a public school shall receive, upon request, a scholarship for purposes of providing the parent with additional choices in the type of educational setting in which to enroll their child.

(c) In the second fiscal year and each fiscal year thereafter until fully implemented, parents' phase in eligibility for scholarships shall be determined as follows.

Parents of children who were enrolled in any of the grades kindergarten through 11, inclusive, in a public school in the prior year and in,

(1) year two: all other parents of children in grades kindergarten through 2, inclusive,

(2) year three: all other parents of children in grades kindergarten through 8, inclusive,

(3) year four and each subsequent year: all parents.

(d) (1) The amount of a scholarship, excluding any increases provided pursuant to paragraph (2) of this subdivision, shall be in grades kindergarten to twelve, inclusive, the greater of four thousand dollars (\$4,000), one-half of the national average dollar per pupil funding defined pursuant to Section 8.3

of Article IX, or one-half of the amount of funds provided for the support of public schools divided by the enrollment of students enrolled in public schools in grades kindergarten through 12, inclusive if provided pursuant to Section 8.3.

(2) If a parent decides to apply for a scholarship to enroll their child in a scholarship-redeeming school, any scholarship amount that exceeds the tuition and fees of the scholarship-redeeming school for any year in which the pupil is in attendance shall be credited to an account on behalf of the parent for each eligible child to be managed by the State Treasurer. A parent may apply that surplus to supplement future tuition or fee costs that exceed the scholarship amount for that child in any of the grades one through twelve inclusive, and through the completion of an undergraduate degree. Any credit remaining on the date the pupil completes an undergraduate degree, or reaches 21 and is not enrolled in a scholarship-redeeming school, shall be credited to the state general fund.

(3) Costs to the State Treasurer pursuant to this subdivision shall be reimbursed from interest income earned on the management of these funds. The net interest earnings shall be deposited in the state general fund.

(4) The Legislature may enact statutes governing the management of the parent savings account.

(e) The amounts disbursed to parents for scholarships pursuant to this section shall not be calculated toward the amounts provided for the support of public schools pursuant to Section 8.3 of this article or Section 8 of Article XVI.

(f) Scholarships provided under this section are grants of aid to parents on behalf of their children, to provide parents with greater choice in selecting the most appropriate educational setting for their child, and not to the schools in which parents decide to enroll their children. These scholarships do not constitute taxable income to the parent or their child.

(g) After accepting a scholarship pursuant to this section, a parent may choose a non-public educational placement for the child and that selection is not, and shall not be deemed to be, a decision or act of the state or any of its subdivisions.

(h) (1) Any parent eligible pursuant to subdivision (c), having enrolled their child in a scholarship-redeeming school, may request a scholarship by providing proof of enrollment, tuition and fee information, and the address of the scholarship-redeeming school to the county office of education in the county in which the scholarship-redeeming school is located. The county office of education shall compile this information for all scholarship-redeeming parents within the county and shall submit the statement of current enrollment, tuition and fees, and addresses of scholarship-redeeming schools, to the Controller within 30 days of proof of enrollment.

(2) The Controller shall make four quarterly disbursements to the parent in the form of a check for the amount of the scholarship established pursuant to paragraph (1) of subdivision (d) adjusted for the amount transferred to or from the account established on behalf of the parent pursuant to paragraph (2) of subdivision (d). The Controller shall send the check to the address provided in paragraph (1). The parent shall restrictively endorse each quarterly check for application to the parent's account at the scholarship-redeeming school. In any fiscal year, the sum of the quarterly checks to a parent on behalf of a child shall not exceed the tuition and fees for that child at the scholarship-redeeming school.

(3) *If a pupil of a parent or guardian receiving a scholarship transfers from a scholarship-redeeming school, the school shall provide written notification of the transfer and its effective date to the county office of education within 10 days of the transfer. The county office of education shall notify the Controller of the transfer and the Controller shall prorate the disbursement(s) to reflect only the period of time in which the child was actually enrolled.*

(4) *At the end of each fiscal year, the Controller shall deposit the unused portion of each scholarship in the parent's account established pursuant to paragraph (2) of subdivision (d).*

(i) *(1) A private school may become a scholarship-redeeming school by filing with the Superintendent of Public Instruction a statement certifying that the school satisfies the legal requirements that applied to private schools on January 1, 1999, and each of the requirements set forth in paragraph (2).*

(2) *To become a scholarship-redeeming school, a school shall certify that it meets each of the following requirements:*

(A) *The school does not discriminate on the basis of race, ethnicity, color or national origin, or advocate unlawful behavior of any kind. Nothing precludes the establishment of same gender schools or classrooms.*

(B) *The school does not deliberately provide false or misleading information about the school.*

(C) *No person convicted of (i) any felony or crime involving moral turpitude, (ii) any offense involving lewd or lascivious conduct, or (iii) any offense involving molestation or other abuse of a child, shall own, contract with or be employed by the school.*

(D) *A high school shall certify either (i), that the school has obtained notice from the University of California, California State University, or any private college or university accredited by a regional accreditation agency or an accreditation agency recognized by the state, that coursework completed by a pupil at the high school in one or more academic subjects designated by the institution issuing notice will fulfill the institution's admission requirements in the designated subject or subjects if a pupil's grades and the duration of study are acceptable; or (ii), that it has received either accreditation or provisional accreditation from a regional accreditation agency or an accrediting agency recognized by the state.*

(3) *Each scholarship-redeeming school shall comply with each of the following requirements on an annual basis:*

(A) *Prepare a statement of financial condition that lists the revenues, expenses and debts of the school. These documents shall be provided to parents upon request.*

(B) *Administer nationally normed reference tests, mandated to be taken by pupils enrolled in public schools and that provide individual student scores, to pupils whose parents have accepted scholarships, for the purpose of monitoring academic improvement of these pupils. The composite results of the test scores of the pupils of parents who accepted scholarships for each grade level tested shall be released to the public. Individual results shall be released only to the child's parents and the school that the child attends.*

(4) *Any scholarship-redeeming school may establish a code of conduct and discipline and enforce the code with sanctions, including dismissal. The school shall provide to the parent a copy of the written code of conduct and discipline upon the pupil's admission to the school. A pupil who is responsible for serious or habitual misconduct related to school activity or school attendance may be*

dismissed. A dismissed pupil may use the unused portion of a scholarship for the balance of the year in which the dismissal occurred at any other scholarship-redeeming school that will grant admission, or may return to a public school and forego the scholarship. The scholarship-redeeming school shall notify the county office of education in writing within ten days of any such dismissal.

(5) Notwithstanding Section 8.7 of this article, the Legislature may by majority vote enact civil and criminal penalties for schools and persons who engage in fraudulent conduct in connection with the solicitation of pupils or the redemption of scholarships under this section.

SECTION 5. Section 8.7 is added to Article IX of the Constitution, to read:

SEC. 8.7. (a) Private schools, including scholarship-redeeming schools, regardless of size, need maximum flexibility to educate pupils. Therefore, private schools shall be free from unnecessary, burdensome or onerous regulation. In any legal proceeding challenging a state statute or any regulation promulgated pursuant to a state statute as inconsistent with this section, the state shall bear the burden of establishing that the statute or regulation is necessary and that the statute or regulation does not impose any undue burden on private schools, including scholarship-redeeming schools.

(b) Except as provided in this section, private schools including scholarship-redeeming schools, are not subject to any state regulation beyond the state statutes, in effect and as enforced, that applied to private schools on January 1, 1999, including, but not limited to, Article 1 (commencing with Section 32000), Article 2 (commencing with Section 32020), and Article 5 (commencing with Section 32050) of Chapter 1 of Part 19 of, Article 5 (commencing with Section 33190) and Article 10.5 (commencing with Section 35295) of Chapter 2 of Part 20 of, and Sections 44237, 48200, 48202, 48222, 49068, 49069, and 51202 of, the Education Code. No additional statutes shall be enacted by the Legislature pertaining to private schools, including scholarship-redeeming private schools, unless approved by a three-fourths vote of the membership of each house of the Legislature.

(c) No regulation or ordinance may be enacted on or after the approval by the voters of this section that affects private schools, including scholarship-redeeming schools and that pertains to health, safety or land use and is imposed by any county, city, city and county, district or other subdivision of the state, except by a two-thirds vote of the governmental body issuing or enacting the regulation or ordinance and a majority vote of qualified electors within the affected jurisdiction. In any legal proceeding challenging a regulation or ordinance as inconsistent with this subdivision, the governmental body issuing or enacting the regulation or ordinance shall bear the burden of establishing that the regulation or ordinance meets each of the following criteria:

(1) It is essential to assure the health, safety or education of pupils, or, as to any land use regulation, that the governmental body has a compelling interest in issuing or enacting the regulation or ordinance.

(2) It does not unduly burden or impede private schools or the parents of students attending private schools.

(3) It does not harass, injure or suppress private schools.

(4) It does not infringe on a parent or guardian's freedom to make decisions regarding the quality and content of their child's education, or whether the child attends a public or private school, including a scholarship-redeeming school.

SECTION 6. Section 8.8 is added to Article IX of the Constitution, to read:

SEC. 8.8. If any portion of Section 8.5 of Article IX is enjoined from being utilized by parents to expand their choice in educational settings for their children at any class of schools, it shall not prevent Section 8.5 of Article IX from being operative for any other school or class of schools not explicitly covered by the judicial order.

LIST OF OFFICERS

LIST OF OFFICERS
2000
STATE CAPITOL AND OTHER BUILDINGS
Sacramento 95814

Name	Office	Residence
Gray Davis	Governor	Los Angeles
Cruz Bustamante	Lieutenant Governor	Fresno
Bill Jones	Secretary of State	Fresno
Kathleen Connell	Controller	Los Angeles
Philip Angelides	Treasurer	Sacramento
Bill Lockyer	Attorney General	Hayward
Chuck Quackenbush	Insurance Commissioner	Rio Linda
Delaine Eastin	Superintendent of Public Instruction	Fremont
Bion M. Gregory	Legislative Counsel	Sacramento

OFFICE OF GOVERNOR

Lynn Schenk	Chief Aide & Senior Counsel
Michael Yamaki	Appointments Secretary
Burt Pines	Judicial Appointments Secretary
Susan Kennedy	Cabinet Secretary
Demetrios A. Boutris	Legal Affairs Secretary
Mike Gotch	Legislative Secretary
Michael Bustamante	Press Secretary
Megan Egoscue	Director of Scheduling
Phil Trounstine	Director of Communications
Loretta Lynch	Director of Planning & Research
Ed Emerson	Director of Advance
Trish Fontana	Director of Special Projects
Michael Flores	Secretary of Foreign Affairs & Director of Administration & Protocol
Tal Finney	Policy Director

Offices: State Capitol, Sacramento 95814

STATE BOARD OF EQUALIZATION
450 N Street, Sacramento 95814

Name	Office	Residence
Johan Klehs	Board Member, First District	Hayward
Dean F. Andal	Board Member, Second District	Stockton
Claude Parrish	Board Member, Third District	Torrance
John Chiang	Board Member, Fourth District	Van Nuys
Kathleen Connell (Controller)	Ex-Officio Member	Sacramento

LEGISLATIVE DEPARTMENT

UNITED STATES SENATORS

Dianne Feinstein (D)..... 331 Hart Senate Office Building
 Washington, D.C. 20510
 525 Market Street, #3670, San Francisco 94105

Barbara Boxer (D)..... 112 Hart Senate Office Building
 Washington, D.C. 20510
 1700 Montgomery Street, #240, San Francisco 94111

REPRESENTATIVES IN CONGRESS

Name	Party	District	Counties	Main District Office*
Baca, Joe	D	42	San Bernardino.....	N.E. Street, San Bernardino 92404
Becerra, Xavier	D	30	Los Angeles.....	1910 Sunset Blvd., #560 Los Angeles 90026
Berman, Howard L.	D	26	Los Angeles.....	10200 Sepulveda Blvd., #300 Mission Hills 91345
Bilbray, Brian P.	R	49	San Diego.....	1011 Camino del Rio South, #330 San Diego 92108
Bono, Mary	R	44	Riverside	155 S. Palm Canyon Dr., #B23 Palm Springs 92262
Calvert, Ken	R	43	Riverside	3400 Central Ave., #200 Riverside 92506
Campbell, Tom	R	15	Santa Clara, Santa Cruz	910 Campisi Way, Suite 1C Campbell 95008
Capps, Lois	D	22	Los Angeles.....	1428 Chapala St. Santa Barbara 93101
Condit, Gary	D	18	Fresno, Madera, Merced, San Joaquin, Stanislaus.....	920 16th St., Suite C Modesto 95354
Cox, C. Christopher	R	47	Orange.....	One Newport Pl., #420 Newport Beach 92660
Cunningham, Randy "Duke"	R	51	San Diego.....	613 West Valley Parkway, #320 Escondido 92025
Dixon, Julian C.	D	32	Los Angeles.....	5100 W. Goldleaf Cir., #208 Los Angeles 90056
Dooley, Calvin M.	D	20	Fresno, Kern, Kings, Tulare ...	530 Kings County Dr., #102 Hanford 93230
Doolittle, John T.	R	4	Alpine, Amador, Calaveras, El Dorado, Mono, Placer, Sacramento, Tuolumne	2130 Professional Dr., #190 Roseville 95661
Dreier, David	R	28	Los Angeles.....	112 N. Second Ave. Covina 91723
Eshoo, Anna G.	D	14	San Mateo, Santa Clara.....	698 Emerson St. Palo Alto 94301
Farr, Sam	D	17	Monterey, San Benito, Santa Cruz.....	100 W. Alisal St. Salinas 93901
Filner, Bob	D	50	San Diego.....	333 F St., Suite A Chula Vista 91910
Gallegly, Elton	R	23	Santa Barbara, Ventura.....	300 Esplanade Dr., #1800 Oxnard 93030
Herger, Wally	R	2	Butte, Lassen, Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Trinity, Yuba	55 Independence Circle, #104 Chico 95973
Horn, Steve	R	38	Los Angeles.....	4010 Watson Plaza Drive, #160 Lakewood 90712
Hunter, Duncan	R	52	Imperial, San Diego	366 South Pierce St. El Cajon 92020
Kuykendall, Steven	R	36	Los Angeles.....	21311 Hawthorne Blvd., Suite 250 Torrance 90503
Lantos, Tom	D	12	San Francisco, San Mateo.....	400 S. El Camino Real, #410 San Mateo 94402
Lee, Barbara	D	9	Alameda, Contra Costa	1301 Clay St., #1000N Oakland 94612

REPRESENTATIVES IN CONGRESS—Continued

Name	Party	District	Counties	Main District Office*
Lewis, Jerry	R	40	Inyo, San Bernardino	1150 Brookside Ave., #J-5 Redlands 92373
Lofgren, Zoe	D	16	Santa Clara, Santa Cruz	635 N. First St., Suite B San Jose 95112
Martinez, Matthew G. ...	D	31	Los Angeles.....	2550 W. Main St., #301 Alhambra 91801
Matsui, Robert T.	D	5	Sacramento.....	501 I St., #12-600 Sacramento 95814
McKeon, Howard P. "Buck"	R	25	Los Angeles.....	23929 West Valencia Blvd., #410 Santa Clarita 91355
Millender-McDonald, Juanita	D	37	Los Angeles.....	970 W. 190th St., #900 Torrance 90502
Miller, Gary G.	R	41	San Bernardino, Orange.....	22632 Golden Springs Dr., #350 Diamond Bar 91765
Miller, George.....	D	7	Contra Costa, Solano	1333 Willow Pass Road, #203 Concord 94520
Napolitano, Grace F.	D	34	Los Angeles.....	1712 W. Beverly Blvd., #201 Montebello 90640
Ose, Doug	R	3	Butte, Colusa, Glenn, Sacramento, Solano, Sutter, Tehama, Yolo	722B Main Street Woodland 95695
Packard, Ron	R	48	Orange, Riverside, San Diego	629 Camino de Las Mares, #204 San Clemente 92673
Pelosi, Nancy	D	8	San Francisco	450 Golden Gate Ave., 14th Floor San Francisco 94102
Pombo, Richard W.	R	11	Sacramento, San Joaquin	2495 W. March Lane, #104 Stockton 95207
Radanovich, George P.	R	19	Fresno, Madera, Mariposa, Tulare	2377 W. Shaw, #105 Fresno 93711
Rogan, James E.	R	27	Los Angeles.....	199 S. Los Robles Ave., #560 Pasadena 91101
Rohrabacher, Dana	R	45	Orange.....	101 Main St., #3C Huntington Beach 92648
Roybal-Allard, Lucille .	D	33	Los Angeles.....	255 E. Temple St., #1860 Los Angeles 90012
Royce, Edward	R	39	Los Angeles, Orange	305 N. Harbor Blvd., #300 Fullerton 92832
Sanchez, Loretta	D	46	Orange.....	12397 Lewis St. Garden Grove 92640
Sherman, Brad	D	24	Los Angeles, Ventura	21031 Ventura Blvd., #1010 Woodland Hills 91364
Stark, Fortney "Pete" ...	D	13	Alameda, Santa Clara.....	39300 Civic Center Drive, #220 Fremont 94538
Tauscher, Ellen	D	10	Alameda, Contra Costa	1801 N. California Blvd., #103 Walnut Creek 94596
Thomas, William M.	R	21	Kern, Tulare	4100 Truxtun Ave., #220 Bakersfield 93309
Thompson, Mike	D	1	Del Norte, Humboldt, Lake, Mendocino, Napa, Solano, Sonora	1040 Main Street, #101 Napa 94559
Waters, Maxine	D	35	Los Angeles.....	10124 Broadway, #1 Los Angeles 90003
Waxman, Henry A.	D	29	Los Angeles.....	8436 W. 3rd St., #600 Los Angeles 90048
Woolsey, Lynn	D	6	Marin, Sonoma.....	1101 College Avenue, #200 Santa Rosa 95404

* 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
Alarcón, Richard.....	Full-time Legislator.....	D	20	Los Angeles.....	6150 Van Nuys Blvd., Van Nuys 94101. Ph: (818) 901-5588
Alpert, Dede	Full-time Legislator.....	D	39	San Diego.....	1557 Columbia St., San Diego 92101. Ph: (619) 645-3090
Bowen, Debra	Public Law Attorney.....	D	28	Los Angeles.....	2512 Artesia Blvd., Suite 200, Redondo Beach 90278. Ph: (310) 318-6994
Brulte, James L.	Full-time Legislator.....	R	31	Riverside, San Bernardino....	10681 Foothill Blvd., Suite 325, Rancho Cucamonga 91730. Ph: (909) 466-9096
Burton, John L.	Attorney	D	3	Marin, San Francisco, Sonoma.....	455 Golden Gate Ave., #14800, San Francisco 94102. Ph: (415) 557-1300
Chesbro, Wesley	Full-time Legislator.....	D	2	Del Norte, Humboldt, Lake, Mendocino, Napa, Solano, Sonoma	50 D Street, Suite 120A, Santa Rosa 95404. Ph: (707) 576-2771
Costa, Jim	Full-time Legislator.....	D	16	Fresno, Kern, Kings, Madera, Tulare	2550 Mariposa Mall, Suite 2016, Fresno 93721. Ph: (559) 264-3078; 901 Tower Way, Suite 202, Bakersfield 93309. Ph: (805) 323-0442
Dunn, Joe	Consumer Attorney.....	D	34	Orange.....	12397 Lewis Street, Suite 103, Garden Grove 92840. Ph: (714) 705-1580
Escutia, Martha	Attorney	D	30	Los Angeles.....	400 N. Montebello Blvd., Suite 101, Montebello 90640. Ph: (323) 724-6175
Figueroa, Liz.....	Businesswoman.	D	10	Alameda, Santa Clara	43271 Mission Blvd., Fremont 94539. Ph: (510) 413-5960
Hayden, Tom	Teacher/Writer ..	D	23	Los Angeles.....	10951 W. Pico Blvd., #202, Los Angeles 90064. Ph: (310) 441-9084
Haynes, Ray	Businessman/ Attorney.....	R	36	Riverside, San Diego	6800 Indiana Ave., Suite 130, Riverside 92506. Ph: (909) 782-4111
Hughes, Teresa.....	Education- Professor.....	D	25	Los Angeles.....	1 Manchester Blvd., Suite 600, Inglewood 90301. Ph: (310) 412-0303
Johannessen, Maurice	Businessman	R	4	Butte, Colusa, Glenn, Sacramento, Shasta, Siskiyou, Solano, Sutter, Tehama, Trinity, Yolo	410 Hemsted Dr., Suite 200, Redding 96002. Ph: (530) 224-4706
Johnson, Ross	Full-time Legislator.....	R	35	Orange.....	18552 MacArthur Blvd., Suite 395, Irvine 92612. Ph: (949) 833-0180
Johnston, Patrick	Full-time Legislator.....	D	5	Sacramento, San Joaquin	31 East Channel St., Room 440, Stockton 95202. Ph: (209) 948-7930
Karnette, Betty	Businesswoman/ Teacher	D	27	Los Angeles.....	3711 Long Beach Blvd., Suite 801, Long Beach 90807. Ph: (562) 997-0794
Kelley, David G.	Citrus Rancher ..	R	37	Imperial, Riverside, San Diego.....	11440 W. Bernardo Court, Suite 104, San Diego 92127. Ph: (858) 675-8211; 73-710 Fred Waring Drive, Suite 108, Palm Desert 92660. Ph: (760) 346-2099

MEMBERS OF THE SENATE—Continued

Name	Occupation	Party	Dist.	Counties	District Address
Knight, Wm. "Pete"	Full-time Legislator.....	R	17	Inyo, Kern, Los Angeles, San Bernardino.....	1008 W. Avenue M-14, Suite G, Palmdale 93551. Ph: (661) 274-0188; 25709 Rye Canyon Road, Suite 105, Santa Clarita 91355. Ph: (805) 294-8184; 15278 Main Street, Suite D, Hesperia 92345. Ph: (619) 244-2402
Leslie, Tim	Realtor.....	R	1	Alpine, Amador, Butte, Calaveras, El Dorado, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sierra, Yuba	1200 Melody Lane, Suite 110, Roseville 95678. Ph: (916) 969-8232, (916) 783-8232; 330 Fair Lane, Placerville 95667. Ph: (916) 621-3891
Lewis, John R.	Businessman	R	33	Orange.....	1940 W. Orangewood Ave., Suite 106, Orange 92668. Ph: (714) 939-0604
McPherson, Bruce ..	Businessman	R	15	Monterey, San Benito, Santa Clara, Santa Cruz .	701 Ocean St., Room 318A, Santa Cruz 95060. Ph: (831) 425-0401; 7 John Street, Salinas 93901. Ph: (831) 753-6386
Monteith, Dick	Agriculture/ Businessman...	R	12	Fresno, Madera, Mariposa, Merced, San Joaquin, Stanislaus, Tuolumne	1620 N. Carpenter Road, Suite A-4, Modesto 95358 Ph: (209) 577-6592; 777 W. 22nd St., Suite B, Merced 95340. Ph: (209) 722-4988; 1901 Howard Road, Suite B, Madera 93637. Ph: (209) 674-2898
Morrow, Bill	Small Business Attorney.....	R	38	Orange, San Diego..	27126A Paseo Espada, Suite 1621, San Juan Capistrano 92675
Mountjoy, Richard ..	Contractor	R	29	Los Angeles.....	500 N. First Ave., Suite 3, Arcadia 91006. Ph: (626) 446-3134
Murray, Kevin	Attorney/ Businessman...	D	26	Los Angeles.....	600 Corporate Pt., Suite 1020, Culver City 90230. Ph: (310) 641-4391
O'Connell, Jack	Teacher	D	18	San Luis Obispo, Santa Barbara, Ventura	228 W. Carrillo, Suite F, Santa Barbara 93101. Ph: (805) 966-2296; 89 S. Calif., Suite E, Ventura 93001. Ph: (805) 547-1800; 1260 Chorro St., Suite A, San Luis Obispo 93401. Ph: (805) 547-1800
Ortiz, Deborah V.	Full-time Legislator.....	D	6	Sacramento.....	1020 N St., Suite 576, Sacramento 95814. Ph: (916) 324-4937
Peace, Steve	Financial Officer	D	40	San Diego.....	7877 Parkway Dr., Suite 1B, La Mesa 91942. Ph: (619) 463-0243
Perata, Don	Teacher	D	9	Alameda, Contra Costa.....	1515 Clay St., Suite 2202 Oakland 94612. Ph: (510) 286-1333
Polanco, Richard.....	Full-time Legislator.....	D	22	Los Angeles.....	300 S. Spring St., Suite 8710, Los Angeles 90013. Ph: (213) 620-2529
Poochigian, Charles	Attorney	R	14	Fresno, Kern, Tulare	4974 E. Clinton Way, Suite 100, Fresno 93727. Ph: (559) 253-7122

MEMBERS OF THE SENATE – Continued

Name	Occupation	Party	Dist.	Counties	District Address
Rainey, Richard K. .	Full-time Legislator.....	R	7	Alameda, Contra Costa.....	1948 Mt. Diablo Blvd., Walnut Creek 94596. Ph: (925) 280-0276
Schiff, Adam	Full-time Legislator.....	D	21	Los Angeles.....	35 South Raymond Avenue, Suite 205, Pasadena 91105. Ph: (626) 683-0282
Sher, Byron	Law Professor ...	D	11	San Mateo, Santa Clara	260 Main Street, Suite 201, Redwood City 94063. Ph: (650) 364-2080; 5589 Winfield Blvd., Suite 102, San Jose 95123. Ph: (408) 226-2992
Solis, Hilda L.	Full-time Legislator.....	D	24	Los Angeles.....	4401 Santa Anita Avenue, 2nd Floor, El Monte 91731. Ph: (626) 448-1271
Speier, Jackie	Full-time Legislator.....	D	8	San Francisco, San Mateo	2171 Junipero Serra Blvd., Suite 530, Daly City 94014. Ph: (650) 301-1721
Vasconcellos, John..	Attorney	D	13	Santa Clara	100 Paseo de San Antonio, Suite 209, San Jose 95113. Ph: (408) 286-8318
Wright, Cathie	Full-time Legislator.....	R	19	Los Angeles, Ventura	2345 Erringer Rd., Suite 212, Simi Valley 93065. Ph: (805) 522-2920

OFFICERS AND ATTACHÉS OF THE SENATE

Title	Name	Capitol Office
President of Senate.....	Cruz Bustamante	1114 State Capitol
President pro Tempore	John Burton	205 State Capitol
Secretary of Senate	Gregory Schmidt	3044 State Capitol
Sergeant at Arms	Tony Beard.....	3030 State Capitol
Chaplain	Rev. Deacon Walter J. Little.....	3044 State Capitol
Chief Assistant Secretary	John W. Rovane.....	3044 State Capitol
Minute Clerk	Walter J. Little.....	3044 State Capitol
History Clerk.....	David H. Kneale.....	3044 State Capitol
Assistant Secretary.....	Stephen W. Hummelt	3044 State Capitol
File Clerk	Marlissa Hernandez	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
Aanestad, Sam	Oral Surgeon	R	3	4144	Butte, Lassen, Modoc, Nevada, Plumas, Sierra, Yuba	350 Crown Pt. Circ., Suite 150, Grass Valley 95945
Ackerman, Dick ..	Business Lawyer.....	R	72	4167	Orange.....	305 N. Harbor Blvd., Suite 303, Fullerton 92832
Alquist, Elaine	Businesswoman/ Educator	D	22	3120	Santa Clara.....	275 Saratoga Avenue, Suite 205, Santa Clara 95050
Aroner, Dion	State Social Services Specialist	D	14	2163	Alameda, Contra Costa.....	918 Parker Street, Suite A-13, Berkeley 94710
Ashburn, Roy	Legislator	R	32	3098	Kern, Tulare	1200 Truxtun Avenue, #120, Bakersfield 93301
Baldwin, Steve	Property Management.....	R	77	4162	San Diego.....	8914 La Mesa Boulevard, Suite B, La Mesa 91941
Bates, Patricia	Full-time Legislator.....	R	73	4009	Orange, San Diego..	30012 Ivy Glenn Dr., #120, Laguna Nigel 92677
Battin, Jim	Businessman	R	80	5158	Imperial, Riverside..	73-710 Fred Waring Drive, Suite 112, Palm Desert 92260
Baugh, Scott	Corporate Counsel.....	R	67	3104	Orange.....	16052 Beach Blvd., Suite 160-N, Huntington Beach 92647
Bock, Audie	Educator	G	16	5144	Alameda.....	1515 Clay St., Suite 2204, Oakland 94612
Brewer, Marilyn C.	Manufacturing Businesswoman	R	70	4153	Orange.....	18952 MacArthur Boulevard, Suite 220, Irvine 92612
Briggs, Mike	Full-time Legislator.....	R	29	2111	Fresno, Tulare	83 E. Shaw Suite 202, Fresno 93710
Calderon, Tom	Full-time Legislator.....	D	58	2148	Los Angeles.....	280 N. Montebello Blvd., Suite 102, Montebello 90640
Campbell, Bill	Businessman/ Legislator.....	R	71	6031	Orange.....	1940 N. Tustin Street, Suite 102, Orange 92865
Cardenas, Tony ...	Businessman/ Engineer	D	39	4005	Los Angeles.....	9140 Van Nuys Blvd., Suite 109, Panorama City 91402
Cardoza, Dennis .	Businessman	D	26	2141	Merced, San Joaquin, Stanislaus	1175 Geer St., Suite A, Turlock 95380
Cedillo, Gil	Community Organization Director	D	46	5016	Los Angeles.....	617 S. Olive St., Suite 700, Los Angeles 90014
Corbett, Ellen	Attorney	D	18	4126	Alameda.....	317 Juana Ave., San Leandro 94577
Correa, Lou	Businessman/ Teacher	D	69	2137	Orange.....	2323 N. Broadway, Suite 225, Santa Ana 92706
Cox, Dave	Businessman	R	5	2002	Sacramento.....	4811 Chippendale Drive, Suite 501, Sacramento 95841
Cunneen, Jim	Legislator/ Small Businessman....	R	24	2174	Santa Clara.....	901 Campisi Way, Suite 300, Campbell 95008
Davis, Susan	Full-time Legislator.....	D	76	2013	San Diego.....	1010 University Avenue, Suite C-207, San Diego 92103
Dickerson, Richard	Full-time Legislator.....	R	2	3147	Butte, Colusa, Glenn, Shasta, Siskiyou, Sutter, Tehama, Trinity, Yolo	100 E. Cypress Ave., Suite 100, Redding 96002

MEMBERS OF THE ASSEMBLY – Continued

Name	Occupation	Party	Dist.	Capitol Office	Counties	District Office Mailing Address
Ducheny, Denise Moreno	Attorney	D	79	6026	San Diego.....	2414 Hoover Avenue, Suite A, National City 91950
Dutra, John	Businessman/Real Estate/Finance ..	D	20	6011	Alameda, Santa Clara.....	39510 Paseo Padre Parkway, Suite 360, Fremont 94538
Firebaugh, Marco	Municipal Law Advocate	D	50	3126	Los Angeles.....	7501 Atlantic Blvd., Suite D, Cudahy 90201
Florez, Dean	Investment Banker	D	30	5135	Fresno, Kern, Kings, Madera	1800 30th St., Suite 330, Bakersfield 93301
Floyd, Richard	Legislator	D	55	4016	Los Angeles.....	One Civic Plaza, Suite 320, Carson 90745
Frusetta, Peter	Rancher	R	28	5175	Monterey, San Benito, Santa Clara, Santa Cruz ..	321 First Street, Suite A, Hollister 95023
Gallegos, Martin .	Doctor of Chiropractic.....	D	57	6005	Los Angeles.....	15625 Stafford St., Suite 200, City of Industry 91744
Granlund, Brett ...	Businessman	R	65	4164	Riverside, San Bernardino.....	34932 Yucaipa Boulevard, Yucaipa 92399
Havice, Sally	Legislator	D	56	5150	Los Angeles.....	16600 Civic Center Drive, 2nd Floor, Bellflower 90706
Hertzberg, Robert M.	Attorney/Small Businessman....	D	40	219	Los Angeles.....	6150 Van Nuys Blvd., Suite 305, Van Nuys 91401
Honda, Mike	Legislator	D	23	5155	Santa Clara.....	100 Paseo de San Antonio, Suite 300, San Jose 95113
House, George	Farmer	R	25	3141	Fresno, Madera, Mariposa, Stanislaus, Tuolumne	3600 Sisk Road, Suite 5-D3, Modesto 95356
Jackson, Hannah-Beth ...	Attorney	D	35	4098	Santa Barbara, Ventura	101 W. Anapamu St., Suite A, Santa Barbara 93101
Kaloogian, Howard	Tax/Trust Attorney.....	R	74	4130	San Diego.....	701 Palomar Airport Road, Suite 160, Carlsbad 92009
Keeley, Fred	Legislator	D	27	3152	Monterey, Santa Cruz.....	701 Ocean Street, Suite 318 B, Santa Cruz 95060
Knox, Wally	Attorney	D	42	6025	Los Angeles.....	5757 Wilshire Boulevard, Suite 645, Los Angeles 90036
Kuehl, Sheila James	Full-time Legislator.....	D	41	3013	Los Angeles.....	16130 Ventura Boulevard, Suite 230, Encino 91436
Leach, Lynne C. ..	Small Business Owner.....	R	15	3132	Alameda, Contra Costa.....	800 South Broadway, Suite 304, Walnut Creek 94596
Lempert, Ted	Full-time Legislator.....	D	21	2188	San Mateo, Santa Clara.....	4149 El Camino Way, Suite B, Palo Alto 94306
Leonard, Bill	Legislator/ Businessman....	R	63	2175	San Bernardino.....	10535 Foothill Boulevard, Suite 276, Rancho Cucamonga 91730
Longville, John ...	Full-time Legislator.....	D	62	2196	San Bernardino.....	201 North E Street, Suite 205, San Bernardino 92401
Lowenthal, Alan	University Professor.....	D	54	4139	Los Angeles.....	115 Pine Ave., Suite 430, Long Beach 90802

MEMBERS OF THE ASSEMBLY—Continued

Name	Occupation	Party	Dist.	Capitol Office	Counties	District Office Mailing Address
Machado, Mike ...	Farmer/ Businessman.....	D	17	5136	San Joaquin	31 East Channel Street, Suite 306, Stockton 95202
Maddox, Ken	Full-time Legislator.....	R	68	4102	Orange.....	12865 Main Street, Suite 100, Garden Grove 92840
Maldonado, Abel	Farmer/Business Owner.....	R	33	4015	San Luis Obispo, Santa Barbara, Los Angeles.....	1302 Marsh Street, San Luis Obispo 93401
Margett, Bob	Businessman	R	59	5160	Los Angeles.....	55 East Huntington Drive, Suite 120, Arcadia 91006
Mazzoni, Kerry ...	Legislator/ Businesswoman	D	6	3123	Marin, Sonoma.....	3501 Civic Center Drive, Room 412, San Rafael 94903
McClintock, Tom	Budget Reduction Analyst	R	38	4158	Los Angeles, Ventura	10727 White Oak Avenue, Suite 124, Granada Hills 91344
Migden, Carole ...	Full-time Legislator.....	D	13	2114	San Francisco	455 Golden Gate Ave., Suite 14300, San Francisco 94102
Nakano, George ..	Educator	D	53	2158	Los Angeles.....	1217 El Prado Avenue, Torrance 90501
Olberg, Keith	Businessman	R	34	4117	Inyo, Kern, San Bernardino.....	14011 Park Avenue, Suite 470, Victorville 92392
Oller, Thomas ‘Rico’	Business Owner ..	R	4	4208	Alpine, Amador, Calaveras, El Dorado, Mono, Placer.....	2999 Douglas Boulevard, Suite 120, Roseville 95661
Pacheco, Robert ..	Attorney/ Manufacturer ...	R	60	4177	Los Angeles.....	17870 Castleton St., Suite 205, City of Industry 91748
Pacheco, Rod	Sr. Deputy District Attorney.....	R	64	4116	Riverside	3740 Mission Inn Avenue, Suite N-6, Riverside 92501
Papan, Louis J.	Entrepreneur/ Legislator.....	D	19	3173	San Mateo	660 El Camino Real, Suite 214, Millbrae 94030
Pescetti, Anthony	Business Owner ..	R	10	2130	Sacramento, San Joaquin	9845 Horn Road, Suite 150, Sacramento 95827
Reyes, Sarah	College Administrator ...	D	31	5128	Fresno, Tulare	2550 Mariposa Mall, Suite 5006, Fresno 93721
Romero, Gloria ...	University Professor.....	D	49	2117	Los Angeles.....	1255 Corporate Center Dr., Suite 409, Monterey Park 91754
Runner, George ...	Businessman/ Educator/ Legislator.....	R	36	6027	Los Angeles.....	709 W. Lancaster Boulevard, Lancaster 93534
Scott, Jack	Legislator/ Professor.....	D	44	4146	Los Angeles.....	215 N. Marengo Avenue, Suite 185, Pasadena 91101
Shelley, Kevin	Legislator	D	12	3160	San Francisco, San Mateo	455 Golden Gate Ave., Suite 14600, San Francisco 94102
Steinberg, Darrell	Attorney/ Legislator.....	D	9	2176	Sacramento.....	915 L St., Suite 110, Sacramento 95814
Strickland, Tony ..	Full-time Legislator.....	R	37	2016	Ventura	221 E. Daily Dr., Suite 7, Camarillo 93010
Strom-Martin, Virginia	Legislator	D	1	3146	Del Norte, Humboldt, Lake, Mendocino, Sonoma.....	50 D Street, Suite 450, Santa Rosa 95404

MEMBERS OF THE ASSEMBLY – Continued

Name	Occupation	Party	Dist.	Capitol Office	Counties	District Office Mailing Address
Thompson, Bruce	International Businessman.....	R	66	2160	Riverside, San Diego.....	27555 Ynez Road, Suite 205, Temecula 92591
Thomson, Helen .	Legislator/Nurse..	D	8	4140	Sacramento, Solano, Yolo.....	555 Mason Street, Suite 275, Vacaville 95688
Torlakson, Tom ...	Educator	D	11	2003	Contra Costa.....	815 Estudillo Street, Martinez 94553
Villaraigosa, Antonio	Union Representative..	D	45	319	Los Angeles.....	300 S. Spring St., Suite 16505, Los Angeles 90013
Vincent, Edward .	Legislator	D	51	5119	Los Angeles.....	1 Manchester Blvd., P.O. Box 6500, Inglewood 90306
Washington, Carl	Legislator	D	52	2136	Los Angeles.....	145 E. Compton Boulevard, Compton 90220
Wayne, Howard ..	Prosecutor	D	78	2170	San Diego.....	1350 Front Street, Suite 6013, San Diego 92101
Wesson, Herb	County Supervisor Deputy Chief....	D	47	2179	Los Angeles.....	5100 W. Goldleaf Circle, Suite 203, Los Angeles 90056
Wiggins, Patricia	Computer System Analyst	D	7	4112	Napa, Solano, Sonoma.....	50 D Street, Suite 301, Santa Rosa 95404
Wildman, Scott ...	Legislator	D	43	3091	Los Angeles.....	109 East Harvard Avenue, Suite 305, Glendale 91205
Wright, Roderick	Legislator	D	48	6012	Los Angeles.....	700 State Drive, Suite 103, Los Angeles 90037
Zettel, Charlene ..	Full-time Legislator.....	R	75	5164	San Diego.....	15708 Pomerado Rd., Suite 110, Poway 92064
Vacancy			61	5126		

OFFICERS OF THE ASSEMBLY

Name	Title	Mailing Address
Villaraigosa, Antonio	Speaker.....	300 S. Spring Street, Suite 16505, Los Angeles 90013
Keeley, Fred	Speaker pro Tempore	701 Ocean Street, Suite 318B, Santa Cruz 95060
Shelley, Kevin	Majority Floor Leader....	711 Van Ness Avenue, Suite 310, San Francisco 94102
Baugh, Scott	Minority Floor Leader....	16052 Beach Blvd., Ste. 160-N, Huntington Beach 92647
Wilson, E. Dotson	Chief Clerk.....	State Capitol, Room 3196, Sacramento 95814
Pane, Ronald	Sergeant-at-Arms	State Capitol, Room 3171, Sacramento 95814

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. Ronald M. George.....	Chief Justice
Hon. Stanley Mosk.....	Associate Justice
Hon. Kathryn M. Werdegar.....	Associate Justice
Hon. Joyce L. Kennard.....	Associate Justice
Hon. Ming W. Chin.....	Associate Justice
Hon. Marvin R. Baxter.....	Associate Justice
Hon. Janice Rogers Brown.....	Associate Justice
Robert F. Wandruff.....	Clerk/Administrator

COURTS OF APPEAL

FIRST APPELLATE DISTRICT

DIVISION ONE

Hon. Gary E. Strankman.....	Admin. Presiding Justice
Hon. Douglas E. Swager.....	Associate Justice
Hon. James J. Marciano.....	Associate Justice
Hon. William D. Stein.....	Associate Justice

DIVISION TWO

Hon. J. Anthony Kline.....	Presiding Justice
Hon. James R. Lambden.....	Associate Justice
Hon. Paul R. Haerle.....	Associate Justice
Hon. Ignazio J. Ruvoilo.....	Associate Justice

DIVISION THREE

Hon. William R. McGuiness.....	Presiding Justice
Hon. Joanne C. Parrilli.....	Associate Justice
Hon. Herbert W. Walker.....	Associate Justice
Hon. Carol A. Corrigan.....	Associate Justice

DIVISION FOUR

Hon. Daniel M. (Mike) Hanlon.....	Admin. Presiding Justice
Hon. Marcel B. Poche.....	Associate Justice
Hon. Timothy A. Reardon.....	Associate Justice
Hon. Patricia K. Sepulveda.....	Associate Justice

DIVISION FIVE

Hon. Barbara J.R. Jones.....	Presiding Justice
Hon. Lawrence T. Stevens.....	Associate Justice
Vacancy.....	Associate Justice
Ron D. Barrow.....	Clerk-Executive Officer

303 Second Street, Suite 600, Marathon Plaza—South Tower, San Francisco 94107

SECOND APPELLATE DISTRICT

DIVISION ONE

Hon. Vaino Spencer.....	Presiding Justice
Hon. Miriam Vogel.....	Associate Justice
Vacancy.....	Associate Justice
Hon. Reuben A. Ortega.....	Associate Justice

300 So. Spring St., 2nd Floor, Los Angeles 90013

DIVISION TWO

Hon. Roger Boren.....	Presiding Justice
Hon. Michael G. Nott.....	Associate Justice
Hon. Candace D. Cooper.....	Associate Justice
Vacancy.....	Associate Justice

300 So. Spring St., 2nd Floor, Los Angeles 90013

DIVISION THREE

Hon. Joan Dempsey Klein	Presiding Justice
Hon. Richard D. Aldrich	Associate Justice
Hon. H. Walter Croskey	Associate Justice
Hon. Patti S. Kitching	Associate Justice

300 So. Spring St., 2nd Floor, Los Angeles 90013

DIVISION FOUR

Hon. Charles S. Vogel	Presiding Justice
Hon. Norman L. Epstein	Associate Justice
Hon. J. Gary Hastings	Associate Justice
Hon. Daniel A. Curry	Associate Justice

300 So. Spring St., 2nd Floor, Los Angeles 90013

DIVISION FIVE

Hon. Paul Turner	Presiding Justice
Hon. Orville A. Armstrong	Associate Justice
Hon. Margaret M. Grignon	Associate Justice
Hon. Ramona Godoy Perez	Associate Justice

300 So. Spring St., 2nd Floor, Los Angeles 90013

DIVISION SIX

Hon. Arthur Gilbert	Presiding Justice
Hon. Steven Z. Perren	Associate Justice
Hon. Kenneth R. Yegan	Associate Justice
Hon. Paul H. Coffee	Associate Justice

200 East Santa Clara St., Ventura 93001

DIVISION SEVEN

Hon. Mildred L. Lillie	Presiding Justice
Hon. Earl Johnson, Jr.	Associate Justice
Hon. Fred Woods	Associate Justice
Hon. Richard C. Neal	Associate Justice
Joseph Lane	Clerk

300 So. Spring St., 2nd Floor, Los Angeles 90013

THIRD APPELLATE DISTRICT

Hon. Arthur G. Scotland	Presiding Justice
Hon. Coleman A. Blease	Associate Justice
Hon. Consuelo Callahan	Associate Justice
Hon. Richard M. Sims III	Associate Justice
Hon. Rodney Davis	Associate Justice
Hon. Harry E. Hull	Associate Justice
Hon. George Nicholson	Associate Justice
Hon. Vance W. Raye	Associate Justice
Hon. Fred K. Morrison	Associate Justice
Hon. Daniel M. Kolkey	Associate Justice
Robert L. Liston	Clerk

914 Capitol Mall, Room 119, Sacramento 95814

FOURTH APPELLATE DISTRICT

DIVISION ONE

Hon. Daniel J. Kremer	Presiding Justice
Hon. Judith L. Haller	Associate Justice
Hon. Don R. Work	Associate Justice
Hon. Alex C. McDonald	Associate Justice
Hon. Patricia D. Benke	Associate Justice
Hon. Richard D. Huffman	Associate Justice
Hon. James A. McIntyre	Associate Justice
Hon. Gilbert Nares	Associate Justice
Hon. Terry B. O'Rourke	Associate Justice
Stephen M. Kelly	Clerk

750 B St., Suite 300, San Diego 92101

DIVISION TWO

Hon. Manuel A. Ramirez	Presiding Justice
Hon. Barton C. Gaut	Senior Justice
Hon. Thomas E. Hollenhorst.....	Associate Justice
Hon. Betty Ann Richli.....	Associate Justice
Hon. Art W. McKinster	Associate Justice
Hon. James Ward	Associate Justice
Henry Espinoza	Assistant Clerk Administrator

3389 12th St., Riverside 92501

DIVISION THREE

Hon. David G. Sills	Presiding Justice
Hon. Thomas F. Crosby, Jr.	Associate Justice
Hon. Kathleen E. O’Leary	Associate Justice
Vacancy	Associate Justice
Hon. William F. Rylaarsdam	Associate Justice
Hon. William W. Bedsworth	Associate Justice
Joyce A. Nohavec	Assistant Clerk Administrator

925 No. Spurgeon St., Santa Ana 92701

FIFTH APPELLATE DISTRICT

Hon. James A. Ardaiz.....	Presiding Justice
Hon. Herbert Levy	Justice
Vacancy	Justice
Hon. Nikolas J. Dibiaso	Justice
Hon. Steven M. Vartabedian	Justice
Hon. James F. Thaxter.....	Justice
Hon. Thomas A. Harris	Justice
Hon. Timothy S. Buckley.....	Justice
Hon. Rebecca A. Wiseman.....	Justice
Eve Sproule	Administrator-Clerk

2525 Capitol Street, Fresno 93721

SIXTH APPELLATE DISTRICT

Hon. Christopher C. Cottle	Presiding Justice
Hon. Patricia Bamattre-Manoukian	Associate Justice
Hon. Franklin D. Elia.....	Associate Justice
Hon. Eugene M. Premo.....	Associate Justice
Hon. William M. Wunderlich.....	Associate Justice
Hon. Nathan D. Mihara.....	Associate Justice
Michael J. Yerly.....	Clerk

333 West Santa Clara Street, Suite 1060, San Jose 95113

PUBLIC UTILITIES COMMISSION

Loretta Lynch	President
Richard A. Bilas	Commissioner
Carl Wood	Commissioner
Henry M. Duque	Commissioner
Josiah L. Neeper.....	Commissioner
Wesley M. Franklin	Executive Director

WORKERS’ COMPENSATION APPEALS BOARD

Merle Rabine.....	Chairperson
Robert Ruggles.....	Member
Robert Burton.....	Member
Colleen Casey	Member
William O’Brien	Member

TABLE OF LAWS ENACTED

**TABLE OF RESOLUTIONS AND
PROPOSED CONSTITUTIONAL
AMENDMENT ADOPTED
BY THE LEGISLATURE**

2000

1999–2000 REGULAR SESSION

TABLE OF LAWS ENACTED

2000

1999–2000 Regular Session

Ch. No.	A.B. No.	S.B. No.	Author	Ch. No.	A.B. No.	S.B. No.	Author
1	—	715	Hughes				Johnston, Monteith, Perata, Polanco, and Soto)
2	135	—	Ducheny	25	1698	—	Campbell
3	1626	—	Torlakson and Migden (Coauthor: Assembly Member Davis)	26	—	453	O'Connell
4	—	1239	Burton and Assembly Member Migden	27	2393	—	Hertzberg
5	1004	—	Papan and Senator Burton	28	—	464	Committee on Appropriations (Senators Johnston (Chair), Alpert, Bowen, Escutia, Karnette, McPherson, Perata, and Vasconcellos) (Coauthor: Senator Ortiz)
6	1711	—	Leach				
7	1525	—	Thomson and Wesson and Senator Perata (Coauthors: Assembly Members Cox, Pescetti, and Steinberg) (Coauthors: Senators Johannessen, Johnston, McPherson, and Ortiz)	29	1723	—	Nakano (Coauthors: Assembly Members Bock, Calderon, Cardenas, Cox, Dutra, Longville, Mazzoni, Robert Pacheco, and Washington) (Coauthor: Senator Bowen)
8	—	550	Johnston	30	1763	—	Longville
9	869	—	Keeley	31	809	—	Lowenthal and Villaraigosa (Principal coauthors: Assembly Members McClintock and Strom-Martin) (Principal coauthors: Senators Dunn, Johannessen, and Karnette) (Coauthors: Assembly Members Baldwin, Bates, Correa, Davis, Dutra, Firebaugh, Florez, Havice, House, Leach, Longville, Maldonado, Margett, Nakano, Olberg, Oller, Pescetti, Reyes, Scott, Strickland, Torlakson, and Zettel) (Coauthors: Senators Costa, Kelley, Monteith, Morrow, Murray, Polanco, Poochigian, Rainey, and Speier)
10	905	—	Dutra and Cunneen				
11	1167	—	Frusetta	32	—	215	Karnette and Dunn (Principal coauthor: Senator Johannessen) (Principal coauthors: Assembly Members Lowenthal and McClintock) (Coauthors: Senators Costa, Kelley, Monteith, Morrow, Murray, Rainey, and Speier) (Coauthors: Assembly Members Alquist, Ashburn, Baldwin, Bates, Baugh, Campbell, Correa, Davis, Dutra, Firebaugh, Havice, House, Leach, Longville, Maldonado, Margett, Nakano, Oller, Pescetti, Scott, Soto, Strom-Martin, Torlakson, and Zettel)
12	211	—	Romero				
13	576	—	Honda (Coauthor: Senator Sher)				
14	101	—	Steinberg				
15	233	—	Dickerson (Coauthors: Assembly Members Aaenstad, House, and Maddox) (Coauthor: Senator Johannessen)	33	205	—	Leach (Principal coauthor: Senator Alpert)
16	938	—	Dutra (Coauthors: Assembly Members Aroner, Ashburn, Baldwin, Bates, Baugh, Bock, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Dickerson, Ducheny, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, House, Jackson, Kaloogian, Kuehl, Leach, Leonard, Longville, Lowenthal, Maddox, Maldonado, Margett, Mazzoni, Nakano, Olberg, Reyes, Runner, Steinberg, Strom-Martin, Thompson, Thomson, Vincent, Washington, Wayne, Wesson, and Wildman)	34	460	—	Ackerman
17	1491	—	Kaloogian	35	766	—	Wiggins (Coauthor: Senator Johannessen)
18	—	1038	Burton	36	1441	—	Lempert
19	696	—	Washington	37	—	235	Haynes
20	946	—	Washington	38	—	1311	Chesbro (Principal coauthor: Assembly Member Strom-Martin)
21	—	671	Chesbro, Burton, and Alpert and Assembly Members Cardoza, Baugh, Florez, Rod Pacheco, and Thompson (Principal coauthors: Senators Costa, O'Connell, Leslie, Monteith, Perata, Haynes, Kelley, Morrow, Soto, and McPherson) (Principal coauthors: Assembly Members Mazzoni, Wiggins, Strom-Martin, Briggs, Cox, Frusetta, House, Machado, Maldonado, Pescetti, Reyes, Thomson, Leach, Longville, Migden, Campbell, Ackerman, Ashburn, Brewer, Cedillo, Davis, Hertzberg, Kuehl, Papan, Romero, Runner, Shelley, Steinberg, Wesson, Wright, and Zettel)	39	—	2085	McPherson
22	141	—	Knox (Coauthor: Assembly Member Kuehl)	40	1850	—	Correa and Shelley (Principal coauthor: Assembly Member Lowenthal) (Coauthors: Assembly Members Alquist, Cardoza, Cunneen, Firebaugh, Granlund, Havice, Honda, Jackson, Keeley, Knox, Lempert, Longville, Machado, Pescetti, Reyes, Strickland, Thompson, Torlakson, Washington, Wayne, Wildman, and Zettel) (Coauthors: Senators Alpert, Dunn, Karnette, Schiff, and Soto)
23	984	—	Correa	41	—	451	Schiff
24	—	1321	Committee on Local Government (Senators Rainey (Chair), Johannessen,				

TABLE OF LAWS ENACTED—Continued
2000

Ch. No.	A.B. No.	S.B. No.	Author	Ch. No.	A.B. No.	S.B. No.	Author
42	—	1574	Alarcon				Vasconcellos (Coauthors: Assembly Members Alquist, Aroner, Calderon, Cardoza, Cedillo, Corbett, Correa, Cunneen, Davis, Dutra, Gallegos, Havice, Hertzberg, Honda, Jackson, Keeley, Kuehl, Longville, Lowenthal, Machado, Mazzoni, Nakano, Reyes, Romero, Scott, Shelley, Steinberg, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, and Wildman)
43	2418	—	Migden				
44	1908	—	Lempert (Coauthor: Senator O'Connell)				
45	2767	—	Jackson (Coauthor: Senator O'Connell)				
46	894	—	Alquist (Coauthors: Assembly Members Bock, Knox, Longville, and Strom-Martin) (Coauthor: Senator Speier)				
47	2003	—	Shelley (Coauthors: Assembly Members Alquist, Gallegos, Kuehl, and Strom-Martin)				
48	2901	—	Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Vincent, Wayne, Wesson, Wildman, and Zettel)	70	—	1666	Alarcon and Johannessen (Coauthors: Senators Alpert, Chesbro, Costa, Figueroa, Hughes, Murray, O'Connell, Ortiz, Perata, Polanco, Sher, Solis, Schiff, and Soto) (Coauthors: Assembly Members Alquist, Aroner, Campbell, Cardoza, Cedillo, Corbett, Correa, Davis, Ducheny, Dutra, Gallegos, Hertzberg, Honda, Jackson, Keeley, Longville, Lowenthal, Machado, Mazzoni, Nakano, Reyes, Romero, Scott, Shelley, Steinberg, Strom-Martin, Torlakson, Villaraigosa, Washington, Wiggins, and Zettel)
49	—	1434	Alarcon				
50	—	1616	Monteith				
51	2305	—	Dutra, Correa, Nakano, and Wayne (Principal coauthor: Senator Johannessen) (Coauthors: Senators Chesbro, Dunn, Knight, and Soto)				
52	1740	—	Ducheny				
53	1256	—	Committee on Agriculture (Cardoza (Chair), Maldonado (Vice Chair), Brewer, Florez, Reyes, Thomson, and Wiggins)	71	—	1667	Alpert (Coauthors: Senators Alarcon, Chesbro, Escutia, Hughes, McPherson, O'Connell, Ortiz, Perata, Rainey, Solis, Schiff, and Soto) (Coauthors: Assembly Members Alquist, Aroner, Cedillo, Corbett, Davis, Ducheny, Dutra, Gallegos, Havice, Hertzberg, Honda, Jackson, Kuehl, Longville, Lowenthal, Mazzoni, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Washington, Wiggins, Wildman, and Zettel)
54	776	—	Calderon				
55	—	1424	Lewis				
56	1716	—	Robert Pacheco				
57	1786	—	Maddox				
58	2110	—	Rod Pacheco				
59	2446	—	Wildman				
60	—	1664	Karnette and Leslie (Coauthors: Senators Alarcon, Chesbro, Costa, Dunn, Escutia, Figueroa, Hughes, McPherson, Ortiz, Perata, Rainey, Sher, Solis, and Soto) (Coauthors: Assembly Members Alquist, Aroner, Calderon, Cardoza, Corbett, Correa, Davis, Dutra, Gallegos, Hertzberg, Honda, Jackson, Knox, Kuehl, Lempert, Longville, Lowenthal, Machado, Mazzoni, Nakano, Reyes, Romero, Scott, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, and Wildman)	72	—	1683	Escutia (Coauthors: Senators Alarcon, Costa, and Karnette) (Coauthors: Assembly Members Alquist, Aroner, Calderon, Cardoza, Cedillo, Correa, Davis, Ducheny, Dutra, Gallegos, Hertzberg, Honda, Jackson, Lempert, Longville, Lowenthal, Mazzoni, Nakano, Romero, Scott, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Washington, Wayne, Wiggins, Wildman, and Zettel)
61	—	1762	Alpert (Coauthors: Assembly Members Battin and Zettel)				
62	2301	—	Lowenthal				
63	769	—	Margett (Coauthor: Assembly Member Firebaugh) (Coauthors: Senators Solis and Soto)	73	—	1689	Escutia and Monteith (Coauthors: Senators Alarcon, Alpert, Hughes, Murray, O'Connell, Ortiz, Polanco, Solis, and Soto) (Coauthors: Assembly Members Alquist, Aroner, Bates, Cardenas, Cardoza, Cedillo, Corbett, Correa, Davis, Dickerson, Dutra, Gallegos, Hertzberg, Honda, Jackson, Longville, Lowenthal, Maddox, Mazzoni, Nakano, Rod Pacheco, Pescetti, Reyes, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Villaraigosa, Vincent, Washington, Wiggins, Wildman, and Zettel)
64	1797	—	Bock (Coauthors: Assembly Members Aroner, Bates, Longville, and Pescetti) (Coauthors: Senators Figueroa, Perata, and Rainey)				
65	1830	—	Wildman				
66	1905	—	Rod Pacheco				
67	2453	—	Runner				
68	—	2096	Poochigian				
69	—	1643	O'Connell and McPherson (Coauthors: Senators Alarcon, Alpert, Bowen, Chesbro, Costa, Figueroa, Hughes, Karnette, Murray, Ortiz, Perata, Polanco, Rainey, Solis, Sher, Soto, and	74	1509	—	Machado
				75	2879	—	Jackson (Coauthors: Assembly Members Alquist, Calderon, Cardoza, Cedillo,

TABLE OF LAWS ENACTED—Continued
2000

Ch. No.	A.B. No.	S.B. No.	Author	Ch. No.	A.B. No.	S.B. No.	Author
			Correa, Davis, Dutra, Gallegos, Hertzberg, Honda, Knox, Longville, Lowenthal, Nakano, Reyes, Romero, Shelley, Villaraigosa, Vincent, Washington, and Wiggins) (Coauthors: Senators Alarcon, Costa, Figueroa, Hughes, McPherson, O'Connell, Rainey, Schiff, Solis, Soto, and Vasconcellos)				Thomson, Villaraigosa, Washington, Wiggins, and Wildman) (Coauthors: Senators Alarcon, Chesbro, Figueroa, Murray, Perata, Polanco, Sher, and Vasconcellos)
76	2880	—	Calderon (Coauthors: Assembly Members Alquist, Aroner, Cardoza, Corbett, Correa, Cunneen, Dutra, Gallegos, Hertzberg, Honda, Jackson, Lempert, Longville, Lowenthal, Mazzoni, Nakano, Reyes, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, and Wildman) (Coauthors: Senators Alarcon and Alpert)	81	2865	—	Alquist (Coauthors: Assembly Members Aroner, Cardoza, Cedillo, Ducheny, Dutra, Gallegos, Hertzberg, Longville, Lowenthal, Reyes, Romero, Shelley, Steinberg, Thomson, Torlakson, Villaraigosa, Vincent, Wiggins, and Wildman) (Coauthors: Senators Alarcon, Costa, Hughes, Perata, Sher, and Soto)
			Wright (Coauthors: Assembly Members Alquist, Aroner, Calderon, Campbell, Cardoza, Cedillo, Correa, Cox, Dutra, Gallegos, Granlund, Hertzberg, Honda, Jackson, Longville, Lowenthal, Maddox, Mazzoni, Robert Pacheco, Reyes, Romero, Scott, Steinberg, Strom-Martin, Villaraigosa, Washington, Wesson, Wildman, and Zettel) (Coauthors: Senators Alarcon, Costa, McPherson, O'Connell, Perata, Rainey, Sher, and Solis)	82	2867	—	Lowenthal (Coauthors: Assembly Members Alquist, Aroner, Cedillo, Corbett, Cox, Davis, Ducheny, Hertzberg, Honda, Jackson, Kuehl, Longville, Romero, Steinberg, Thomson, Torlakson, Villaraigosa, Wiggins, and Wildman) (Coauthors: Senators Alarcon, and Perata)
77	2881	—	Reyes (Coauthors: Assembly Members Alquist, Aroner, Bates, Battin, Briggs, Calderon, Campbell, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dutra, Gallegos, Granlund, Hertzberg, Honda, Jackson, Longville, Lowenthal, Maddox, Margett, Mazzoni, Nakano, Robert Pacheco, Romero, Scott, Shelley, Steinberg, Strom-Martin, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, Wildman, and Zettel) (Coauthors: Senators Alarcon, Bowen, Chesbro, Costa, Dunn, Figueroa, McPherson, Murray, O'Connell, Perata, Polanco, Rainey, Sher, and Soto)	83	2870	—	Cedillo (Coauthors: Assembly Members Corbett, Ducheny, Gallegos, Hertzberg, Longville, Lowenthal, Romero, Steinberg, Thomson, Torlakson, Villaraigosa, Washington, Wiggins, and Wildman) (Coauthors: Senators Alarcon, Costa, and Perata)
78	2882	—	Villaraigosa (Coauthors: Assembly Members Alquist, Aroner, Calderon, Campbell, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dutra, Gallegos, Granlund, Hertzberg, Honda, Jackson, Longville, Lowenthal, Maddox, Mazzoni, Nakano, Robert Pacheco, Romero, Scott, Shelley, Steinberg, Strom-Martin, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, Wildman, and Zettel) (Coauthors: Senators Alarcon, Bowen, Chesbro, Costa, Dunn, Figueroa, McPherson, Murray, O'Connell, Perata, Polanco, Rainey, Sher, and Soto)	84	—	1656	Alarcon (Coauthors: Senators Bowen, Figueroa, Hughes, Perata, Sher, and Vasconcellos) (Coauthors: Assembly Members Alquist, Aroner, Cedillo, Corbett, Correa, Ducheny, Dutra, Hertzberg, Honda, Jackson, Lempert, Longville, Lowenthal, Mazzoni, Reyes, Romero, Shelley, Steinberg, Thomson, Torlakson, Villaraigosa, Washington, Wiggins, and Wildman)
79	2883	—	Torlakson (Coauthors: Assembly Members Alquist, Aroner, Calderon, Campbell, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dutra, Gallegos, Granlund, Hertzberg, Honda, Jackson, Kuehl, Longville, Lowenthal, Maddox, Mazzoni, Nakano, Robert Pacheco, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Wesson, Wiggins, and Zettel) (Coauthors: Senators Alarcon, Bowen, Costa, McPherson, Murray, O'Connell, Perata, Rainey, and Soto)	85	—	1436	Johnston
80	2864	—	Assembly Members Alquist, Aroner, Calderon, Campbell, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dutra, Gallegos, Granlund, Hertzberg, Honda, Jackson, Kuehl, Longville, Lowenthal, Maddox, Mazzoni, Nakano, Robert Pacheco, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Wesson, Wiggins, and Zettel) (Coauthors: Senators Alarcon, Bowen, Costa, McPherson, Murray, O'Connell, Perata, Rainey, and Soto)	86	—	1559	Kelley (Principal coauthor: Senator Rainey)
				87	—	1679	Sher (Coauthors: Senators Alarcon, Murray, and Perata) (Coauthors: Assembly Members Alquist, Aroner, Calderon, Corbett, Davis, Ducheny, Dutra, Florez, Hertzberg, Honda, Keeley, Kuehl, Lempert, Longville, Lowenthal, Mazzoni, Reyes, Scott, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Washington, Wiggins, and Wildman)
				88	—	1914	Poochigian
				89	2214	—	Frusetta
				90	2914	—	Committee on Judiciary (Kuehl (Chair), Ackerman (Vice Chair), Aroner, Bates, Bock, Corbett, House, Jackson, Longville, Robert Pacheco, Shelley, Steinberg, and Wiggins)
				91	2928	—	Torlakson and Florez (Coauthors: Assembly Members Alquist, Aroner, Cardoza, Cedillo, Corbett, Davis, Dutra, Gallegos, Hertzberg, Knox, Longville, Machado, Mazzoni, Romero, Scott, Shelley, Steinberg, Thomson, Villaraigosa, Wahington, Wiggins, and

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			Wildman) (Coauthors: Senators Alpert, Chesbro, Murray, Perata, Polanco, and Soto)				(Coauthors: Senators Alarcon, Bowen, Dunn, Figueroa, McPherson, Murray, Rainey, Sher, Solis, and Soto)
92	—	406	Ortiz	104	1774	—	Lempert (Coauthors: Assembly Members Alquist, Battin, Calderon, Cardoza, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Granlund, Hertzberg, Honda, Jackson, Longville, Lowenthal, Machado, Mazzoni, Nakano, Olberg, Robert Pacheco, Rod Pacheco, Pescetti, Romero, Scott, Shelley, Torlakson, Villaraigosa, Vincent, Washington, Wildman, and Zettel) (Coauthors: Senators Alarcon, Alpert, Bowen, Chesbro, Dunn, McPherson, Murray, Rainey, Sher, and Soto)
93	2877	—	Thomson (Coauthors: Assembly Members Alquist, Cedillo, Davis, Hertzberg, Honda, Jackson, Kuehl, Longville, Mazzoni, Reyes, Romero, Shelley, Steinberg, Strom-Martin, Villaraigosa, Washington, Wiggins, and Wildman) (Coauthors: Senators Alarcon, Chesbro, Escutia, Figueroa, Hughes, Murray, Ortiz, Perata, Sher, Solis, and Vasconcellos)	105	2871	—	Correa (Coauthors: Assembly Members Alquist, Bates, Battin, Briggs, Calderon, Cardoza, Cedillo, Corbett, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Gallegos, Granlund, Havice, Hertzberg, Honda, Jackson, Leach, Lempert, Longville, Lowenthal, Machado, Maddox, Margett, Mazzoni, Nakano, Olberg, Robert Pacheco, Rod Pacheco, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Washington, Wayne, Wiggins, Wildman, and Zettel) (Coauthors: Senators Alarcon, Chesbro, Costa, Figueroa, McPherson, Murray, Rainey, Sher, Solis, and Soto)
94	2878	—	Wayne (Coauthor: Senator Speier)	106	858	—	Kuehl
95	644	—	Ducheny	107	511	—	Alquist, Correa, Cunneen, Florez, Honda, Lempert, Leonard, Machado, Nakano, Scott, and Torlakson (Coauthors: Senators Alarcon, Alpert, Chesbro, Costa, Figueroa, Karmette, McPherson, Murray, O'Connell, Rainey, Schiff, Sher, Solis, Soto, and Vasconcellos)
96	1494	—	Wildman	108	2876	—	Aroner (Coauthor: Assembly Members Alquist, Cedillo, Davis, Gallegos, Hertzberg, Honda, Kuehl, Longville, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, Wildman, and Zettel) (Coauthors: Senators Alarcon, Alpert, Chesbro, Costa, Figueroa, McPherson, Murray, Rainey, Sher, Solis, and Soto)
97	2063	—	Zettel (Coauthors: Assembly Members Ashburn, Bates, Battin, Cox, Cunneen, Dickerson, Kuehl, Leach, Robert Pacheco, Pescetti, and Strickland) (Coauthors: Senators Morrow and Solis)	109	1324	—	Zettel (Coauthor: Assembly Member Machado)
98	2719	—	Wesson	110	2380	—	Lempert
99	2875	—	Cedillo (Principal coauthor: Senator Alarcon) (Coauthors: Assembly Members Alquist, Aroner, Cardoza, Corbett, Correa, Davis, Ducheny, Dutra, Hertzberg, Honda, Jackson, Keeley, Kuehl, Longville, Lowenthal, Mazzoni, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, and Wildman)	111	2155	—	Pescetti
100	2885	—	Cardenas (Coauthors: Assembly Members Alquist, Aroner, Bates, Battin, Briggs, Calderon, Campbell, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Gallegos, Granlund, Hertzberg, Honda, Jackson, Lempert, Longville, Maddox, Margett, Nakano, Robert Pacheco, Rod Pacheco, Reyes, Romero, Scott, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, Wildman, and Zettel) (Coauthors: Senators Alarcon, Alpert, Bowen, Brulte, Chesbro, Costa, Escutia, Figueroa, Karmette, McPherson, O'Connell, Perata, Polanco, Poochigian, Rainey, Schiff, Soto, and Vasconcellos)	112	—	1517	Brulte
101	—	1356	Lewis	113	—	1647	O'Connell (Coauthors: Senators Alarcon, Chesbro, Costa, Karmette, McPherson, Murray, Rainey, and Soto) (Coauthors: Assembly Members Alquist, Calderon, Cardoza, Corbett, Davis, Dutra, Gallegos, Hertzberg, Honda, Jackson, Longville, Lowenthal, Machado, Margett, Mazzoni, Olberg, Robert Pacheco, Rod Pacheco, Pescetti, Romero, Scott, Shelley, Thomson, Torlakson, Villaraigosa, Washington, Wayne, Wiggins, and Zettel)
102	—	1223	Burton				
103	465	—	Nakano (Coauthors: Assembly Members Alquist, Bates, Brewer, Briggs, Calderon, Cardoza, Corbett, Correa, Cox, Cunneen, Dutra, Florez, Gallegos, Granlund, Havice, Hertzberg, Honda, Jackson, Leach, Lempert, Longville, Lowenthal, Machado, Maddox, Margett, Mazzoni, Olberg, Robert Pacheco, Rod Pacheco, Pescetti, Romero, Scott, Shelley, Thomson, Torlakson, Villaraigosa, Washington, Wayne, Wiggins, and Zettel)				

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			Washington, Wayne, Wiggins, and Wildman)				Alarcon, Hayden, Johnston, Ortiz, Solis, and Speier)
114	480	—	Ducheny	144	2872	—	Shelley (Coauthors: Assembly Members Alquist, Aroner, Corbett, Davis, Gallegos, Hertzberg, Honda, Keeley, Knox, Kuehl, Lempert, Longville, Lowenthal, Mazzoni, Romero, Scott, Steinberg, Strom-Martin, Torlakson, Villaraigosa, Wiggins, and Wildman)
115	2695	—	Committee on Agriculture (Cardozo (Chair), Florez, Reyes, Thomson, and Wiggins)				(Coauthors: Senators Alarcon, Bowen, Escutia, Murray, Ortiz, Perata, Polanco, and Solis)
116	1991	—	Cox	145	102	—	Wildman and Hertzberg
117	1744	—	Longville (Principal coauthor: Assembly Member Calderon)	146	1674	—	Committee on Utilities and Commerce (Wright (Chair), Pescetti (Vice Chair), Calderon, Campbell, Frusetta, Mazzoni, Reyes, Vincent, and Wesson)
118	—	1367	Schiff (Principal coauthor: Assembly Member Hertzberg)				
119	—	2045	Schiff				
120	—	1384	Committee on Business and Professions (Senators Figueroa (Chair), Johannessen, Kelley, Murray, O'Connell, Polanco, and Speier)	147	1721	—	Cardenas
121	—	1756	Kelley	148	1760	—	Kuehl
122	—	1466	Leslie	149	1787	—	Maddox
123	719	—	Briggs	150	1910	—	Migden
124	1337	—	Havice (Coauthor: Assembly Member Romero)	151	1936	—	Papan
125	1859	—	McClintock	152	1946	—	Wayne
126	2336	—	Zettel	153	1988	—	Strickland (Coauthors: Assembly Members Ashburn, Baldwin, Bates, Campbell, Cox, Cunneen, Dickerson, House, Leach, Robert Pacheco, Pescetti, and Zettel) (Coauthor: Senator Leslie)
127	2866	—	Migden (Coauthors: Assembly Members Alquist, Aroner, Cedillo, Gallegos, Hertzberg, Honda, Longville, Reyes, Romero, and Wildman)	154	2006	—	Dutra
128	—	1885	Johnston	155	2221	—	Battin
129	1544	—	Calderon, Granlund, and Baugh (Principal coauthor: Senator Perata)	156	2263	—	Correa
130	974	—	Papan	157	2469	—	Reyes
131	1801	—	Runner	158	2617	—	Aanestad
132	1914	—	Nakano (Coauthors: Assembly Members Alquist, Aroner, Cunneen, Firebaugh, Kuehl, Longville, Machado, and Washington)	159	—	266	Chesbro
				160	—	326	Lewis
				161	—	917	Polanco
133	2123	—	Shelley	162	—	1232	Chesbro (Coauthor: Assembly Member Wiggins)
134	2419	—	Machado	163	—	1329	Karnette
135	2539	—	Committee on Judiciary (Kuehl (Chair), Ackerman (Vice Chair), Aroner, Bates, Bock, Corbett, House, Jackson, Knox, Longville, Robert Pacheco, Shelley, Steinberg, and Wiggins)	164	—	1381	Costa (Coauthors: Assembly Members Ashburn, Briggs, Florez, Maldonado, Oller, Reyes, and Wiggins)
				165	—	1386	Alpert (Coauthors: Assembly Members Dickerson and Washington)
136	2374	—	Lempert	166	—	1437	Johnston
137	1795	—	Dutra	167	—	1487	Knight
138	1817	—	Correa	168	—	1493	Lewis
139	2327	—	Gallegos	169	—	1508	Figueroa (Principal coauthor: Senator Kelley)
140	2524	—	Washington	170	—	1528	Hughes
141	2905	—	Committee on Insurance (Scott (Chair), Calderon, Floyd, Gallegos, Keeley, Washington, and Wayne)	171	—	1581	Escutia, Hughes, Karnette, and Rainey (Coauthors: Assembly Members Calderon, Firebaugh, Havice, Lowenthal, Margett, Robert Pacheco, and Runner)
142	1300	—	Rod Pacheco, Brewer, and Oller (Principal coauthor: Senator Johnston) (Coauthors: Assembly Members Cunneen and Washington) (Coauthor: Senator Polanco)	172	—	1640	Burton
				173	—	1707	O'Connell
143	1978	—	Cedillo (Principal coauthors: Assembly Members Bock and Villaraigosa) (Coauthors: Assembly Members Ashburn, Calderon, Cunneen, Davis, Ducheny, Firebaugh, Honda, Kuehl, Lempert, Longville, Maldonado, Mazzoni, Robert Pacheco, Reyes, Romero, Shelley, Strickland, Strom-Martin, Washington, Wiggins, and Zettel) (Coauthors: Senators	174	—	1709	Kelley
				175	—	1731	Lewis
				176	—	1867	Speier
				177	—	1894	Peace
				178	—	1951	Costa
				179	—	2057	Morrow
				180	—	2173	Committee on Revenue and Taxation (Senators Chesbro (Chair), Alpert, Burton, Johnston, and McPherson)

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181	—	2190	Soto	211	2251	—	Cox
182	—	2201	Committee on Health and Human Services (Senators Escutia (Chair), Figueroa, Hughes, Morrow, Polanco, Solis, and Vasconcellos)	212	500	—	Corbett, Aroner, and Bock (Coauthors: Senators Figueroa and Perata)
183	463	—	Maldonado (Coauthor: Assembly Member Knox)	213	—	984	Polanco (Principal coauthors: Assembly Members Villaraigosa and Cardenas) (Coauthors: Senators Dunn and O'Connell) (Coauthors: Assembly Members Alquist, Calderon, Cedillo, Correa, Floyd, Frusetta, Granlund, Honda, Lempert, Longville, Reyes, Washington, Wesson, Wiggins, Wildman, and Wright)
184	1349	—	Correa (Principal coauthor: Senator Soto)	214	559	—	Nakano (Coauthors: Assembly Members Aanestad, Calderon, Cunneen, Havice, Hertzberg, Leach, Machado, Oller, Strom-Martin, Wayne, and Zettel) (Coauthors: Senators Baca, Costa, Johannessen, Rainey, and Solis)
185	1816	—	Wayne (Coauthors: Assembly Members Alquist, Cardenas, Dutra, Kuehl, Machado, and Strom-Martin) (Coauthors: Senators Karnette and Solis)	215	1276	—	Wildman
186	1891	—	Lowenthal	216	1985	—	Leach, Bates, Cox, Cunneen, and House
187	1918	—	Romero (Coauthors: Assembly Members Aroner, Firebaugh, Knox, Lowenthal, Strom-Martin, and Washington) (Coauthor: Senator Solis)	217	—	1921	Kelley
188	2051	—	Robert Pacheco	218	—	1319	Burton
189	2062	—	Kuehl	219	—	101	Johannessen
190	2162	—	Mazzoni	220	—	1477	Lewis
191	2252	—	Maldonado	221	2807	—	Papan
192	2406	—	Migden and Baugh (Coauthors: Assembly Members Ackerman, Bates, Kaloogian, Robert Pacheco, and Pescetti)	222	42	—	Zettel (Coauthors: Assembly Members Robert Pacheco and Runner)
193	2586	—	Campbell (Coauthor: Assembly Member Migden)	223	299	—	Thomson
194	2687	—	Margett	224	497	—	Gallegos
195	2804	—	Papan (Coauthor: Assembly Member Shelley)	225	2169	—	Campbell (Coauthors: Assembly Members Ashburn, Bates, Cox, Cunneen, and Dickerson) (Coauthors: Senators Knight and Morrow)
196	2884	—	Kuehl (Coauthors: Assembly Members Alquist, Aroner, Battin, Briggs, Calderon, Campbell, Cedillo, Corbett, Cox, Davis, Dickerson, Dutra, Gallegos, Granlund, Hertzberg, Honda, Jackson, Longville, Robert Pacheco, Romero, Scott, Steinberg, Strom-Martin, Thomson, Villaraigosa, Vincent, Washington, Wiggins, and Zettel) (Coauthors: Senators Figueroa, Hughes, Murray, Perata, Schiff, Soto, and Vasconcellos)	226	2320	—	Dickerson
197	—	1636	Poochigian	227	2717	—	House
198	—	1802	Chesbro	228	2744	—	Oller
199	—	2034	Figueroa	229	—	1322	Committee on Local Government (Senators Rainey (Chair), Johannessen, Johnston, Monteith, Perata, Polanco, and Soto)
200	1718	—	Hertzberg (Principal coauthor: Assembly Member Keeley) (Coauthors: Assembly Members Aroner, Bock, Davis, Kuehl, Longville, Machado, Maddox, Mazzoni, Steinberg, Strom-Martin, and Washington) (Coauthor: Senator Perata)	230	—	1323	Committee on Local Government (Senators Rainey (Chair), Johannessen, Johnston, Monteith, Perata, Polanco, and Soto)
201	1894	—	Ackerman	231	—	1511	Chesbro (Principal coauthor: Assembly Member Wiggins)
202	2811	—	Robert Pacheco	232	—	1612	Chesbro
203	2841	—	Committee on Public Employees, Retirement and Social Security (Assembly Members Correa (Chair), Pescetti (Vice Chair), Briggs, Honda, and Knox)	233	—	1859	Chesbro
204	—	1422	Alpert	234	—	2143	Bowen
205	—	1423	Chesbro	235	1742	—	Correa (Coauthors: Assembly Members Battin, Cedillo, Cunneen, Florez, Keeley, Lowenthal, Nakano, Romero, Torlakson, and Washington) (Coauthor: Senator Rainey)
206	—	1488	Alpert	236	1899	—	Havice
207	—	1715	Ortiz	237	1937	—	Correa (Principal coauthor: Senator Ortiz) (Coauthors: Assembly Members Briggs, Firebaugh, Honda, Knox, and Pescetti)
208	2648	—	Calderon	238	2057	—	Briggs
209	2267	—	Cedillo	239	2164	—	Pescetti (Coauthors: Assembly Members Cunneen, Leach, and Zettel)
210	1848	—	Maddox	240	2502	—	Romero
				241	2537	—	Thomson
				242	2567	—	Jackson

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243	—	1112	Knight (Coauthor: Assembly Member Leach)	273	1898	—	Wright
244	—	1353	Rainey	274	1998	—	Dutra
245	—	1398	Kelley	275	2053	—	Wesson (Coauthors: Assembly Members Alquist, Cardenas, Kuehl, Romero, and Washington)
246	—	1420	Burton	276	2279	—	Dutra
247	—	1782	Morrow	277	2697	—	Cardoza
248	1053	—	Thomson (Principal coauthor: Assembly Member Zettel) (Coauthors: Assembly Members Wayne and Wildman)	278	2797	—	Papan
249	1478	—	Baugh	279	—	1395	Monteith
250	2038	—	Alquist (Coauthors: Assembly Members Honda, Kuehl, Longville, Mazzoni, Migden, Romero, and Shelley) (Coauthor: Senator Escutia)	280	—	1500	Burton
251	2423	—	Firebaugh	281	—	1549	Poochigian
252	2893	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)	282	—	1597	O'Connell (Principal coauthor: Assembly Member Jackson) (Coauthor: Senator Morrow) (Coauthors: Assembly Members Brewer, Keeley, Lempert, Lowenthal, Maldonado, and Strom-Martin)
253	—	1708	Kelley	283	—	1733	Knight (Coauthors: Assembly Members Bates and Cunneen)
254	—	2052	Schiff	284	—	1736	Rainey (Coauthor: Senator Speier)
255	—	2156	Johnston (Principal coauthor: Senator Lewis)	285	—	1779	Johnston
256	—	2174	Committee on Revenue and Taxation (Senators Chesbro (Chair), Alpert, Burton, Johnston, McPherson, and Poochigian)	286	—	1843	Solis (Principal coauthor: Assembly Member Kuehl)
257	1823	—	Dutra	287	—	1955	Committee on Public Safety (Senators Vasconcellos (Chair), Burton, Johnston, McPherson, Polanco, and Rainey)
258	2517	—	Shelley	288	—	1962	Costa (Coauthors: Assembly Members Ashburn and Strom-Martin)
259	2706	—	Cunneen	289	—	2133	Polanco
260	—	414	Knight (Principal coauthor: Assembly Member Oller) (Coauthors: Senators Johannessen and Rainey) (Coauthors: Assembly Members Baldwin, House, Leach, Robert Pacheco, and Strickland)	290	774	—	Cardoza (Principal coauthor: Senator Monteith)
261	—	1565	Schiff (Principal Coauthor: Assembly Member Scott) (Coauthor: Senator Costa) (Coauthors: Assembly Members Ashburn, Cox, Cunneen, Dickerson, Havice, Lowenthal, Machado, Strickland, and Zettel)	291	1493	—	Nakano (Principal coauthor: Senator Burton) (Coauthors: Senators Morrow and Peace)
262	—	1334	Committee on Local Government (Senators Rainey (Chair), Johannessen, Johnston, Monteith, Perata, Polanco, and Soto)	292	2182	—	Mazzoni
263	—	1491	Leslie (Coauthor: Senator Johnston) (Coauthors: Assembly Members Bock, Cox, House, Longville, Pescetti, and Zettel)	293	2240	—	Bates
264	147	—	Strom-Martin and Mazzoni (Principal coauthor: Senator Chesbro) (Coauthor: Assembly Member Wiggins)	294	2244	—	Lowenthal
265	800	—	Washington (Coauthor: Assembly Member Scott)	295	2407	—	Machado
266	1814	—	Lempert	296	2488	—	Baldwin
267	1888	—	Dutra	297	2552	—	Bates
268	2125	—	Rod Pacheco	298	2693	—	Committee on Agriculture (Cardoza (Chair), Maldonado (Vice Chair), Briggs, Florez, House, Reyes, Thomson, and Wiggins)
269	2571	—	Campbell	299	2906	—	Committee on Insurance (Scott (Chair), Calderon, Floyd, Gallegos, Keeley, Washington, and Wayne)
270	—	1584	Schiff	300	—	1352	Alpert
271	1717	—	Hertzberg (Principal coauthors: Assembly Members Kuehl, Scott, and Wildman) (Coauthors: Assembly Members Alquist, Keeley, Knox, Shelley, and Washington) (Coauthor: Senator Alarcon)	301	—	1454	Chesbro
272	1790	—	Wiggins (Coauthors: Assembly Members Rod Pacheco and Zettel)	302	—	1476	Peace
				303	—	1479	Figueroa (Coauthors: Senators Haynes and Vasconcellos) (Coauthors: Assembly Members Bock and Mazzoni)
				304	—	1717	Chesbro (Principal coauthor: Assembly Member Wiggins)
				305	—	1764	Chesbro (Coauthors: Senators Bowen, Escutia, Murray, Ortiz, and Solis) (Coauthor: Assembly Member Aroner)
				306	—	1775	Johannessen (Coauthors: Senators Chesbro and Leslie)
				307	—	2197	Soto
				308	602	—	Florez
				309	1470	—	Cardoza
				310	1727	—	Reyes (Coauthors: Assembly Members Ashburn, Bock, Briggs, Cardoza, Lowenthal, Olberg, Robert Pacheco,

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311	1811	—	Pescetti, Strickland, and Zettel) (Coauthors: Senators Costa and Solis) Reyes (Coauthors: Assembly Members Keeley and Wiggins) (Principal coauthor: Senator Costa) (Coauthor: Senator McPherson)	332	2335	—	Assembly Members Calderon, Corbett, Havice, Longville, Lowenthal, Mazzoni, and Washington)
312	2306	—	Florez and Senator Ortiz (Coauthors: Assembly Members Ducheny, Honda, Knox, Lowenthal, Mazzoni, Strom-Martin, Torlakson, Wiggins, and Wildman) (Coauthors: Senators Alarcon and Costa)	333	2525	—	Maldonado
313	2827	—	Cardoza (Coauthors: Assembly Members Florez, Mazzoni, and Wiggins)	334	2808	—	House
314	—	1343	Monteith (Principal coauthor: Assembly Member Briggs) (Coauthors: Senators Costa, Mountjoy, and Poochigian) (Coauthors: Assembly Members Cardoza, Florez, and Olberg)	335	—	1380	Papan
315	—	1740	Leslie (Principal coauthor: Assembly Member Oller) (Coauthors: Senators Alpert, Costa, and Kelley) (Coauthors: Assembly Members Alquist, Campbell, Dickerson, Florez, House, Leach, Machado, Runner, Strom-Martin, and Thomson)	336	1778	—	Escutia (Coauthor: Senator Hughes)
316	1852	—	Longville (Coauthors: Assembly Members Firebaugh, Pescetti, Torlakson, and Wiggins) (Coauthor: Senator Perata)	337	1871	—	Lowenthal
317	2176	—	Committee on Public Employees, Retirement and Social Security (Correa (Chair), Pescetti (Vice Chair), Briggs, Firebaugh, Honda, and Knox)	338	2071	—	Runner
318	—	1785	Figueroa (Coauthors: Assembly Members Longville and Washington)	339	2220	—	Briggs
319	—	2108	Karnette	340	2607	—	Battin
320	—	2122	Ortiz	341	2762	—	Knox
321	393	—	Scott (Coauthor: Senator Figueroa)	342	—	1825	Committee on Utilities and Commerce (Wright (Chair), Pescetti (Vice Chair), Calderon, Campbell, Mazzoni, Vincent, and Wesson)
322	1098	—	Romero (Coauthors: Assembly Members Aroner, Firebaugh, Honda, and Keeley)	343	—	2035	Kelley
323	1983	—	Kuehl	344	—	2185	Committee on Environmental Quality (Senators Sher (Chair), Alarcon, Alpert, Chesbro, Hayden, McPherson, O'Connell, Solis, and Wright)
324	1881	—	Gallegos	345	29	—	Soto
325	2185	—	Gallegos (Coauthor: Assembly Member Hertzberg)	346	419	—	Robert Pacheco (Principal coauthor: Senator Knight) (Coauthor: Assembly Member Zettel)
326	2318	—	Lowenthal	347	525	—	Firebaugh
327	2546	—	Jackson	348	701	—	Kuehl and Thomson (Coauthors: Assembly Members Aroner, Calderon, Firebaugh, Honda, Jackson, Keeley, Longville, Mazzoni, Romero, Shelley, and Wildman) (Coauthors: Senators Figueroa, Hayden, and Solis)
328	265	—	Davis (Principal coauthor: Senator Alpert) (Coauthors: Assembly Members Ducheny and Wayne)	349	746	—	Lempert
329	970	—	Ducheny, Battin, and Keeley (Principal coauthor: Assembly Member Baugh) (Coauthors: Assembly Members Aanestad, Ackerman, Baldwin, Bates, Brewer, Campbell, Cardoza, Cox, Davis, Dickerson, Gallegos, Granlund, House, Kaloogian, Leach, Machado, Maddox, Maldonado, Margett, Nakano, Olberg, Oller, Rod Pacheco, Pescetti, Runner, Strickland, Thompson, and Zettel) (Coauthors: Senators Alpert, Bowen, and Kelley)	350	751	—	Papan
330	1857	—	Romero	351	1736	—	Gallegos
331	2060	—	Steinberg and Shelley (Principal coauthor: Assembly Member Bock) (Principal coauthor: Senator Murray) (Coauthors:	352	1838	—	Ducheny
				353	1913	—	Leonard (Coauthors: Assembly Members Bates, Bock, Campbell, Cardenas, Cox, Cunneen, Dickerson, Dutra, House, and Longville) (Coauthors: Senators Haynes and Johannessen)
				354	1928	—	Cardenas (Principal coauthor: Senator Schiff)
				355	1958	—	Vincent
				356	1975	—	Romero
				357	2285	—	Romero and Lowenthal (Coauthors: Assembly Members Alquist, Aroner, Calderon, Cedillo, Correa, Hertzberg, Keeley, Knox, Longville, Nakano, Reyes, Shelley, Steinberg, Strom-Martin, Vincent, and Washington) (Coauthor: Senator Solis)
				358	2430	—	Florez
				359	2510	—	Wiggins
				360	2516	—	Thomson
				361	2535	—	Thomson
				362	2714	—	Oller
				363	2818	—	Wesson (Coauthors: Assembly Members Aanestad and Hertzberg)
				364	—	220	Aanestad and Hertzberg)
				365	—	945	Corbett
				366	—	1542	Peace
				367	—	1856	Vasconcellos
							Schiff (Principal coauthor: Assembly Member Machado)
							Figueroa (Principal coauthor: Assembly Member Dutra)

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368	48	—	Cedillo (Coauthor: Assembly Member Aroner)	394	—	2144	Perata
369	615	—	Runner and Strom-Martin (Principal coauthor: Senator Alpert) (Coauthors: Assembly Members Calderon, Campbell, Soto, Strickland, and Zettel) (Coauthors: Senators McPherson and Rainey)	395	398	—	Migden (Principal coauthors: Assembly Members Dutra and Mazzoni)
370	94	—	Cedillo (Coauthors: Senators Hayden and Hughes)	396	2045	—	Nakano
371	899	—	Alquist (Coauthor: Assembly Members Bock, Calderon, Strom-Martin, and Zettel) (Coauthors: Senators Bowen, Sher, and Solis)	397	2283	—	Florez (Coauthor: Assembly Member Cardoza)
372	1129	—	Ackerman (Principal coauthor: Assembly Member Zettel) (Coauthors: Assembly Members Bates, Baugh, Calderon, Cardoza, Cox, Cunneen, Florez, Honda, House, Leach, Longville, Margett, Oller, and Runner) (Coauthor: Senator Rainey)	398	2538	—	Brewer (Coauthor: Assembly Member Davis)
373	1173	—	Frusetta	399	1840	—	Bates
374	1178	—	Frusetta	400	1989	—	Dickerson (Coauthor: Assembly Member House)
375	1331	—	Papan	401	2506	—	Romero and Ashburn (Coauthors: Assembly Members Campbell and Keeley)
376	1366	—	Steinberg (Coauthor: Senator Johnston)	402	649	—	Machado and Strom-Martin (Principal coauthors: Senators Chesbro and Ortiz)
377	1860	—	Migden (Principal coauthors: Assembly Members Dickerson and Mazzoni) (Coauthors: Assembly Members Cardoza, Keeley, Knox, Shelley, Steinberg, and Washington) (Coauthors: Senators Johannessen, McPherson, Polanco, and Vasconcellos)	403	—	1644	Ortiz and Pochigian (Principal coauthors: Assembly Members Rod Pacheco and Steinberg) (Coauthors: Senators Alpert, Bowen, Brulte, Burton, Chesbro, Costa, Escutia, Figueroa, Hughes, Karmette, McPherson, Murray, O'Connell, Perata, Polanco, Rainey, Schiff, Sher, Solis, Soto, and Vasconcellos) (Coauthors: Assembly Members Alquist, Aroner, Battin, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cunneen, Davis, Ducheny, Dutra, Gallegos, Havice, Hertzberg, Honda, Jackson, Lempert, Longville, Lowenthal, Machado, Mazzoni, Nakano, Reyes, Romero, Scott, Shelley, Strom-Martin, Thomson, Torlakson, Villaraigosa, Washington, Wiggins, Wildman, Cunneen, Leach, Pescetti, Robert Pacheco, and Zettel)
378	1927	—	Kuehl	404	—	1688	Polanco and Rainey (Coauthors: Senators Alarcon, Alpert, Costa, Hughes, McPherson, O'Connell, Sher, Schiff, and Soto) (Coauthors: Assembly Members Alquist, Aroner, Bates, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cunneen, Davis, Dickerson, Dutra, Gallegos, Hertzberg, Honda, Longville, Lowenthal, Machado, Mazzoni, Nakano, Pescetti, Reyes, Scott, Shelley, Torlakson, Villaraigosa, Washington, Wiggins, and Zettel)
379	1947	—	Maldonado	405	1087	—	Calderon (Coauthor: Senator Karmette)
380	2119	—	Leach	406	1966	—	Wiggins
381	2187	—	Aanestad	407	2144	—	Keeley
382	2377	—	Longville	408	2293	—	Florez
383	2409	—	Migden and Runner	409	2478	—	Strom-Martin
384	2520	—	Thomson (Principal coauthor: Assembly Member Wiggins) (Principal coauthor: Senator Chesbro) (Coauthors: Assembly Members Aanestad, Corbett, Jackson, Keeley, and Mazzoni) (Coauthor: Senator Johannessen)	410	2482	—	Strom-Martin
385	2800	—	Shelley	411	2503	—	Steinberg (Coauthor: Assembly Member Longville)
386	2810	—	Robert Pacheco	412	2630	—	Ashburn
387	2848	—	Firebaugh	413	2699	—	Cox (Principal coauthor: Assembly Member Firebaugh)
388	2941	—	Committee on Water, Parks and Wildlife (Machado (Chair), Aanestad, Calderon, Dickerson, Florez, Frusetta, Kuehl, Margett, Strom-Martin, Thomson, and Wayne)	414	2896	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)
389	—	195	Chesbro (Coauthor: Senator Monteith) (Coauthors: Assembly Members Bock, Cardoza, Kuehl, Mazzoni, Strom-Martin, and Washington)	415	2897	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)
390	—	1347	Vasconcellos				
391	—	1522	Leslie (Principal coauthor: Assembly Member Oller)				
392	—	1635	Schiff (Coauthors: Senators Costa, Karmette, Sher, and Solis) (Coauthors: Assembly Members Bates, Calderon, Cunneen, Davis, Havice, Honda, Kuehl, Leach, Longville, Strickland, Strom-Martin, and Zettel)				
393	—	2028	Figueroa				

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416	2919	—	Committee on Human Services (Aroner (Chair), Ashburn (Vice Chair), Bock, Ducheny, Dutra, Floyd, and Strom-Martin)				Machado, Mazzoni, Strom-Martin, Washington, Wayne, Wildman, and Zettel) (Coauthors: Senators Alarcon, Alpert, Chesbro, Escutia, Hughes, McPherson, Murray, Soto, Speier, and Vasconcellos)
417	—	1417	Wright	441	1984	—	Zettel
418	—	1704	Costa and Poochigian (Coauthors: Assembly Members Briggs, Florez, and Reyes)	442	2107	—	Scott (Coauthor: Assembly Member Jackson)
419	—	1883	Sher	443	2644	—	Calderon
420	—	2018	Schiff	444	2685	—	Bock
421	—	2161	Schiff (Coauthor: Senator Polanco)	445	—	288	Peace (Principal coauthor: Senator Polanco) (Principal coauthor: Assembly Member Washington) (Coauthors: Senators Alarcon, Alpert, Baca, Brulte, Chesbro, Costa, Dunn, Figueroa, Hayden, Hughes, Johnson, Johnston, Karnette, Kelley, McPherson, Morrow, Murray, O'Connell, Ortiz, Perata, Schiff, Sher, Solis, and Speier) (Coauthors: Assembly Members Alquist, Ashburn, Bates, Baugh, Brewer, Calderon, Cardoza, Cedillo, Correa, Davis, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Granlund, Havice, Hertzberg, Knox, Kuehl, Lempert, Leonard, Longville, Machado, Maddox, Nakano, Papan, Pescetti, Scott, Soto, Steinberg, Thomson, Torlakson, Vincent, Wayne, Wesson, Wildman, Wright, and Zettel)
422	700	—	Thomson (Coauthors: Assembly Members Corbett, Davis, Kuehl, and Migden)	446	—	1526	Kelley
423	862	—	Correa (Principal coauthors: Assembly Members Granlund and Honda) (Coauthor: Senator Dunn)	447	—	1533	Costa
424	1604	—	Wesson	448	—	1551	Dunn (Coauthor: Senator Hughes) (Coauthors: Assembly Members Alquist, Dutra, and Thomson)
425	1782	—	Florez	449	—	2016	McPherson
426	2168	—	Gallegos (Coauthor: Assembly Member Shelley)	450	—	2160	Schiff
427	—	1600	Burton	451	1731	—	Shelley, Alquist, and Honda (Principal coauthor: Senator Vasconcellos) (Coauthors: Assembly Members Bates, Bock, Cardoza, Dutra, Keeley, Knox, Kuehl, Lowenthal, Romero, Scott, Steinberg, Strom-Martin, Wayne, and Wildman) (Coauthors: Senators Alarcon, Alpert, Chesbro, Dunn, Escutia, Ortiz, and Speier)
428	—	1625	Murray (Principal coauthor: Assembly Member Wesson) (Coauthors: Senators Hughes and Solis) (Coauthors: Assembly Members Longville and Wright)	452	2103	—	Strom-Martin (Coauthor: Senator Chesbro)
429	—	1728	Lewis	453	2152	—	Aroner
430	—	1942	Karnette (Coauthors: Assembly Members Cox, Cunneen, Havice, and Lowenthal)	454	2902	—	Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aaenstad, Corbett, Cox, Firebaugh, Kuehl, Runner, Thomson, Vincent, Wayne, Wesson, and Zettel)
431	—	2204	Soto	455	—	1996	Speier
432	—	1390	Murray (Coauthors: Assembly Members Alquist, Knox, Kuehl, Strom-Martin, and Washington)	456	—	1766	Chesbro (Coauthors: Assembly Members Shelley and Strom-Martin)
433	—	1627	Dunn (Principal coauthors: Assembly Members Havice and Lowenthal) (Coauthors: Senators Alarcon, Chesbro, Karnette, McPherson, Sher, and Solis) (Coauthors: Assembly Members Corbett, Honda, Keeley, Longville, Machado, Mazzoni, and Washington)	457	36	—	Shelley (Coauthors: Senators Burton, Johnston, and Perata) (Coauthors: Assembly Members Cunneen, Honda, and Machado)
434	1753	—	Romero and Senator Hughes (Principal coauthors: Assembly Members Alquist and Shelley) (Coauthors: Assembly Members Aroner, Bock, Keeley, Kuehl, Lowenthal, Machado, Pescetti, and Washington) (Coauthors: Senators Alpert, Johnston, Rainey, and Solis)	458	801	—	Cardenas
435	—	2194	Soto	459	908	—	Alquist (Coauthor: Assembly Members Kuehl and Strom-Martin) (Coauthors: Senators Baca and Speier)
436	52	—	Cedillo (Principal coauthor: Assembly Member Calderon) (Principal coauthor: Senator Murray) (Coauthors: Assembly Members Briggs, Cardenas, Firebaugh, Granlund, Reyes, and Strickland) (Coauthors: Senators Alarcon and Perata)				
437	333	—	Papan (Coauthor: Assembly Member Lempert)				
438	1016	—	Briggs				
439	1761	—	Brewer and Rod Pacheco (Coauthors: Assembly Members Cunneen and Maldonado) (Coauthor: Senator Speier)				
440	1820	—	Wright (Principal coauthors: Assembly Members Alquist and Shelley) (Coauthors: Assembly Members Davis, Firebaugh, Jackson, Longville,				

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460	2159	—	Robert Pacheco				Assembly Members Cunneen, Lempert, Margett, Romero, and Steinberg)
461	2236	—	Leach	493	—	1272	Ortiz
462	2323	—	Ducheny (Coauthor: Assembly Members Baldwin, Firebaugh, and Zettel) (Coauthor: Senators Alpert and Kelley)	494	—	1402	Johannessen (Principal coauthor: Senator Leslie)
463	2791	—	Alquist	495	—	1696	Ortiz
464	—	1841	Poohigian	496	—	1966	Brulte
465	—	1913	McPherson	497	—	2008	Solis
466	—	2105	Lewis	498	954	—	Aroner
467	1123	—	Cardoza	499	1651	—	Committee on Veterans Affairs (Dutra (Chair), Dickerson (Vice Chair), Correa, Havice, Nakano, and Wayne) (Coauthors: Assembly Members Alquist, Ashburn, Bates, Bock, Calderon, Campbell, Cox, Cunneen, Davis, Ducheny, Jackson, Keeley, Knox, Kuehl, Longville, Machado, Mazzoni, Robert Pacheco, Romero, Scott, Strickland, Strom-Martin, and Zettel) (Coauthors: Senators Johannessen, Karnette, Leslie, Monteith, Rainey, and Solis)
468	244	—	Ackerman				
469	950	—	Thomson (Coauthor: Senator Johannessen)	500	1775	—	Lowenthal
470	1979	—	Wesson	501	1877	—	Maldonado
471	2008	—	Committee on Housing and Community Development (Lowenthal (Chair), House (Vice Chair), Battin, Corbett, Dutra, Knox, Margett, Mazzoni, Runner, Torlakson, and Wiggins)	502	2135	—	Aroner
472	2069	—	Corbett	503	2264	—	Cedillo (Principal coauthor: Senator Alarcon) (Coauthor: Assembly Member Wildman)
473	2234	—	Wiggins	504	2746	—	Nakano (Coauthors: Assembly Members Bock, Cunneen, and Jackson) (Coauthor: Senator O'Connell)
474	—	877	McPherson	505	2930	—	Torlakson
475	—	2015	Sher	506	—	1350	Committee on Local Government (Senators Rainey (Chair), Johannessen, Johnston, Monteith, Perata, Polanco, and Soto)
476	—	2082	O'Connell	507	—	1583	Costa
477	1422	—	Torlakson and Lempert (Principal coauthor: Assembly Member Washington) (Coauthors: Assembly Members Alquist, Calderon, House, Romero, and Wesson) (Coauthors: Senators Costa, Karnette, Ortiz, Polanco, and Speier)	508	—	1967	Kelley
478	2523	—	Thomson and Rod Pacheco	509	—	2053	Committee on Governmental Organization (Senators Perata (Chair), Burton, Chesbro, Dunn, Hughes, Johannessen, Johnson, Karnette, Lewis, and O'Connell)
479	2536	—	Scott and Wright (Principal coauthors: Assembly Members Jackson and Torlakson)	510	—	2095	Johnston (Coauthor: Senator Perata)
480	2583	—	Cardenas (Coauthor: Senator Johnston)	511	1481	—	Granlund
481	—	1943	Ortiz	512	1810	—	Wiggins (Coauthors: Assembly Members Alquist, Cox, Davis, Floyd, and Wildman) (Coauthors: Senators Figueroa, Polanco, and Speier)
482	439	—	Pescetti (Principal coauthor: Assembly Member Honda) (Coauthors: Assembly Members Alquist, Cox, Cunneen, Dutra, Lempert, Steinberg, and Thomson) (Coauthors: Senators Johannessen, Johnston, McPherson, Ortiz, and Sher)	513	—	1428	Karnette (Coauthors: Senators Ortiz and Hughes) (Coauthors: Assembly Members Ackerman, Bock, Cunneen, Jackson, Keeley, Leach, Longville, Lowenthal, Mazzoni, Strom-Martin, Washington, Wiggins, and Zettel)
483	1009	—	Correa (Principal coauthor: Senator Hughes) (Coauthor: Assembly Member Honda)	514	2254	—	Gallegos
484	1302	—	Thomson and Wiggins (Principal coauthor: Senator Chesbro) (Coauthor: Assembly Member Torlakson) (Coauthor: Senator Rainey)	515	—	244	Solis (Coauthor: Assembly Member Romero)
485	1895	—	Ackerman	516	2387	—	Keeley (Coauthors: Assembly Members Aanestad, Dickerson, Frusetta, Kuehl, Machado, Margett, and Strom-Martin)
486	2291	—	Florez	517	2257	—	Aroner
487	2357	—	Honda (Coauthors: Assembly Members Aroner, Cardenas, Gallegos, and Kuehl) (Coauthor: Senator Bowen)	518	2034	—	Steinberg and Baugh (Principal coauthors: Assembly Members Scott and Shelley) (Principal coauthors: Senators Burton and Perata) (Coauthors: Assembly
488	2691	—	Corbett				
489	2840	—	Committee on Public Employees, Retirement and Social Security (Correa (Chair), Pescetti (Vice Chair), Briggs, Honda, and Knox)				
490	—	32	Peace				
491	—	43	Johnston (Principal coauthor: Senator Solis)				
492	—	88	Sher (Principal coauthor: Senator Vasconcellos) (Principal coauthor: Assembly Member Honda) (Coauthors:				

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			Members Alquist, Aroner, Bock, Cardoza, Cox, Hertzberg, Honda, Keeley, Knox, Kuehl, Longville, Lowenthal, Machado, Mazzoni, Pescetti, Strom-Martin, Thomson, and Torlakson) (Coauthors: Senators Alpert, Chesbro, Rainey, Solis, and Vasconcellos)				Briggs, Dickerson, Knox, Robert Pacheco, Rod Pacheco, and Strickland)
519	2161	—	Vincent	544	1886	—	Lowenthal
520	—	1452	Wright and Chesbro	545	2371	—	Lempert
521	280	—	Zettel (Principal coauthor: Assembly Member Correa)	546	2580	—	Cox (Principal coauthor: Assembly Member Dickerson)
522	935	—	Brewer	547	212	—	Aroner (Coauthors: Assembly Members Keeley, Kuehl, Romero, Scott, Shelley, Strom-Martin, Washington, and Wayne) (Coauthors: Senators Perata, Speier, and Vasconcellos)
523	1419	—	Davis	548	2778	—	Jackson
524	1792	—	Villaraigosa (Coauthors: Assembly Members Alquist, Aroner, Bates, Correa, Dutra, Florez, Havice, Knox, Longville, Lowenthal, Margett, Mazzoni, Nakano, Strickland, Washington, and Zettel) (Coauthor: Senator Soto)	549	—	1004	Escutia
525	1890	—	Rod Pacheco and Reyes	550	—	1619	Alpert (Coauthor: Assembly Member Romero)
526	2109	—	Bates	551	860	—	Thomson (Coauthors: Assembly Members Granlund, Havice, Honda, Jackson, Keeley, Kuehl, Lempert, Longville, Mazzoni, McClintock, Oller, Romero, Washington, Wayne, and Wiggins) (Coauthors: Senators Burton and Perata)
527	2273	—	Aroner (Coauthor: Senator Perata)	552	2041	—	Dutra
528	2369	—	Keeley	553	2157	—	Lowenthal
529	2396	—	Longville	554	2239	—	Corbett
530	2408	—	Firebaugh	555	2256	—	Correa
531	2472	—	Romero (Coauthors: Assembly Members Keeley and Longville) (Coauthor: Senator Solis)	556	2755	—	Bock
532	2511	—	Steinberg (Coauthors: Assembly Members Cardoza, Cox, Pescetti, and Thomson) (Coauthors: Senators Costa, Johnston, and Ortiz)	557	499	—	Aroner (Coauthors: Assembly Members Aanestad, Bates, Corbett, Kuehl, Steinberg, Strickland, Thomson, Vincent, Wayne, and Zettel)
533	2723	—	Wesson	558	1199	—	Firebaugh
534	2933	—	Committee on Veterans Affairs (Dutra (Chair), Baldwin, Correa, Dickerson, Havice, and Nakano)	559	1819	—	Shelley (Principal coauthor: Senator Speier) (Principal coauthor: Assembly Member Washington) (Coauthors: Assembly Members Alquist, Cardoza, Correa, Cunneen, Davis, Dutra, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Leach, Lowenthal, Machado, Mazzoni, Scott, Strickland, Strom-Martin, and Zettel) (Coauthors: Senators Alarcon, Alpert, Bowen, Dunn, Karnette, McPherson, Ortiz, Solis, and Soto)
535	—	165	Alarcon and Villaraigosa (Coauthor: Senator Murray) (Coauthors: Assembly Members Kuehl, McClintock, Scott, and Wildman)	560	—	2111	Dunn (Coauthor: Assembly Member Shelley)
536	—	1299	Committee on Energy, Utilities and Communications (Senators Bowen (Chair), Alarcon, Baca, Brulte, Hughes, Kelley, Mounjoy, Peace, Solis, Speier, and Vasconcellos)	561	—	580	Lewis
537	—	1345	Peace	562	—	1318	Alpert (Principal coauthor: Assembly Member Leach) (Coauthors: Senators Karnette, Leslie, McPherson, and Rainey) (Coauthors: Assembly Members Alquist, Cardoza, Havice, Kuehl, Machado, Mazzoni, and Scott)
538	—	1645	Perata	563	—	1486	Schiff
539	—	2033	Figueroa	564	—	1539	Lewis
540	1730	—	Cardenas (Coauthor: Assembly Member Honda) (Coauthors: Senators Escutia, Polanco, and Solis)	565	1950	—	Rod Pacheco
541	958	—	Scott	566	1912	—	Torlakson
542	2015	—	Dickerson (Coauthors: Assembly Members Oller, Robert Pacheco, and Strom-Martin) (Coauthor: Senator Chesbro)	567	2754	—	House (Principal coauthor: Assembly Member Strom-Martin)
543	—	1915	Poochigian and Speier (Principal coauthor: Senator Schiff) (Principal coauthors: Assembly Members Kaloogian, Kuehl, Papan, and Scott) (Coauthors: Senators Costa, Hayden, Kelley, Monteith, and Polanco) (Coauthors: Assembly Members Battin,	568	2888	—	Committee on Consumer Protection, Governmental Efficiency and Economic Development (Davis (Chair), Leach (Vice Chair), Correa, Cox, Lempert, Machado, and Wesson)
				569	—	2067	Bowen
				570	1068	—	Ducheny

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571	1346	—	Runner (Coauthors: Assembly Members Cardoza, Lempert, Lowenthal, Pescetti, Reyes, Scott, and Zettel) (Coauthor: Senator McPherson)	607	2612	—	Brewer (Coauthor: Assembly Member Maldonado)
572	1739	—	Bock	608	2817	—	Honda (Coauthor: Assembly Member Dutra)
573	1771	—	Committee on Agriculture (Cardoza (Chair), Maldonado (Vice Chair), Briggs, Florez, Frusetta, Reyes, Thomson, and Wiggins)	609	—	607	Chesbro
574	1773	—	Romero (Coauthors: Assembly Members Aroner, Bock, and Longville)	610	—	1375	Alarcon (Principal coauthor: Assembly Member Lowenthal)
575	2092	—	Reyes	611	—	1396	Burton (Coauthor: Assembly Member Mazzoni)
576	2812	—	Mazzoni	612	—	1472	Ortiz (Principal coauthor: Assembly Member Honda)
577	2212	—	Frusetta	613	—	1844	Kelley
578	2265	—	Aroner (Principal coauthor: Assembly Member Torlakson) (Principal coauthor: Senator Perata) (Coauthors: Assembly Members Alquist, Cedillo, Honda, and Thomson) (Coauthors: Senators Johnston, Karnette, McPherson, Ortiz, and Vasconcellos)	614	2312	—	House
579	2622	—	Dickerson	615	2416	—	Machado
580	2659	—	Lempert	616	—	511	Alarcon (Principal coauthor: Assembly Member Havice)
581	—	376	Ortiz (Principal coauthor: Assembly Member Cox)	617	330	—	Floyd (Coauthor: Senator Lewis)
582	—	2188	Soto	618	1784	—	Lempert, Honda, Cunneen, and Rod Pacheco (Coauthors: Assembly Members Ashburn, Bock, Campbell, Cox, Kaloogian, Knox, Machado, Olberg, Runner, Strickland, Strom-Martin, Washington, and Zettel) (Coauthors: Senators Johannessen, Poochigian, and Rainey)
583	—	1330	Alpert and Karnette (Principal coauthor: Assembly Member Reyes)	619	—	1933	Vasconcellos (Coauthors: Senators Chesbro, Costa, and McPherson)
584	—	1331	Alpert	620	1993	—	Romero, Villaraigosa, and Washington (Coauthors: Assembly Members Aroner, Dickerson, Firebaugh, Keeley, Knox, and Kuehl)
585	—	1618	O'Connell (Coauthors: Assembly Members Alquist, Kuehl, and Thomson)	621	2021	—	Steinberg and Washington (Coauthors: Assembly Members Campbell, Havice, Longville, Machado, and Mazzoni) (Coauthors: Senators Leslie, Ortiz, and Solis)
586	—	1759	Lewis	622	2484	—	Romero, Aroner, and Keeley
587	—	1826	Kelley	623	2623	—	Rod Pacheco
588	—	1898	Solis (Coauthors: Assembly Members Alquist and Romero)	624	—	1608	Brulte
589	—	2065	Costa (Principal coauthor: Assembly Member Florez) (Coauthors: Assembly Members Briggs, Cardoza, House, Machado, Reyes, and Thomson)	625	400	—	Lempert (Coauthor: Assembly Member Calderon) (Coauthor: Senator O'Connell)
590	—	2066	O'Connell	626	715	—	Firebaugh
591	2321	—	Mazzoni (Coauthors: Assembly Members Alquist, Cunneen, and Honda)	627	1449	—	Florez and Margett (Principal coauthor: Assembly Member Robert Pacheco)
592	1628	—	Kaloogian	628	1767	—	Zettel (Coauthors: Assembly Members Battin, Cox, Cunneen, House, Leach, Oller, and Rainey)
593	1748	—	Zettel (Coauthor: Assembly Members Cunneen and Robert Pacheco) (Coauthor: Senator Rainey)	629	1768	—	Steinberg (Coauthors: Assembly Members Cardoza, Kuehl, Longville, and Wildman) (Coauthor: Senator Rainey)
594	2296	—	Dutra (Coauthor: Senator Perata)	630	1799	—	Baugh (Coauthor: Senator Burton)
595	2314	—	Ducheny (Coauthors: Senators Kelley and Peace)	631	1862	—	Torlakson
596	2909	—	Committee on Transportation (Torlakson (Chair), Correa, Davis, Dutra, Firebaugh, House, Leach, Longville, Margett, Nakano, Scott, and Strom-Martin)	632	1951	—	Longville (Principal coauthor: Assembly Member Torlakson) (Coauthors: Assembly Members Alquist, Bates, Calderon, Cardoza, Cunneen, Dutra, Havice, Jackson, Knox, Kuehl, Machado, Romero, and Runner) (Coauthors: Senators Figueroa and Solis)
597	2558	—	Hertzberg (Coauthor: Assembly Member Shelley)	633	2059	—	Vincent (Principal coauthors: Assembly Members Alquist and Washington)
598	1599	—	Torlakson				
599	—	977	Solis				
600	599	—	Lowenthal				
601	659	—	Wiggins (Coauthor: Senator Chesbro)				
602	1036	—	Wesson				
603	1080	—	Villaraigosa and Davis				
604	1615	—	Longville				
605	1870	—	Davis				
606	2229	—	Wiggins				

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			(Coauthors: Assembly Members Correa and Pescetti) (Coauthor: Senator Ortiz)	669	2425	—	Corbett
634	2232	—	Oller (Coauthors: Assembly Members Leach and Wesson)	670	2663	—	Thomson and Jackson (Coauthor: Assembly Member Wiggins)
635	2727	—	Wesson	671	—	815	Chesbro (Principal coauthor: Senator Monteith) (Coauthor: Senator Leslie) (Coauthor: Assembly Member Cardoza)
636	2284	—	Dutra	672	—	1681	Committee on Budget and Fiscal Review
637	2292	—	Dutra	673	1348	—	Runner (Coauthor: Senator Schiff)
638	2302	—	Cardenas and Hertzberg	674	1858	—	Romero
639	2405	—	Maddox	675	—	567	Speier (Coauthors: Senators Figueroa and Murray) (Coauthor: Assembly Member Longville)
640	2429	—	Wildman	676	—	929	Polanco (Principal coauthor: Assembly Member Baugh) (Coauthors: Senators Alarcon, Haynes, Johnson, Karnette, Lewis, Morrow, Ortiz, Rainey, and Solis) (Coauthors: Assembly Members Aanestad, Alquist, Aroner, Ashburn, Baldwin, Firebaugh, Gallegos, Honda, Keeley, Maddox, Romero, Steinberg, Strickland, Vincent, and Washington)
641	2729	—	Wesson	677	—	1339	Figueroa (Coauthors: Senators Rainey, Solis, and Sher) (Coauthors: Assembly Members Aroner, Bock, Kuehl, Longville, Strom-Martin, and Zettel)
642	2733	—	Wesson	678	—	1563	Leslie
643	2849	—	Havice and Cardoza	679	—	1718	Sher and Assembly Members Davis and Shelley (Coauthors: Senators Chesbro, Karnette, and Murray) (Coauthors: Assembly Members Alquist, Bock, and Kuehl)
644	2912	—	Committee on Judiciary (Kuehl (Chair), Ackerman (Vice Chair), Aroner, Bates, Bock, Corbett, House, Jackson, Longville, Robert Pacheco, Shelley, Steinberg, and Wiggins)	680	—	1745	Burton (Principal coauthor: Senator Sher) (Coauthor: Assembly Member Bock)
645	2913	—	Kuehl	681	—	1828	Speier
646	2891	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)	682	—	2013	Committee on Health and Human Services (Senators Escutia (Chair), Figueroa, Hughes, Polanco, Solis, and Vasconcellos) (Principal coauthor: Assembly Member Bock)
647	—	2170	Committee on Revenue and Taxation (Senators Chesbro (Chair), Alpert, Bowen, Burton, Johnston, McPherson, and Poochigian)	683	—	2123	Figueroa
648	1340	—	Honda (Coauthor: Assembly Member Cox)	684	—	1102	Murray (Principal coauthor: Senator Polanco) (Principal coauthors: Assembly Members Cardenas, Cedillo, and Villaraigosa)
649	—	446	Dunn	685	1728	—	Villaraigosa, Aroner, Davis, Knox, Kuehl, Steinberg, and Wayne and Senator Schiff (Principal coauthors: Assembly Members Honda and Wesson) (Coauthors: Assembly Members Alquist, Ashburn, Baugh, Bock, Briggs, Cardoza, Correa, Dickerson, Hertzberg, Jackson, Keeley, Lempert, Longville, Machado, Maldonado, Mazzoni, Olberg, Rod Pacheco, Romero, Scott, Shelley, Strickland, Washington, Wildman, and Zettel) (Coauthors: Senators Alarcon, Costa, Hayden, Karnette, Murray, O'Connell, Poochigian, and Vasconcellos)
650	77	—	Cardenas (Coauthors: Assembly Members Correa, Hertzberg, and Honda) (Coauthors: Senators Baca, Dunn, and Karnette)	686	—	1080	Sher
651	—	193	Polanco (Principal coauthor: Senator Morrow) (Coauthors: Senators Mountjoy, Perata, Rainey, and Solis) (Coauthors: Assembly Members Bates, Cedillo, Correa, Cox, Davis, Dutra, Firebaugh, Florez, Havice, Honda, House, Kuehl, Leach, Longville, Maldonado, Margett, Nakano, Reyes, Romero, Soto, Strickland, Strom-Martin, Torlakson, Washington, and Zettel)	687	—	943	Dutra (Principal coauthor: Assembly Member Steinberg)
652	—	499	Burton	688	1669	—	Committee on Judiciary (Kuehl (Chair), Aroner, Corbett, Hertzberg, Jackson, Knox, Shelley, and Steinberg)
653	—	865	Hughes				
654	—	1357	Johnston				
655	—	1433	Alpert				
656	—	1662	Burton				
657	—	1784	Figueroa				
658	—	2023	Lewis (Principal coauthors: Assembly Members Alquist and Washington)				
659	—	2098	Hayden				
660	—	2100	Vasconcellos				
661	—	2113	Burton				
662	—	2196	Alpert (Principal coauthor: Assembly Member Cardenas)				
663	—	1603	Peace				
664	1382	—	Lowenthal				
665	2054	—	Torlakson				
666	—	1572	Alarcon				
667	—	1593	Burton (Coauthor: Senator Alarcon) (Coauthors: Assembly Members Lowenthal, Mazzoni, and Wildman)				
668	1961	—	Machado (Principal coauthor: Senator Dunn)				

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689	1808	—	Wayne	720	—	1341	Burton (Coauthor: Assembly Member Machado)
690	2156	—	Pescetti	721	—	221	Alpert
691	—	180	Sher (Coauthors: Assembly Members Campbell and Zettel)	722	1772	—	Robert Pacheco and Washington
692	—	370	Burton (Coauthor: Assembly Member Romero)	723	2300	—	Florez
693	—	383	Haynes	724	2033	—	Torlaksen and Florez
694	—	423	Johnston	725	1813	—	Wildman
695	—	1552	Alpert	726	2573	—	Briggs
696	—	2083	Speier	727	2886	—	Kuehl
697	—	1046	Murray	728	—	89	Escutia (Coauthors: Senators Murray and Solis) (Coauthors: Assembly Members Alquist, Aroner, Firebaugh, Longville, Keeley, Romero, Shelley, Strom-Martin, and Wildman)
698	—	2104	Morrow (Principal coauthor: Senator Haynes) (Principal coauthors: Assembly Members Bates, Florez, and Thompson)	729	—	1300	Sher
699	484	—	Kuehl and Wildman (Coauthors: Assembly Members Bates, Battin, Briggs, Calderon, Campbell, Knox, Leach, Nakano, Romero, and Scott) (Coauthors: Senators Alarcon, Schiff, and Solis)	730	—	1824	Kelley (Principal coauthor: Senator Leslie)
700	—	2061	Schiff (Principal coauthor: Assembly Member Kuehl)	731	—	1906	Sher
701	1032	—	Thomson (Coauthors: Assembly Members Aroner, Knox, Kuehl, Longville, Mazzoni, Romero, and Strom-Martin)	732	—	1924	O'Connell
702	—	1545	Costa	733	—	2203	Committee on Environmental Quality (Senators Sher (Chair), Alarcon, Alpert, Chesbro, Hayden, McPherson, O'Connell, Solis, and Wright)
703	877	—	Scott (Principal coauthor: Senator O'Connell)	734	—	2049	Perata
704	—	1703	Escutia	735	2117	—	Wayne (Coauthors: Assembly Members Machado and Strom-Martin)
705	—	1837	Figueroa	736	1948	—	Dickerson
706	—	764	Committee on Insurance (Senators Speier (Chair), Figueroa, Hughes, Johnson, Johnston, Leslie, Lewis, and Sher)	737	2581	—	Maldonado (Coauthor: Assembly Member Jackson)
707	—	1814	Speier	738	1807	—	Longville
708	303	—	Thomson (Coauthors: Assembly Members Dickerson, Machado, Margett, Papan, and Wayne)	739	2825	—	Battin and Florez
709	1999	—	Dickerson (Principal coauthor: Senator Costa) (Coauthors: Assembly Members Aanestad, House, Strom-Martin, and Zettel) (Coauthors: Senators Chesbro, Kelley, Knight, Leslie, Monteith, Perata, Rainey, Sher, and Soto)	740	—	2202	Committee on Environmental Quality (Senators Sher (Chair), Alarcon, Alpert, Chesbro, Hayden, McPherson, O'Connell, Rainey, Solis, and Wright)
710	—	141	Schiff (Principal coauthor: Assembly Member Machado) (Coauthors: Senators Costa, Figueroa, Johnston, and Poochigian) (Coauthors: Assembly Members Ashburn, Corbett, Dutra, Florez, Scott, and Wildman)	741	—	1298	Bowen and Peace
711	—	203	Solis	742	2317	—	Ducheny (Coauthor: Assembly Member Firebaugh) (Coauthor: Senator Kelley)
712	—	553	Kelley	743	1608	—	Strom-Martin (Coauthors: Assembly Members Alquist, Kuehl, Longville, and Mazzoni) (Coauthors: Senators Chesbro and McPherson)
713	—	666	Sher	744	886	—	Zettel (Coauthors: Assembly Members Cunneen, Davis, Leach, Mazzoni, Pescetti, and Runner) (Coauthor: Senator Perata)
714	—	698	Peace (Coauthor: Assembly Member Granlund)	745	2307	—	Davis
715	—	1087	Sher	746	2337	—	Ducheny and Senator Alpert
716	—	761	Sher	747	—	1469	Costa
717	—	1544	Sher	748	2313	—	Correa (Coauthor: Assembly Member Lempert)
718	2260	—	Shelley (Coauthors: Assembly Members Aroner, Bock, Hertzberg, Honda, Jackson, Keeley, Knox, Kuehl, Mazzoni, Strom-Martin, Washington, and Wildman) (Coauthor: Senator O'Connell)	749	—	871	Escutia (Principal coauthor: Assembly Member Firebaugh) (Coauthor: Assembly Member Calderon)
719	2016	—	Strom-Martin	750	—	1360	Hayden (Principal coauthor: Assembly Member Villaraigosa)
				751	—	1602	Dunn (Coauthors: Senators Escutia and McPherson) (Coauthors: Assembly Members Aroner and Brewer)
				752	—	1721	Hayden (Coauthors: Senators Alarcon, Figueroa, and Solis) (Coauthors: Assembly Members Aroner, Bock, Ducheny, and Longville)
				753	—	1795	Alpert and Assembly Member Firebaugh
				754	—	1256	Polanco (Principal coauthor: Assembly Member Bock) (Coauthor: Senator

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755	1613	—	Ortiz (Coauthors: Assembly Members Cardenas, Firebaugh, and Steinberg)	788	—	2178	Figuroa, Hayden, Monteith, Murray, Rainey, and Speier)
756	1855	—	Lempert (Principal coauthor: Senator O'Connell)	789	—	1819	McPherson (Principal coauthor: Assembly Member Keeley)
757	2079	—	Lowenthal and Torlakson (Coauthor: Senator Rainey)	790	—	1832	Dunn
758	2230	—	Granlund	791	1703	—	Chesbro
759	2304	—	Wiggins	792	2599	—	Florez and Senator Costa (Coauthors: Assembly Members Longville, and Romero) (Coauthor: Senator Soto)
760	2557	—	Davis	793	1873	—	Cardenas (Coauthors: Assembly Members Aroner, Battin, Firebaugh, Honda, Jackson, Kuehl, Longville, Lowenthal, Mazzoni, Strom-Martin, Washington, and Wayne) (Coauthors: Senators Karnette, Perata, and Vasconcellos)
761	2838	—	Margett (Coauthor: Senator Figuroa) (Coauthors: Assembly Members Dutra, Keeley, Mazzoni, and Torlakson)	794	—	269	Wiggins (Coauthors: Assembly Members Calderon, Dickerson, Kuehl, Lempert, Lowenthal, Machado, Mazzoni, Papan, Romero, Strom-Martin, Thomson, Washington, and Zettel) (Coauthors: Senators Johnston, Perata, Rainey, Solis, Speier, and Vasconcellos)
762	185	—	Hertzberg (Principal coauthor: Assembly Member Cardenas)	795	—	962	Ortiz and Leslie (Coauthor: Assembly Member Shelley)
763	—	128	Hertzberg (Coauthor: Assembly Member Migden)	796	556	—	Escutia (Coauthors: Senators Bowen, Hayden, Hughes, Perata, and Solis) (Coauthors: Assembly Members Aroner, Bock, Calderon, Cedillo, Dutra, Knox, Kuehl, Mazzoni, and Washington)
764	—	329	Polanco (Coauthor: Assembly Member Peace)	797	1846	—	Davis
765	—	762	Hughes	798	1941	—	Lowenthal, Strickland, and Alquist (Coauthors: Assembly Members Bates, Bock, Cunneen, Leach, Maddox, Maldonado, Robert Pacheco, and Zettel)
766	—	766	Escutia	799	2037	—	Strom-Martin
767	—	1144	Johannessen (Coauthor: Assembly Member Thomson)	800	2080	—	Corbett
768	—	1535	Costa	801	2276	—	Granlund
769	—	1538	Knight	802	2394	—	Cedillo
770	—	1778	Johnston	802	2394	—	Firebaugh (Principal coauthor: Senator Ortiz)
771	—	1815	McPherson (Principal coauthor: Assembly Member Keeley)	803	2427	—	Kuehl (Coauthors: Assembly Members Jackson and Knox) (Coauthor: Senator Perata)
772	—	2041	Chesbro (Coauthors: Assembly Members Thomson and Wiggins)	804	2668	—	Battin
773	—	2060	Speier	805	—	1865	Perata (Coauthor: Assembly Members Romero and Torlakson)
774	—	2147	O'Connell (Principal Coauthor: Assembly Member Thomson)	806	—	1970	Costa
775	—	1049	Murray (Principal coauthors: Assembly Members Ducheny and Wright)	807	—	2165	Sher
776	2890	—	Committee on Consumer Protection, Governmental Efficiency and Economic Development (Davis (Chair), Leach (Vice Chair), Correa, Cox, Lempert, Machado, and Wesson)	808	1358	—	Shelley and Kuehl
777	750	—	Dutra (Coauthors: Assembly Members Aanestad, Cunneen, and Kuehl) (Coauthors: Senators Burton and Figuroa)	809	2130	—	Corbett
778	—	639	McPherson	810	—	265	Speier (Principal coauthor: Assembly Member Gallegos)
779	—	1887	Vasconcellos	811	—	745	Escutia
780	2735	—	Cox	812	—	898	Dunn (Coauthor: Senator Sher)
781	885	—	Jackson	813	—	1742	Hughes (Principal coauthor: Assembly Member Rod Pacheco) (Coauthors: Senators Alarcon, Murray, Ortiz, Rainey, Solis, and Vasconcellos) (Coauthors: Assembly Members Alquist, Havice, Honda, Kuehl, Longville, Romero, Strom-Martin, Washington, and Zettel)
782	1781	—	Robert Pacheco and Vincent (Principal coauthors: Assembly Members Campbell, Cardenas, Margett, Washington, and Zettel) (Coauthors: Assembly Members Baugh, Havice, Lowenthal, Nakano, and Rod Pacheco) (Coauthor: Senator Alarcon)	814	—	1748	Perata
783	2282	—	Davis				
784	2365	—	Honda (Principal coauthor: Senator Figuroa)				
785	—	2001	Poochigian				
786	—	1109	Burton				
787	—	1404	Committee on Transportation (Senators Karnette (Chair), Costa, Dunn,				

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815	—	1807	Vasconcellos (Coauthors: Assembly Members Cedillo, Migden, Romero, Shelley, and Wesson)	833	2522	—	Shelley (Coauthor: Assembly Member Honda) (Coauthors: Senators Johnston, Karnette, McPherson, Ortiz, and Vasconcellos)
816	—	1875	Speier	834	—	1772	Brulte
817	—	1896	Ortiz	835	—	648	Ortiz
818	—	1932	Solis	836	—	1554	Committee on Business and Professions (Senators Figueroa (Chair), Johannessen, Kelley, Murray, O'Connell, Polanco, and Speier)
819	—	1992	Chesbro (Coauthor: Assembly Member Runner)	837	1496	—	Olberg
820	—	2077	Ortiz	838	—	876	Escutia (Principal coauthor: Assembly Member Cardoza) (Coauthor: Senator Ortiz) (Coauthors: Assembly Members Alquist, Bock, Jackson, Mazzoni, Soto, and Washington)
821	—	1342	Burton (Principal coauthor: Assembly Members Baugh and Villaraigosa) (Coauthors: Senators Alarcon, Alpert, Figueroa, Johnson, Lewis, McPherson, Murray, Perata, Polanco, Solis, Speier, and Vasconcellos) (Coauthors: Assembly Members Ackerman, Alquist, Bock, Campbell, Cardenas, Cardoza, Cox, Dutra, Keeley, Knox, Kuehl, Leach, Longville, Mazzoni, Migden, and Washington)	839	878	—	Cardenas (Principal coauthors: Assembly Members Cunneen and Honda) (Principal coauthor: Senator Figueroa) (Coauthors: Assembly Members Aroner, Davis, and Firebaugh) (Coauthors: Senators Chesbro and Perata)
822	—	1818	Speier (Principal coauthor: Assembly Member Dickerson) (Coauthors: Senators Rainey and Solis) (Coauthors: Assembly Members Alquist, Bock, Kuehl, Longville, Machado, and Mazzoni)	840	2078	—	Granlund
823	2814	—	Machado (Principal coauthor: Senator Schiff) (Coauthor: Senator Johnston)	841	2194	—	Gallegos (Coauthors: Senators Escutia, Leslie, and Speier)
824	—	1368	Brulte (Principal coauthor: Assembly Member Maddox) (Coauthors: Senators Alpert, Escutia, Haynes, Johnston, McPherson, Schiff, and Vasconcellos) (Coauthors: Assembly Members Ashburn, Bates, Bock, Campbell, Cox, Leonard, Longville, Maldonado, Robert Pacheco, and Zettel)	842	2547	—	Hertzberg and Senator Polanco (Principal Coauthors: Assembly Members Calderon, Cardenas, Cedillo, Ducheny, Firebaugh, Gallegos, Havice, Nakano, Reyes, Romero, Villaraigosa, Vincent, Washington, Wesson, and Roderick Wright) (Coauthors: Senators Escutia and Solis)
825	—	1177	Perata (Principal coauthors: Assembly Members Knox and Scott) (Coauthors: Senators Figueroa, Hughes, Schiff, and Speier) (Coauthors: Assembly Members Bock, Davis, Gallegos, Honda, Machado, and Washington)	843	2594	—	Cox
826	—	2132	Dunn and Perata (Principal coauthors: Senators Burton and Brulte) (Principal coauthors: Assembly Members Baugh and Hertzberg) (Coauthor: Assembly Member Shelley)	844	2616	—	Margett
827	1455	—	Scott (Principal coauthor: Assembly Member Knox) (Coauthors: Assembly Members Bock, Davis, Gallegos, Honda, Machado, and Washington) (Coauthors: Senators Figueroa, Hughes, Perata, Schiff, and Speier)	845	—	168	Speier (Coauthors: Senators Rainey, Solis, and Vasconcellos) (Coauthors: Assembly Members Bock, Cunneen, Kuehl, Strom-Martin, and Zettel)
828	2611	—	Gallegos	846	—	1192	Polanco (Principal coauthor: Senator Solis) (Coauthor: Assembly Member Torlakson)
829	2167	—	Gallegos (Coauthor: Assembly Member Correa)	847	—	1338	Figueroa (Principal coauthors: Assembly Members Cardenas, Cunneen, and Honda) (Coauthor: Assembly Member Corbett)
830	2397	—	Maddox	848	—	1471	Schiff (Coauthors: Assembly Members Havice, Kuehl, and Washington)
831	—	1293	Chesbro (Principal coauthors: Assembly Members Granlund and Wiggins) (Coauthor: Assembly Members Baugh and Calderon)	849	—	1746	Figueroa (Coauthor: Senator Solis) (Coauthors: Assembly Members Havice, Honda, Kuehl, Machado, and Washington)
832	2140	—	Keeley (Coauthors: Assembly Members Jackson, Longville, and Wiggins) (Coauthors: Senators Costa, Figueroa, and Solis)	850	—	1801	Speier, Escutia, and Leslie (Coauthor: Assembly Member Gallegos)
				851	—	2006	Leslie, Costa, Escutia, Johannessen, Kelley, Ortiz, and Speier (Coauthors: Assembly Members Aanestad, Battin, Cox, Gallegos, House, and Steinberg)
				852	—	2046	Speier
				853	—	2076	Polanco
				854	—	2175	Burton
				855	—	1695	Ortiz
				856	—	2136	Dunn

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857	2903	—	Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Thomson, Vincent, Wayne, Wesson, and Zettel)				(Coauthors: Assembly Members Alquist, Aroner, Calderon, Cedillo, Correa, Dutra, Firebaugh, Havice, Keeley, Knox, Kuehl, Nakano, Reyes, Shelley, Steinberg, Vincent, and Washington)
858	2899	—	Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Thomson, Vincent, Wayne, Wesson, and Zettel)	887	—	1820	Burton
859	1515	—	Margett (Coauthors: Assembly Members Ackerman, Alquist, Baugh, Campbell, Cox, Cunneen, Dutra, Granlund, House, Knox, Leach, Oller, Robert Pacheco, Pescetti, and Zettel) (Coauthors: Senators Costa, Knight, Monteith, Morrow, Mountjoy, and Rainey)	888	1834	—	Havice and Calderon (Coauthor: Assembly Members Lowenthal and Robert Pacheco) (Coauthor: Senator Karnette)
860	2908	—	Committee on Transportation (Torlakson (Chair), Correa, Davis, Dutra, Firebaugh, House, Leach, Longville, Margett, Nakano, Scott, and Strom-Martin)	889	1944	—	Wayne
861	—	2084	Polanco (Principal coauthor: Senator Peace) (Coauthor: Assembly Member Scott)	890	2939	—	Committee on Natural Resources (Wayne (Chair), Aanestad (Vice Chair), Dickerson, Jackson, Keeley, Lowenthal, Machado, Migden, Oller, Robert Pacheco, and Steinberg)
862	1843	—	Ackerman	891	—	1888	Hayden (Coauthors: Senators Figueroa and Solis) (Coauthors: Assembly Members Bock, Keeley, and Knox)
863	2892	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)	892	—	1959	Lewis
864	2895	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)	893	—	1960	Burton, Hughes, Karnette, O'Connell, and Ortiz (Coauthors: Assembly Members Havice, Hertzberg, Lempert, Machado, Migden, Steinberg, Villaraigosa, and Washington)
865	—	1445	Kelley, Chesbro, and McPherson (Principal coauthor: Assembly Member Ducheny)	894	—	1979	Escutia and Polanco (Coauthors: Senators Karnette and Solis) (Coauthors: Assembly Members Gallegos, Havice, and Lowenthal)
866	—	1946	McPherson	895	674	—	Wiggins
867	—	1988	Speier	896	1733	—	Wildman (Principal coauthor: Assembly Member Shelley) (Coauthors: Assembly Members Bock, Honda, Keeley, Knox, Leach, Lempert, Strom-Martin, Washington, Wayne, and Zettel) (Coauthors: Senators Alpert, Johnston, Karnette, McPherson, Ortiz, Peace, Perata, Solis, and Vasconcellos)
868	—	2127	Schiff and Assembly Member Hertzberg	897	2456	—	Wright (Coauthor: Assembly Member Honda) (Coauthors: Senators Alarcon, Johnston, Karnette, McPherson, Ortiz, and Vasconcellos)
869	—	2180	Committee on Health and Human Services (Senators Escutia (Chair), Figueroa, Hughes, Polanco, Solis, and Vasconcellos)	898	—	28	Peace (Principal coauthor: Assembly Member Scott)
870	—	2182	Committee on Health and Human Services (Senators Escutia (Chair), Figueroa, Haynes, Hughes, Morrow, Mountjoy, Polanco, Solis, and Vasconcellos)	899	1094	—	Hertzberg (Coauthors: Assembly Members Alquist, Aroner, Calderon, Cedillo, Firebaugh, Havice, Keeley, Kuehl, Mazzoni, Migden, Romero, Scott, Shelley, Steinberg, Thomson, and Washington) (Coauthors: Senators Bowen, Hayden, Solis, and Vasconcellos)
871	96	—	Shelley	900	522	—	Wayne (Coauthor: Senator O'Connell)
872	1889	—	Cedillo	901	—	739	Solis (Coauthor: Senator Murray) (Principal coauthor: Assembly Member Wildman) (Coauthor: Assembly Member Romero)
873	2086	—	Reyes	902	—	1910	Dunn
874	2383	—	Keeley and Honda (Coauthor: Assembly Member Lempert) (Coauthors: Senators Johnston, Karnette, McPherson, Ortiz, and Vasconcellos)	903	1396	—	Aroner and Villaraigosa (Coauthors: Assembly Members Lowenthal and Wiggins)
875	2481	—	Romero	904	2463	—	Wiggins
876	2509	—	Steinberg	905	2544	—	Calderon (Coauthor: Senator Solis)
877	2707	—	Florez	906	—	402	Burton and Assembly Member Villaraigosa (Principal coauthors:
878	2860	—	Kuehl				
879	—	683	Perata (Principal coauthor: Senator Ortiz)				
880	—	1694	Ortiz				
881	—	1999	Burton				
882	448	—	Floyd				
883	2043	—	Maddox				
884	2297	—	Calderon				
885	2410	—	Machado				
886	—	1327	Escutia (Coauthors: Senators Burton, Hughes, Polanco, Sher, Solis, and Soto)				

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Ch. No.	A.B. No.	S.B. No.	Author	Ch. No.	A.B. No.	S.B. No.	Author
			Senators Baca, Karnette, and Ortiz (Principal coauthors: Assembly Members Shelley and Wiggins) (Coauthors: Senators Dunn, Escutia, Figueroa, Hayden, Perata, and Solis) (Coauthors: Assembly Members Aroner, Cardoza, Firebaugh, Havice, Keeley, Knox, Kuehl, Machado, Mazzoni, Rod Pacheco, Pescetti, Romero, Scott, Thomson, Washington, and Wildman)	930	—	2157	Schiff (Coauthor: Senator O'Connell) (Coauthor: Assembly Member Aroner)
				931	994	—	Wright (Principal coauthor: Assembly Member Strom-Martin)
				932	1002	—	Wright
				933	1233	—	Aroner
				934	—	2199	Hayden (Coauthor: Assembly Member Aroner)
				935	2036	—	Nakano (Coauthors: Assembly Members Bock, Calderon, Ducheny, Kuehl, Mazzoni, Shelley, Washington, and Zettel) (Coauthor: Senator Solis)
907	—	1741	Bowen (Coauthor: Senator O'Connell)	936	2076	—	Shelley (Principal coauthor: Assembly Member Honda)
908	—	1611	Bowen	937	2433	—	Wright
909	1987	—	Steinberg (Coauthors: Assembly Members Aroner, Bock, Calderon, Corbett, Davis, Ducheny, Knox, Kuehl, Leach, Longville, Machado, Maldonado, Mazzoni, Migden, Romero, Shelley, Strom-Martin, Thomson, Washington, and Zettel) (Coauthors: Senators Alarcon, Bowen, Ortiz, Perata, Polanco, Speier, and Vasconcellos)	938	2688	—	Committee on Agriculture (Cardoza (Chair), Maldonado (Vice Chair), Briggs, Florez, House, Reyes, and Thomson)
910	2921	—	Committee on Human Services (Aroner (Chair), Ashburn (Vice Chair), Bock, Ducheny, Dutra, Floyd, and Strom-Martin)	939	2794	—	Havice (Coauthors: Assembly Members Calderon, Firebaugh, Jackson, Knox, Thomson, and Washington) (Coauthor: Senator Solis)
911	686	—	Aroner	940	—	1310	Vasconcellos (Coauthors: Senators Karnette and Rainey)
912	—	667	Sher (Principal coauthor: Assembly Member Firebaugh) (Coauthors: Assembly Members Bock, Jackson, Maddox, and Washington)	941	—	1364	Johnston
				942	—	1387	Hughes
				943	—	1712	Polanco
				944	2415	—	Migden (Principal coauthor: Assembly Member Gallegos)
913	2805	—	Papan	945	2900	—	Gallegos (Principal coauthors: Assembly Members Hertzberg and Thomson) (Coauthors: Assembly Members Corbett, Firebaugh, Kuehl, Vincent, Wayne, Wesson, and Wildman)
914	779	—	Torlackson	946	1015	—	Gallegos, Cedillo, Hertzberg, and Villaraigosa (Principal coauthors: Assembly Members Firebaugh, Migden, and Wildman)
915	—	1986	Costa	947	50	—	Migden
916	1241	—	Rod Pacheco	948	321	—	Wildman
917	1338	—	Reyes	949	632	—	Romero (Coauthors: Assembly Members Aroner, Kuehl, Lempert, and Washington) (Coauthors: Senators Hughes and Solis)
918	1684	—	Committee on Information Technology (Dutra (Chair), Bates (Vice Chair), Alquist, Briggs, and Ducheny)	950	642	—	Lempert
919	1789	—	Zettel (Coauthors: Assembly Members Ashburn, Bates, Battin, Cox, Cunneen, Dickerson, House, Leach, Maddox, Margett, and Oller) (Coauthor: Senator Rainey)	951	707	—	House (Coauthor: Assembly Member Robert Pacheco) (Coauthors: Senators Hughes and Polanco)
920	1883	—	Lowenthal (Principal coauthor: Senator Karnette)	952	988	—	Hertzberg (Principal coauthor: Senator Burton)
921	2464	—	Kuehl	953	1398	—	Papan
922	2562	—	Brewer (Coauthor: Assembly Member Bock)	954	1646	—	Steinberg
923	2894	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)	955	1785	—	Villaraigosa (Coauthors: Assembly Members Bock, Calderon, Keeley, Knox, Kuehl, Longville, Lowenthal, Mazzoni, Steinberg, and Washington) (Coauthors: Senators Alarcon, Hughes, Murray, and Solis)
924	2935	—	Committee on Information Technology (Dutra (Chair), Alquist, and Ducheny)	956	1897	—	Davis
925	—	1562	Burton	957	1901	—	Steinberg (Coauthors: Assembly Members Cedillo, Hertzberg, and Lowenthal) (Coauthors: Senators Alarcon and Burton)
926	—	1716	Ortiz	958	1954	—	Jackson (Coauthors: Assembly Members Honda and Wiggins) (Coauthors:
927	—	1889	Figueroa (Coauthors: Senators Murray, Perata, Sher, Solis, Soto, and Speier) (Coauthors: Assembly Members Alquist, Aroner, Calderon, Cardoza, Correa, Dutra, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Longville, Papan, Reyes, Shelley, Steinberg, and Washington)				
928	—	1950	Lewis				
929	—	2081	Alarcon				

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Ch. No.	A.B. No.	S.B. No.	Author	Ch. No.	A.B. No.	S.B. No.	Author
			Senators Chesbro, Johannessen, and Soto)	987	—	577	Peace and Rainey
				988	—	857	Peace
959	1931	—	Scott (Coauthors: Assembly Members Cunneen, Honda, Knox, Kuehl, Longville, Mazzoni, Murray, and Steinberg) (Coauthors: Senators Solis and Vasconcellos)	989	—	1242	Ortiz (Coauthors: Assembly Members Aroner and Thomson)
				990	—	1305	Figueroa
960	1945	—	Lowenthal	991	—	1455	Schiff
961	1955	—	Migden	992	—	1462	Perata (Coauthor: Assembly Member Aroner)
962	1965	—	Leach (Coauthors: Assembly Members Aanestad, Alquist, Battin, Robert Pacheco, Runner, and Zettel) (Coauthors: Senators Haynes, Knight, and Murray)	993	553	—	Cardenas
				994	—	1520	Schiff
963	2098	—	Migden	995	—	1620	Kelley
964	2286	—	Davis and Lempert	996	—	1632	Poochigian, Hayden, and Alpert (Principal coauthors: Assembly Members Lempert and Mazzoni) (Coauthors: Senators Costa, Haynes, McPherson, and Murray) (Coauthors: Assembly Members Ashburn, Bates, Battin, Briggs, Dickerson, Firebaugh, Oller, Strickland, Strom-Martin, and Zettel)
965	2316	—	Mazzoni (Coauthors: Assembly Members Alquist, Kuehl, Longville, Migden, Romero, Strom-Martin, Thomson, and Washington) (Coauthor: Senator Solis)	997	—	1805	Escutia
				998	—	1857	Burton and Assembly Member Hertzberg (Principal coauthors: Senators Escutia, Murray and Schiff) (Principal coauthors: Assembly Members Kuehl and Steinberg)
966	2331	—	Floyd	999	—	1869	Solis
967	2351	—	Zettel (Principal coauthor: Senator Peace)	1000	—	1935	Costa
968	2403	—	Maddox	1001	—	1944	Solis (Coauthor: Senator McPherson)
969	2459	—	Wiggins and Hertzberg	1002	—	1998	Committee on Public Employment and Retirement (Senators Ortiz (Chair), Karnette, and Lewis)
970	2513	—	Shelley	1003	—	2002	Committee on Judiciary (Senators Schiff (Chair), Burton, Escutia, O'Connell, and Sher)
971	2559	—	Cardoza	1004	—	2011	Escutia
972	2665	—	Ackerman (Coauthors: Assembly Members Ashburn, Bates, Battin, Campbell, Cox, Dickerson, Florez, Leach, Robert Pacheco, Pescetti, and Zettel) (Coauthor: Senators Monteith and Morrow)	1005	—	2029	Figueroa
				1006	—	2030	Figueroa
973	2749	—	Pescetti (Coauthor: Assembly Member Granlund)	1007	—	2032	Figueroa
974	2683	—	Bock	1008	—	2072	Speier
975	2720	—	Olberg	1009	—	2090	Murray
976	2629	—	Cox	1010	—	2140	Burton (Principal coauthors: Assembly Members Hertzberg and Villaraigosa)
977	2869	—	Machado	1011	—	2153	Schiff
978	—	1607	Figueroa (Principal coauthor: Senator Johnson) (Coauthors: Senators Johannessen, Morrow, Murray, Ortiz, Schiff, Solis, and Speier) (Coauthors: Assembly Members Alquist, Aroner, Bock, Cardenas, Dutra, Havice, Honda, Jackson, Keeley, Leach, Lempert, Leonard, Longville, Shelley, and Strom-Martin)	1012	—	2166	Sher
				1013	996	—	Papan (Principal coauthor: Senator Leslie) (Coauthors: Assembly Members Alquist, Cox, and Dutra) (Coauthors: Senators Costa, Johannessen, Johnson, Karnette, and Polanco)
979	2759	—	Committee on Governmental Organization (Wesson (Chair), Granlund (Vice Chair), Brewer, Briggs, Cardoza, Lempert, Longville, Margett, Vincent, Wiggins, and Wright)	1014	2863	—	Committee on Budget (Ducheny (Chair), Aroner, Cedillo, Correa, Firebaugh, Florez, Gallegos, Keeley, Nakano, Papan, Reyes, Scott, Strom-Martin, Torlakson, Wildman, and Wright)
980	2777	—	Granlund	1015	—	2148	Polanco (Principal coauthor: Senator Leslie)
981	1263	—	Thomson	1016	2491	—	Jackson (Principal coauthor: Senator Chesbro)
982	2799	—	Shelley (Principal coauthor: Senator Bowen) (Coauthors: Assembly Members Alquist and Romero)	1017	2514	—	Thomson (Coauthors: Assembly Members Cardoza, Florez, Machado, Maldonado, and Reyes) (Coauthor: Senator Costa)
983	—	57	Hayden (Principal coauthor: Senator Murray) (Coauthors: Senators Alarcon and Johnston) (Coauthors: Assembly Members Bock and Torlakson)	1018	—	1771	Sher
984	—	129	Peace	1019	—	1794	Ortiz (Principal coauthor: Assembly Member Steinberg)
985	—	335	Hayden (Principal coauthor: Senator Johnston) (Coauthor: Senator Speier) (Coauthor: Assembly Member Aroner)				
986	—	573	Alarcon				

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Ch. No.	A.B. No.	S.B. No.	Author	Ch. No.	A.B. No.	S.B. No.	Author
1020	820	—	Committee on Public Employees, Retirement and Social Security (Correa (Chair), Firebaugh, Honda, and Pescetti)				Maddox, Mazzoni, Pescetti, Reyes, Torlaksen, Wright, and Zettel) (Coauthor: Senator Morrow)
1021	2700	—	Lempert (Principal coauthor: Assembly Member Knox) (Coauthor: Assembly Member Thompson) (Coauthor: Senator Ortiz)	1046	2705	—	Committee on Agriculture (Florez (Chair), Maldonado (Vice Chair), Briggs, Cardoza, House, Reyes, Thomson, and Wiggins)
1022	25	—	Mazzoni (Principal coauthor: Senator Schiff) (Coauthors: Assembly Members Alquist, Firebaugh, Strom-Martin, Washington, and Wiggins)	1047	1856	—	Kuehl
1023	1416	—	Wesson (Principal coauthor: Senator Perata)	1048	—	2025	Burton
1024	—	1354	Poochigian (Coauthors: Senators Alpert, Karnette, and McPherson) (Coauthors: Assembly Members Alquist, Lempert, and Mazzoni)	1049	2222	—	Kuehl
1025	816	—	Committee on Public Employees, Retirement and Social Security (Correa (Chair), Firebaugh, Honda, Knox, and Pescetti)	1050	—	1194	Sher (Principal coauthors: Assembly Members Pescetti and Wright) (Coauthors: Senators Alarcon, Morrow, Murray, O'Connell, Perata, and Solis) (Coauthors: Assembly Members Battin, Calderon, Cardenas, Davis, Dickerson, Jackson, Lempert, Maldonado, Mazzoni, Robert Pacheco, Papan, Shelley, Strickland, Thomson, Vincent, Wesson, and Zettel)
1026	—	1505	Burton	1051	995	—	Wright (Principal coauthor: Assembly Member Pescetti) (Principal coauthor: Senator Sher) (Coauthors: Assembly Members Battin, Calderon, Cardenas, Davis, Dickerson, Jackson, Lempert, Maldonado, Mazzoni, Robert Pacheco, Papan, Reyes, Shelley, Strickland, Thomson, Vincent, Wesson, and Zettel) (Coauthors: Senators Alarcon, Morrow, Murray, O'Connell, Perata, and Solis)
1027	429	—	Correa	1052	2898	—	Committee on Revenue and Taxation (Knox (Chair), Alquist, Aroner, Ducheny, Honda, and Romero)
1028	821	—	Committee on Public Employees, Retirement and Social Security (Correa (Chair), Firebaugh, Honda, Knox, and Pescetti) (Coauthors: Senators Johnston, Karnette, Ortiz, and Vasconcellos)	1053	2114	—	Longville
1029	1933	—	Strom-Martin and Shelley (Coauthors: Assembly Members Cardoza, Cedillo, Honda, Lempert, and Mazzoni) (Coauthors: Senators Johnston, Karnette, McPherson, Ortiz, and Vasconcellos)	1054	—	1863	Committee on Business and Professions (Senators Figueroa (Chair), Johannessen, Kelley, Murray, O'Connell, Polanco, and Speier)
1030	2177	—	Committee on Public Employees, Retirement and Social Security (Correa (Chair), Firebaugh, Honda, and Knox)	1055	2889	—	Committee on Consumer Protection, Governmental Efficiency and Economic Development (Davis (Chair), Leach (Vice Chair), Correa, Cox, Lempert, Machado, and Wesson)
1031	2621	—	Rod Pacheco	1056	—	1136	Vasconcellos (Coauthor: Assembly Member Maldonado)
1032	—	1435	Johnston (Principal coauthor: Assembly Member Honda) (Coauthor: Assembly Member Lempert)	1057	—	541	Johnston (Principal coauthor: Assembly Member Alquist) (Coauthor: Assembly Member Jackson)
1033	2904	—	Committee on Insurance (Scott (Chair), Calderon, Floyd, Gallegos, Keeley, Washington, and Wayne)	1058	2907	—	Committee on Education (Mazzoni (Chair), Leach (Vice Chair), Alquist, Calderon, Campbell, Correa, Cunneen, Davis, Robert Pacheco, Scott, Washington, Wildman, and Zettel)
1034	2275	—	Correa	1059	505	—	Wright (Coauthors: Assembly Members Bates, Briggs, Cardoza, Correa, Granlund, Leach, Lempert, Lowenthal, Machado, Mazzoni, Vincent, and Washington) (Coauthors: Senators Costa, Karnette, Rainey, Soto, Speier, and Vasconcellos)
1035	—	1403	Committee on Transportation (Senators Karnette (Chair), Costa, Dunn, Figueroa, Hayden, Monteith, Murray, Rainey, and Speier)	1060	1822	—	Wayne
1036	2708	—	Wesson	1061	2479	—	Kuehl
1037	—	799	Ortiz (Coauthor: Assembly Member Cox)	1062	238	—	Honda and Machado (Coauthors: Assembly Members Migden, Romero, Shelley, and Washington)
1038	—	1737	Hayden	1063	803	—	Torlaksen
1039	2246	—	Wayne (Coauthor: Assembly Member Alquist)				
1040	—	1388	Peace				
1041	—	1939	Alarcon, Hughes, Murray, Polanco, and Solis (Coauthor: Assembly Member Calderon)				
1042	2638	—	Cardoza and Calderon				
1043	918	—	Keeley				
1044	—	552	Kelley				
1045	2698	—	Florez (Principal coauthor: Senator Costa) (Coauthors: Assembly Members Ashburn, Cardoza, Dickerson, Ducheny, Granlund, Lempert, Leonard,				

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1064	2227	—	Torlakson				Chesbro, Dunn, Hughes, Johannessen, Johnson, Karnette, Lewis, and O'Connell)
1065	2414	—	Firebaugh (Principal coauthor: Senator Figueroa)				
1066	—	1903	Speier	1083	—	1957	Burton
1067	—	2094	Committee on Insurance (Senators Speier (Chair), Escutia, Figueroa, Hughes, Johnson, Johnston, Leslie, Lewis, Schiff, and Sher)	1084	—	1724	Dunn (Coauthors: Assembly Members Honda and Machado)
1068	1836	—	Bates, Cox, Longville, Oller, Robert Pacheco, and Zettel (Coauthor: Senator Rainey)	1085	—	1362	Poochigian, Johannessen, and Leslie (Coauthors: Senators Costa, Dunn, Haynes, McPherson, Monteith, Morrow, Peace, Rainey, and Solis) (Coauthors: Assembly Members Alquist, Baldwin, Bates, Battin, Bock, Brewer, Briggs, Campbell, Cardoza, Correa, Cox, Dickerson, House, Maddox, Maldonado, Margett, Mazzoni, Olberg, Oller, Rod Pacheco, Reyes, Runner, Strickland, Wiggins, and Zettel)
1069	—	1732	Burton	1086	—	2195	Soto
1070	83	—	Cardenas	1087	—	2012	Speier (Principal coauthor: Assembly Member Longville) (Coauthors: Senators Alarcon, Alpert, Burton, Chesbro, Costa, Johnston, Murray, Schiff, and Vasconcellos) (Coauthors: Assembly Members Alquist, Bock, Calderon, Cardenas, Cedillo, Cox, Mazzoni, Migden, Robert Pacheco, Strom-Martin, and Wiggins)
1071	1147	—	Honda, Dickerson, Havice, and Steinberg (Principal coauthors: Senators Johnston and Ortiz) (Coauthors: Assembly Members Alquist, Cunneen, Lempert, and Machado) (Coauthors: Senators McPherson and Sher)	1088	—	87	Escutia
1072	2061	—	Lowenthal (Coauthor: Assembly Member Scott)	1089	—	1524	Figueroa
1073	2207	—	Baldwin	1090	—	1899	Burton (Coauthors: Senators Speier, Escutia, and Peace) (Coauthors: Assembly Members Knox and Villaraigosa)
1074	2639	—	Calderon	1091	—	2107	Speier
1075	—	225	Rainey (Principal coauthor: Assembly Member Aroner) (Coauthors: Senators Chesbro, Figueroa, and Ortiz) (Coauthors: Assembly Members Dickerson, Papan, Thomson, and Wiggins)	1092	2018	—	Thomson, Runner, and Migden (Coauthors: Assembly Members Aanestad, Aroner, Bates, Cardenas, Cox, Honda, Kuehl, Strom-Martin, and Zettel) (Coauthors: Senators Bowen and Johannessen)
1076	2219	—	Battin	9021	9021	—	Voters of California. Simulation of proposition 21, year 2000.
1077	—	1146	Burton (Principal coauthor: Senator Polanco) (Coauthors: Senators Escutia, Haynes, and Karnette) (Coauthors: Assembly Members Baugh, Cardoza, and Granlund)	9023	9023	—	This is a dummy doc needed to process proposition 23 as a chaptered bill for update to the Calif. Codes database. Voters of California. Simulation of proposition 23, year 2000.
1078	—	1571	Costa (Coauthors: Senators Kelley, Ortiz, Peace, Perata, Poochigian, Speier, and Wright)	9025	9025	—	This is dummy text needed to update California Codes with proposition 25. Voters of California. Simulation of proposition 25, year 2000.
1079	—	1758	Peace and Poochigian	9036	9036	—	Voters of California. Simulation of Prop. 36, Nov. 7, 2000
1080	—	1101	Murray, Burton, Escutia, Hughes, Karnette, Polanco, and Solis (Coauthors: Assembly Members Calderon, Cardenas, Cedillo, Firebaugh, Floyd, Gallegos, Havice, Knox, Kuehl, Nakano, Romero, Villaraigosa, Vincent, Wildman, and Wright)				
1081	—	1823	Committee on Elections and Reapportionment (Senators Murray (Chair), Lewis, Perata, Polanco, and Poochigian)				
1082	—	2054	Committee on Governmental Organization (Senators Perata (Chair), Burton,				

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1	SCR 44	Vasconcellos (Principal coauthor: Assembly Member Runner) (Coauthors: Senators Alarcon, Baca, Bowen, Costa, Dunn, Hayden, Hughes, Johnston, Karmette, Knight, Lewis, O'Connell, Polanco, Rainey, Sher, Speier, and Wright) (Coauthors: Assembly Members Alquist, Aroner, Bates, Bock, Cardenas, Cedillo, Corbett, Cox, Cunneen, Ducheny, Dutra, Florez, Gallegos, Havice, Honda, House, Keeley, Knox, Kuehl, Leach, Leonard, Longville, Machado, Mazzoni, Nakano, Robert Pacheco, Romero, Scott, Shelley, Soto, Strom-Martin, Wayne, and Wildman)	6	ACR 101	Dickerson (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bates, Bock, Brewer, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Leonard, Longville, Maddox, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Costa, Johannessen, Johnston, Karmette, Kelley, Knight, Leslie, Lewis, McPherson, O'Connell, Peace, Poochigian, Rainey, and Wright)
2	SCR 42	Murray	7	ACR 102	Dickerson (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bates, Bock, Brewer, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Leonard, Longville, Maddox, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Costa, Johannessen, Johnston, Karmette, Kelley, Knight, Leslie, Lewis, McPherson, O'Connell, Peace, Rainey, and Wright)
3	ACR 74	Lowenthal	8	ACR 103	Dickerson (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bates, Bock, Brewer, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Leonard, Longville, Maddox, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Costa, Johannessen, Johnston, Karmette, Kelley, Knight, Leslie, Lewis, McPherson, O'Connell, Peace, Poochigian, Rainey, and Wright)
4	ACR 99	Dickerson (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bates, Bock, Brewer, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Leonard, Longville, Maddox, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Costa, Johannessen, Johnston, Karmette, Kelley, Knight, Leslie, Lewis, McPherson, O'Connell, Peace, Rainey, and Wright)			
5	ACR 100	Dickerson (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bates, Bock, Brewer, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Leonard, Longville, Maddox, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Costa, Johannessen, Johnston, Karmette, Kelley, Knight, Leslie, Lewis, McPherson, O'Connell, Peace, Poochigian, Rainey, and Wright)			

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9	ACR 104	Kelley, Knight, Leslie, Lewis, McPherson, O'Connell, Peace, Poochigian, Rainey, and Wright) Dickerson (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bates, Bock, Brewer, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Leonard, Longville, Maddox, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Costa, Johannessen, Johnston, Karnette, Kelley, Knight, Leslie, Lewis, McPherson, O'Connell, Peace, Rainey, and Wright)				Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, Wildman, Wright, and Zettel)
10	AJR 38	Kaloogian (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bock, Briggs, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Dickerson, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, Jackson, Keeley, Knox, Kuehl, Leach, Longville, Machado, Maddox, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel)	15	ACR 116	Wesson, Washington, Wright, and Vincent (Principal coauthors: Senators Hughes and Murray) (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Wayne, Wiggins, Wildman, and Zettel)	
11	SCR 54	Burton (Principal coauthor: Assembly Member Villaraigosa)	16	ACR 33	Havice	
12	ACR 82	Aroner and Bock (Coauthor: Senator Perata)	17	SCR 59	Burton, Alpert, Chesbro, Escutia, Hughes, Perata, Polanco, Solis, and Vasconcellos (Coauthors: Assembly Members Alquist, Baugh, Davis, Hertzberg, Kuehl, Lowenthal, Steinberg, Thomson, Villaraigosa, Aanestad, Ackerman, Aroner, Ashburn, Bates, Battin, Bock, Brewer, Calderon, Campbell, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Floyd, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Leach, Lempert, Leonard, Longville, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Soto, Strickland, Strom-Martin, Thompson, Torlakson, Vincent, Wayne, Wesson, Wiggins, Wildman, and Zettel)	
13	ACR 113	Romero (Coauthors: Assembly Members Alquist, Aroner, Baugh, Bock, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cunneen, Davis, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Havice, Hertzberg, Honda, Jackson, Keeley, Knox, Kuehl, Lempert, Longville, Lowenthal, Maldonado, Mazzoni, Migden, Olberg, Reyes, Runner, Scott, Shelley, Soto, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, and Wright)				
14	ACR 114	Wiggins and Baugh (Principal coauthors: Assembly Members Hertzberg and Villaraigosa) (Principal coauthors: Senators Burton, Chesbro, and Johnson) (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Baldwin, Battin, Bock, Brewer, Briggs,				

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18	ACR 118	Dutra (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Campbell, Cardenas, Cedillo, Corbett, Cox, Cunneen, Dickerson, Ducheny, Firebaugh, Frusetta, Gallegos, Havice, Honda, House, Kaloogian, Keeley, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Runner, Scott, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Vincent, Villaraigosa, Wayne, Wesson, Wiggins, Wildman, and Zettel) (Coauthor: Senator Figueroa)	23	SCR 64	Members Baugh, Thomson, and Villaraigosa) Burton and Johnson (Principal coauthors: Assembly Members Baugh and Villaraigosa)
			24	SCR 65	Burton (Principal coauthors: Assembly Members Migden, Papan, and Shelley)
			25	ACR 120	Thomson (Principal coauthors: Assembly Members Baugh and Villaraigosa) (Principal coauthors: Senators Burton and Johnson) (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, House, Jackson, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Romero, Runner, Shelley, Soto, Steinberg, Strom-Martin, Thompson, Torlakson, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)
19	ACR 13	Wright (Principal coauthors: Assembly Members Villaraigosa, Vincent, Washington, and Wesson) (Principal coauthors: Senators Hughes and Murray) (Coauthors: Assembly Members Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Calderon, Campbell, Cardenas, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Torlakson, Wayne, Wiggins, Wildman, and Zettel)	26	ACR 121	Villaraigosa and Baugh (Principal coauthors: Senators Burton and Johnson) (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Bock, Brewer, Briggs, Calderon, Campbell, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, House, Jackson, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Romero, Runner, Shelley, Soto, Steinberg, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)
20	ACR 107	Wright, Vincent, Washington, and Wesson and Senators Hughes and Murray (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Bates, Bock, Briggs, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Dickerson, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Longville, Machado, Maddox, Maldonado, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Wayne, Wiggins, Wildman, and Zettel)	27	ACR 125	Villaraigosa (Principal coauthor: Senator Murray) (Coauthors: Assembly Members Aroner, Correa, Davis, Dutra, Firebaugh, Florez, Floyd, Hertzberg, Honda, Jackson, Keeley, Knox, Kuehl, Leach, Longville, Lowenthal, Machado, Mazzoni, Migden, Nakano, Romero, Scott, Shelley, Soto, Steinberg, Strom-Martin, Torlakson, Vincent, Wayne, Wiggins, Wildman, Wright, Alquist, Bates, Battin, Baugh, Bock, Briggs, Calderon, Cardenas, Cardoza, Cedillo, Corbett, Cox, Cunneen, Dickerson, Ducheny, Frusetta,
21	SCR 22	Solis			
22	SCR 63	Johannessen (Principal coauthors: Senators Burton and Johnson) (Principal coauthors: Assembly			

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28	ACR 31	Machado (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Maddox, Maldonado, Margett, McClintock, Migden, Nakano, Olberg, Oller, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Villaraigosa, Washington, Wayne, Wiggins, Wildman, and Wright)	32	ACR 108	Wayne (Coauthors: Assembly Members Ackerman, Alquist, Aroner, Baldwin, Bates, Battin, Bock, Brewer, Briggs, Campbell, Cardenas, Cedillo, Corbett, Cox, Cunneen, Dickerson, Ducheny, Dutra, Firebaugh, Frusetta, Havice, Honda, Kaloogian, Keeley, Leach, Lempert, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Robert Pacheco, Papan, Pescetti, Reyes, Runner, Scott, Soto, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Wesson, Wildman, and Zettel)
			33	ACR 112	Torlakson
			34	SCR 61	Alpert, Bowen, Escutia, Figueroa, Hughes, Karmette, Ortiz, Solis, Speier, and Wright (Principal coauthors: Senators Burton, Chesbro, Costa, Dunn, Johannessen, Johnson, Johnston, Kelley, Knight, Leslie, Lewis, McPherson, Monteith, Mountjoy, Peace, Poochigian, Rainey, and Vasconcellos) (Coauthors: Assembly Members Alquist, Aroner, Bates, Bock, Brewer, Corbett, Davis, Ducheny, Havice, Jackson, Kuehl, Leach, Mazzoni, Migden, Reyes, Romero, Soto, Strom-Martin, Thomson, Wiggins, Zettel, Aanestad, Ashburn, Battin, Baugh, Briggs, Campbell, Cardenas, Cardoza, Cedillo, Correa, Cox, Cunneen, Dickerson, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Hertzberg, Honda, House, Keeley, Knox, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, McClintock, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Scott, Shelley, Soto, Steinberg, Thompson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)
29	ACR 129	Strom-Martin (Coauthors: Assembly Members Aanestad, Alquist, Aroner, Bates, Battin, Bock, Brewer, Briggs, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Dickerson, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Leach, Lempert, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Scott, Shelley, Soto, Steinberg, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)			
30	ACR 43	Havice			
31	ACR 95	Leonard (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Soto, Steinberg,	35	SCR 69	Chesbro
			36	ACR 83	Lempert
			37	ACR 141	Cedillo (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Florez, Frusetta, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Machado, Maddox, Maldonado, Margett, Mazzoni,

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		Solis (Coauthors: Assembly Members Aanestad, Alquist, Aroner, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Havice, Hertzberg, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Longville, Lowenthal, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)	42	SCR 56	Johannessen
		Monteith, Alarcon, Alpert, Bowen, Brulte, Burton, Chesbro, Costa, Dunn, Escutia, Figueroa, Hayden, Haynes, Hughes, Johannessen, Johnson, Johnston, Karnette, Kelley, Knight, Leslie, Lewis, McPherson, Morrow, Mountjoy, Murray, O'Connell, Ortiz, Peace, Perata, Polanco, Poochigian, Rainey, Schiff, Sher, Solis, Speier, Vasconcellos, and Wright (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Baugh, Bock, Brewer, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Honda, House, Jackson, Leach, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thomson, Thomson, Torlakson, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)	43	ACR 62	Havice
39	SCR 68	Correa (Coauthors: Assembly Members Strom-Martin, Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Leach, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)	44	SCR 70	Burton, Alarcon, Alpert, Bowen, Brulte, Chesbro, Costa, Dunn, Escutia, Figueroa, Hayden, Haynes, Hughes, Johannessen, Johnson, Johnston, Karnette, Kelley, Knight, Leslie, Lewis, McPherson, Monteith, Morrow, Mountjoy, Murray, O'Connell, Ortiz, Peace, Perata, Polanco, Poochigian, Rainey, Schiff, Sher, Solis, Speier, Vasconcellos, and Wright
40	ACR 147	Correa (Coauthors: Assembly Members Strom-Martin, Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman and Zettel) (Coauthors: Senators Perata and Rainey)	45	ACR 44	Havice (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Baugh, Bock, Brewer, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Honda, House, Jackson, Leach, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thomson, Thomson, Torlakson, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)
		Correa (Coauthors: Assembly Members Strom-Martin, Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman and Zettel) (Coauthors: Senators Perata and Rainey)	46	ACR 137	Dutra, Alquist, Briggs, Cunneen, Honda, and Torlakson (Coauthors: Assembly Members Aanestad, Ackerman, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Davis, Dickerson, Ducheny, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman and Zettel) (Coauthors: Senators Perata and Rainey)
		Correa (Coauthors: Assembly Members Strom-Martin, Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert,	47	ACR 154	Wesson

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48	ACR 152	Strom-Martin (Coauthors: Assembly Members Alquist, Aroner, Bock, Calderon, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cunneen, Davis, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Havice, Hertzberg, Honda, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Longville, Lowenthal, Machado, Maldonado, Margett, Mazzoni, Migden, Nakano, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strickland, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)	55	SCR 57	Rainey
49	ACR 122	Torlakson	56	SCR 72	Escutia (Coauthor: Assembly Member Gallegos)
50	ACR 134	Shelley (Coauthor: Senator Burton)	57	SJR 19	Solis
51	ACR 124	Havice (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Cardenas, Cedillo, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Alarcon, Alpert, Bowen, Brulte, Burton, Chesbro, Costa, Dunn, Escutia, Figueroa, Hayden, Hughes, Johannessen, Johnson, Johnston, Karnette, Kelley, Knight, Leslie, Lewis, McPherson, Monteith, Morrow, Mountjoy, Murray, O'Connell, Ortiz, Peace, Perata, Polanco, Poochigian, Rainey, Schiff, Sher, Solis, Speier, Vasconcellos, and Wright)	58	ACR 119	Havice (Principal coauthor: Assembly Member Torlakson) (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Granlund, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Washington, Wayne, Wesson, Wiggins, and Zettel)
52	ACR 142	Battin	59	ACR 157	Wayne
53	ACR 143	Corbett	60	SCR 62	Poochigian (Principal coauthors: Senators Schiff and Speier) (Principal coauthors: Assembly Members Alquist, Kaloogian, Papan, Scott, and Wildman) (Coauthors: Senators Alarcon, Alpert, Bowen, Costa, Karnette, Kelley, Lewis, Monteith, Morrow, Solis, Vasconcellos, and Wright) (Coauthors: Assembly Members Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Campbell, Cardenas, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, House, Keeley, Knox, Kuehl, Lempert, Leonard, Longville, Machado, Mazzoni, Olberg, Oller, Robert Pacheco, Rod Pacheco, Pescetti, Reyes, Strickland, Villaraigosa, Wiggins, Zettel, Aanestad, Ackerman, Aroner, Calderon, Cardoza, Cedillo, Corbett, Correa, Florez, Floyd, Gallegos, Granlund, Havice, Hertzberg, Honda, Jackson, Leach, Lowenthal, Maddox, Maldonado, Margett, McClintock, Migden, Nakano, Romero, Runner, Shelley, Steinberg, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, and Wesson)
54	ACR 151	Villaraigosa (Coauthors: Assembly Members Aanestad, Alquist, Aroner, Ashburn, Bates, Baugh, Bock, Brewer, Calderon, Cardenas, Cedillo, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Firebaugh, Florez, Floyd, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Lempert, Leonard, Longville, Lowenthal, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Washington, Wayne, Wesson, Wiggins,	61	ACR 153	Davis (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner,

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62	ACR 159	Hertzberg (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Baugh, Bock, Brewer, Briggs, Cardenas, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Gallegos, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel) (Coauthors: Senators Alarcon, Alpert, Bowen, Brulte, Burton, Chesbro, Dunn, Escutia, Hayden, Haynes, Hughes, Johannessen, Johnson, Johnston, Karmette, Kelley, Knight, Leslie, Lewis, McPherson, Morrow, Mountjoy, Murray, O'Connell, Ortiz, Peace, Perata, Polanco, Poochigian, Rainey, Schiff, Sher, Solis, Soto, Speier, Vasconcellos, and Wright)	65	AJR 47	Lewis, Alarcon, Alpert, Bowen, Burton, Costa, Escutia, Figueroa, Hayden, Hughes, Johannessen, Johnson, Karmette, Kelley, Knight, Monteith, Morrow, Mountjoy, Murray, Perata, Rainey, Speier, and Vasconcellos (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Florez, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, Wildman, Wright, and Zettel)
		Wayne (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Firebaugh, Florez,	66	AJR 50	Cedillo (Coauthors: Assembly Members Alquist, Bock, Calderon, Cunneen, Davis, Firebaugh, Florez, Havice, Honda, Keeley, Knox, Kuehl, Leonard, Longville, Lowenthal, Mazzoni, Migden, Pescetti, Scott, Steinberg, Strom-Martin, Torlakson, Washington, Wayne, and Wiggins) (Principal coauthors: Senators Escutia and Murray) (Coauthors: Senators Alarcon, Chesbro, Costa, Sher, Soto, and Vasconcellos)
63	ACR 123	Wayne (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Firebaugh, Florez,	67	AJR 39	Introduced by Assembly Members Baugh and Oller (Coauthors: Assembly Members Aanestad, Ackerman, Ashburn, Baldwin, Bates, Battin, Brewer, Briggs, Campbell, Cardenas, Correa, Cox, Cunneen, Dickerson, Dutra, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Leach, Leonard, Machado, Maddox, Maldonado, McClintock, Nakano, Olberg, Robert Pacheco, Rod Pacheco, Pescetti, Reyes, Runner, Soto, Strickland, Thompson, Torlakson, Wayne, and Zettel)
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68	SCR 78	Escutia			Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Vincent, Washington, Wayne, Wildman, Wright, and Zettel)
69	SJR 26	Kelley			
70	AJR 53	Jackson, Scott, and Villaraigosa (Coauthors: Assembly Members Alquist, Aroner, Bock, Calderon, Cardenas, Cedillo, Corbett, Davis, Dutra, Firebaugh, Gallegos, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Lempert, Longville, Lowenthal, Mazzoni, Migden, Nakano, Papan, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, and Wildman)	74	ACR 158	Reyes and Hertzberg (Coauthors: Assembly Members Cardenas, Cedillo, Ducheny, Firebaugh, Gallegos, Havice, Villaraigosa, Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Baugh, Bock, Brewer, Briggs, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Granlund, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Longville, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Romero, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Vincent, Wayne, Wesson, Wiggins, Wildman, and Zettel) (Coauthors: Senators Burton, Escutia, Ortiz, Polanco, Solis, and Soto)
71	ACR 161	Nakano and Honda (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Florez, Gallegos, Granlund, Havice, Hertzberg, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, and Zettel)	75	SCR 81	Karnette (Coauthors: Assembly Members Strom-Martin, Aanestad, Ackerman, Alquist, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Thomson, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)
72	AJR 54	Alquist (Coauthors: Assembly Members Aroner, Bates, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cunneen, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, Migden, Nakano, Olberg, Robert Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Torlakson, Washington, Wayne, Wesson, and Zettel)	76	AJR 55	Runner
73	ACR 130	Havice (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)	77	ACR 131	Villaraigosa
			78	ACR 128	Machado (Principal coauthor: Assembly Member Kaloogian) (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Granlund, Havice, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Pescetti, Reyes, Romero, Runner, Scott,

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		Ducheny (Principal coauthor: Assembly Member Kaloogian) (Coauthor: Senator Dunn)			(Coauthors: Assembly Members Aroner, Bock, Campbell, Cedillo, Cox, Cunneen, Dutra, Havice, House, Keeley, Kuehl, Leach, Leonard, Longville, Machado, Maldonado, Mazzoni, Robert Pacheco, Rod Pacheco, Romero, Strickland, Strom-Martin, and Washington)
80	ACR 155	Maddox (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Baugh, Bock, Briggs, Cardenas, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Leach, Lempert, Leonard, Longville, Machado, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)	85	SCR 80	Speier and Burton (Coauthor: Assembly Member Wright)
81	AJR 43	Alquist	86	ACR 136	Oller (Coauthor: Assembly Member Thomson)
82	AJR 64	Kuehl (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Brewer, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Firebaugh, Florez, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)	87	AJR 40	Wildman (Principal coauthor: Senator Speier) (Coauthors: Assembly Members Alquist, Bock, Campbell, Cardoza, Correa, Cox, Cunneen, Havice, Honda, Jackson, Kuehl, Longville, Machado, Mazzoni, Papan, Shelley, Steinberg, Strickland, Strom-Martin, Washington, and Zettel) (Coauthors: Senators Alpert, Chesbro, Peace, Solis, and Vasconcellos)
		Papan and Granlund (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Baugh, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Correa, Cox, Cunneen, Dickerson, Ducheny, Firebaugh, Floyd, Gallegos, Hertzberg, Honda, House, Kaloogian, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Longville, Machado, Mazzoni, Migden, Romero, Runner, Shelley, Soto, Steinberg, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wiggins, Wildman, and Wright)	88	AJR 59	Cox (Coauthors: Assembly Members Pescetti, Steinberg, and Thomson)
83	ACA 12	Vasconcellos (Principal coauthor: Assembly Member Runner) (Coauthors: Senators Alarcon, Alpert, Bowen,	89	ACR 97	Oller
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			95	ACR 138	Oller (Principal coauthor: Senator Leslie)
			96	ACR 140	House
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			103	ACR 98	Baugh
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			105	SCR 58	Kelley
			106	ACR 61	Alquist (Principal coauthors: Senators Hughes and Solis) (Coauthors: Assembly Members Ducheny, Honda, Lempert, Nakano, and Reyes) (Coauthors: Senators Alpert, Brulte, O'Connell, and Vasconcellos)
84	SCR 73	Vasconcellos (Principal coauthor: Assembly Member Runner) (Coauthors: Senators Alarcon, Alpert, Bowen,	107	ACR 105	Havice
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111	ACR 170	Maldonado			Vincent, Washington, Wayne, Wesson,
112	AJR 62	Honda (Coauthors: Assembly Members Calderon, Gallegos, Longville, Strom-Martin, Washington, and Wiggins) (Coauthors: Senators Hughes and Vasconcellos)	126	ACR 181	Hertzberg
113	AJR 65	Scott	127	AJR 56	Longville
114	SCR 60	Rainey and Perata (Coauthor: Assembly Member Leach)	128	AJR 57	Longville
115	SCR 90	Chesbro	129	AJR 67	Papan
116	SJR 25	Solis (Coauthors: Senators Alarcon, Alpert, Bowen, Costa, Figueroa, Hughes, Johannessen, Ortiz, Peace, Rainey, Soto, Speier, and Vasconcellos) (Coauthors: Assembly Members Alquist, Aroner, Bock, Cedillo, Correa, Cox, Davis, Dickerson, Ducheny, Firebaugh, Gallegos, Keeley, Knox, Longville, Lowenthal, Reyes, Scott, Steinberg, Strickland, Strom-Martin, Villaraigosa, Wildman, and Zettel)	130	SCR 71	Hayden
117	SJR 32	Haynes (Principal coauthor: Assembly Member Pescetti) (Coauthors: Senators Costa and Morrow) (Coauthors: Assembly Members Aanestad, Ackerman, Baldwin, Battin, Baugh, Brewer, Campbell, Cox, Cunneen, House, Kaloogian, and Leach)	131	SCR 76	Vasconcellos (Coauthors: Assembly Members Alquist, Dutra, Aanestad, Ackerman, Aroner, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Firebaugh, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, and Zettel)
118	ACR 109	Cardenas	132	SCR 88	Alpert
119	ACR 132	Firebaugh (Coauthors: Assembly Members Leach and Torlakson)	133	SCR 89	Vasconcellos
120	ACR 139	Oller	134	SCR 92	Haynes (Coauthor: Assembly Member Thompson)
121	AJR 42	Alquist (Coauthors: Assembly Members Aroner, Bock, Calderon, Cardenas, Cardoza, Cedillo, Corbett, Correa, Davis, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Havice, Hertzberg, Honda, Jackson, Kaloogian, Keeley, Knox, Kuehl, Lempert, Longville, Lowenthal, Machado, Maldonado, Mazzoni, Migden, Nakano, Papan, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strom-Martin, Torlakson, Washington, Wayne, Wesson, and Wiggins)	135	SCR 97	Burton (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Bock, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Cox, Cunneen, Davis, Ducheny, Dutra, Firebaugh, Florez, Floyd, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel)
122	ACR 135	Wesson	136	SJR 27	Polanco (Coauthors: Assembly Members Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Ducheny, Dutra, Firebaugh, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett,
123	ACR 145	Cardenas			
124	ACR 165	Thompson			
125	ACR 172	Havice (Coauthors: Assembly Members Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Granlund, Hertzberg, Honda, Jackson, Keeley, Kuehl, Leach, Lempert, Leonard, Lowenthal, Machado, Maddox, Maldonado, Mazzoni, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin,			

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137	SJR 34	Perata			
138	ACR 8	Battin (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wiggins, Wildman, Wright, and Zettel)	150	ACR 185	Battin (Coauthors: Assembly Members Aanestad, Ashburn, Bates, Brewer, Briggs, Campbell, Dickerson, Kaloogian, Leonard, Maddox, Maldonado, McClintock, Olberg, Oller, Robert Pacheco, Pescetti, Runner, Strickland, Zettel, Alquist, Aroner, Baldwin, Baugh, Bock, Calderon, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Ducheny, Dutra, Firebaugh, Florez, Gallegos, Granlund, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Longville, Lowenthal, Machado, Margett, Mazzoni, Migden, Nakano, Rod Pacheco, Papan, Reyes, Romero, Shelley, Steinberg, Strom-Martin, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, and Wright)
139	ACR 156	Frusetta	151	AJR 49	Bock (Coauthor: Assembly Member Cedillo)
140	ACR 160	Ducheny	152	AJR 69	Aanestad and Florez and Senators Costa and Leslie (Coauthors: Assembly Members Alquist, Ashburn, Briggs, Calderon, Cardoza, Correa, Cox, Dickerson, Dutra, House, Machado, Mazzoni, Olberg, Oller, Robert Pacheco, Papan, Pescetti, Reyes, Strom-Martin, and Thomson) (Coauthors: Senators Chesbro, Johannessen, McPherson, Monteith, and Poochigian)
141	ACR 162	House	153	AJR 77	Keeley (Coauthor: Senator Alpert)
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143	ACR 174	Olberg (Coauthor: Senator Knight)	155	SCR 85	Chesbro
144	ACR 175	Campbell (Coauthors: Assembly Members Ashburn, Baldwin, Bates, Battin, Bock, Cox, House, Kaloogian, Leach, Machado, Maddox, Margett, Oller, Robert Pacheco, Pescetti, Runner, Strickland, Wright, and Zettel) (Coauthors: Senators Brulte, Costa, Karnette, Knight, Leslie, Lewis, Monteith, Morrow, and Solis)	156	SCR 91	Polanco
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147	ACR 180	Cardoza	159	SCR 98	Ortiz (Principal coauthor: Assembly Member Steinberg) (Coauthor: Senators Burton and Johnston) (Coauthors:
148	ACR 183	Firebaugh (Principal coauthor: Assembly Member Maldonado) (Coauthors: Assembly Members Aanestad, Ackerman, Alquist, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Bock, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Florez, Gallegos, Granlund, Havice, Hertzberg, Honda, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Maddox, Margett, Mazzoni, McClintock, Migden, Nakano, Olberg, Oller, Rod Pacheco, Pescetti, Reyes, Romero, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thomson,			

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		Assembly Members Cox, Hertzberg, Machado, and Pescetti)	164	SJR 35	Knight
160	SCR 99	Brulte	165	SJR 38	Costa (Principal coauthor: Assembly Member Ashburn) (Coauthors: Senators Kelley, O'Connell, and Poochigian)
161	SCR 100	Chesbro			
162	SJR 30	Speier (Coauthors: Assembly Members Aroner and Mazzoni)	166	SJR 39	Knight (Coauthors: Assembly Members Ashburn, Battin, Leonard, Maldonado, Reyes, Runner, and Thompson)
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STATUTES OF CALIFORNIA

1999–2000

REGULAR SESSION

2000 CHAPTERS

CHAPTER 1

An act to amend Sections 45105, 45122, 45243, 45244, 45245, 45246, 45249, 45286, and 45304 of the Education Code, relating to classified school employees, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 22, 2000. Filed with
Secretary of State February 22, 2000.]

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

SECTION 1. Section 45105 of the Education Code is amended to read:

45105. (a) Positions not requiring certification qualifications created by a governing board of a school district under the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, the Elementary and Secondary Education Act of 1965, or Section 11300 or Section 13650 of the Welfare and Institutions Code, any future federal or state legislative enactment, or any other special funding, and which are not a part of the regular school program shall, nevertheless, be a part of the classified service as established by Section 45103 or 45256.

Persons employed in these positions shall be classified employees and shall enjoy all of the rights, burdens and benefits accorded other classified employees. Their selection and retention shall be made on the same basis as that of persons selected for positions that are a part of the regular school program.

(b) (1) Notwithstanding subdivision (a), if specially funded positions are restricted to employment of persons in low-income groups, from designated impoverished areas or other criteria which restricts the privilege of all citizens to compete for employment in the positions, all these positions shall, in addition to the regular class title, be classified as "restricted." Their selection and retention shall be made on the same basis as that of persons selected and retained in positions that are a part of the regular school program, except that persons employed in the following categories of restricted positions shall not be subject to Section 45272 or 45273:

(A) The position of instructional aide, as defined in Section 45343.

(B) Any other position involving personal contacts with pupils or parents that is established to assist school-staff personnel responsible for school-community relations; educational support services for such areas as counseling, library or health; or the correction or prevention of behavioral problems.

(2) Persons employed in positions properly classified as “restricted” shall be classified employees for all purposes except:

(A) They shall not be accorded employment permanency under Section 45113 or 45301, whichever is applicable.

(B) They shall not acquire seniority credits for the purposes of Sections 45298 and 45308 or, in a district not having the merit (civil service) system, for the purposes of layoff for lack of work or lack of funds as may be established by rule of the governing board.

(C) Sections 45287 and 45289 shall not apply to “restricted” employees.

(D) They shall not be eligible for promotion into the regular classified service or, in districts that have adopted the merit system, shall not be subject to the provisions of Section 45241, until they have complied with the provisions of subdivision (c).

(c) At any time, after completion of six months of satisfactory service, a person serving in a “restricted” position shall be given the opportunity to take qualifying examinations that are required for all other persons serving in the same class in the regular classified service. If the person satisfactorily completes the qualifying examination, regardless of final numerical listing on an eligibility list, he or she shall be accorded full rights, benefits and burdens of any other classified employee serving in the regular classified service. His or her service in the regular classified service shall be counted from the original date of employment in the “restricted” position and shall continue even though he or she continues to serve in a “restricted” position.

(d) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

(e) It is the intent of the Legislature in enacting this section to clearly set forth that positions normally a part of the classified service are included in the classified service regardless of the source of income to sustain the positions and to effectively implement specially funded programs intended to provide job opportunities for untrained and impoverished persons but to do so in a manner that will not be disruptive nor detrimental to the normal employment procedures relating to classified school service.

SEC. 2. Section 45122 of the Education Code is amended to read:

45122. Whenever a governing board of a school district requires a physical examination to be taken by a classified employee or employees, either by rule or by its direction or the direction of its authorized district administrator; or when classified employees are required by law to submit to a physical examination for continuance in employment, the board shall either provide the required examination, cause it to be

provided, or provide the employee with reasonable reimbursement for the required examination.

If the governing board requires a physical examination or an examination is required by law as a condition of preemployment, it may cause the required examination to be given. It may, if an applicant is required to take a preemployment physical examination, provide for reasonable reimbursement if the applicant is subsequently employed by the district.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

SEC. 3. Section 45243 of the Education Code is amended to read: 45243. In any district that has adopted this article there shall be appointed a personnel commission composed of three members. If two or more districts are under the jurisdiction of governing boards of identical personnel, only one commission shall be appointed. In those cases this article shall apply alike to all of the districts, and the expenses of the commission shall be paid out of the general funds of all of the districts in proportion to the benefits derived therefrom as determined by the governing board.

SEC. 4. Section 45244 of the Education Code is amended to read: 45244. (a) To be eligible for appointment or reappointment to the commission a person shall meet both of the following requirements:

(1) Be a registered voter and resident within the territorial jurisdiction of the school district.

(2) Be a known adherent to the principle of the merit system. No member of the governing board of any school district or a county board of education shall be eligible for appointment, reappointment, or continuance as a member of the commission. During his or her term of service, a member of the commission shall not be an employee of the school district.

(b) As used in this section, residence is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one residence.

(c) As used in this section, "known adherent to the principle of the merit system," with respect to a new appointee, means a person who by the nature of his or her prior public or private service has given evidence that he or she supports the concept of employment, continuance in employment, in-service promotional opportunities, and other related matters on the basis of merit and fitness. As used in this section, "known adherent to the principle of the merit system," with respect to a candidate for reappointment, means a commissioner who has clearly demonstrated

through meeting attendance and actions that he or she does, in fact, support the merit system and its operation.

SEC. 5. Section 45245 of the Education Code is amended to read:

45245. One member of the personnel commission shall be appointed by the governing board of the district and one member, nominated by the classified employees of the district, shall be appointed by the governing board of the district. Those two members shall, in turn, appoint the third member.

As used in this section, "classified employees" shall mean an exclusive representative which represents the largest number of noncertificated employees in a unit or units within the district. If there is no exclusive representative within the district, the governing board shall, by written rule, prescribe the method by which the recommendation is to be made by its classified employees.

SEC. 6. Section 45246 of the Education Code is amended to read:

45246. (a) Within 30 days after adoption of the system, the governing board shall publicly announce its intended appointee or appointees, as appropriate, and the appointee or appointees, as appropriate, nominated by its classified employees. As soon after their appointment as practicable but within 30 days, the appointed members shall announce their intended appointee for the third member. They may consider the recommendations of the governing board, the classified employees, or other concerned citizens. If these members do not announce their intended appointee within the 30-day period, the Superintendent of Public Instruction shall make the appointment.

"Adoption of the system" means, in the case of Section 45221, the day on which a successful election is certified to the governing board or, in the case of Section 45224, the day the governing board approves a motion, order, or resolution to adopt the system regardless of the date specified for operational commencement of the system.

(b) Where a system is already in existence and a vacancy will exist on December 1, by not later than September 30:

(1) The governing board shall publicly announce the name of the person it intends to appoint or reappoint, if the vacancy is its appointee.

(2) The appointee of the governing board and the appointee or appointees of the classified employees shall publicly announce the name of the person they intend to appoint, if the vacancy is their appointee.

If the governing board and the classified employees of the district are unable to agree upon a nomination by September 30, the Superintendent of Public Instruction shall make the appointment within 30 days.

(c) Where a system is already in existence and a vacancy in a position nominated by the classified employees will occur, the classified employees shall submit the name of its nominee to the governing board at least 30 days before the date on which the vacancy will occur and the

governing board shall appoint that nominee to be effective on the date on which the vacancy would occur.

(d) At a board meeting to be held after 30 and within 45 days of the dates specified in subdivision (a) and paragraph (1) of subdivision (b), as the case may be, the governing board in open hearing shall provide the public and employees and employee organizations the opportunity to express their views on the qualifications of those persons recommended by the governing board for appointment.

The board at the time may make its appointment or may make a substitute appointment or recommendation without further notification or public hearing.

In the case of the nominees of the classified employees, the board shall appoint the nominee, unless the classified employees voluntarily withdraw the name of the nominee and submit the name of a new nominee. In the latter case, the board then shall appoint the new nominee.

(e) If a vacancy exists because of a failure of the classified employees to agree on a nominee, the board may make an emergency appointment as authorized in subdivision (b) of Section 45248. If there is no personnel director, the board nevertheless may make an emergency interim appointment under this subdivision.

(f) At the next regularly scheduled personnel commission meeting to be held after 30 days from adoption of the system, as specified in subdivision (a), or at the next regularly scheduled personnel commission meeting to be held after 30 days from the day the intended appointee is announced, as specified in paragraph (2) of subdivision (b), as the case may be, the appointee of the governing board and the appointee nominated by the classified employees shall, in an open hearing, provide the public and employees and employee organizations the opportunity to express their views on the qualifications of each candidate recommended for the vacancy. Each candidate shall be invited to this meeting.

The appointee of the governing board and the appointee nominated by the classified employees may make their appointment or may make a substitute appointment or recommendation without further notification or public hearing.

(g) A commissioner whose term has expired may continue to discharge the duties of the office until a successor is appointed, but for no more than 90 calendar days.

SEC. 7. Section 45249 of the Education Code is amended to read:
45249. In a school district that has already adopted this article on September 17, 1965, members of the personnel commission shall be appointed by the Superintendent of Public Instruction who shall consider the recommendation of the governing board and other

interested parties. Subsequent appointments shall be made in accordance with this section.

No later than 90 days before making the appointment, the Superintendent of Public Instruction shall notify the classified employees and the governing board, in writing, of the vacancy on the personnel commission and provide them with guidelines and procedures for making a recommendation and challenging a nomination. If a vacancy occurs during the term of a member of the personnel commission, the superintendent may appoint a new member after providing the foregoing notice no later than 30 days before making the appointment.

A commissioner whose term has expired may continue to discharge the duties of the office until a successor is appointed but for no more than 90 calendar days.

As used in this section, "classified employees" means an organization of classified employees that represents the greatest number of classified employees of the district as determined by the board. If no organization exists within the district, the governing board, by written rule, shall prescribe the method by which the recommendation is to be made by its classified employees.

SEC. 8. Section 45286 of the Education Code is amended to read: 45286. Whenever the appointing power shall require the appointment of a person to a position, the duration of which is not to exceed six months, or, in case of an appointment in lieu of an absent employee, is not to exceed the authorized absence of said employee, the appointing power shall submit a request in which the probable duration of the appointment is stated. Eligibles shall be certified in accordance with their position on the appropriate employment list and their willingness to accept appointment to such position as limited-term employees. Limited-term employees shall be subject to conditions affecting status and tenure during and after employment that the commission may by rule determine. Notwithstanding these limitations on the duration of these positions, the commission may, based on a declaration of an emergency by the President of the United States or the Governor, authorize an extension that may not exceed one year. The duties of the extended position must be related to the emergency.

SEC. 9. Section 45304 of the Education Code is amended to read: 45304. (a) For reasonable causes, an employee may be suspended without pay for not more than 30 days, except as provided in this section, or may be demoted or dismissed. In this case, the school district shall, within 10 days of the suspension, demotion, or dismissal, file written charges with the commission. The personnel director shall give to the employee or deposit in the United States registered mail with postage prepaid, addressed to the employee at his or her last known place of

address, a copy of the charges and inform the employee of his or her appeal rights.

(b) Whenever an employee of a school district or county office of education is charged with a mandatory leave of absence offense, as defined in subdivision (a) of Section 44940, the governing board of the school district shall immediately place the employee upon a compulsory leave of absence for a period of time extending for not more than 10 days after the date of entry of the judgment in the proceedings. Once the employee is placed on leave of absence, he or she is subject to the provisions of Section 44940.5.

(c) Whenever an employee of a school district or county office of education is charged with an optional leave of absence offense, as defined in subdivision (b) of Section 44940, the governing board of the school district may immediately place the employee upon a compulsory leave of absence in accordance with the provisions of Section 44940.5.

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the provisions of this act to be applicable as soon as possible and thereby increase the efficiency of provisions of the Education Code pertaining to classified employees of a school district at the earliest possible time, it is necessary for this act to take effect immediately.

CHAPTER 2

An act relating to forestry and fire protection, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 23, 2000. Filed with
Secretary of State February 23, 2000.]

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

SECTION 1. (a) The sum of sixty-three million two hundred thousand dollars (\$63,200,000) is hereby appropriated from the General Fund to the Department of Forestry and Fire Protection, for expenditure for the 1999–2000 fiscal year, in accordance with the following schedule:

(1) For allocation to the department, in augmentation of Item 3540-001-0001 of Section 2.00 of the Budget Act of 1999, to provide funding for costs associated with peak firefighting staffing beyond

normally budgeted amounts during the extended 1999 fire season, the sum of one million two hundred thousand dollars (\$1,200,000).

(2) For allocation to the department, in augmentation of Item 3540-006-0001 of Section 2.00 of the Budget Act of 1999, and for purposes of emergency fire suppression and detection costs, as provided in that item, the sum of sixty-two million dollars (\$62,000,000).

(b) The Director of Finance may withhold authorization for the expenditure of funds provided in this section until, and to the extent that, estimates of potential deficiencies are verified.

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

In order to provide needed funds for fire protection staffing and emergency fire suppression and detection costs, and to ensure the same amount and intensity of fire protection for lands of the same type, thereby providing critical fire protection for forest resources, at the earliest possible time, it is necessary that this act take effect immediately.

CHAPTER 3

An act to amend Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

[Approved by Governor February 23, 2000. Filed with
Secretary of State February 23, 2000.]

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

SECTION 1. Section 12206 of the Revenue and Taxation Code is amended to read:

12206. (a) (1) There shall be allowed as a credit against the "tax" (as defined by Section 12201) a state low-income housing tax credit in an amount equal to the amount determined in subdivision (c), computed in accordance with Section 42 of the Internal Revenue Code, except as otherwise provided in this section.

(2) "Taxpayer," for purposes of this section, means the sole owner in the case of a C corporation, the partners in the case of a partnership, and the shareholders in the case of an S corporation.

(3) "Housing sponsor," for purposes of this section, means the sole owner in the case of a C corporation, the partnership in the case of a partnership, and the S corporation in the case of an S corporation.

(b) (1) The amount of the credit allocated to any housing sponsor shall be authorized by the California Tax Credit Allocation Committee, or any successor thereof, based on a project's need for the credit for economic feasibility in accordance with the requirements of this section.

(A) The low-income housing project shall be located in California and shall meet either of the following requirements:

(i) The project's housing sponsor shall have been allocated by the California Tax Credit Allocation Committee a credit for federal income tax purposes under Section 42 of the Internal Revenue Code.

(ii) It shall qualify for a credit under Section 42(h)(4)(B) of the Internal Revenue Code.

(B) The California Tax Credit Allocation Committee shall not require fees for the credit under this section in addition to those fees required for applications for the tax credit pursuant to Section 42 of the Internal Revenue Code. The committee may require a fee if the application for the credit under this section is submitted in a calendar year after the year the application is submitted for the federal tax credit.

(2) (A) The California Tax Credit Allocation Committee shall certify to the housing sponsor the amount of tax credit under this section allocated to the housing sponsor for each credit period.

(B) In the case of a partnership or an S corporation, the housing sponsor shall provide a copy of the California Tax Credit Allocation Committee certification to the taxpayer.

(C) The taxpayer shall attach a copy of the certification to any return upon which a tax credit is claimed under this section.

(D) In the case of a failure to attach a copy of the certification for the year to the return in which a tax credit is claimed under this section, no credit under this section shall be allowed for that year until a copy of that certification is provided.

(E) All elections made by the taxpayer pursuant to Section 42 of the Internal Revenue Code shall apply to this section.

(F) No credit shall be allocated under this section to buildings located in a difficult development area or a qualified census tract as defined in Section 42 of the Internal Revenue Code for which the eligible basis of a new building or the rehabilitation expenditure of an existing building is 130 percent of that amount pursuant to Section 42(d)(5)(C) of the Internal Revenue Code, unless the committee reduces the amount of federal credit, with the approval of the applicant, so that the combined amount of federal and state credit shall not exceed the total credit allowable pursuant to this section and Section 42(b) of the Internal Revenue Code, computed without regard to Section 42(d)(5)(C) of the Internal Revenue Code.

(c) Section 42(b) of the Internal Revenue Code shall be modified as follows:

(1) In the case of any qualified low-income building that receives an allocation after 1989 and is a new building not federally subsidized, the term “applicable percentage” means the following:

(A) For each of the first three years, the percentage prescribed by the Secretary of the Treasury for new buildings that are not federally subsidized for the taxable year, determined in accordance with the requirements of Section 42(b)(2) of the Internal Revenue Code, in lieu of the percentage prescribed in Section 42(b)(1)(A) of the Internal Revenue Code.

(B) For the fourth year, the difference between 30 percent and the sum of the applicable percentages for the first three years.

(2) In the case of any qualified low-income building that receives an allocation after 1989 and that is a new building that is federally subsidized or that is an existing building that is “at risk of conversion,” the term “applicable percentage” means the following:

(A) For each of the first three years, the percentage prescribed by the Secretary of the Treasury for new buildings that are federally subsidized for the taxable year.

(B) For the fourth year, the difference between 13 percent and the sum of the applicable percentages for the first three years.

(3) For purposes of this section, the term “at risk of conversion,” with respect to an existing building means a building that satisfies all of the following criteria:

(A) The building is presently owned by a housing sponsor other than a qualified nonprofit organization.

(B) The building is a federally assisted building for which the low-income use restrictions will terminate or the mortgage on the building is eligible for incentives under Subtitle 13 of the Emergency Low Income Housing Assistance Act of 1987 or under Section 502(c) of the Housing Act of 1949, anytime in the two calendar years after the year of application to the California Tax Credit Allocation Committee, and the purchaser has received preliminary approval from the applicable federal agency for a maximum level of incentives through a plan of action.

(C) The person acquiring the building enters into a regulatory agreement that requires the building to be operated in accordance with the requirements of this section for a period equal to the greater of 55 years or the life of the building.

(D) The building satisfies the requirements of Section 42(e) of the Internal Revenue Code regarding rehabilitation expenditures, except that the provisions of Section 42(e)(3)(A)(ii)(I) shall not apply.

(d) The term “qualified low-income housing project” as defined in Section 42(c)(2) of the Internal Revenue Code is modified by adding the following requirements:

(1) The taxpayer shall be entitled to receive a cash distribution from the operations of the project, after funding required reserves, which, at the election of the taxpayer, is equal to:

(A) An amount not to exceed 8 percent of the lesser of:

(i) The owner equity which shall include the amount of the capital contributions actually paid to the housing sponsor and shall not include any amounts until they are paid on an investor note.

(ii) Twenty percent of the adjusted basis of the building as of the close of the first income year of the credit period.

(B) The amount of the cash-flow from those units in the building that are not low-income units. For purposes of computing cash-flow under this subparagraph, operating costs shall be allocated to the low-income units using the "floor space fraction," as defined in Section 42 of the Internal Revenue Code.

(C) Any amount allowed to be distributed under subparagraph (A) that is not available for distribution during the first five years of the compliance period may accumulate and be distributed any time during the first 15 years of the compliance period but not thereafter.

(2) The limitation on return shall apply in the aggregate to the partners if the housing sponsor is a partnership and in the aggregate to the shareholders if the housing sponsor is an S corporation.

(3) The housing sponsor shall apply any cash available for distribution in excess of the amount eligible to be distributed under paragraph (1) to reduce the rent on rent-restricted units or to increase the number of rent-restricted units subject to the tests of Section 42(g)(1) of the Internal Revenue Code.

(e) The provisions of Section 42(f) of the Internal Revenue Code shall be modified as follows:

(1) The term "credit period" as defined in Section 42(f)(1) of the Internal Revenue Code is modified by substituting "four income years" for "10 taxable years."

(2) The special rule for the first taxable year of the credit period under Section 42(f)(2) of the Internal Revenue Code shall not apply to the tax credit under this section.

(3) Section 42(f)(3) of the Internal Revenue Code is modified to read:

If, as of the close of any income year in the compliance period, after the first year of the credit period, the qualified basis of any building exceeds the qualified basis of that building as of the close of the first year of the credit period, the housing sponsor, to the extent of its tax credit allocation, shall be eligible for a credit on the excess in an amount equal to the applicable percentage determined pursuant to subdivision (c) for the four-year period beginning with the later of the income years in which the increase in qualified basis occurs.

(f) The provisions of Section 42(h) of the Internal Revenue Code shall be modified as follows:

(1) Section 42(h)(2) of the Internal Revenue Code shall not be applicable and instead the following provisions shall be applicable:

The total amount for the four-year credit period of the housing credit dollars allocated in a calendar year to any building shall reduce the aggregate housing credit dollar amount of the California Tax Credit Allocation Committee for the calendar year in which the allocation is made.

(2) Paragraphs (3), (4), (5), (6)(E)(i)(II), (6)(F), (6)(G), (6)(I), (7), and (8) of Section 42(h) of the Internal Revenue Code shall not be applicable.

(g) The aggregate housing credit dollar amount that may be allocated annually by the California Tax Credit Allocation Committee pursuant to this section, Section 17058, and Section 23610.5 shall be an amount equal to the sum of the following:

(1) Fifty million dollars (\$50,000,000) for the 1999 calendar year and each calendar year thereafter.

(2) The unused housing credit ceiling, if any, for the preceding calendar years.

(3) The amount of housing credit ceiling returned in the calendar year. For purposes of this paragraph, the amount of housing credit dollar amount returned in the calendar year equals the housing credit dollar amount previously allocated to any project that does not become a qualified low-income housing project within the period required by this section or to any project with respect to which an allocation is canceled by mutual consent of the California Tax Credit Allocation Committee and the allocation recipient.

(h) The term "compliance period" as defined in Section 42(i)(1) of the Internal Revenue Code is modified to mean, with respect to any building, the period of 30-consecutive income years beginning with the first income year of the credit period with respect thereto.

(i) (1) Section 42(j) of the Internal Revenue Code shall not be applicable and the provisions in paragraph (2) shall be substituted in its place.

(2) The requirements of this section shall be set forth in a regulatory agreement between the California Tax Credit Allocation Committee and the housing sponsor, which agreement shall be subordinated, when required, to any lien or encumbrance of any banks or other institutional lenders to the project. The regulatory agreement entered into pursuant to subdivision (f) of Section 50199.14 of the Health and Safety Code, shall apply, providing the agreement includes all of the following provisions:

(A) A term not less than the compliance period.

(B) A requirement that the agreement be filed in the official records of the county in which the qualified low-income housing project is located.

(C) A provision stating which state and local agencies can enforce the regulatory agreement in the event the housing sponsor fails to satisfy any of the requirements of this section.

(D) A provision that the regulatory agreement shall be deemed a contract enforceable by tenants as third-party beneficiaries thereto and which allows individuals, whether prospective, present, or former occupants of the building, who meet the income limitation applicable to the building, the right to enforce the regulatory agreement in any state court.

(E) A provision incorporating the requirements of Section 42 of the Internal Revenue Code as modified by this section.

(F) A requirement that the housing sponsor notify the California Tax Credit Allocation Committee or its designee and the local agency that can enforce the regulatory agreement if there is a determination by the Internal Revenue Service that the project is not in compliance with Section 42(g) of the Internal Revenue Code.

(G) A requirement that the housing sponsor, as security for the performance of the housing sponsor's obligations under the regulatory agreement, assign the housing sponsor's interest in rents that it receives from the project, provided that until there is a default under the regulatory agreement, the housing sponsor is entitled to collect and retain the rents.

(H) The remedies available in the event of a default under the regulatory agreement that is not cured within a reasonable cure period, include, but are not limited to, allowing any of the parties designated to enforce the regulatory agreement to collect all rents with respect to the project; taking possession of the project and operating the project in accordance with the regulatory agreement until the enforcer determines the housing sponsor is in a position to operate the project in accordance with the regulatory agreement; applying to any court for specific performance; securing the appointment of a receiver to operate the project; or any other relief as may be appropriate.

(j) (1) The committee shall allocate the housing credit on a regular basis consisting of two or more periods in each calendar year during which applications may be filed and considered. The committee shall establish application filing deadlines, the maximum percentage of federal and state low-income housing tax credit ceiling which may be allocated by the committee in that period, and the approximate date on which allocations shall be made. If the enactment of federal or state law, the adoption of rules or regulations, or other similar events prevent the use of two allocation periods, the committee may reduce the number of

periods and adjust the filing deadlines, maximum percentage of credit allocated, and the allocation dates.

(2) The committee shall adopt a qualified allocation plan, as provided in Section 42(m)(1) of the Internal Revenue Code. In adopting this plan, the committee shall comply with the provisions of Sections 42(m)(1)(B) and 42(m)(1)(C) of the Internal Revenue Code.

(3) Notwithstanding Section 42(m) of the Internal Revenue Code, the California Tax Credit Allocation Committee shall allocate housing credits in accordance with the qualified allocation plan and regulations, which shall include the following provisions:

(A) All housing sponsors, as defined by paragraph (3) of subdivision (a), shall demonstrate at the time the application is filed with the committee that the project meets the following threshold requirements:

(i) The housing sponsor shall demonstrate there is a need and demand for low-income housing in the community or region for which it is proposed.

(ii) The project's proposed financing, including tax credit proceeds, shall be sufficient to complete the project and that the proposed operating income shall be adequate to operate the project for the extended use period.

(iii) The project shall have enforceable financing commitments, either construction or permanent financing, for at least 50 percent of the total estimated financing of the project.

(iv) The housing sponsor shall have and maintain control of the site for the project.

(v) The housing sponsor shall demonstrate that the project complies with all applicable local land use and zoning ordinances.

(vi) The housing sponsor shall demonstrate that the project development team has the experience and the financial capacity to ensure project completion and operation for the extended use period.

(vii) The housing sponsor shall demonstrate the amount of tax credit that is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the extended use period, taking into account operating expenses, a supportable debt service, reserves, funds set aside for rental subsidies, and required equity, and a development fee that does not exceed a specified percentage of the eligible basis of the project prior to inclusion of the development fee in the eligible basis, as determined by the committee.

(B) The committee shall give a preference to those projects satisfying all of the threshold requirements of subparagraph (A) if both of the following apply:

(i) The project serves the lowest income tenants at rents affordable to those tenants.

(ii) The project is obligated to serve qualified tenants for the longest period.

(C) In addition to the provisions of subparagraphs (A) and (B), the committee shall use the following criteria in allocating housing credits:

(i) Projects serving large families in which a substantial number, as defined by the committee, of all residential units is comprised of low-income units with three and more bedrooms.

(ii) Projects providing single room occupancy units serving very low income tenants.

(iii) Existing projects that are "at risk of conversion," as defined by paragraph (4) of subdivision (c).

(iv) Projects for which a public agency provides direct or indirect long-term financial support for at least 15 percent of the total project development costs or projects for which the owner's equity constitutes at least 30 percent of the total project development costs.

(v) Projects that provide tenant amenities not generally available to residents of low-income housing projects.

(4) For purposes of allocating credits pursuant to this section, the committee shall not give preference to any project by virtue of the date of submission of its application except to break a tie when two or more of the projects have an equal rating.

(k) Section 42(l) of the Internal Revenue Code shall be modified as follows:

The term "secretary" shall be replaced by the term "California Franchise Tax Board."

(l) In the case where the state credit allowed under this section exceeds the "tax," the excess may be carried over to reduce the "tax" in the following year, and succeeding years if necessary, until the credit has been exhausted.

(m) The provisions of Section 11407(a) of Public Law 101-508, relating to the effective date of the extension of the low-income housing credit, shall apply to calendar years after 1993.

(n) The provisions of Section 11407(c) of Public Law 101-508, relating to election to accelerate credit, shall not apply.

(o) This section shall remain in effect for as long as Section 42 of the Internal Revenue Code, relating to low-income housing credits, remains in effect.

SEC. 2. Section 17058 of the Revenue and Taxation Code is amended to read:

17058. (a) (1) There shall be allowed as a credit against the amount of net tax (as defined in Section 17039) a state low-income housing credit in an amount equal to the amount determined in subdivision (c), computed in accordance with the provisions of Section 42 of the Internal Revenue Code, except as otherwise provided in this section.

(2) "Taxpayer" for purposes of this section means the sole owner in the case of an individual, the partners in the case of a partnership, and the shareholders in the case of an S corporation.

(3) "Housing sponsor" for purposes of this section means the sole owner in the case of an individual, the partnership in the case of a partnership, and the S corporation in the case of an S corporation.

(b) (1) The amount of the credit allocated to any housing sponsor shall be authorized by the California Tax Credit Allocation Committee, or any successor thereof, based on a project's need for the credit for economic feasibility in accordance with the requirements of this section.

(A) The low-income housing project shall be located in California and shall meet either of the following requirements:

(i) The project's housing sponsor shall have been allocated by the California Tax Credit Allocation Committee a credit for federal income tax purposes under Section 42 of the Internal Revenue Code.

(ii) It shall qualify for a credit under Section 42(h)(4)(B) of the Internal Revenue Code.

(B) The California Tax Credit Allocation Committee shall not require fees for the credit under this section in addition to those fees required for applications for the tax credit pursuant to Section 42 of the Internal Revenue Code. The committee may require a fee if the application for the credit under this section is submitted in a calendar year after the year the application is submitted for the federal tax credit.

(2) (A) The California Tax Credit Allocation Committee shall certify to the housing sponsor the amount of tax credit under this section allocated to the housing sponsor for each credit period.

(B) In the case of a partnership or an S corporation, the housing sponsor shall provide a copy of the California Tax Credit Allocation Committee certification to the taxpayer.

(C) The taxpayer shall, upon request, provide a copy of the certification to the Franchise Tax Board.

(D) All elections made by the taxpayer pursuant to Section 42 of the Internal Revenue Code shall apply to this section.

(E) For buildings located in designated difficult development areas or qualified census tracts as defined in Section 42(d)(5)(C) of the Internal Revenue Code, credits may be allocated under this section in the amounts prescribed in subdivision (c), provided that the amount of credit allocated under Section 42 of the Internal Revenue Code is computed on 100 percent of the qualified basis of the building.

(c) Section 42(b) of the Internal Revenue Code shall be modified as follows:

(1) In the case of any qualified low-income building placed in service by the housing sponsor during 1987, the term "applicable percentage" means 9 percent for each of the first three years and 3 percent for the

fourth year for new buildings (whether or not the building is federally subsidized) and for existing buildings.

(2) In the case of any qualified low-income building that receives an allocation after 1989 and is a new building not federally subsidized, the term “applicable percentage” means the following:

(A) For each of the first three years, the percentage prescribed by the Secretary of the Treasury for new buildings that are not federally subsidized for the taxable year, determined in accordance with the requirements of Section 42(b)(2) of the Internal Revenue Code, in lieu of the percentage prescribed in Section 42(b)(1)(A) of the Internal Revenue Code.

(B) For the fourth year, the difference between 30 percent and the sum of the applicable percentages for the first three years.

(3) In the case of any qualified low-income building that receives an allocation after 1989 and that is a new building that is federally subsidized or that is an existing building that is “at risk of conversion,” the term “applicable percentage” means the following:

(A) For each of the first three years, the percentage prescribed by the Secretary of the Treasury for new buildings that are federally subsidized for the taxable year.

(B) For the fourth year, the difference between 13 percent and the sum of the applicable percentages for the first three years.

(4) For purposes of this section, the term “at risk of conversion,” with respect to an existing building means a building that satisfies all of the following criteria:

(A) The building is presently owned by a housing sponsor other than a qualified nonprofit organization.

(B) The building is a federally assisted building for which the low-income use restrictions will terminate or the building is eligible for incentives under Subtitle 13 of the Emergency Low Income Housing Preservation Act of 1987 or under Section 502(c) of the Housing Act of 1949, anytime in the two calendar years after the year of application to the California Tax Credit Allocation Committee, and the purchaser has received preliminary approval from the applicable federal agency for a maximum level of incentives through a plan of action.

(C) The person acquiring the building enters into a regulatory agreement that requires the building to be operated in accordance with the requirements of this section for a period equal to the greater of 55 years or the life of the building.

(D) The building satisfies the requirements of Section 42(e) of the Internal Revenue Code regarding rehabilitation expenditures, except that the provisions of Section 42(e)(3)(A)(ii)(I) shall not apply.

(d) The term “qualified low-income housing project” as defined in Section 42(c)(2) of the Internal Revenue Code is modified by adding the following requirements:

(1) The taxpayer shall be entitled to receive a cash distribution from the operations of the project, after funding required reserves, that, at the election of the taxpayer, is equal to:

(A) An amount not to exceed 8 percent of the lesser of:

(i) The owner equity that shall include the amount of the capital contributions actually paid to the housing sponsor and shall not include any amounts until they are paid on an investor note.

(ii) Twenty percent of the adjusted basis of the building as of the close of the first taxable year of the credit period.

(B) The amount of the cash-flow from those units in the building that are not low-income units. For purposes of computing cash-flow under this subparagraph, operating costs shall be allocated to the low-income units using the “floor space fraction,” as defined in Section 42 of the Internal Revenue Code.

(C) Any amount allowed to be distributed under subparagraph (A) that is not available for distribution during the first five years of the compliance period may be accumulated and distributed any time during the first 15 years of the compliance period but not thereafter.

(2) The limitation on return shall apply in the aggregate to the partners if the housing sponsor is a partnership and in the aggregate to the shareholders if the housing sponsor is an S corporation.

(3) The housing sponsor shall apply any cash available for distribution in excess of the amount eligible to be distributed under paragraph (1) to reduce the rent on rent-restricted units or to increase the number of rent-restricted units subject to the tests of Section 42(g)(1) of the Internal Revenue Code.

(e) The provisions of Section 42(f) of the Internal Revenue Code shall be modified as follows:

(1) The term “credit period” as defined in Section 42(f)(1) of the Internal Revenue Code is modified by substituting “four taxable years” for “10 taxable years.”

(2) The special rule for the first taxable year of the credit period under Section 42(f)(2) of the Internal Revenue Code shall not apply to the tax credit under this section.

(3) Section 42(f)(3) of the Internal Revenue Code is modified to read:

If, as of the close of any taxable year in the compliance period, after the first year of the credit period, the qualified basis of any building exceeds the qualified basis of that building as of the close of the first year of the credit period, the housing sponsor, to the extent of its tax credit allocation, shall be eligible for a credit on the excess in an amount equal to the applicable percentage determined pursuant to subdivision (c) for

the four-year period beginning with the taxable year in which the increase in qualified basis occurs.

(f) The provisions of Section 42(h) of the Internal Revenue Code shall be modified as follows:

(1) Section 42(h)(2) of the Internal Revenue Code shall not be applicable and instead the following provisions shall be applicable:

The total amount for the four-year period of the housing credit dollars allocated in a calendar year to any building shall reduce the aggregate housing credit dollar amount of the California Tax Credit Allocation Committee for the calendar year in which the allocation is made.

(2) Paragraphs (3), (4), (5), (6)(E)(i)(II), (6)(F), (6)(G), (6)(I), (7), and (8) of Section 42(h) of the Internal Revenue Code shall not be applicable to this section.

(g) The aggregate housing credit dollar amount which may be allocated annually by the California Tax Credit Allocation Committee pursuant to this section, Section 12206, and Section 23610.5 shall be an amount equal to the sum of the following:

(1) Fifty million dollars (\$50,000,000) for the 1999 calendar year and each calendar year thereafter.

(2) The unused housing credit ceiling, if any, for the preceding calendar years.

(3) The amount of housing credit ceiling returned in the calendar year. For purposes of this paragraph, the amount of housing credit dollar amount returned in the calendar year equals the housing credit dollar amount previously allocated to any project that does not become a qualified low-income housing project within the period required by this section or to any project with respect to which an allocation is canceled by mutual consent of the California Tax Credit Allocation Committee and the allocation recipient.

(h) The term "compliance period" as defined in Section 42(i)(1) of the Internal Revenue Code is modified to mean, with respect to any building, the period of 30 consecutive taxable years beginning with the first taxable year of the credit period with respect thereto.

(i) Section 42(j) of the Internal Revenue Code shall not be applicable and the following requirements of this section shall be set forth in a regulatory agreement between the California Tax Credit Allocation Committee and the housing sponsor, which agreement shall be subordinated, when required, to any lien or encumbrance of any banks or other institutional lenders to the project. The regulatory agreement entered into pursuant to subdivision (f) of Section 50199.14 of the Health and Safety Code shall apply, providing the agreement includes all of the following provisions:

(1) A term not less than the compliance period.

(2) A requirement that the agreement be filed in the official records of the county in which the qualified low-income housing project is located.

(3) A provision stating which state and local agencies can enforce the regulatory agreement in the event the housing sponsor fails to satisfy any of the requirements of this section.

(4) A provision that the regulatory agreement shall be deemed a contract enforceable by tenants as third-party beneficiaries thereto and which allows individuals, whether prospective, present, or former occupants of the building, who meet the income limitation applicable to the building, the right to enforce the regulatory agreement in any state court.

(5) A provision incorporating the requirements of Section 42 of the Internal Revenue Code as modified by this section.

(6) A requirement that the housing sponsor notify the California Tax Credit Allocation Committee or its designee if there is a determination by the Internal Revenue Service that the project is not in compliance with Section 42(g) of the Internal Revenue Code.

(7) A requirement that the housing sponsor, as security for the performance of the housing sponsor's obligations under the regulatory agreement, assign the housing sponsor's interest in rents that it receives from the project, provided that until there is a default under the regulatory agreement, the housing sponsor is entitled to collect and retain the rents.

(8) The remedies available in the event of a default under the regulatory agreement that is not cured within a reasonable cure period, include, but are not limited to, allowing any of the parties designated to enforce the regulatory agreement to collect all rents with respect to the project; taking possession of the project and operating the project in accordance with the regulatory agreement until the enforcer determines the housing sponsor is in a position to operate the project in accordance with the regulatory agreement; applying to any court for specific performance; securing the appointment of a receiver to operate the project; or any other relief as may be appropriate.

(j) (1) The committee shall allocate the housing credit on a regular basis consisting of two or more periods in each calendar year during which applications may be filed and considered. The committee shall establish application filing deadlines, the maximum percentage of federal and state low-income housing tax credit ceiling that may be allocated by the committee in that period, and the approximate date on which allocations shall be made. If the enactment of federal or state law, the adoption of rules or regulations or other similar events prevent the use of two allocation periods, the committee may reduce the number of

periods and adjust the filing deadlines, maximum percentage of credit allocated, and the allocation dates.

(2) The committee shall adopt a qualified allocation plan, as provided in Section 42(m)(1) of the Internal Revenue Code. In adopting this plan, the committee shall comply with the provisions of Sections 42(m)(1)(B) and 42(m)(1)(C) of the Internal Revenue Code.

(3) Notwithstanding Section 42(m) of the Internal Revenue Code, the California Tax Credit Allocation Committee shall allocate housing credits in accordance with the qualified allocation plan and regulations, which shall include the following provisions:

(A) All housing sponsors, as defined by paragraph (3) of subdivision (a), shall demonstrate at the time the application is filed with the committee that the project meets the following threshold requirements:

(i) The housing sponsor shall demonstrate there is a need and demand for low-income housing in the community or region for which it is proposed.

(ii) The project's proposed financing, including tax credit proceeds, shall be sufficient to complete the project and that the proposed operating income shall be adequate to operate the project for the extended use period.

(iii) The project shall have enforceable financing commitments, either construction or permanent financing, for at least 50 percent of the total estimated financing of the project.

(iv) The housing sponsor shall have and maintain control of the site for the project.

(v) The housing sponsor shall demonstrate that the project complies with all applicable local land use and zoning ordinances.

(vi) The housing sponsor shall demonstrate that the project development team has the experience and the financial capacity to ensure project completion and operation for the extended use period.

(vii) The housing sponsor shall demonstrate the amount of tax credit that is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the extended use period, taking into account operating expenses, a supportable debt service, reserves, funds set aside for rental subsidies, and required equity, and a development fee that does not exceed a specified percentage of the eligible basis of the project prior to inclusion of the development fee in the eligible basis, as determined by the committee.

(B) The committee shall give a preference to those projects satisfying all of the threshold requirements of subparagraph (A) if both of the following apply:

(i) The project serves the lowest income tenants at rents affordable to those tenants.

(ii) The project is obligated to serve qualified tenants for the longest period.

(C) In addition to the provisions of subparagraphs (A) and (B), the committee shall use the following criteria in allocating housing credits:

(i) Projects serving large families in which a substantial number, as defined by the committee of all residential units is comprised of low-income units with three and more bedrooms.

(ii) Projects providing single room occupancy units serving very low income tenants.

(iii) Existing projects that are "at risk of conversion," as defined by paragraph (4) of subdivision (c).

(iv) Projects for which a public agency provides direct or indirect long-term financial support for at least 15 percent of the total project development costs or projects for which the owner's equity constitutes at least 30 percent of the total project development costs.

(v) Projects that provide tenant amenities not generally available to residents of low-income housing projects.

(4) For purposes of allocating credits pursuant to this section, the committee shall not give preference to any project by virtue of the date of submission of its application.

(k) Section 42(l) of the Internal Revenue Code shall be modified as follows:

The term "secretary" shall be replaced by the term "California Franchise Tax Board."

(l) In the case where the credit allowed under this section exceeds the net tax, the excess credit may be carried over to reduce the net tax in the following year, and succeeding taxable years, if necessary, until the credit has been exhausted.

(m) A project that received an allocation of a 1989 federal housing credit dollar amount shall be eligible to receive an allocation of a 1990 state housing credit dollar amount, subject to all of the following conditions:

(1) The project was not placed in service prior to 1990.

(2) To the extent the amendments made to this section by the Statutes of 1990 conflict with any provisions existing in this section prior to those amendments, the prior provisions of law shall prevail.

(3) Notwithstanding paragraph (2), a project applying for an allocation under this subdivision shall be subject to the requirements of paragraph (3) of subdivision (j).

(n) The credit period with respect to an allocation of credit in 1989 by the California Tax Credit Allocation Committee of which any amount is attributable to unallocated credit from 1987 or 1988 shall not begin until after December 31, 1989.

(o) The provisions of Section 11407(a) of Public Law 101-508, relating to the effective date of the extension of the low-income housing credit, shall apply to calendar years after 1989.

(p) The provisions of Section 11407(c) of Public Law 101-508, relating to election to accelerate credit, shall not apply.

(q) Any unused credit may continue to be carried forward, as provided in subdivision (l), until the credit has been exhausted.

This section shall remain in effect on and after December 1, 1990, for as long as Section 42 of the Internal Revenue Code, relating to low-income housing credits, remains in effect.

(r) The amendments to this section by the act adding this subdivision shall apply only to taxable years beginning on or after January 1, 1994.

SEC. 3. Section 23610.5 of the Revenue and Taxation Code is amended to read:

23610.5. (a) (1) There shall be allowed as a credit against the "tax" (as defined by Section 23036) a state low-income housing tax credit in an amount equal to the amount determined in subdivision (c), computed in accordance with Section 42 of the Internal Revenue Code of 1986, except as otherwise provided in this section.

(2) "Taxpayer," for purposes of this section, means the sole owner in the case of a C corporation, the partners in the case of a partnership, and the shareholders in the case of an S corporation.

(3) "Housing sponsor," for purposes of this section, means the sole owner in the case of a C corporation, the partnership in the case of a partnership, and the S corporation in the case of an S corporation.

(b) (1) The amount of the credit allocated to any housing sponsor shall be authorized by the California Tax Credit Allocation Committee, or any successor thereof, based on a project's need for the credit for economic feasibility in accordance with the requirements of this section.

(A) The low-income housing project shall be located in California and shall meet either of the following requirements:

(i) The project's housing sponsor has been allocated by the California Tax Credit Allocation Committee a credit for federal income tax purposes under Section 42 of the Internal Revenue Code.

(ii) It qualifies for a credit under Section 42(h)(4)(B) of the Internal Revenue Code.

(B) The California Tax Credit Allocation Committee shall not require fees for the credit under this section in addition to those fees required for applications for the tax credit pursuant to Section 42 of the Internal Revenue Code. The committee may require a fee if the application for the credit under this section is submitted in a calendar year after the year the application is submitted for the federal tax credit.

(2) (A) The California Tax Credit Allocation Committee shall certify to the housing sponsor the amount of tax credit under this section allocated to the housing sponsor for each credit period.

(B) In the case of a partnership or an S corporation, the housing sponsor shall provide a copy of the California Tax Credit Allocation Committee certification to the taxpayer.

(C) The taxpayer shall, upon request, provide a copy of the certification to the Franchise Tax Board.

(D) All elections made by the taxpayer pursuant to Section 42 of the Internal Revenue Code shall apply to this section.

(E) For buildings located in designated difficult development areas or qualified census tracts as defined in Section 42(d)(5)(C) of the Internal Revenue Code, credits may be allocated under this section in the amounts prescribed in subdivision (c), provided that the amount of credit allocated under Section 42 of the Internal Revenue Code is computed on 100 percent of the qualified basis of the building.

(c) Section 42(b) of the Internal Revenue Code shall be modified as follows:

(1) In the case of any qualified low-income building placed in service by the housing sponsor during 1987, the term "applicable percentage" means 9 percent for each of the first three years and 3 percent for the fourth year for new buildings (whether or not the building is federally subsidized) and for existing buildings.

(2) In the case of any qualified low-income building that receives an allocation after 1989 and is a new building not federally subsidized, the term "applicable percentage" means the following:

(A) For each of the first three years, the percentage prescribed by the Secretary of the Treasury for new buildings that are not federally subsidized for the taxable year, determined in accordance with the requirements of Section 42(b)(2) of the Internal Revenue Code, in lieu of the percentage prescribed in Section 42(b)(1)(A).

(B) For the fourth year, the difference between 30 percent and the sum of the applicable percentages for the first three years.

(3) In the case of any qualified low-income building that receives an allocation after 1989 and that is a new building that is federally subsidized or that is an existing building that is "at risk of conversion," the term "applicable percentage" means the following:

(A) For each of the first three years, the percentage prescribed by the Secretary of the Treasury for new buildings that are federally subsidized for the taxable year.

(B) For the fourth year, the difference between 13 percent and the sum of the applicable percentages for the first three years.

(4) For purposes of this section, the term “at risk of conversion,” with respect to an existing building means a building that satisfies all of the following criteria:

(A) The building is presently owned by a housing sponsor other than a qualified nonprofit organization.

(B) The building is a federally assisted building for which the low-income use restrictions will terminate or the building is eligible for prepayment under Subtitle 13 of the Emergency Low Income Housing Assistance Act of 1987 or under Section 502(c) of the Housing Act of 1949, anytime in the two calendar years after the year of application to the California Tax Credit Allocation Committee, and the purchaser has received preliminary approval from the applicable federal agency for a maximum level of incentives through a plan of action.

(C) The person acquiring the building enters into a regulatory agreement that requires the building to be operated in accordance with the requirements of this section for a period equal to the greater of 55 years or the life of the building.

(D) The building satisfies the requirements of Section 42(e) of the Internal Revenue Code regarding rehabilitation expenditures, except that the provisions of Section 42(e)(3)(A)(ii)(I) shall not apply.

(d) The term “qualified low-income housing project” as defined in Section 42(c)(2) of the Internal Revenue Code is modified by adding the following requirements:

(1) The taxpayer shall be entitled to receive a cash distribution from the operations of the project, after funding required reserves, which, at the election of the taxpayer, shall be equal to:

(A) An amount not to exceed 8 percent of the lesser of:

(i) The owner equity, which shall include the amount of the capital contributions actually paid to the housing sponsor and shall not include any amounts until they are paid on an investor note.

(ii) Twenty percent of the adjusted basis of the building as of the close of the first income year of the credit period.

(B) The amount of the cash-flow from those units in the building that are not low-income units. For purposes of computing cash-flow under this subparagraph, operating costs shall be allocated to the low-income units using the “floor space fraction,” as defined in Section 42 of the Internal Revenue Code.

(C) Any amount allowed to be distributed under subparagraph (A) that is not available for distribution during the first five years of the compliance period may accumulate and be distributed at any time during the first 15 years of the compliance period but not thereafter.

(2) The limitation on return shall apply in the aggregate to the partners if the housing sponsor is a partnership and in the aggregate to the shareholders if the housing sponsor is an S corporation.

(3) The housing sponsor shall apply any cash available for distribution in excess of the amount eligible to be distributed under paragraph (1) to reduce the rent on rent-restricted units or to increase the number of rent-restricted units subject to the tests of Section 42(g)(1) of the Internal Revenue Code.

(e) The provisions of Section 42(f) of the Internal Revenue Code shall be modified as follows:

(1) The term "credit period" as defined in Section 42(f)(1) of the Internal Revenue Code is modified by substituting "four income years" for "10 taxable years."

(2) The special rule for the first taxable year of the credit period under Section 42(f)(2) of the Internal Revenue Code shall not apply to the tax credit under this section.

(3) Section 42(f)(3) of the Internal Revenue Code is modified to read:

If, as of the close of any income year in the compliance period, after the first year of the credit period, the qualified basis of any building exceeds the qualified basis of that building as of the close of the first year of the credit period, the housing sponsor, to the extent of its tax credit allocation, shall be eligible for a credit on the excess in an amount equal to the applicable percentage determined pursuant to subdivision (c) for the four-year period beginning with the later of the income years in which the increase in qualified basis occurs.

(f) The provisions of Section 42(h) of the Internal Revenue Code shall be modified as follows:

(1) Section 42(h)(2) of the Internal Revenue Code shall not be applicable and instead the following provisions shall be applicable:

The total amount for the four-year credit period of the housing credit dollars allocated in a calendar year to any building shall reduce the aggregate housing credit dollar amount of the California Tax Credit Allocation Committee for the calendar year in which the allocation is made.

(2) Paragraphs (3), (4), (5), (6)(E)(i)(II), (6)(F), (6)(G), (6)(I), (7), and (8) of Section 42(h) of the Internal Revenue Code shall not be applicable.

(g) The aggregate housing credit dollar amount that may be allocated annually by the California Tax Credit Allocation Committee pursuant to this section, Section 12206, and Section 17058 shall be an amount equal to the sum of the following:

(1) Fifty million dollars (\$50,000,000) for the 1999 calendar year and each calendar year thereafter.

(2) The unused housing credit ceiling, if any, for the preceding calendar years.

(3) The amount of housing credit ceiling returned in the calendar year. For purposes of this paragraph, the amount of housing credit dollar amount returned in the calendar year equals the housing credit dollar

amount previously allocated to any project that does not become a qualified low-income housing project within the period required by this section or to any project with respect to which an allocation is canceled by mutual consent of the California Tax Credit Allocation Committee and the allocation recipient.

(h) The term "compliance period" as defined in Section 42(i)(1) of the Internal Revenue Code is modified to mean, with respect to any building, the period of 30 consecutive income years beginning with the first income year of the credit period with respect thereto.

(i) Section 42(j) of the Internal Revenue Code shall not be applicable and the following shall be substituted in its place:

The requirements of this section shall be set forth in a regulatory agreement between the California Tax Credit Allocation Committee and the housing sponsor, and this agreement shall be subordinated, when required, to any lien or encumbrance of any banks or other institutional lenders to the project. The regulatory agreement entered into pursuant to subdivision (f) of Section 50199.14 of the Health and Safety Code shall apply, provided that the agreement includes all of the following provisions:

- (1) A term not less than the compliance period.
- (2) A requirement that the agreement be filed in the official records of the county in which the qualified low-income housing project is located.
- (3) A provision stating which state and local agencies can enforce the regulatory agreement in the event the housing sponsor fails to satisfy any of the requirements of this section.
- (4) A provision that the regulatory agreement shall be deemed a contract enforceable by tenants as third-party beneficiaries thereto, and that allows individuals, whether prospective, present, or former occupants of the building, who meet the income limitation applicable to the building the right to enforce the regulatory agreement in any state court.
- (5) A provision incorporating the requirements of Section 42 of the Internal Revenue Code as modified by this section.
- (6) A requirement that the housing sponsor notify the California Tax Credit Allocation Committee or its designee if there is a determination by the Internal Revenue Service that the project is not in compliance with Section 42(g) of the Internal Revenue Code.
- (7) A requirement that the housing sponsor, as security for the performance of the housing sponsor's obligations under the regulatory agreement, assign the housing sponsor's interest in rents that it receives from the project, provided that until there is a default under the regulatory agreement, the housing sponsor is entitled to collect and retain the rents.

(8) A provision that the remedies available in the event of a default under the regulatory agreement that is not cured within a reasonable cure period include, but are not limited to, allowing any of the parties designated to enforce the regulatory agreement to collect all rents with respect to the project; taking possession of the project and operating the project in accordance with the regulatory agreement until the enforcer determines the housing sponsor is in a position to operate the project in accordance with the regulatory agreement; applying to any court for specific performance; securing the appointment of a receiver to operate the project; or any other relief as may be appropriate.

(j) (1) The committee shall allocate the housing credit on a regular basis consisting of two or more periods in each calendar year during which applications may be filed and considered. The committee shall establish application filing deadlines, the maximum percentage of federal and state low-income housing tax credit ceiling that may be allocated by the committee in that period, and the approximate date on which allocations shall be made. If the enactment of federal or state law, the adoption of rules or regulations, or other similar events prevent the use of two allocation periods, the committee may reduce the number of periods and adjust the filing deadlines, maximum percentage of credit allocated, and allocation dates.

(2) The committee shall adopt a qualified allocation plan, as provided in Section 42(m)(1) of the Internal Revenue Code. In adopting this plan, the committee shall comply with the provisions of Sections 42(m)(1)(B) and 42(m)(1)(C) of the Internal Revenue Code.

(3) Notwithstanding Section 42(m) of the Internal Revenue Code, the California Tax Credit Allocation Committee shall allocate housing credits in accordance with the qualified allocation plan and regulations, which shall include the following provisions:

(A) All housing sponsors, as defined by paragraph (3) of subdivision (a), shall demonstrate at the time the application is filed with the committee that the project meets the following threshold requirements:

(i) The housing sponsor shall demonstrate that there is a need for low-income housing in the community or region for which it is proposed.

(ii) The project's proposed financing, including tax credit proceeds, shall be sufficient to complete the project and shall be adequate to operate the project for the extended use period.

(iii) The project shall have enforceable financing commitments, either construction or permanent financing, for at least 50 percent of the total estimated financing of the project.

(iv) The housing sponsor shall have and maintain control of the site for the project.

(v) The housing sponsor shall demonstrate that the project complies with all applicable local land use and zoning ordinances.

(vi) The housing sponsor shall demonstrate that the project development team has the experience and the financial capacity to ensure project completion and operation for the extended use period.

(vii) The housing sponsor shall demonstrate the amount of tax credit that is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the extended use period, taking into account operating expenses, a supportable debt service, reserves, funds set aside for rental subsidies, and required equity, and a development fee that does not exceed a specified percentage of the eligible basis of the project prior to inclusion of the development fee in the eligible basis, as determined by the committee.

(B) The committee shall give a preference to those projects satisfying all of the threshold requirements of subparagraph (A) if both of the following apply:

(i) The project serves the lowest income tenants at rents affordable to those tenants.

(ii) The project is obligated to serve qualified tenants for the longest period.

(C) In addition to the provisions of subparagraphs (A) and (B), the committee shall use the following criteria in allocating housing credits:

(i) Projects serving large families in which a substantial number, as defined by the committee, of all residential units are low-income units with three and more bedrooms.

(ii) Projects providing single-room occupancy units serving very low income tenants.

(iii) Existing projects that are “at risk of conversion,” as defined by paragraph (4) of subdivision (c).

(iv) Projects for which a public agency provides direct or indirect long-term financial support for at least 15 percent of the total project development costs or projects for which the owner’s equity constitutes at least 30 percent of the total project development costs.

(v) Projects that provide tenant amenities not generally available to residents of low-income housing projects.

(4) For purposes of allocating credits pursuant to this section, the committee shall not give preference to any project by virtue of the date of submission of its application except to break a tie when two or more of the projects have an equal rating.

(5) Not less than 20 percent of the low-income housing tax credits available annually under this section, Section 12206, and Section 17058 shall be set aside for allocation to rural areas as defined in Section 50199.21 of the Health and Safety Code. Any amount of credit set aside

for rural areas remaining on or after October 31 of any calendar year shall be available for allocation to any eligible project. No amount of credit set aside for rural areas shall be considered available for any eligible project so long as there are eligible rural applications pending on October 31.

(k) Section 42(l) of the Internal Revenue Code shall be modified as follows:

The term "secretary" shall be replaced by the term "California Franchise Tax Board."

(l) In the case where the state credit allowed under this section exceeds the "tax," the excess may be carried over to reduce the "tax" in the following year, and succeeding years if necessary, until the credit has been exhausted.

(m) A project that received an allocation of a 1989 federal housing credit dollar amount shall be eligible to receive an allocation of a 1990 state housing credit dollar amount, subject to all of the following conditions:

(1) The project was not placed in service prior to 1990.

(2) To the extent the amendments made to this section by the Statutes of 1990 conflict with any provisions existing in this section prior to those amendments, the prior provisions of law shall prevail.

(3) Notwithstanding paragraph (2), a project applying for an allocation under this subdivision shall be subject to the requirements of paragraph (3) of subdivision (j).

(n) The credit period with respect to an allocation of credit in 1989 by the California Tax Credit Allocation Committee of which any amount is attributable to unallocated credit from 1987 or 1988 shall not begin until after December 31, 1989.

(o) The provisions of Section 11407(a) of Public Law 101-508, relating to the effective date of the extension of the low-income housing credit, shall apply to calendar years after 1989.

(p) The provisions of Section 11407(c) of Public Law 101-508, relating to election to accelerate credit, shall not apply.

(q) (1) A corporation may elect to assign any portion of any credit allowed under this section to one or more affiliated corporations for each income year in which the credit is allowed. For purposes of this subdivision, "affiliated corporation" has the meaning provided in subdivision (b) of Section 25110, as that section was amended by Chapter 881 of the Statutes of 1993, as of the last day of the income year in which the credit is allowed, except that "100 percent" is substituted for "more than 50 percent" wherever it appears in the section, as that section was amended by Chapter 881 of the Statutes of 1993, and "voting common stock" is substituted for "voting stock" wherever it

appears in the section, as that section was amended by Chapter 881 of the Statutes of 1993.

(2) The election provided in paragraph (1):

(A) May be based on any method selected by the corporation that originally receives the credit.

(B) Shall be irrevocable for the income year the credit is allowed, once made.

(C) May be changed for any subsequent income year if the election to make the assignment is expressly shown on each of the returns of the affiliated corporations that assign and receive the credits.

(r) Any unused credit may continue to be carried forward, as provided in subdivision (k), until the credit has been exhausted.

This section shall remain in effect on or after December 1, 1990, for as long as Section 42 of the Internal Revenue Code, relating to low-income housing credits, remains in effect.

(s) The amendments to this section made by the act adding this subdivision shall apply only to income years beginning on or after January 1, 1994, except that paragraph (1) of subdivision (q), as amended, shall apply to income years beginning on or after January 1, 1993.

SEC. 4. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 4

An act to amend Section 23040.1 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

[Approved by Governor March 15, 2000. Filed with
Secretary of State March 15, 2000.]

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

SECTION 1. Section 23040.1 of the Revenue and Taxation Code is amended to read:

23040.1. (a) Notwithstanding Sections 23040 and 25101, income derived from or attributable to sources within this state shall not include:

(1) The distributive share of interest, dividends, and gains from the sale or exchange of qualifying investment securities derived by a corporation that is a partner in a partnership that qualifies as an investment partnership under Section 17955, whether or not the partnership has a usual place of business in this state, if the income from

the partnership is the corporation's only income derived from or attributable to sources within this state.

(2) Income, gain, or loss from stocks or securities received by an alien corporation whose sole activities in this state involve trading in those stocks or securities for the corporation's own account within the meaning of Section 864(b)(2)(A)(ii) of the Internal Revenue Code, whether the trading is done by the corporation or its employees or through a resident broker, commission agent, custodian, or other agent, and whether or not any such employee or agent has discretionary authority to make decisions in effecting the transactions. This paragraph does not apply to a dealer in stocks or securities.

(b) (1) Paragraph (1) of subdivision (a) shall not apply to a corporation that participates in the management of the investment activities of the investment partnership or that is engaged in a unitary business with another corporation or partnership that participates in the management of the investment activities of the partnership or has income derived from or attributable to sources within this state other than income described in paragraph (1) of subdivision (a).

(2) Paragraph (2) of subdivision (a) does not apply to an alien corporation that itself has, or that is engaged in a unitary business with another corporation that has, income derived from or attributable to sources within this state other than income described in paragraph (2) of subdivision (a).

(c) An alien corporation (other than a dealer in stocks or securities) trading in stocks or securities for its own account, as described in paragraph (2) of subdivision (a), is not doing business in this state for purposes of Chapter 2 of this part.

(d) For purposes of this section:

(1) "Alien corporation" means a corporation organized under the laws of a country, or any political subdivision thereof, other than the United States.

(2) "Dealer in stocks or securities" means a dealer in stocks or securities for purposes of Section 864(b)(2)(A)(ii) of the Internal Revenue Code.

(3) "Investment partnership" means a partnership that meets both of the following requirements:

(A) No less than 90 percent of the partnership's cost of its total assets consist of qualifying investment securities, deposits at banks or other financial institutions, and office space and equipment reasonably necessary to carry on its activities as an investment partnership.

(B) No less than 90 percent of its gross income consists of interest, dividends, and gains from the sale or exchange of qualifying investment securities.

(4) (A) “Qualifying investment securities” include all of the following:

(i) Common stock, including preferred or debt securities convertible into common stock, and preferred stock.

(ii) Bonds, debentures, and other debt securities.

(iii) Foreign and domestic currency deposits or equivalents and securities convertible into foreign securities.

(iv) Mortgage- or asset-backed securities secured by federal, state, or local governmental agencies.

(v) Repurchase agreements and loan participations.

(vi) Foreign currency exchange contracts and forward and futures contracts on foreign currencies.

(vii) Stock and bond index securities and futures contracts, and other similar financial securities and futures contracts on those securities.

(viii) Options for the purchase or sale of any of the securities, currencies, contracts, or financial instruments described in clauses (i) to (vii), inclusive.

(ix) Regulated futures contracts.

(B) “Qualifying investment securities” does not include an interest in a partnership unless that partnership is itself an investment partnership.

(5) “Stocks or securities” has the same meaning as applies to that phrase as used in Section 864(b)(2)(A)(ii) of the Internal Revenue Code.

(e) The amendments made to this section by the act adding this subdivision shall apply to income years beginning on or after January 1, 1999.

SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 5

An act to amend Item 0840-001-0001 of Section 2.00 of the Budget Act of 1999, relating to unclaimed property, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 23, 2000. Filed with
Secretary of State March 24, 2000.]

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

SECTION 1. Item 0840-001-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) is amended to read:

0840-001-0001-For support of State Controller 60,391,000

Schedule:

- (a) 100000-Personal Services 64,672,000
- (b) 300000-Operating Expenses and Equipment 34,481,000
- (c) Less funding provided by State Controller's Statewide Information Technology Projects (Item 0841- 001-0001) -3,597,000
- (d) Reimbursements -27,730,000
- (e) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0840-001-0061) -2,915,000
- (f) Amount payable from the Highway Users Tax Account, Transportation Tax Fund (Item 0840-001-0062) -804,000
- (g) Amount payable from the Local Revenue Fund (Item 0840-001-0330) -387,000
- (h) Amount payable from the State School Building Lease-Purchase Fund (Item 0840-001-0344) -699,000
- (i) Amount payable from the Federal Trust Fund (Item 0840-001-0890) -1,273,000
- (j) Amount payable from the State Penalty Fund (Item 0840-001-0903) -936,000
- (k) Amount payable from nongovernmental cost funds, (Retail Sales Tax Fund) (Item 0840-001-0988) -178,000
- (l) Amount payable from various special funds (Item 0840-011- 0494) -41,000
- (m) Amount payable from various bond funds (Item 0840- 011- 0797) -162,000
- (n) Amount payable from various nongovernmental cost funds (Item 0840-011-0988) -40,000

Provisions:

1. The appropriation made in this item shall be in lieu of the appropriation in Section 1564 of the Code of

Civil Procedure for all costs, expenses, or obligations connected with the administration of the Unclaimed Property Law, with the exception of payment of owners' or holders' claims pursuant to Section 1540, 1542, 1560, or 1561 of the Code of Civil Procedure, or of payment of the costs of compensating contractors for locating and recovering unclaimed property due the state.

2. Of the claims received for reimbursement of court-ordered or voluntary desegregation programs pursuant to Sections 42243.6, 42247, and 42249 of the Education Code, the Controller shall pay only those claims that have been subjected to audit by school districts in accordance with the Controller's procedures manual for conducting audits of education desegregation claims. Furthermore, the Controller shall pay only those past-year actual claims for desegregation program costs that are accompanied by all reports issued by the auditing entity, unless the auditing entity was the Controller.
3. No less than 0.9 personnel-year in the Audits Division shall be used to audit education desegregation claims.
4. The Controller may, with the concurrence of the Director of Finance and the Chairperson of the Joint Legislative Budget Committee, bill affected state departments for activities required by Section 20050 of the State Administrative Manual, relating to the administration of federal pass-through funds. No billing may be sent to affected departments sooner than 30 days after the Chairperson of the Joint Legislative Budget Committee has been notified by the Director of Finance that he or she concurs with the amounts specified in the billings.
5. (a) Notwithstanding subdivision (b) of Section 1531 of the Code of Civil Procedure, the Controller may publish notice in any manner that the Controller determines reasonable, provided that (1) none of the moneys used for this purpose is redirected from funding for the Controller's audit activities, (2) no photograph is used in the publication of notice, and (3) no elected official's name is used in the publication of notice.
 - (b) No funds appropriated in this act may be expended by the Controller to provide general information to the public, other than holders, as defined in subdivision (e) of Section 1501 of the

Code of Civil Procedure, of unclaimed property concerning the unclaimed property program or possible existence of unclaimed property held by the Controller's office, except for informational announcements to the news media, through the exchange of information on electronic bulletin boards, or no more than \$15,000 per year to inform the public about this program in activities already organized by the Controller for other purposes. This restriction does not apply to the sending of individual notices to apparent owners of property as provided in subdivision (d) of Section 1531 of the Code of Civil Procedure.

6. The Controller's office shall, through audits of Medi-Cal program and providers, enhance the General Fund resources or reduce the General Fund expenditures in the amount of \$22,100,000, through identification of overpayments, cost avoidance, and other appropriate measures.
7. Of the moneys appropriated to the Controller in this act, the Controller shall not expend more than \$500,000 to conduct posteligibility fraud audits of the Supplemental Security Income/State Supplementary Payment Program (SSI/SSP).
8. The Commission on State Mandates shall provide, in applicable parameters and guidelines, as follows:
 - (a) If a local agency or school district contracts with an independent contractor for the preparation and submission of reimbursement claims, the costs reimbursable by the state for that purpose shall not exceed the lesser of (1) 10 percent of the amount of the claims prepared and submitted by the independent contractor, or (2) the actual costs that would necessarily have been incurred for that purpose if performed by employees of the local agency or school district.
 - (b) The maximum amount of reimbursement provided in subdivision (a) may be exceeded only if the local agency or school district establishes, by appropriate documentation, that the preparation and submission of these claims could not have been accomplished without incurring the additional costs claimed by the local agency or school district.
9. The funds appropriated to the Controller in this act may not be expended for any performance review or performance audit except pursuant to specific

statutory authority. It is the intent of the Legislature that audits conducted by the Controller, or under the direction of the Controller, shall be fiscal audits that focus on claims and disbursements, as provided for in Section 12410 of the Government Code. Any report, audit, analysis, or evaluation issued by the Controller for the 1999–00 fiscal year shall cite the specific statutory or constitutional provision authorizing the preparation and release of the report, audit, analysis, or evaluation.

10. The Controller shall deliver his or her monthly report on General Fund cash receipts and disbursements within 10 days after the close of each month to the Joint Legislative Budget Committee, the fiscal committees of the Legislature, the Department of Finance, the Treasurer's office, and the Office of the Legislative Analyst.
11. For purposes of the review and payment of any claim for reimbursement by local government submitted pursuant to Section 54954.4 of the Government Code, the Controller shall use the procedures that were in effect at the time the claim was submitted.
12. Pursuant to subdivision (c) of Section 1564 of the Code of Civil Procedure, the Controller shall transfer all money in the Abandoned Property Account in excess of fifty thousand dollars (\$50,000) to the General Fund no less frequently than at the end of each month. This transfer shall include unclaimed Proposition 103 insurance rebate moneys pursuant to Section 1861.01 of the Insurance Code and Section 1523 of the Code of Civil Procedure.

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

In order to expedite the return of unclaimed property to its rightful owners, it is necessary for this act to take effect immediately.

CHAPTER 6

An act to amend Section 2216.2 of the Business and Professions Code, and to amend Sections 24533, 24534, 24535, and 24537 of the Health

and Safety Code, relating to consumer protection, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 28, 2000. Filed with
Secretary of State March 28, 2000.]

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

SECTION 1. Section 2216.2 of the Business and Professions Code is amended to read:

2216.2. (a) It is unprofessional conduct for a physician and surgeon to fail to provide adequate security by liability insurance, or by participation in an interindemnity trust, for claims by patients arising out of surgical procedures performed outside of a general acute care hospital as defined in subdivision (a) of Section 1250 of the Health and Safety Code.

(b) For purposes of this section, the board shall determine what constitutes adequate security.

(c) Nothing in this section shall require an insurer admitted to transact liability insurance in this state to provide coverage to a physician and surgeon.

(d) The security required by this section shall be acceptable only if provided by any one of the following:

(1) An insurer admitted pursuant to Section 700 of the Insurance Code to transact liability insurance in this state.

(2) An insurer that appears on the list of eligible surplus line insurers pursuant to subdivision (f) of Section 1765.1 of the Insurance Code.

(3) A cooperative corporation authorized by Section 1280.7 of the Insurance Code.

(4) An insurer licensed to transact liability insurance in at least one state of the United States.

SEC. 2. Section 24533 of the Health and Safety Code is amended to read:

24533. (a) No commercial user shall sell, on or after June 19, 2000, a bunk bed that is unsafe for any child using the bunk bed.

(b) A bunk bed is presumed to be unsafe for the purposes of this section if it does not conform to federal laws, rules, or regulations relative to safety standards for bunk beds.

SEC. 3. Section 24534 of the Health and Safety Code is amended to read:

24534. Any commercial user who willfully and knowingly violates Section 24533 is guilty of an infraction and shall be punished by a fine not exceeding one thousand dollars (\$1,000).

SEC. 4. Section 24535 of the Health and Safety Code is amended to read:

24535. Any person may maintain an action against any commercial user who violates Section 24533 to enjoin the sale of a bunk bed that is unsafe for any child using the bunk bed, and for reasonable attorney's fees and costs. This section shall not apply to hotels, motels, or similar transient lodging until July 1, 2003.

SEC. 5. Section 24537 of the Health and Safety Code is amended to read:

24537. This chapter does not apply to any bunk bed that was manufactured prior to June 19, 2000, if the sale of the bunk bed is accompanied by a disclosure statement attached in a conspicuous place on the bunk bed that states the following: "This bunk bed does not conform to the Bunk Bed Safety Act of 1999. Exercise caution before you select this product."

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure the protection of consumers at the earliest point in time, it is necessary that this act go into immediate effect.

CHAPTER 7

An act to amend Sections 23824 and 25503.6 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 28, 2000. Filed with
Secretary of State March 28, 2000.]

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

SECTION 1. Section 23824 of the Business and Professions Code is amended to read:

23824. Limitations provided by Section 23816 on the number of licensed premises shall not apply to premises owned by the State of California, any incorporated city, county, city and county, airport district, or other district or public corporation of the State of California or to premises leased to the State of California or to any city or county, so long as the premises are operated as a bona fide public eating place, provided, however, that civic auditoriums owned by any incorporated city, county, city and county, or other district or any premises leased to the State of California or to any county or city for use as a civic auditorium and directly operated by a public entity shall be subject to the

limitations provided by Section 23816, but shall not be required to be operated as a bona fide public eating place. The civic auditorium shall further not be subject to the provisions of Section 23793.

Licenses issued on premises owned by the state, incorporated city, county, city and county, airport district, or other district or public corporation of the State of California, or issued on premises leased to the State of California or to any county or city, shall be renewable as set forth in Section 24048. These licenses shall be excluded from the number of premises used in determining application of the limitations provided by this article. These licenses shall be subject to an original fee of six thousand dollars (\$6,000) and shall be only transferable from person to person at the same premises. Prior to the issuance of these licenses, the governmental agency owning or leasing the premises shall file with the department a written request that the license be issued and a written statement setting forth the reasons why issuance of the license would be in the public interest.

A written request filed with the department by the governmental agency owning or the city or county leasing premises used as a civic auditorium and directly operated as a public entity that the license be issued need not contain a written statement setting forth the reasons why issuance of the license would be in the public interest.

Funds derived from fees collected pursuant to the amendments made to this section at the 1975–76 Regular Session of the Legislature shall be deposited in the General Fund.

SEC. 2. Section 25503.6 of the Business and Professions Code is amended to read:

25503.6. (a) Notwithstanding any other provision of this chapter, the holder of a beer manufacturer's or winegrower's license may purchase advertising space and time from, or on behalf of, an on-sale retail licensee subject to all of the following conditions:

(1) The on-sale licensee is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or the major tenant of the owner of any of the following:

(A) An outdoor stadium or a fully enclosed arena with a fixed seating capacity in excess of 10,000 seats located within a county of the eighth class, as defined in Section 28029 of the Government Code.

(B) A fully enclosed arena with a fixed seating capacity in excess of 18,000 seats located in Orange County.

(C) An outdoor stadium or fully enclosed arena with a fixed seating capacity in excess of 8,500 seats located in Kern County.

(D) An exposition park of not less than 50 acres that includes an outdoor stadium with a fixed seating capacity in excess of 8,000 seats and a fully enclosed arena with an attendance capacity in excess of 4,500

people, located within a county of the fourth class, as defined in Section 28025 of the Government Code.

(E) An outdoor stadium with a fixed seating capacity in excess of 10,000 seats located in Yolo County.

(2) The outdoor stadium or fully enclosed arena described in paragraph (1) is not owned by a community college district.

(3) The advertising space or time is purchased only in connection with the events to be held on the premises of the stadium or arena owned by the on-sale licensee.

(4) The on-sale licensee serves other brands of beer or wine in addition to the brand manufactured by the beer manufacturer or produced by the winegrower purchasing the advertising space or time.

(b) Any purchase of advertising space or time pursuant to subdivision (a) shall be conducted pursuant to a written contract entered into by the holder of the beer manufacturer's or winegrower's license and the on-sale licensee.

(c) Any holder of a beer manufacturer's or winegrower's license who, through coercion or other illegal means, induces a holder of a beer or wine wholesaler's license to fulfill those contractual obligations entered into pursuant to subdivision (a) or (b) shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail not exceeding six months, or by a fine in an amount equal to the entire value of the advertising space or time involved in the contract, plus ten thousand dollars (\$10,000), or by both imprisonment and fine. The person shall also be subject to license revocation pursuant to Section 24200.

(d) Any on-sale retail licensee, as described in subdivision (a), who solicits or coerces a holder of a beer or wine wholesaler's license to solicit a holder of a beer manufacturer's or winegrower's license to purchase advertising space or time pursuant to subdivision (a) or (b) shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail not exceeding six months, or by a fine in an amount equal to the entire value of the advertising space or time involved in the contract, plus ten thousand dollars (\$10,000), or by both imprisonment and fine. The person shall also be subject to license revocation pursuant to Section 24200.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to alleviate licensing restrictions regarding nonprofit organizations and to avoid any possibility of impropriety in the spring

and summer operations of licensees at the earliest possible time, it is necessary for this act to take effect immediately.

CHAPTER 8

An act to amend Sections 11055, 11056, 11350, 11351, 11352, 11353, 11354, and 11355 of the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 29, 2000. Filed with
Secretary of State March 29, 2000.]

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

SECTION 1. Section 11055 of the Health and Safety Code is amended to read:

11055. (a) The controlled substances listed in this section are included in Schedule II.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium, opiate, and any salt, compound, derivative, or preparation of opium or opiate, with the exception of naloxone hydrochloride (N-allyl-14-hydroxy-nordihydromorphinone hydrochloride), but including the following:

- (A) Raw opium.
- (B) Opium extracts.
- (C) Opium fluid extracts.
- (D) Powdered opium.
- (E) Granulated opium.
- (F) Tincture of opium.
- (G) Apomorphine.
- (H) Codeine.
- (I) Ethylmorphine.
- (J) Hydrocodone.
- (K) Hydromorphone.
- (L) Metopon.
- (M) Morphine.
- (N) Oxycodone.
- (O) Oxymorphone.

(P) Thebaine.

(2) Any salt, compound, isomer, or derivative, whether natural or synthetic, of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).

(6) Cocaine, except as specified in Section 11054.

(7) Ecgonine, whether natural or synthetic, or any salt, isomer, derivative, or preparation thereof.

(c) Opiates. Unless specifically excepted or unless in another schedule, any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of those isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(1) Alfentanyl.

(2) Alphaprodine.

(3) Anileridine.

(4) Bezitramide.

(5) Bulk dextropropoxyphene (nondosage forms).

(6) Dihydrocodeine.

(7) Diphenoxylate.

(8) Fentanyl.

(9) Isomethadone.

(10) Levoalphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM. This substance is authorized for the treatment of narcotic addicts under federal law (see Part 291 (commencing with Section 291.501) and Part 1308 (commencing with Section 1308.01) of Title 21 of the Code of Federal Regulations).

(11) Levomethorphan.

(12) Levorphanol.

(13) Metazocine.

(14) Methadone.

(15) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane.

(16) Moramide-Intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid.

(17) Pethidine (meperidine).

(18) Pethidine-Intermediate-A,
4-cyano-1-methyl-4-phenylpiperidine.

(19) Pethidine-Intermediate-B,
ethyl-4-phenylpiperidine-4-carboxylate.

(20) Pethidine-Intermediate-C,
1-methyl-4-phenylpiperidine-4-carboxylic acid.

(21) Phenazocine.

(22) Piminodine.

(23) Racemethorphan.

(24) Racemorphan.

(25) Sufentanyl.

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.

(2) Methamphetamine, its salts, isomers, and salts of its isomers.

(3) Dimethylamphetamine (N,N-dimethylamphetamine), its salts, isomers, and salts of its isomers.

(4) N-Ethylmethamphetamine (N-ethyl, N-methylamphetamine), its salts, isomers, and salts of its isomers.

(5) Phenmetrazine and its salts.

(6) Methylphenidate.

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital.

(2) Pentobarbital.

(3) Phencyclidines, including the following:

(A) 1-(1-phenylcyclohexyl) piperidine (PCP).

(B) 1-(1-phenylcyclohexyl) morpholine (PCM).

(C) Any analog of phencyclidine which is added by the Attorney General by regulation pursuant to this paragraph.

The Attorney General, or his or her designee, may, by rule or regulation, add additional analogs of phencyclidine to those enumerated in this paragraph after notice, posting, and hearing pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The Attorney General shall, in the calendar year of the regular session of the Legislature in which the rule or

regulation is adopted, submit a draft of a proposed bill to each house of the Legislature which would incorporate the analogs into this code. No rule or regulation shall remain in effect beyond January 1 after the calendar year of the regular session in which the draft of the proposed bill is submitted to each house. However, if the draft of the proposed bill is submitted during a recess of the Legislature exceeding 45 calendar days, the rule or regulation shall be effective until January 1 after the next calendar year.

(4) Secobarbital.

(5) Glutethimide.

(6) Gamma-hydroxybutyrate, including its immediate precursors, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, including, but not limited to, gamma-butyrolactone.

(f) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:

(A) Phenylacetone. Some trade or other names: phenyl-2 propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.

(2) Immediate precursors to phencyclidine (PCP):

(A) 1-phenylcyclohexylamine.

(B) 1-piperidinocyclohexane carbonitrile (PCC).

SEC. 2. Section 11056 of the Health and Safety Code is amended to read:

11056. (a) The controlled substances listed in this section are included in Schedule III.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances.

(2) Benzphetamine.

(3) Chlorphentermine.

(4) Clortermine.

(5) Mazindol.

(6) Phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing any of the following:

- (A) Amobarbital
- (B) Secobarbital
- (C) Pentobarbital

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

(2) Any suppository dosage form containing any of the following:

- (A) Amobarbital
- (B) Secobarbital
- (C) Pentobarbital

or any salt of any of these drugs and approved by the federal Food and Drug Administration for marketing only as a suppository.

(3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof.

- (4) Chlorhexadol.
- (5) Lysergic acid.
- (6) Lysergic acid amide.
- (7) Methyprylon.
- (8) Sulfondiethylmethane.
- (9) Sulfonethylmethane.
- (10) Sulfonmethane.
- (d) Nalorphine.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or

more active nonnarcotic ingredients in recognized therapeutic amounts. Additionally, oral liquid preparations of dihydrocodeinone containing the above specified amounts may not contain as its nonnarcotic ingredients two or more antihistamines in combination with each other.

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Anabolic steroids and chorionic gonadotropin. Any material, compound, mixture, or preparation containing chorionic gonadotropin or an anabolic steroid (excluding anabolic steroid products listed in the "Table of Exempt Anabolic Steroid Products" (Section 1308.34 of Title 21 of the Code of Federal Regulations), as exempt from the federal Controlled Substances Act (Section 801 and following of Title 21 of the United States Code)), including, but not limited to, the following:

- (1) Androisoxazole.
- (2) Androstenediol.
- (3) Bolandiol.
- (4) Bolasterone.
- (5) Boldenone.
- (6) Chlormethandienone.
- (7) Clostebol.
- (8) Dihydromesterone.
- (9) Ethylestrenol.
- (10) Fluoxymesterone.
- (11) Formyldienolone.
- (12) 4-Hydroxy-19-nortestosterone.
- (13) Mesterolone.
- (14) Methandriol.
- (15) Methandrostenolone.
- (16) Methenolone.
- (17) 17-Methyltestosterone.
- (18) Methyltrienolone.
- (19) Nandrolone.
- (20) Norbolethone.
- (21) Norethandrolone.

- (22) Normethandrolone.
- (23) Oxandrolone.
- (24) Oxymestron.
- (25) Oxymetholone.
- (26) Quinbolone.
- (27) Stanolone.
- (28) Stanozolol.
- (29) Stenbolone.
- (30) Testosterone.
- (31) Trenbolone.
- (32) Chorionic Gonadotropin (HGC).

(g) Ketamine. Any material, compound, mixture, or preparation containing ketamine.

(h) Hallucinogenic substances. Any of the following hallucinogenic substances: dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the federal Food and Drug Administration.

SEC. 3. Section 11350 of the Health and Safety Code is amended to read:

11350. (a) Except as otherwise provided in this division, every person who possesses (1) any controlled substance specified in subdivision (b) or (c), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in the state prison.

(b) Except as otherwise provided in this division, every person who possesses any controlled substance specified in subdivision (e) of Section 11054 shall be punished by imprisonment in the county jail for not more than one year or in the state prison.

(c) Except as otherwise provided in this division, whenever a person who possesses any of the controlled substances specified in subdivision (a) or (b), the judge may, in addition to any punishment provided for pursuant to subdivision (a) or (b), assess against that person a fine not to exceed seventy dollars (\$70) with proceeds of this fine to be used in accordance with Section 1463.23 of the Penal Code. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

(d) Except in unusual cases in which it would not serve the interest of justice to do so, whenever a court grants probation pursuant to a felony

conviction under this section, in addition to any other conditions of probation which may be imposed, the following conditions of probation shall be ordered:

(1) For a first offense under this section, a fine of at least one thousand dollars (\$1,000) or community service.

(2) For a second or subsequent offense under this section, a fine of at least two thousand dollars (\$2,000) or community service.

(3) If a defendant does not have the ability to pay the minimum fines specified in paragraphs (1) and (2), community service shall be ordered in lieu of the fine.

SEC. 4. Section 11351 of the Health and Safety Code is amended to read:

11351. Except as otherwise provided in this division, every person who possesses for sale or purchases for purposes of sale (1) any controlled substance specified in subdivision (b), (c), or (e) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, shall be punished by imprisonment in the state prison for two, three, or four years.

SEC. 5. Section 11352 of the Health and Safety Code is amended to read:

11352. (a) Except as otherwise provided in this division, every person who transports, imports into this state, sells, furnishes, administers, or gives away, or offers to transport, import into this state, sell, furnish, administer, or give away, or attempts to import into this state or transport (1) any controlled substance specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in the state prison for three, four, or five years.

(b) Notwithstanding the penalty provisions of subdivision (a), any person who transports for sale any controlled substances specified in subdivision (a) within this state from one county to another noncontiguous county shall be punished by imprisonment in the state prison for three, six, or nine years.

SEC. 6. Section 11353 of the Health and Safety Code is amended to read:

11353. Every person 18 years of age or over, (a) who in any voluntary manner solicits, induces, encourages, or intimidates any minor with the intent that the minor shall violate any provision of this chapter or Section 11550 with respect to either (1) a controlled substance which is specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, (b) who hires, employs, or uses a minor to unlawfully transport, carry, sell, give away, prepare for sale, or peddle any such controlled substance, or (c) who unlawfully sells, furnishes, administers, gives, or offers to sell, furnish, administer, or give, any such controlled substance to a minor, shall be punished by imprisonment in the state prison for a period of three, six, or nine years.

SEC. 7. Section 11354 of the Health and Safety Code is amended to read:

11354. (a) Every person under the age of 18 years who in any voluntary manner solicits, induces, encourages, or intimidates any minor with the intent that the minor shall violate any provision of this chapter or Section 11550, who hires, employs, or uses a minor to unlawfully transport, carry, sell, give away, prepare for sale, or peddle (1) any controlled substance specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, or who unlawfully sells, furnishes, administers, gives, or offers to sell, furnish, administer, or give, any such controlled substance to a minor shall be punished by imprisonment in the state prison.

(b) This section is not intended to affect the jurisdiction of the juvenile court.

SEC. 8. Section 11355 of the Health and Safety Code is amended to read:

11355. Every person who agrees, consents, or in any manner offers to unlawfully sell, furnish, transport, administer, or give (1) any controlled substance specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (13), (14), (15), or (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug to any person, or who offers, arranges, or negotiates to have any such controlled substance unlawfully

sold, delivered, transported, furnished, administered, or given to any person and who then sells, delivers, furnishes, transports, administers, or gives, or offers, arranges, or negotiates to have sold, delivered, transported, furnished, administered, or given to any person any other liquid, substance, or material in lieu of any such controlled substance shall be punished by imprisonment in the county jail for not more than one year, or in the state prison.

SEC. 9. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Dronabinol is used to alleviate nausea and loss of appetite experienced by persons with certain illnesses such as cancer or glaucoma. Reclassifying it from a Schedule II to a Schedule III substance makes dronabinol easier to prescribe and, thus, more readily available to persons who require immediate relief from these symptoms in order to sustain their nutritional intake and retain sufficient health and strength to respond to treatment of their illness.

CHAPTER 9

An act to amend Section 1647.11 of the Business and Professions Code, relating to oral conscious sedation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 5, 2000. Filed with
Secretary of State April 6, 2000.]

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

SECTION 1. Section 1647.11 of the Business and Professions Code is amended to read:

1647.11. (a) Notwithstanding subdivision (a) of Section 1647.1, after December 31, 2000, no dentist shall administer oral conscious

sedation on an outpatient basis to a minor patient unless one of the following conditions is met:

(1) The dentist possesses a current license in good standing to practice dentistry in California and either holds a valid general anesthesia permit, conscious sedation permit, or has been certified by the board, pursuant to Section 1647.12, to administer oral sedation to minor patients.

(2) The dentist possesses a current permit issued under Section 1638 or 1640 and either holds a valid general anesthesia permit, or conscious sedation permit, or possesses a certificate as a provider of oral conscious sedation to minor patients in compliance with, and pursuant to, this article.

(b) Certification as a provider of oral conscious sedation to minor patients expires at the same time the license or permit of the dentist expires unless renewed at the same time the dentist's license or permit is renewed after its issuance, unless certification is renewed as provided in this article.

(c) This article shall not apply to the administration of local anesthesia or a mixture of nitrous oxide and oxygen, or to the administration, dispensing, or prescription of postoperative medications.

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

In order to allow the Dental Board of California adequate time within which to promulgate regulations required to effectively implement the provisions of Article 2.8 (commencing with Section 1647) of Chapter 4 of Division 2 of the Business and Professions Code, it is necessary that this act take immediate effect.

CHAPTER 10

An act to amend Sections 12640.02 and 12640.07 of the Insurance Code, relating to mortgage guaranty insurance, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 5, 2000. Filed with
Secretary of State April 6, 2000.]

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

SECTION 1. Section 12640.02 of the Insurance Code is amended to read:

12640.02. The definitions set forth in this article shall govern the construction of the terms used in this chapter but shall not affect any other provisions of this code.

(a) "Mortgage guaranty insurance" means:

(1) Insurance against financial loss by reason of nonpayment of principal, interest, and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed of trust, or other instrument constituting a first lien or charge on real estate, provided the improvement on the real estate is a residential building or a condominium unit or buildings designed for occupancy by not more than four families.

(2) Insurance against financial loss by reason of nonpayment of principal, interest, and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed of trust, or other instrument constituting a junior lien or charge on real estate, provided the improvement on the real estate is a residential building or a condominium unit or building designed for occupancy by not more than four families.

(3) Insurance against financial loss by reason of nonpayment of principal, interest and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed of trust, or other instrument constituting a lien or charge on real estate, provided the improvement on the real estate is a building or buildings designed for occupancy by five or more families or designed to be occupied for industrial or commercial purposes.

(4) Insurance against financial loss by reason of nonpayment of rent and other sums agreed to be paid under the terms of a written lease for the possession, use or occupancy of real estate, provided the improvement on the real estate is a building or buildings designed to be occupied for industrial or commercial purposes.

(b) (1) "Authorized real estate security" for the purposes of this chapter means either (A) real estate, plus the balance of any pledged cash account, pledged borrower retirement account, or collateralized guaranty agreement contracted for by parents, blood relatives, employers, or nonprofit corporations for the benefit of the borrower; or (B) real estate securing a note, bond, or other evidence of indebtedness by a junior mortgage, deed of trust, or other instrument constituting a junior lien or charge on the real estate, which, when combined with all existing mortgage loan amounts, does not exceed a total indebtedness equal to 100 percent of the fair market value of the real estate at the time the junior loan is made, provided that, in determining the foregoing 100 percent limitation, if the loan securing the junior lien is an equity line of credit loan, the full amount of the line of credit to be secured by the junior

lien shall be considered the amount of the loan, and further provided, in all cases that both of the following are true:

(i) The real estate loan secured in this manner is any type of loan which a bank, savings and loan association, mortgage banker, credit union, mortgage loan broker, or an insurance company, which is supervised and regulated by a department of this state or an agency of the federal government, is authorized to make or arrange, or would be authorized to make or arrange, disregarding any requirement applicable to such an institution that the amount of the loan not exceed a certain percentage of the value of the real estate.

(ii) The improvement on the real estate is a building or buildings designed for occupancy as specified by paragraphs (1), (2), and (3) of subdivision (a).

(C) The lien on the real estate may be subject and subordinate to the following:

(i) The lien of any public bond, assessment, or tax, when no installment, call, or payment of or under the bond, assessment, or tax is delinquent.

(ii) Outstanding mineral, oil or timber rights, rights-of-way, easements or rights-of-way or support, sewer rights, building restrictions or other restrictions or covenants, conditions or regulations of use, or outstanding leases upon the real property under which rents or profits are reserved to the owner thereof.

(2) "Authorized real estate security" also means a stock or membership certificate issued to a tenant-stockholder or resident-member by a completed fee simple cooperative housing corporation, as defined in Section 17265 of the Revenue and Taxation Code and Section 216 of the United States Internal Revenue Code.

(c) "Contingency reserve" means an additional premium reserve established for the protection of policyholders against the effect of adverse economic cycles.

(d) "Policyholders surplus" means the aggregate of capital, surplus and contingency reserve.

SEC. 2. Section 12640.07 of the Insurance Code is amended to read:

12640.07. (a) Mortgage guaranty insurance may be transacted in this state only by a stock or mutual casualty insurer holding a certificate of authority for the transaction of the insurance pursuant to this chapter, and shall be written only to insure either of the following:

(1) Loans secured by first liens on authorized real estate securities not exceeding, at the time the loan is made, 100 percent of the fair market value of the authorized real estate security, as defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 12640.02.

(2) Loans secured by junior liens, as defined in subparagraph (B) of paragraph (1) of subdivision (b) of Section 12640.02.

(b) Any reciprocal insurer engaging in this type of business shall be bound by all provisions of this chapter, including the requirements as to paid-in capital and paid-in surplus.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure affordable financing options for home ownership in California, it is necessary that this act take effect immediately.

CHAPTER 11

An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

[Approved by Governor April 5, 2000. Filed with
Secretary of State April 6, 2000.]

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

SECTION 1. Section 972.1 of the Military and Veterans Code, as amended by Section 2 of Chapter 318 of the Statutes of 1997, is amended to read:

972.1. (a) The sum of five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the Department of Veterans Affairs for allocation, during the 1989–90 fiscal year, for purposes of funding the activities of county veteran service officers pursuant to this section. Funds for allocation in future years shall be as provided in the annual Budget Act.

(b) Funds shall be disbursed each fiscal year on a pro rata basis to counties that have established and maintain a county veteran service officer in accordance with the staffing level and workload of each county veteran service officer under a formula based upon performance that shall be developed by the Department of Veterans Affairs for these purposes.

(c) The department shall annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veteran service officers. The department shall on or before January 1, prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature. The Department of Finance shall review the department's determination in time to use the information in the

annual Budget Act for the budget of the department for the next fiscal year.

(d) (1) The Legislature finds and declares that 50 percent of the amount annually budgeted for county veteran service officers is approximately five million dollars (\$5,000,000). The Legislature further finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for county veteran service officers in an amount not to exceed five million dollars (\$5,000,000) if it is justified by the monetary benefits to the state's veterans attributable to the effort of these officers.

(2) It is the intent of the Legislature, after reviewing the department's determination in subdivision (c), to consider an increase in the annual budget for county veteran service officers in an amount not to exceed five million dollars (\$5,000,000), if the monetary benefits to the state's veterans attributable to the assistance of county veteran service officers justify that increase in the budget.

(e) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

SEC. 2. Section 972.1 of the Military and Veterans Code, as amended by Section 3 of Chapter 318 of the Statutes of 1997, is amended to read:

972.1. (a) The sum of five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the Department of Veterans Affairs for allocation, during the 1989-90 fiscal year, for purposes of funding the activities of county veteran service officers pursuant to this section. Funds for allocation in future years shall be as provided in the annual Budget Act.

(b) Funds shall be disbursed each fiscal year on a pro rata basis to counties that have established and maintain a county veteran service officer in accordance with the staffing level and workload of each county veteran service officer under a formula based upon performance that shall be developed by the Department of Veterans Affairs for these purposes, and that shall allocate county funds in any fiscal year for county veterans service officers in an amount not less than the amount allocated in the 1988-89 fiscal year.

(c) The department shall annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veteran service officers. The department shall on or before January 1, prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature. The Department of Finance shall review the department's determination in time to use the information in the

annual Budget Act for the budget of the department for the next fiscal year.

(d) (1) The Legislature finds and declares that 50 percent of the amount annually budgeted for county veteran service officers is approximately five million dollars (\$5,000,000). The Legislature further finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for county veteran service officers in an amount not to exceed five million dollars (\$5,000,000) if it is justified by the monetary benefits to the state's veterans attributable to the effort of these officers.

(2) It is the intent of the Legislature, after reviewing the department's determination in subdivision (c), to consider an increase in the annual budget for county veteran service officers in an amount not to exceed five million dollars (\$5,000,000), if the monetary benefits to the state's veterans attributable to the assistance of county veteran service officers justify that increase in the budget.

(e) This section shall become operative January 1, 2006.

CHAPTER 12

An act to add Section 22754.1 to the Government Code, relating to public employees.

[Approved by Governor April 14, 2000. Filed with
Secretary of State April 17, 2000.]

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

SECTION 1. The Legislature finds and declares that the provision of health benefits to certain employees of the California State University is important for improved relations between the employees and the employer. This act would restore eligibility for health benefits to a group of employees who historically had health benefits. Represented employees in this group were intended to receive those benefits under the collective bargaining agreement negotiated between the university and its faculty bargaining unit.

SEC. 2. Section 22754.1 is added to the Government Code, to read:
22754.1. (a) In addition to subdivision (b) of Section 22754, as used in this part, "employee" also means any teaching associate, lecturer, coach, or interpreter employed by the California State University who is appointed to work in an academic year classification for at least six weighted teaching units for one semester, or for at least six weighted teaching units for two or more consecutive quarter terms.

(b) This section shall not apply to a state member employed by the California State University, unless provided for in a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1, or authorized by the Trustees of the California State University for employees excluded from collective bargaining.

CHAPTER 13

An act to amend Section 3097 of the Civil Code, relating to mechanics' liens, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 14, 2000. Filed with
Secretary of State April 17, 2000.]

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

SECTION 1. Section 3097 of the Civil Code is amended to read:

3097. "Preliminary 20-day notice (private work)" means a written notice from a claimant that is given prior to the recording of a mechanic's lien, prior to the filing of a stop notice, and prior to asserting a claim against a payment bond, and is required to be given under the following circumstances:

(a) Except one under direct contract with the owner or one performing actual labor for wages as described in subdivision (a) of Section 3089, or a person or entity to whom a portion of a laborer's compensation is paid as described in subdivision (b) of Section 3089, every person who furnishes labor, service, equipment, or material for which a lien or payment bond otherwise can be claimed under this title, or for which a notice to withhold can otherwise be given under this title, shall, as a necessary prerequisite to the validity of any claim of lien, payment bond, and of a notice to withhold, cause to be given to the owner or reputed owner, to the original contractor, or reputed contractor, and to the construction lender, if any, or to the reputed construction lender, if any, a written preliminary notice as prescribed by this section.

(b) Except the contractor, or one performing actual labor for wages as described in subdivision (a) of Section 3089, or a person or entity to whom a portion of a laborer's compensation is paid as described in subdivision (b) of Section 3089, all persons who have a direct contract with the owner and who furnish labor, service, equipment, or material for which a lien or payment bond otherwise can be claimed under this title, or for which a notice to withhold can otherwise be given under this

title, shall, as a necessary prerequisite to the validity of any claim of lien, claim on a payment bond, and of a notice to withhold, cause to be given to the construction lender, if any, or to the reputed construction lender, if any, a written preliminary notice as prescribed by this section.

(c) The preliminary notice referred to in subdivisions (a) and (b) shall contain the following information:

(1) A general description of the labor, service, equipment, or materials furnished, or to be furnished, and an estimate of the total price thereof.

(2) The name and address of the person furnishing that labor, service, equipment, or materials.

(3) The name of the person who contracted for purchase of that labor, service, equipment, or materials.

(4) A description of the jobsite sufficient for identification.

(5) The following statement in boldface type:

NOTICE TO PROPERTY OWNER

If bills are not paid in full for the labor, services, equipment, or materials furnished or to be furnished, a mechanic's lien leading to the loss, through court foreclosure proceedings, of all or part of your property being so improved may be placed against the property even though you have paid your contractor in full. You may wish to protect yourself against this consequence by (1) requiring your contractor to furnish a signed release by the person or firm giving you this notice before making payment to your contractor, or (2) any other method or device that is appropriate under the circumstances.

(6) If the notice is given by a subcontractor who has failed to pay all compensation due to his or her laborers on the job, the notice shall also contain the identity and address of any laborer and any express trust fund to whom employer payments are due.

If an invoice for materials or certified payroll contains the information required by this section, a copy of the invoice, transmitted in the manner prescribed by this section shall be sufficient notice.

A certificated architect, registered engineer, or licensed land surveyor who has furnished services for the design of the work of improvement and who gives a preliminary notice as provided in this section not later than 20 days after the work of improvement has commenced shall be deemed to have complied with subdivisions (a) and (b) with respect to architectural, engineering, or surveying services furnished, or to be furnished.

(d) The preliminary notice referred to in subdivisions (a) and (b) shall be given not later than 20 days after the claimant has first furnished labor,

service, equipment, or materials to the jobsite. If labor, service, equipment, or materials have been furnished to a jobsite by a claimant who did not give a preliminary notice, that claimant shall not be precluded from giving a preliminary notice at any time thereafter. The claimant shall, however, be entitled to record a lien, file a stop notice, and assert a claim against a payment bond only for labor, service, equipment, or material furnished within 20 days prior to the service of the preliminary notice, and at any time thereafter.

(e) Any agreement made or entered into by an owner, whereby the owner agrees to waive the rights or privileges conferred upon the owner by this section shall be void and of no effect.

(f) The notice required under this section may be served as follows:

(1) If the person to be notified resides in this state, by delivering the notice personally, or by leaving it at his or her address of residence or place of business with some person in charge, or by first-class registered or certified mail, postage prepaid, addressed to the person to whom notice is to be given at his or her residence or place of business address or at the address shown by the building permit on file with the authority issuing a building permit for the work, or at an address recorded pursuant to subdivision (j).

(2) If the person to be notified does not reside in this state, by any method enumerated in paragraph (1) of this subdivision. If the person cannot be served by any of these methods, then notice may be given by first-class certified or registered mail, addressed to the construction lender or to the original contractor.

(3) When service is made by first-class certified or registered mail, service is complete at the time of the deposit of that registered or certified mail.

(g) A person required by this section to give notice to the owner, to an original contractor, and to a person to whom a notice to withhold may be given, need give only one notice to the owner, to the original contractor, and to the person to whom a notice to withhold may be given with respect to all materials, service, labor, or equipment he or she furnishes for a work of improvement, that means the entire structure or scheme of improvements as a whole, unless the same is furnished under contracts with more than one subcontractor, in which event, the notice requirements shall be met with respect to materials, services, labor, or equipment furnished to each contractor.

If a notice contains a general description required by subdivision (a) or (b) of the materials, services, labor, or equipment furnished to the date of notice, it is not defective because, after that date, the person giving notice furnishes materials, services, labor, or equipment not within the scope of this general description.

(h) If the contract price to be paid to any subcontractor on a particular work of improvement exceeds four hundred dollars (\$400), the failure of that contractor, licensed under Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, to give the notice provided for in this section, constitutes grounds for disciplinary action by the Registrar of Contractors.

If the notice is required to contain the information set forth in paragraph (6) of subdivision (c), a failure to give the notice, including that information, that results in the filing of a lien, claim on a payment bond, or the delivery of a stop notice by the express trust fund to which the obligation is owing constitutes grounds for disciplinary action by the Registrar of Contractors against the subcontractor if the amount due the trust fund is not paid.

(i) Every city, county, city and county, or other governmental authority issuing building permits shall, in its application form for a building permit, provide space and a designation for the applicant to enter the name, branch, designation, if any, and address of the construction lender and shall keep the information on file open for public inspection during the regular business hours of the authority.

If there is no known construction lender, that fact shall be noted in the designated space. Any failure to indicate the name and address of the construction lender on the application, however, shall not relieve any person from the obligation to give to the construction lender the notice required by this section.

(j) A mortgage, deed of trust, or other instrument securing a loan, any of the proceeds of which may be used for the purpose of constructing improvements on real property, shall bear the designation "Construction Trust Deed" prominently on its face and shall state all of the following: (1) the name and address of the lender, and the name and address of the owner of the real property described in the instrument, and (2) a legal description of the real property which secures the loan and, if known, the street address of the property. The failure to be so designated or to state any of the information required by this subdivision shall not affect the validity of the mortgage, deed of trust, or other instrument.

Failure to provide this information on this instrument when recorded shall not relieve persons required to give preliminary notice under this section from that duty.

The county recorder of the county in which the instrument is recorded shall indicate in the general index of the official records of the county that the instrument secures a construction loan.

(k) Every contractor and subcontractor employing laborers as described in subdivision (a) of Section 3089 who has failed to pay those laborers their full compensation when it became due, including any employer payments described in Section 1773.1 of the Labor Code and

regulations adopted thereunder shall, without regard to whether the work was performed on a public or private work, cause to be given to those laborers, their bargaining representatives, if any, and to the construction lender, if any, or to the reputed construction lender, if any, not later than the date the compensation became delinquent, a written notice containing all of the following:

- (1) The name of the owner and the contractor.
- (2) A description of the jobsite sufficient for identification.
- (3) The identity and address of any express trust fund described in Section 3111 to which employer payments are due.
- (4) The total number of straight time and overtime hours on each job.
- (5) The amount then past due and owing.

Failure to give this notice shall constitute grounds for disciplinary action by the Registrar of Contractors.

(l) Every written contract entered into between a property owner and an original contractor shall provide space for the owner to enter his or her name and address of residence; and place of business if any. The original contractor shall make available the name and address of residence of the owner to any person seeking to serve the notice specified in subdivision (c).

(m) Every written contract entered into between a property owner and an original contractor, except home improvement contracts and swimming pool contracts subject to Article 10 (commencing with Section 7150) of Chapter 9 of Division 3 of the Business and Professions Code, shall provide space for the owner to enter the name and address of the construction lender or lenders. The original contractor shall make available the name and address of the construction lender or lenders to any person seeking to serve the notice specified in subdivision (c). Every contract entered into between an original contractor and subcontractor, and between subcontractors, shall provide a space for the name and address of the owner, original contractor, and any construction lender.

(n) Where one or more construction loans are obtained after commencement of construction, the property owner shall provide the name and address of the construction lender or lenders to each person who has given the property owner the notice specified in subdivision (c).

(o) (1) Each person who has served a preliminary 20-day notice pursuant to subdivision (f) may file the preliminary 20-day notice with the county recorder in the county in which any portion of the property is located. A preliminary 20-day notice filed pursuant to this section shall contain all of the following:

(A) The name and address of the person furnishing the labor, service, equipment, or materials.

(B) The name of the person who contracted for purchase of the labor, service, equipment, or materials.

(C) The common street address of the jobsite.

(2) Upon the acceptance for recording of a notice of completion or notice of cessation the county recorder shall mail to those persons who have filed a preliminary 20-day notice, notification that a notice of completion or notice of cessation has been recorded on the property, and shall affix the date that the notice of completion or notice of cessation was recorded with the county recorder.

(3) The failure of the county recorder to mail the notification to the person who filed a preliminary 20-day notice, or the failure of those persons to receive the notification or to receive complete notification, shall not affect the period within which a claim of lien is required to be recorded. However, the county recorder shall make a good faith effort to mail notification to those persons who have filed the preliminary 20-day notice under this section and to do so within five days after the recording of a notice of completion or notice of cessation.

(4) This new function of the county recorder shall not become operative until July 1, 1988. The county recorder may cause to be destroyed all documents filed pursuant to this section, two years after the date of filing.

(5) The preliminary 20-day notice which a person may file pursuant to this subdivision is for the limited purpose of facilitating the mailing of notice by the county recorder of recorded notices of completion and notices of cessation. The notice which is filed is not a recordable document and shall not be entered into those official records of the county which by law impart constructive notice. Notwithstanding any other provision of law, the index maintained by the recorder of filed preliminary 20-day notices shall be separate and distinct from those indexes maintained by the county recorder of those official records of the county which by law impart constructive notice. The filing of a preliminary 20-day notice with the county recorder does not give rise to any actual or constructive notice with respect to any party of the existence or contents of a filed preliminary 20-day notice nor to any duty of inquiry on the part of any party as to the existence or contents of that notice.

(p) (1) The change made to the statement described in subdivision (c) by Chapter 974 of the Statutes of 1994 shall have no effect upon the validity of any notice that otherwise meets the requirements of this section. The failure to provide, pursuant to Chapter 974 of the Statutes of 1994, a written preliminary notice to a subcontractor with whom the claimant has contracted shall not affect the validity of any preliminary notice provided pursuant to this section.

(2) (A) The inclusion of the language added to paragraph (5) of subdivision (c) by Chapter 795 of the Statutes of 1999, shall not affect the validity of any preliminary notice given on or after January 1, 2000,

and prior to the operative date of the amendments to this section enacted at the 2000 portion of the 1999–2000 Regular Session, that otherwise meets the requirements of that subdivision.

(B) A preliminary notice given on or after January 1, 2000, and prior to the operative date of the amendments to this section enacted at the 2000 portion of the 1999–2000 Regular Session, shall not be invalid because of the failure to include the language added to paragraph (5) of subdivision (c) by Chapter 795 of the Statutes of 1999, if the notice otherwise complies with that subdivision.

(C) The failure to provide an affidavit form or notice of rights, or both, pursuant to the requirements of Chapter 795 of the Statutes of 1999, shall not affect the validity of any preliminary notice pursuant to this section.

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

Section 3097 of the Civil Code, as amended by Chapter 795 of the Statutes of 1999 (Senate Bill 914), effective January 1, 2000, references provisions of the Civil Code that were not enacted. This bill deletes those erroneous references by changing the “Notice to Owner” in paragraph (5) of subdivision (c) of that section to its previous language and deleting subdivision (q) of that section.

CHAPTER 14

An act to add Section 6528 to the Government Code, relating to joint powers authorities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 5, 2000. Filed with
Secretary of State May 5, 2000.]

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

SECTION 1. Section 6528 is added to the Government Code, to read:

6528. A charter school, including a charter school organized pursuant to Section 47604 of the Education Code, may be considered a public agency, as defined in Section 6500, for the purpose of being eligible for membership in a joint powers agreement for risk-pooling.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of

Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to clarify at the earliest possible time the authority of charter schools to participate in joint powers agreements for the purpose of risk-pooling, it is necessary that this act take effect immediately.

CHAPTER 15

An act to amend Section 68085 of the Government Code, relating to trial court funding.

[Approved by Governor May 5, 2000. Filed with
Secretary of State May 5, 2000.]

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

SECTION 1. Section 68085 of the Government Code is amended to read:

68085. (a) (1) There is hereby established the Trial Court Trust Fund, the proceeds of which shall be apportioned at least quarterly for the purpose of funding trial court operations, as defined in Section 77003. In no event shall apportionment payments exceed 30 percent of the total annual apportionment to the Trial Court Trust Fund for state trial court funding in any 90-day period.

(2) The apportionment payments shall be made by the Controller. For fiscal year 1997–98, the Controller shall make the first apportionment payment within 10 days of the operative date of this section. The final payment from the Trial Court Trust Fund for each fiscal year shall be made on or before August 31 of the subsequent fiscal year.

(3) If apportionment payments are made on a quarterly basis, the payments shall be on July 15, October 15, January 15, and April 15. In addition to quarterly payments, a final payment from the Trial Court Trust Fund for each fiscal year may be made on or before August 31 of the subsequent fiscal year.

(b) Notwithstanding any other provision of law, the fees listed in subdivision (c) shall all be deposited upon collection in a special account in the county treasury, and transmitted herefrom monthly to the Controller for deposit in the Trial Court Trust Fund.

(c) (1) Except as specified in subdivision (d), this section applies to all fees collected pursuant to Sections 631.3 and 116.230 of the Code of Civil Procedure and Sections 26820.4, 26823, 26826, 26826.01, 26827, 26827.4, 26830, 26832.1, 26833.1, 26835.1, 26836.1, 26837.1, 26838,

26850.1, 26851.1, 26852.1, 26853.1, 26855.4, 26862, 27081.5, 68086, 72055, 72056, 72056.01, and 72060.

(2) If any of the fees provided for in this subdivision are partially waived by court order, and the fee is to be divided between the Trial Court Trust Fund and any other fund, the amount of the partial waiver shall be deducted from the amount to be distributed to each fund in the same proportion as the amount of each distribution bears to the total amount of the fee.

(3) Any amounts transmitted by a county to the Controller for deposit into the Trial Court Trust Fund from fees collected pursuant to Section 27361 between January 1, 1998, and the effective date of this paragraph shall be credited against the total amount the county is required to pay to the state pursuant to paragraph (2) of subdivision (b) of Section 77201 for the 1997–98 fiscal year.

(d) This section does not apply to that portion of a filing fee collected pursuant to Section 26820.4, 26826, 26827, 72055, or 72056 which is allocated for dispute resolution pursuant to Section 470.3 of the Business and Professions Code, the county law library pursuant to Section 6320 of the Business and Professions Code, the Judges' Retirement Fund pursuant to Section 26822.3, automated recordkeeping or conversion to micrographics pursuant to Sections 26863 and 68090.7, and courthouse financing pursuant to Section 76238. This section also does not apply to fees collected pursuant to subdivisions (a) and (c) of Section 27361.

(e) This section applies to all payments required to be made to the Trial Court Trust Fund by any county or city and county pursuant to Section 77201, 77201.1, or 77205.

(f) Notwithstanding any other provision of law, no agency shall take action to change the amounts allocated to any of the above funds.

(g) Before making any apportionments under this section, the Controller shall deduct, from the annual appropriation for that purpose, the actual administrative costs that will be incurred under this section. Costs reimbursed under this section shall be determined on an annual basis in consultation with the Judicial Council.

(h) Any amounts required to be transmitted by a county or city and county to the state pursuant to this section shall be remitted to the Controller no later than 45 days after the end of the month in which the fees were collected. This remittance shall be accompanied by a remittance advice identifying the collection month and the appropriate account in the Trial Court Trust Fund to which it is to be deposited. Any remittance which is not made by the county or city and county in accordance with this section shall be considered delinquent, and subject to the penalties specified in this section.

(i) Upon receipt of any delinquent payment required pursuant to this section, the Controller shall calculate a penalty on any delinquent payment by multiplying the amount of the delinquent payment at a daily rate equivalent to 1½ percent per month for the number of days the payment is delinquent. Notwithstanding Section 77009, any penalty on a delinquent payment that a court is required to reimburse to a county's general fund pursuant to this section and Section 24353 shall be paid from the Trial Court Operations Fund for that court.

(j) Penalty amounts calculated pursuant to subdivision (i) shall be paid by the county to the Trial Court Trust Fund no later than 45 days after the end of the month in which the penalty was calculated.

(k) The Trial Court Trust Fund shall be invested in the Surplus Money Investment Fund and all interest earned shall be allocated to the Trial Court Trust Fund semiannually and shall be allocated among the courts in accordance with the requirements of subdivision (a). The specific allocations shall be specified by the Judicial Council, based upon recommendations from the Trial Court Budget Commission.

(l) It is the intent of the Legislature that the revenues required to be deposited into the Trial Court Trust Fund be remitted as soon after collection by the courts as possible. As soon as possible, but no later than February 1, 2001, the Judicial Council, in consultation with the California State Association of Counties and the California County Auditors Association, shall study and make recommendations to the Legislature on alternative procedures that would improve the collection and remittance of revenues to the Trial Court Trust Fund.

CHAPTER 16

An act to amend Section 1563 of the Code of Civil Procedure, relating to escheat, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 5, 2000. Filed with
Secretary of State May 5, 2000.]

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

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) Members of the United States Armed Forces have consistently answered their nation's call to duty with honor and bravery.

(b) Californians serve proudly and with distinction in every branch of the United States Armed Forces.

(c) Californians have been recognized for their distinguished service by being honored through the awarding of Purple Hearts, Silver Stars, and Congressional Medals of Honor, among other commendations and awards.

(d) Military awards and decorations are irreplaceable and are unique symbols of the patriotism and distinguished heroism shown by our men and women while serving in uniform.

(e) Military awards and decorations are a crucial part of any family's heritage and history.

(f) Military awards and decorations are also an important part of the heritage and culture of the State of California.

SEC. 2. Section 1563 of the Code of Civil Procedure is amended to read:

1563. (a) Except as provided in subdivisions (b) and (d), all escheated property delivered to the Controller under this chapter shall be sold by the Controller to the highest bidder at public sale in whatever city in the state affords in his or her judgment the most favorable market for the property involved. The Controller may decline the highest bid and reoffer the property for sale if he or she considers the price bid insufficient. The Controller need not offer any property for sale if, in his or her opinion, the probable cost of sale exceeds the value of the property. Any sale of escheated property held under this section shall be preceded by a single publication of notice thereof, at least one week in advance of sale, in an English language newspaper of general circulation in the county where the property is to be sold.

(b) Securities listed on an established stock exchange within two years following receipt by the Controller shall be sold at the prevailing prices on that exchange. Other securities may be sold over the counter at prevailing prices or, with prior approval of the State Board of Control, by such other method as the Controller may determine to be advisable. United States government savings bonds and United States war bonds shall be presented to the United States for payment. Subdivision (a) does not apply to the property described in this subdivision.

(c) All escheated property consisting of military awards and decorations that is delivered to the Controller is exempt from subdivision (a) and shall be held in trust for the Controller at the California National Guard Museum and Resource Center. Any person claiming an interest in the escheated property may file a claim to the property pursuant to Article 4 (commencing with Section 1540).

(d) The purchaser at any sale conducted by the Controller pursuant to this chapter shall receive title to the property purchased, free from all claims of the owner or prior holder thereof and of all persons claiming through or under them. The Controller shall execute all documents necessary to complete the transfer of title.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to prevent the sale of priceless items of cultural significance to the state and families residing in the state, it is necessary that this act take effect immediately.

CHAPTER 17

An act to add Section 366.3 to the Code of Civil Procedure, and to amend Sections 1811, 1813, 1827, 1863, 11603, 21306, and 21320 of, to add Section 21305 to, to add Part 7 (commencing with Section 21700) to Division 11 of, and to repeal Chapter 2 (commencing with Section 150) of Part 3 of Division 2 of, the Probate Code, relating to estates and trusts.

[Approved by Governor May 5, 2000. Filed with
Secretary of State May 5, 2000.]

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

SECTION 1. Section 366.3 is added to the Code of Civil Procedure, to read:

366.3. (a) If a person has a claim which arises from a promise or agreement with a decedent to distribution from an estate or trust or under other instrument, whether the promise or agreement was made orally or in writing, an action to enforce the claim to distribution may be commenced within one year after the date of death, and the limitations period that would have been applicable does not apply.

(b) The limitations period provided in this section for commencement of an action shall not be tolled or extended for any reason except as provided in Part 3 (commencing with Section 21300) of Division 11 of the Probate Code.

(c) This section applies to actions brought on claims concerning persons dying on or after the effective date of this section.

SEC. 2. Chapter 2 (commencing with Section 150) of Part 3 of Division 2 of the Probate Code is repealed.

SEC. 3. Section 1811 of the Probate Code is amended to read:

1811. (a) Subject to Section 1813, the spouse or an adult child, parent, brother, or sister of the proposed conservatee may nominate a conservator in the petition or at the hearing on the petition.

(b) Subject to Section 1813, the spouse or a parent of the proposed conservatee may nominate a conservator in a writing signed either before or after the petition is filed and the nomination remains effective notwithstanding the subsequent legal incapacity or death of the spouse or parent.

SEC. 4. Section 1813 of the Probate Code is amended to read:

1813. (a) The spouse of a proposed conservatee may not petition for the appointment of a conservator for a spouse or be appointed as conservator of the person or estate of the proposed conservatee unless the petitioner alleges in the petition for appointment as conservator, and the court finds, that the spouse is not a party to any action or proceeding against the proposed conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage. However, if the court finds by clear and convincing evidence that the appointment of the spouse, who is a party to an action or proceeding against the proposed conservatee for legal separation, dissolution, separation, annulment, adjudication of nullity of their marriage, or has obtained a judgment in any of these proceedings, is in the best interests of the proposed conservatee, the court may appoint the spouse.

Prior to making this appointment, the court shall appoint counsel to consult with and advise the conservatee, and to report to the court his or her findings concerning the suitability of appointing the spouse as conservator.

(b) The spouse of a conservatee shall disclose to the conservator, or if the spouse is the conservator, shall disclose to the court, the filing of any action or proceeding against the conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of marriage, within 10 days of the filing of the action or proceeding by filing a notice with the court and serving the notice according to the notice procedures under this title. The court may, upon receipt of the notice, set the matter for hearing on an order to show cause why the appointment of the spouse as conservator, if the spouse is the conservator, should not be terminated and a new conservator appointed by the court.

SEC. 4.2. Section 1827 of the Probate Code is amended to read:

1827. The court shall hear and determine the matter of the establishment of the conservatorship according to the law and procedure relating to the trial of civil actions, including trial by jury if demanded by the proposed conservatee.

SEC. 4.4. Section 1863 of the Probate Code is amended to read:

1863. (a) The court shall hear and determine the matter according to the law and procedure relating to the trial of civil actions, including trial by jury if demanded by the conservatee. The conservator, the

conservatee, or the spouse or any relative or friend of the conservatee or other interested person may appear and support or oppose the petition.

(b) If the court determines that the conservatorship is no longer required or that grounds for establishment of a conservatorship of the person or estate, or both, no longer exist, the court shall make such a finding and shall enter judgment terminating the conservatorship accordingly.

(c) At the hearing, or thereafter on further notice and hearing, the conservator may be discharged and the bond given by the conservator may be exonerated upon the settlement and approval of the conservator's final account by the court.

(d) Termination of conservatorship does not preclude a new proceeding for appointment of a conservator on the same or other grounds.

SEC. 4.6. Section 11603 of the Probate Code is amended to read:

11603. (a) If the court determines that the requirements for distribution are satisfied, the court shall order distribution of the decedent's estate, or such portion as the court directs, to the persons entitled thereto.

(b) The order shall:

(1) Name the distributees and the share to which each is entitled.

(2) Provide that property distributed subject to a limitation or condition, including, but not limited to, an option granted under Chapter 16 (commencing with Section 9960) of Part 5, is distributed to the distributees subject to the terms of the limitation or condition.

(c) If the whereabouts of a distributee named in the order is unknown, the order shall provide for alternate distributees and the share to which each is entitled. The alternate distributees shall be the persons, to the extent known or reasonably ascertainable, who would be entitled under the decedent's will or under the laws of intestate succession if the distributee named in the order had predeceased the decedent, or in the case of a devise for a charitable purpose, under the doctrine of cy pres. If the distributee named in the order does not claim the share to which the distributee is entitled within five years after the date of the order, the distributee is deemed to have predeceased the decedent for the purpose of this section and the alternate distributees are entitled to the share as provided in the order.

SEC. 5. Section 21305 is added to the Probate Code, to read:

21305. (a) For instruments executed after the effective date of this section, the following actions shall not constitute a contest unless expressly identified in the no contest clause as a violation of the clause:

(1) The filing of a creditor's claim or prosecution of an action based upon it.

(2) An action or proceeding to determine the character of property.

(3) A challenge to the validity of an instrument, contract, agreement, beneficiary designation, or other document, other than the instrument containing the no contest clause.

(4) A petition for settlement or for compromise affecting the terms of the instrument.

(b) Notwithstanding anything to the contrary in any instrument, the following proceedings shall not violate a no contest clause as a matter of public policy:

(1) A petition seeking relief under Chapter 3 (commencing with Section 15400) of Part 2 of Division 9.

(2) A petition under Part 3(commencing with Section 1800) of Division 4.

(3) A petition under Part 2(commencing with Section 4100) of Division 4.5.

(4) A petition seeking an order annulling a marriage of the person who executed the instrument containing the no contest clause.

(5) A petition pursuant to Section 2403.

(6) A petition challenging the exercise of a fiduciary power.

(7) A petition objecting to the appointment of a fiduciary or seeking the removal of a fiduciary.

(8) Objections or other responsive pleading to an accounting of a fiduciary.

(c) Nothing in this section shall apply to a codicil executed after January 1, 2001, unless the codicil specifically adds or amends a no contest clause contained in the will or other testamentary instrument executed before January 1, 2001.

SEC. 6. Section 21306 of the Probate Code is amended to read:

21306. (a) A no contest clause is not enforceable against a beneficiary to the extent the beneficiary, with reasonable cause, brings a contest that is limited to one or more of the following grounds:

(1) Forgery.

(2) Revocation.

(3) An action to establish the invalidity of any transfer described in Section 21350.

(b) "Reasonable cause" is defined for the purposes of this section to mean that the party filing the action, proceeding, contest, or objections has possession of facts that would cause a reasonable person to believe that the allegations and other factual contentions in the matter filed with the court may be proven or, if specifically so identified, are likely to be proven after a reasonable opportunity for further investigation or discovery.

SEC. 7. Section 21320 of the Probate Code is amended to read:

21320. (a) If an instrument containing a no contest clause is or has become irrevocable, a beneficiary may apply to the court for a

determination whether a particular motion, petition, or other act by the beneficiary, including, but not limited to, creditor claims under Part 4 (commencing with Section 9000) of Division 7, Part 8 (commencing with Section 19000) of Division 9, and Part 7 (commencing with Section 21700) of Division 11, would be a contest within the terms of the no contest clause.

(b) A no contest clause is not enforceable against a beneficiary to the extent an application under subdivision (a) by the beneficiary is limited to the procedure and purpose described in subdivision (a) and does not require a determination of the merits of the motion, petition, or other act by the beneficiary.

(c) A determination of whether Section 21306 or 21307 would apply in a particular case may not be made under this section.

SEC. 8. Part 7 (commencing with Section 21700) is added to Division 11 of the Probate Code, to read:

PART 7. CONTRACTS REGARDING TESTAMENTARY OR INTESTATE SUCCESSION

21700. (a) A contract to make a will or devise or other instrument, or not to revoke a will or devise or other instrument, or to die intestate, if made after the effective date of this statute, can be established only by one of the following:

(1) Provisions of a will or other instrument stating the material provisions of the contract.

(2) An expressed reference in a will or other instrument to a contract and extrinsic evidence proving the terms of the contract.

(3) A writing signed by the decedent evidencing the contract.

(4) Clear and convincing evidence of an agreement between the decedent and the claimant or a promise by the decedent to the claimant that is enforceable in equity.

(5) Clear and convincing evidence of an agreement between the decedent and another person for the benefit of the claimant or a promise by the decedent to another person for the benefit of the claimant that is enforceable in equity.

(b) The execution of a joint will or mutual wills does not create a presumption of a contract not to revoke the will or wills.

(c) A contract to make a will or devise or other instrument, or not to revoke a will or devise or other instrument, or to die intestate, if made prior to the effective date of this section, shall be construed under the law applicable to the contract prior to the effective date of this section.

CHAPTER 18

An act to amend Section 30163 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 5, 2000. Filed with
Secretary of State May 5, 2000.]

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

SECTION 1. Section 30163 of the Revenue and Taxation Code is amended to read:

30163. (a) Except as otherwise provided in this section, an appropriate stamp shall be affixed to, or an appropriate meter impression shall be made on each package of cigarettes prior to the distribution of the cigarettes.

(b) No stamp or meter impression may be affixed to, or made upon, any package of cigarettes if any one of the following occurs:

(1) The package does not comply with all requirements of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. Sec. 1331 and following) for the placement of labels, warnings, or any other information upon a package of cigarettes that is to be sold within the United States.

(2) The package is labeled "For Export Only," "U.S. Tax Exempt," "For Use Outside U.S.," or similar wording indicating that the manufacturer did not intend that the product be sold in the United States.

(3) The package, or a package containing individually stamped packages, has been altered by adding or deleting the wording, labels, or warnings described in paragraph (1) or (2).

(4) The package was imported into the United States after January 1, 2000, in violation of Section 5754 of Title 26 of the United States Code.

(5) (A) The package bears a cigarette brand name which is a registered U.S. trademark of a participating manufacturer and the package was imported by anyone other than the participating manufacturer of that cigarette brand.

(B) For purposes of this paragraph, "participating manufacturer" has the same meaning as defined in paragraph (1) of subdivision (a) of Section 104557 of the Health and Safety Code and in Section II(jj) of the Master Settlement Agreement described in Article 3 (commencing with Section 104555) of Chapter 1 of Part 3 of Division 103 of the Health and Safety Code.

(c) Pursuant to its authority under Section 30148, the board shall revoke the license issued to a distributor that is determined to be in violation of this section.

(d) A violation of subdivision (b) shall constitute unfair competition under Section 17200 of the Business and Professions Code.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to encourage affiliation with and investment in California businesses and to clarify the status of imported cigarettes under the Cigarette and Tobacco Products Tax Law, it is necessary that this act take effect immediately.

CHAPTER 19

An act to amend Section 1 of Chapter 58 of the Statutes of 1997, relating to charter schools, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 8, 2000. Filed with
Secretary of State May 8, 2000.]

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

SECTION 1. Section 1 of Chapter 58 of the Statutes of 1997, as amended by Section 39 of Chapter 825 of the Statutes of 1997, is amended to read:

Sec. 1. (a) A charter school operating under a charter approved before June 1, 1997, by the county board of education of a county of the first class to serve at-risk pupils, may operate until June 30, 2003.

(b) Notwithstanding any other provisions of the Education Code, except as set forth in subdivision (c), for the 1999–2000 fiscal year and each fiscal year thereafter, up to and including the 2002–03 fiscal year, the attendance of pupils in a charter school to which this section applies shall be funded at the same rates for the same categories of pupils as community schools and community day schools in the same county.

(c) A charter school operated pursuant to subdivision (a) may, if its charter so provides, operate one or more community day schools in compliance with Article 3 (commencing with Section 48660) of Chapter 4 of Part 27 of the Education Code, except for compliance with the employment requirements in subdivision (a) of Section 48663 and subdivision (c) of Section 48664, and the funded average daily attendance limitations of paragraphs (1) and (2) of subdivision (a) of Section 48664, and be funded for not more than 2,000 units of average daily attendance in any fiscal year, to the extent that funding is appropriated therefor, pursuant to subdivision (a) of Section 48664 as if it were a community day school operated by a county. The average daily attendance of a charter school operating pursuant to this section shall not be in addition to the average daily attendance limitation provided pursuant to subdivision (a) of Section 48664 of the Education Code.

(d) The Legislative Analyst shall include, in the Analysis of the 2002–03 Governor’s Budget, a report on the need to continue community day school funding rates for a charter school operated pursuant to subdivision (a).

(e) A county board of education that has approved a charter school as set forth in subdivision (a), shall establish specific accountability criteria to annually measure the performance of the charter school. The performance criteria shall require all of the following:

(1) That at least 80 percent of the charter school’s pupils have met the pupil objectives of the charter school.

(2) That at least 62 percent of the charter school’s pupils have graduated from the charter school completing their general education requirements on a timely basis, or have returned to their school district of residence.

(3) That the parents of at least 59 percent of the pupils have participated in weekly parenting education sessions and other charter school activities.

(f) If a charter school does not comply with the performance criteria set forth in subdivision (e), the charter school shall submit to the county board of education a plan for improvement that is designed to enable the charter school to comply with the criteria within a time determined by the county board of education.

SEC. 2. Due to the unique circumstances resulting from the intensely urbanized nature of the affected county, it is necessary to extend the authorization for charter schools as set forth in Section 1, and the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of

Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to revise at the earliest possible time the formula for funding community day schools operated by a charter school the charter of which was approved by a county board of education to serve at-risk pupils, it is necessary that this act take effect immediately.

CHAPTER 20

An act to add Section 49494 to the Education Code, relating to school nutrition, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 8, 2000. Filed with
Secretary of State May 8, 2000.]

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

SECTION 1. Section 49494 is added to the Education Code, to read: 49494. Notwithstanding Section 49493, an allocation shall be made pursuant to this article for a ward or dependent of the court who resides in a probation camp, ranch, juvenile hall, or county operated children's emergency shelter. The department shall make an allocation for these purposes to a county probation department and welfare agency from funds appropriated to the department for the 1999–2000 fiscal year by crediting the county probation department or welfare agency commencing on July 1, 1999.

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

In order to authorize school nutrition funds for children under residential care and reimburse county probation departments and welfare agencies for school nutrition expenses as soon as possible, it is necessary that this act take effect immediately.

CHAPTER 21

An act to add and repeal Article 8 (commencing with Section 6045) of Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code,

relating to agriculture, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 19, 2000. Filed with
Secretary of State May 19, 2000.]

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

SECTION 1. Article 8 (commencing with Section 6045) is added to Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, to read:

Article 8. Pierce's Disease

6045. (a) The Legislature hereby finds and declares that the plant killing bacterium, *Xyella Fastidiosa* and the resulting pathogen, Pierce's disease, and its vectors present a clear and present danger to California's fifty billion dollar grape industry, as well as to many other commodities and plant life.

(b) There exists an ongoing need for at least fifteen million dollars (\$15,000,000) annually in research and programs to combat Pierce's disease and its vectors in California.

6046. (a) There is hereby created in the Department of Food and Agriculture the Pierce's Disease Control Program.

(b) The Governor shall appoint a statewide coordinator, and the secretary shall provide an appropriate level of support staffing and logistical support for combating Pierce's disease and its vectors.

(c) (1) There is hereby created the Pierce's Disease Management Account in the Food and Agriculture Fund.

(2) The account shall consist of money transferred from the General Fund under subdivision (d) and money made available from federal, industry, and other sources. Money made available from federal, industry, and other sources shall be available for expenditure without regard to fiscal year for the purpose of combating Pierce's disease or its vectors. State general funds to be utilized for research shall only be expended when the secretary has received commitments from nonstate sources for at least a 25-percent match for each state dollar to be expended.

(d) (1) The sum of six million nine hundred thousand dollars (\$6,900,000) is hereby appropriated from the General Fund to the account created by this article in the Department of Food and Agriculture Fund and shall be available for expenditure by the department without regard to fiscal year for the purpose of combating Pierce's disease or its vectors.

(2) It is the intent of the Legislature that a total of thirteen million eight hundred thousand dollars (\$13,800,000) be made available from the General Fund for purposes of providing funding to the program established by subdivision (a). Therefore, it is further the intent of the Legislature, in addition to the appropriation in paragraph (1), to appropriate six million nine hundred thousand dollars (\$6,900,000) from the General Fund in the Budget Act of 2000 to the department for the purpose of funding the program established by subdivision (a).

(e) The funds appropriated pursuant to this section to the Food and Agriculture Fund for the purpose of combating Pierce's disease and its vectors shall be used for costs that are incurred by the state or by local entities during and subsequent to the fiscal year of the act that added this section for the purpose of research and other efforts to combat Pierce's disease and its vectors.

(f) Whenever, in any county, funds are allocated by the Department of Food and Agriculture for local assistance regarding Pierce's disease and its vectors, those funds shall be made available to a local public entity, or local public entities, designated by that county's board of supervisors.

(g) Funds appropriated for local assistance shall not be allocated to the local public entity until the local public entity creates a Pierce's disease workplan that is approved by the department. Any funds allocated by the department to a designated local public entity or designated local public entity shall be utilized for activities consistent with the local Pierce's disease workplan or other programs or workplans approved by the department. It shall be the responsibility of the designated local public entity to develop and implement the local Pierce's disease workplan. Upon request, the department shall provide consultation to the local public entity regarding its workplan.

(h) The workplan created by the designated local public entity shall include, but is not limited to, all of the following:

(1) In coordination with the department, the development and delivery of producer outreach information and training to local communities, groups, and individuals to organize their involvement with the workplan and to raise awareness regarding Pierce's disease and its vectors.

(2) In coordination with the department, the development and delivery of ongoing training of the designated local public entity's employees in the biology, survey, and treatment of Pierce's disease and its vectors.

(3) The identification within the designated local public entity of a local Pierce's disease coordinator.

(4) The proposed treatment of Pierce's disease and its vectors. Treatment programs shall comply with all applicable laws and

regulations and shall be conducted in an environmentally responsible manner.

(5) In coordination with the department, the development and implementation of a data collection system to track and report new infestations of Pierce's disease and its vectors in a manner respectful of property and other rights of those affected.

(6) On an annual basis, while funds appropriated by this section are available for encumbrance, the department shall review the progress of each local public entity's activities regarding Pierce's disease and its vectors and, as needed, make recommendations regarding those activities to the local public entity.

(i) Notwithstanding Section 7550.5 of the Government Code, the department shall report to the Legislature on January 1, 2001, and each January 1 while this section is operative, regarding its expenditures, progress, and ongoing priorities in combating Pierce's disease and its vectors in California.

(j) This article shall become inoperative on January 1, 2006, and as of January 1, 2007, is repealed, unless a later enacted statute that is enacted before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.

6047. The secretary may establish, maintain, and enforce regulations consistent with the intent of the Legislature as expressed in this article as may be necessary to interpret, clarify, or implement this article. This authority shall be liberally construed to effectuate the intent of this article.

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

In order to minimize the destructive impact of Pierce's disease and its vectors at the earliest possible time, it is necessary for this act to take effect immediately.

CHAPTER 22

An act to amend, repeal, add, and repeal Section 24216 of the Education Code, relating to state teachers' retirement, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 19, 2000. Filed with
Secretary of State May 19, 2000.]

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

SECTION 1. Section 24216 of the Education Code is amended to read:

24216. (a) (1) A member retired for service under this part who is appointed as a trustee or administrator by the Superintendent of Public Instruction pursuant to Section 41320.1, or a member retired for service who is assigned by a county superintendent of schools pursuant to Article 2 (commencing with Section 42120) of Chapter 6 of Part 24, shall be exempt from subdivisions (d), (e), and (f) of Section 24214 for a maximum period of two years.

(2) The period of exemption shall commence on the date the member retired for service is appointed or assigned and shall end no more than two calendar years from that date, after which the limitation specified in subdivisions (d), (e), and (f) of Section 24214 shall apply.

(3) An exemption under this subdivision shall be granted by the system providing that the Superintendent of Public Instruction or the county superintendent of schools submits documentation required by the system to substantiate the eligibility of the member retired for service for an exemption under this subdivision.

(b) (1) A member retired for service under this part who is employed by an employer to perform creditable service in an emergency situation to fill a vacant administrative position requiring highly specialized skills shall be exempt from the provisions of subdivisions (d), (e) and (f) of Section 24214 for creditable service performed up to one-half of the full-time equivalent for that position, if the vacancy occurred due to circumstances beyond the control of the employer. The limitation specified in subdivisions (d), (e), and (f) of Section 24214 shall apply to creditable service performed beyond the specified exemption.

(2) A member described in paragraph (1) may be exempt from the provisions of subdivisions (d), (e), and (f) of Section 24214 for up to an additional one-half of the full-time equivalent for the same position, provided neither the member or any other member has ever received an exemption pursuant to this paragraph for the same position and the employer has satisfied the requirements of subparagraph (D) of paragraph (3).

(3) An exemption under this subdivision shall be granted by the system subject to the following conditions:

(A) The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.

(B) The employment is reported in a public meeting of the governing body of the employer.

(C) The employer submits documentation required by the system to substantiate the eligibility of the member retired for service for an exemption under this subdivision.

(D) For exemption requests under paragraph (2), the employer shall submit documentation to substantiate the unsuccessful attempts to permanently fill the position while the position was occupied by a retired member under paragraph (1) and that the vacancy continues to exist due to circumstances beyond the control of the employer.

(c) This section shall not apply to any person who has received additional service credit pursuant to Section 22715 or 22716.

(d) A person who has received additional service credit pursuant to Section 22714 shall be ineligible for one year from the effective date of retirement for the exemption provided in this section for service performed in the district from which he or she retired.

(e) The amendments to this section enacted during the 1999–2000 Regular Session shall be deemed to authorize exemptions pursuant to paragraph (2) of subdivision (b) on and after July 1, 1999.

(f) This section shall become operative on July 1, 1995, and shall remain in effect only until January 1, 2001, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2001, deletes or extends that date.

SEC. 2. Section 24216 is added to the Education Code, to read:

24216. (a) (1) A member retired for service under this part who is appointed as a trustee or administrator by the Superintendent of Public Instruction pursuant to Section 41320.1, or a member retired for service who is assigned by a county superintendent of schools pursuant to Article 2 (commencing with Section 42120) of Chapter 6 of Part 24, shall be exempt from subdivisions (d), (e), and (f) of Section 24214 for a maximum period of two years.

(2) The period of exemption shall commence on the date the member retired for service is appointed or assigned and shall end no more than two calendar years from that date, after which the limitation specified in subdivisions (d), (e), and (f) of Section 24214 shall apply.

(3) An exemption under this subdivision shall be granted by the system providing that the Superintendent of Public Instruction or the county superintendent of schools submits documentation required by the system to substantiate the eligibility of the member retired for service for an exemption under this subdivision.

(b) (1) A member retired for service under this part who is employed by an employer to perform creditable service in an emergency situation to fill a vacant administrative position requiring highly specialized skills shall be exempt from the provisions of subdivisions (d), (e) and (f) of Section 24214 for creditable service performed up to one-half of the full-time equivalent for that position, if the vacancy occurred due to

circumstances beyond the control of the employer. The limitation specified in subdivisions (d), (e), and (f) of Section 24214 shall apply to creditable service performed beyond the specified exemption.

(2) An exemption under this subdivision shall be granted by the system subject to the following conditions:

(A) The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.

(B) The employment is reported in a public meeting of the governing body of the employer.

(C) The employer submits documentation required by the system to substantiate the eligibility of the member retired for service for an exemption under this subdivision.

(c) This section shall not apply to any person who has received additional service credit pursuant to Section 22715 or 22716.

(d) A person who has received additional service credit pursuant to Section 22714 shall be ineligible for one year from the effective date of retirement for the exemption provided in this section for service performed in the district from which he or she retired.

(e) This section shall become operative on January 1, 2001, and shall remain in effect only until July 1, 2003, and as of that date is repealed, unless a later enacted statute, which is enacted before July 1, 2003, deletes or extends that date.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enhance the ability of school districts to fill vacant administrative positions requiring highly specialized skills in emergency situations, it is necessary that this act take effect immediately.

CHAPTER 23

An act to amend Section 18092 of the Health and Safety Code, relating to housing.

[Approved by Governor May 19, 2000. Filed with
Secretary of State May 19, 2000.]

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

SECTION 1. Section 18092 of the Health and Safety Code is amended to read:

18092. (a) Every manufactured home, mobilehome, commercial coach, truck camper, or floating home subject to registration shall be issued a registration decal. The design of the decal shall be determined by the director and the decal shall be issued by the department. The decal shall be at least 2¹/₂ inches high and 2¹/₂ inches wide.

(b) The decals shall be applied to the outside of the mobilehome or commercial coach in a location within 15 inches of the lower front right-hand side which is clearly visible and these decals shall be maintained in a condition so as to be clearly legible. The decals shall be applied to the lower rear left-hand side of the truck camper.

For a floating home, the decal shall be applied in an area six inches from the main entry door on the side opposite the hinged side of the door at a point not less than two feet from either the top or bottom of the door and on the outside surface.

(c) The director, after consultation with county assessors, shall prescribe a registration decal for manufactured homes and mobilehomes subject to registration which clearly indicates, by color or otherwise, whether or not the manufactured home or mobilehome is subject to annual registration with the department or is subject to local property taxation.

CHAPTER 24

An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 19, 2000. Filed with
Secretary of State May 19, 2000.]

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

SECTION 1. This act may be cited as the First Validating Act of 2000.

SEC. 2. As used in this act:

(a) "Public body" means the state and all departments, agencies, boards, commissions, and authorities of the state. "Public body" also means all counties, cities and counties, cities, districts, authorities, agencies, boards, commissions, and other entities, whether created by a general statute or a special act, including, but not limited to, the following:

Agencies, boards, commissions, or entities constituted or provided for under or pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code.

Air pollution control districts of any kind.

Air quality management districts.

Airport districts.

Assessment districts, benefit assessment districts, and special assessment districts of any public body.

Bridge and highway districts.

California water districts.

Citrus pest control districts.

City maintenance districts.

Community college districts.

Community development commissions.

Community facilities districts.

Community redevelopment agencies.

Community rehabilitation districts.

Community services districts.

Conservancy districts.

Cotton pest abatement districts.

County boards of education.

County drainage districts.

County flood control and water districts.

County free library systems.

County maintenance districts.

County sanitation districts.

County service areas.

County transportation commissions.

County water agencies.

County water authorities.

County water districts.

County waterworks districts.

Department of Water Resources and other agencies acting pursuant to Part 3 (commencing with Section 11100) of Division 6 of the Water Code.

Distribution districts of any public body.

Drainage districts.

Fire protection districts.

Flood control and water conservation districts.

Flood control districts.

Garbage and refuse disposal districts.

Garbage disposal districts.

Geologic hazard abatement districts.

Harbor districts.

Harbor improvement districts.
Harbor, recreation, and conservation districts.
Health care authorities.
Highway districts.
Highway interchange districts.
Highway lighting districts.
Housing authorities.
Improvement districts or improvement areas of any public body.
Industrial development authorities.
Infrastructure financing districts.
Integrated financing districts.
Irrigation districts.
Joint highway districts.
Levee districts.
Library districts.
Library districts in unincorporated towns and villages.
Local agency formation commissions.
Local health care districts.
Local health districts.
Local hospital districts.
Local transportation authorities or commissions.
Maintenance districts.
Memorial districts.
Metropolitan transportation commissions.
Metropolitan water districts.
Mosquito abatement or vector control districts.
Municipal improvement districts.
Municipal utility districts.
Municipal water districts.
Nonprofit corporations.
Nonprofit public benefit corporations.
Open-space maintenance districts.
Parking authorities.
Parking districts.
Permanent road divisions.
Pest abatement districts.
Police protection districts.
Port districts.
Project areas of community redevelopment agencies.
Protection districts.
Public cemetery districts.
Public utility districts.
Rapid transit districts.
Reclamation districts.

Recreation and park districts.
Regional justice facility financing agencies.
Regional park and open-space districts.
Regional planning districts.
Regional transportation commissions.
Resort improvement districts.
Resource conservation districts.
River port districts.
Road maintenance districts.
Sanitary districts.
School districts of any kind or class.
School facilities improvement districts.
Separation of grade districts.
Service authorities for freeway emergencies.
Sewer districts.
Sewer maintenance districts.
Small craft harbor districts.
Stone and pome fruit pest control districts.
Storm drain maintenance districts.
Storm drainage districts.
Storm drainage maintenance districts.
Storm water districts.
Toll tunnel authorities.
Traffic authorities.
Transit development boards.
Transit districts.
Unified and union school districts' public libraries.
Vehicle parking districts.
Water agencies.
Water authorities.
Water conservation districts.
Water districts.
Water replenishment districts.
Water storage districts.
Wine grape pest and disease control districts.
Zones, improvement zones, or service zones of any public body.

(b) "Bonds" means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, all leases, installment purchase agreements, or similar agreements wherein the obligor is one or more public bodies, all instruments evidencing the borrowing of money in anticipation of taxes, revenues, or other income of that body, all instruments payable from revenues or special funds of those public bodies, all certificates of participation evidencing interests in the leases, installment purchase agreements, or similar agreements,

and all instruments funding, refunding, replacing, or amending any thereof or any indebtedness.

(c) "Hereafter" means any time subsequent to the effective date of this act.

(d) "Heretofore" means any time prior to the effective date of this act.

(e) "Now" means the effective date of this act.

SEC. 3. All public bodies heretofore organized or existing under, or under color of, any law, are hereby declared to have been legally organized and to be legally functioning as those public bodies. Every public body, heretofore described, shall have all the rights, powers, and privileges, and be subject to all the duties and obligations, of those public bodies regularly formed pursuant to law.

SEC. 4. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established.

SEC. 5. All acts and proceedings heretofore taken by any public body or bodies under any law, or under color of any law, for the annexation or inclusion of territory into those public bodies or for the annexation of those public bodies to any other public body or for the detachment, withdrawal, or exclusion of territory from any public body or for the consolidation, merger, or dissolution of any public bodies are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of any public body and of any person, public officer, board, or agency heretofore done or taken upon the question of the annexation or inclusion or of the withdrawal or exclusion of territory or the consolidation, merger, or dissolution of those public bodies.

SEC. 6. All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for, or in connection with, the authorization, issuance, sale, execution, delivery, or exchange of bonds of any public body for any public purpose are hereby authorized, confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of public bodies and of any person, public officer, board, or agency heretofore done or taken upon the question of the authorization, issuance, sale, execution, delivery, or exchange of bonds.

All bonds of, or relating to, any public body heretofore issued shall be, in the form and manner issued and delivered, the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore awarded and sold to a purchaser and hereafter issued and delivered in accordance with the contract of sale and other proceedings for the award and sale shall be the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public

body heretofore authorized to be issued by ordinance, resolution, order, or other action adopted or taken by or on behalf of the public body and hereafter issued and delivered in accordance with that authorization shall be the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore authorized to be issued at an election and hereafter issued and delivered in accordance with that authorization shall be the legal, valid, and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, those bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with that authorization, shall be the legal, valid, and binding obligations of the public body.

SEC. 7. (a) This act shall operate to supply legislative authorization as may be necessary to authorize, confirm, and validate any acts and proceedings heretofore taken pursuant to authority the Legislature could have supplied or provided for in the law under which those acts or proceedings were taken.

(b) This act shall be limited to the validation of acts and proceedings to the extent that the same can be effectuated under the state and federal Constitutions.

(c) This act shall not operate to authorize, confirm, validate, or legalize any act, proceeding, or other matter being legally contested or inquired into in any legal proceeding now pending and undetermined or that is pending and undetermined during the period of 30 days from and after the effective date of this act.

(d) This act shall not operate to authorize, confirm, validate, or legalize any act, proceeding, or other matter that has heretofore been determined in any legal proceeding to be illegal, void, or ineffective.

(e) This act shall not operate to authorize, confirm, validate, or legalize a contract between any public body and the United States.

SEC. 8. Any action or proceeding contesting the validity of any action or proceeding heretofore taken under any law, or under color of any law, for the formation, organization, or incorporation of any public body, or for any annexation thereto, detachment or exclusion therefrom, or other change of boundaries thereof, or for the consolidation, merger, or dissolution of any public bodies, or for, or in connection with, the authorization, issuance, sale, execution, delivery, or exchange of bonds thereof upon any ground involving any alleged defect or illegality not effectively validated by the prior provisions of this act and not otherwise barred by any statute of limitations or by laches shall be commenced within six months of the effective date of this act; otherwise each and all of those matters shall be held to be valid and in every respect legal and

incontestable. This act shall not extend the period allowed for legal action beyond the period that it would be barred by any presently existing valid statute of limitations.

SEC. 9. Nothing contained in this act shall be construed to render the creation of any public body, or any change in the boundaries of any public body, effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed pursuant to Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5 of the Government Code, is filed within the time and substantially in the manner required by those sections.

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to validate the organization, boundaries, acts, proceedings, and bonds of public bodies as soon as possible, it is necessary that this act take immediate effect.

CHAPTER 25

An act to add Sections 36424.1 and 37207.1 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 23, 2000. Filed with
Secretary of State May 24, 2000.]

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

SECTION 1. Section 36424.1 is added to the Water Code, to read:
36424.1. (a) This section applies only to the Santa Margarita Water District.

(b) The Legislature finds and declares both of the following:

(1) In 1978, the voters of the Santa Margarita Water District authorized the sale of bonds for its improvement district number four in which the bond proceeds are available for water and sewer facilities.

(2) In 1998, the Capistrano School District created a Mello-Roos Community Facilities District in which the bond proceeds are available for water, sewer, roads, and other facilities for a portion of the area to be served by the improvement district.

(c) It is the intent of the Legislature to allow the Santa Margarita Water District the flexibility to establish equity with regard to the manner in which the district's water and sewer bonds are repaid,

recognizing that a portion of the water and sewer facilities for the improvement district area will be financed by bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Ch. 2.5 (commencing with Sec. 53311), Pt. 1, Div. 2, Title 5, Gov. C.), instead of all water and sewer facilities being financed by the district's water and sewer bonds.

(d) For the purpose of making the annual estimate of the amount required to pay the principal of, and interest on, general obligation bonds of the Santa Margarita Water District for improvement district number four pursuant to Section 36424, the board of the district may designate two separate areas within the improvement district, with one area financed by the school district's bonds under Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code and the other area not so financed.

(e) If the district exercises the authority authorized by this section, the amount of principal and interest allocated each year to the area without the bonds issued under Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code (1) shall not be less, to the extent possible, than the amount needed to repay the principal and interest actually owed on the water and sewer bonds if that amount is spread uniformly across all of the assessed value of property within the improvement district, and (2) shall not be more, to the extent possible, than that amount that would have been allocated if (A) all water and sewer facilities had been financed by the water district's water and sewer bonds, subject to a limit of the amount of water and sewer bonds actually authorized, and (B) the entire improvement district was responsible to repay these amounts.

(f) The board shall not designate separate areas unless it receives a report from an independent financial consultant or engineer that the designation of the proposed areas and the allocation of the estimated amount required to repay the principal of, and interest on, the bonds to the areas, in accordance with subdivision (e), will not adversely affect the board's ability to levy ad valorem assessments that will be sufficient to pay the principal of, and interest on, the bonds and the board determines that the designation of the areas and the allocation of the amount will not be adverse to the interests of the holders of the bonds. Notwithstanding subdivision (e), if the report indicates that the allocation described in subdivision (e) will adversely affect the board's ability to levy ad valorem assessments that are sufficient to pay the principal of, and interest on, the bonds or that that allocation may be adverse to the interests of the holders of the bonds, the district may designate two separate areas within improvement district number four in accordance with subdivision (d) and levy ad valorem assessments in amounts necessary to avoid those adverse effects.

SEC. 2. Section 37207.1 is added to the Water Code, to read:

37207.1. (a) This section applies only to the Santa Margarita Water District.

(b) If the board determines pursuant to Section 36424.1 to designate areas within an improvement district for which the Santa Margarita Water District has issued general obligation bonds, the board shall submit to the county auditor and the board of supervisors an estimate, in writing, of the amount of money required to be raised by assessment for the payment of the amount allocated by the board to each area for the payment of the principal of, and interest on, the bonds issued for the improvement district. Upon receiving the estimate, the board of supervisors shall levy an ad valorem assessment upon all lands within each designated area that is sufficient to raise the amount set forth in the estimate of the board.

(c) The district shall reimburse the county for any additional costs in carrying out the provisions of this section.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution as a result of the infrastructure requirements applicable to the Santa Margarita Water District.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to more equitably assess property in the Santa Margarita Water District at the earliest possible time, it is necessary that this act take effect immediately.

CHAPTER 26

An act to amend Section 1351 of the Civil Code, and to amend Sections 66412 and 66452.10 of the Government Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 23, 2000. Filed with
Secretary of State May 24, 2000.]

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

SECTION 1. Section 1351 of the Civil Code is amended to read:
1351. As used in this title, the following terms have the following meanings:

(a) "Association" means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

(b) "Common area" means the entire common interest development except the separate interests therein. The estate in the common area may be a fee, a life estate, an estate for years, or any combination of the foregoing. However, the common area for a planned development specified in paragraph (2) of subdivision (k) may consist of mutual or reciprocal easement rights appurtenant to the separate interests.

(c) "Common interest development" means any of the following:

(1) A community apartment project.

(2) A condominium project.

(3) A planned development.

(4) A stock cooperative.

(d) "Community apartment project" means a development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon.

(e) "Condominium plan" means a plan consisting of (1) a description or survey map of a condominium project, which shall refer to or show monumentation on the ground, (2) a three-dimensional description of a condominium project, one or more dimensions of which may extend for an indefinite distance upwards or downwards, in sufficient detail to identify the common areas and each separate interest, and (3) a certificate consenting to the recordation of the condominium plan pursuant to this title signed and acknowledged by the following:

(i) The record owner of fee title to that property included in the condominium project.

(ii) In the case of a condominium project which will terminate upon the termination of an estate for years, the certificate shall be signed and acknowledged by all lessors and lessees of the estate for years.

(iii) In the case of a condominium project subject to a life estate, the certificate shall be signed and acknowledged by all life tenants and remainder interests.

(iv) The certificate shall also be signed and acknowledged by either the trustee or the beneficiary of each recorded deed of trust, and the mortgagee of each recorded mortgage encumbering the property.

Owners of mineral rights, easements, rights-of-way, and other nonpossessory interests do not need to sign the condominium plan. Further, in the event a conversion to condominiums of a community apartment project or stock cooperative has been approved by the required number of owners, trustees, beneficiaries, and mortgagees pursuant to Section 66452.10 of the Government Code, the certificate need only be signed by those owners, trustees, beneficiaries, and mortgagees approving the conversion.

A condominium plan may be amended or revoked by a subsequently acknowledged recorded instrument executed by all the persons whose signatures would be required pursuant to this subdivision.

(f) A “condominium project” means a development consisting of condominiums. A condominium consists of an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map, or condominium plan in sufficient detail to locate all boundaries thereof. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support. The description of the unit may refer to (1) boundaries described in the recorded final map, parcel map, or condominium plan, (2) physical boundaries, either in existence, or to be constructed, such as walls, floors, and ceilings of a structure or any portion thereof, (3) an entire structure containing one or more units, or (4) any combination thereof. The portion or portions of the real property held in undivided interest may be all of the real property, except for the separate interests, or may include a particular three-dimensional portion thereof, the boundaries of which are described on a recorded final map, parcel map, or condominium plan. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support. An individual condominium within a condominium project may include, in addition, a separate interest in other portions of the real property.

(g) “Declarant” means the person or group of persons designated in the declaration as declarant, or if no declarant is designated, the person or group of persons who sign the original declaration or who succeed to special rights, preferences, or privileges designated in the declaration as belonging to the signator of the original declaration.

(h) “Declaration” means the document, however denominated, which contains the information required by Section 1353.

(i) “Exclusive use common area” means a portion of the common areas designated by the declaration for the exclusive use of one or more,

but fewer than all, of the owners of the separate interests and which is or will be appurtenant to the separate interest or interests.

(1) Unless the declaration otherwise provides, any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, patios, exterior doors, door frames, and hardware incident thereto, screens and windows or other fixtures designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common areas allocated exclusively to that separate interest.

(2) Notwithstanding the provisions of the declaration, internal and external telephone wiring designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common areas allocated exclusively to that separate interest.

(j) "Governing documents" means the declaration and any other documents, such as bylaws, operating rules of the association, articles of incorporation, or articles of association, which govern the operation of the common interest development or association.

(k) "Planned development" means a development (other than a community apartment project, a condominium project, or a stock cooperative) having either or both of the following features:

(1) The common area is owned either by an the association or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area.

(2) A power exists in the association to enforce an obligation of an owner of a separate interest with respect to the beneficial use and enjoyment of the common area by means of an assessment which may become a lien upon the separate interests in accordance with Section 1367.

(l) "Separate interest" has the following meanings:

(1) In a community apartment project, "separate interest" means the exclusive right to occupy an apartment, as specified in subdivision (d).

(2) In a condominium project, "separate interest" means an individual unit, as specified in subdivision (f).

(3) In a planned development, "separate interest" means a separately owned lot, parcel, area, or space.

(4) In a stock cooperative, "separate interest" means the exclusive right to occupy a portion of the real property, as specified in subdivision (m).

Unless the declaration or condominium plan, if any exists, otherwise provides, if walls, floors, or ceilings are designated as boundaries of a separate interest, the interior surfaces of the perimeter walls, floors, ceilings, windows, doors, and outlets located within the separate interest are part of the separate interest and any other portions of the walls, floors, or ceilings are part of the common areas.

The estate in a separate interest may be a fee, a life estate, an estate for years, or any combination of the foregoing.

(m) "Stock cooperative" means a development in which a corporation is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, and all or substantially all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of subdivision (f) of Section 25100 of the Corporations Code.

A "stock cooperative" includes a limited equity housing cooperative which is a stock cooperative that meets the criteria of Section 33007.5 of the Health and Safety Code.

SEC. 2. Section 66412 of the Government Code is amended to read: 66412. This division shall be inapplicable to:

(a) The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, commercial buildings, mobilehome parks, or trailer parks.

(b) Mineral, oil, or gas leases.

(c) Land dedicated for cemetery purposes under the Health and Safety Code.

(d) A lot line adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by the local agency, or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to local zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to local zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment. The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code.

(e) Boundary line or exchange agreements to which the State Lands Commission or a local agency holding a trust grant of tide and submerged lands is a party.

(f) Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.

(g) Unless a parcel or final map was approved by the legislative body of a local agency, the conversion of a community apartment project, as defined in Section 11004 of the Business and Professions Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:

(1) At least 75 percent of the units in the project were occupied by record owners of the project on March 31, 1982.

(2) A final or parcel map of the project was properly recorded, if the property was subdivided, as defined in Section 66424, after January 1, 1964, with all of the conditions of that map remaining in effect after the conversion.

(3) The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

(4) Subject to compliance with subdivision (e) of Section 1351 of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the project as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the project shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the project.

(h) Unless a parcel or final map was approved by the legislative body of a local agency, the conversion of a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:

(1) At least 51 percent of the units in the cooperative were occupied by stockholders of the cooperative on January 1, 1981, or individually owned by stockholders of the cooperative on January 1, 1981. As used in this paragraph, a cooperative unit is "individually owned" if and only if the stockholder of that unit owns or partially owns an interest in no more than one unit in the cooperative.

(2) No more than 25 percent of the shares of the cooperative were owned by any one person, as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1981.

(3) A person renting a unit in a cooperative shall be entitled at the time of conversion to all tenant rights in state or local law, including, but not limited to, rights respecting first refusal, notice, and displacement and relocation benefits.

(4) The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

(5) Subject to compliance with subdivision (e) of Section 1351 of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative.

(i) The leasing of, or the granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of a windpowered electrical generation device on the land, if the project is subject to discretionary action by the advisory agency or legislative body.

(j) The leasing or licensing of a portion of a parcel, or the granting of an easement, use permit, or similar right on a portion of a parcel, to a telephone corporation as defined in Section 234 of the Public Utilities Code, exclusively for the placement and operation of cellular radio transmission facilities, including, but not limited to, antennae support structures, microwave dishes, structures to house cellular communications transmission equipment, power sources, and other equipment incidental to the transmission of cellular communications, if the project is subject to discretionary action by the advisory agency or legislative body.

(k) Leases of agricultural land for agricultural purposes. As used in this subdivision, "agricultural purposes" means the cultivation of food or fiber, or the grazing or pasturing of livestock.

SEC. 3. Section 66452.10 of the Government Code is amended to read:

66452.10. A stock cooperative, as defined in Section 11003.2 of the Business and Professions Code, or a community apartment project, as defined in Section 11004 of the Business and Professions Code, shall not be converted to a condominium, as defined in Section 783 of the Civil Code, unless the required number of (1) owners and (2) trustees or beneficiaries of each recorded deed of trust and mortgagees of each recorded mortgage in the cooperative or project, as specified in the bylaws, or other organizational documents, have voted in favor of the conversion. If the bylaws or other organizational documents do not expressly specify the number of votes required to approve the conversion, a majority vote of the (1) owners and (2) trustees or

beneficiaries of each recorded deed of trust and mortgagees of each recorded mortgage in the cooperative or project shall be required. Upon approval of the conversion as set forth above and in compliance with subdivision (e) of Section 1351 of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative or project as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances or other documents, a majority of owners in the cooperative or project shall be required to execute the conveyances and other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative or project. The provisions of Section 66499.31 shall not apply to a violation of this section.

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

In order to provide relief to the affordable housing crisis, it is necessary that this act take effect immediately as an urgency statute.

CHAPTER 27

An act to amend Section 1204 of the Health and Safety Code, relating to health care facilities.

[Approved by Governor May 30, 2000. Filed with
Secretary of State May 31, 2000.]

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

SECTION 1. Section 1204 of the Health and Safety Code is amended to read:

1204. Clinics eligible for licensure pursuant to this chapter are primary care clinics and specialty clinics.

(a) (1) Only the following defined classes of primary care clinics shall be eligible for licensure:

(A) A “community clinic” means a clinic operated by a tax-exempt nonprofit corporation that is supported and maintained in whole or in part by donations, bequests, gifts, grants, government funds or contributions, that may be in the form of money, goods, or services. In a community clinic, any charges to the patient shall be based on the

patient's ability to pay, utilizing a sliding fee scale. No corporation other than a nonprofit corporation, exempt from federal income taxation under paragraph (3) of subsection (c) of Section 501 of the Internal Revenue Code of 1954 as amended, or a statutory successor thereof, shall operate a community clinic; provided, that the licensee of any community clinic so licensed on the effective date of this section shall not be required to obtain tax-exempt status under either federal or state law in order to be eligible for, or as a condition of, renewal of its license. No natural person or persons shall operate a community clinic.

(B) A "free clinic" means a clinic operated by a tax-exempt, nonprofit corporation supported in whole or in part by voluntary donations, bequests, gifts, grants, government funds or contributions, that may be in the form of money, goods, or services. In a free clinic there shall be no charges directly to the patient for services rendered or for drugs, medicines, appliances, or apparatuses furnished. No corporation other than a nonprofit corporation exempt from federal income taxation under paragraph (3) of subsection (c) of Section 501 of the Internal Revenue Code of 1954 as amended, or a statutory successor thereof, shall operate a free clinic; provided, that the licensee of any free clinic so licensed on the effective date of this section shall not be required to obtain tax-exempt status under either federal or state law in order to be eligible for, or as a condition of, renewal of its license. No natural person or persons shall operate a free clinic.

(2) Nothing in this subdivision shall prohibit a community clinic or a free clinic from providing services to patients whose services are reimbursed by third-party payers, or from entering into managed care contracts for services provided to private or public health plan subscribers, as long as the clinic meets the requirements identified in subparagraphs (A) and (B). For purposes of this subdivision, any payments made to a community clinic by a third-party payer, including, but not limited to, a health care service plan, shall not constitute a charge to the patient. This paragraph is a clarification of existing law.

(b) The following types of specialty clinics shall be eligible for licensure as specialty clinics pursuant to this chapter:

(1) A "surgical clinic" means a clinic that is not part of a hospital and that provides ambulatory surgical care for patients who remain less than 24 hours. A surgical clinic does not include any place or establishment owned or leased and operated as a clinic or office by one or more physicians or dentists in individual or group practice, regardless of the name used publicly to identify the place or establishment, provided, however, that physicians or dentists may, at their option, apply for licensure.

(2) A “chronic dialysis clinic” means a clinic that provides less than 24-hour care for the treatment of patients with end-stage renal disease, including renal dialysis services.

(3) A “rehabilitation clinic” means a clinic that, in addition to providing medical services directly, also provides physical rehabilitation services for patients who remain less than 24 hours. Rehabilitation clinics shall provide at least two of the following rehabilitation services: physical therapy, occupational therapy, social, speech pathology, and audiology services. A rehabilitation clinic does not include the offices of a private physician in individual or group practice.

(4) An “alternative birth center” means a clinic that is not part of a hospital and that provides comprehensive perinatal services and delivery care to pregnant women who remain less than 24 hours at the facility.

CHAPTER 28

An act relating to the payment of claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 31, 2000. Filed with
Secretary of State June 1, 2000.]

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

SECTION 1. (a) The sum of eighteen million five hundred thousand dollars (\$18,500,000) is hereby appropriated, without regard to fiscal year, from the General Fund to the Attorney General for allocation as follows:

(1) Seventeen million five hundred thousand dollars (\$17,500,000) to pay judgments and settlement claims in the case of *Akins, et al. v. State of California, et al.* (Superior Court, County of Sacramento, Case No. CV 345772), as stipulated in the settlement.

(2) One million dollars (\$1,000,000) to pay judgments and settlement claims in the case of *Antonelli, et al. v. State of California, et al.* (Superior Court, County of Sacramento, Case No. 97AS06716), as stipulated in the settlement.

(b) An amount ascertained by the Attorney General to be sufficient to pay interest at the rate of 7 percent per annum accruing on the amounts specified in subdivision (a) that are not received by the plaintiffs in the respective cases on or before April 15, 2000, as stipulated in the

settlements, is also hereby appropriated, without regard to fiscal year, from the General Fund to the Attorney General to pay that interest.

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

In order to pay claims against the state and end hardship to claimants as quickly as possible, it is necessary for this act to take effect immediately.

CHAPTER 29

An act to add Section 12287 to the Elections Code, relating to polling places.

[Approved by Governor May 31, 2000. Filed with
Secretary of State June 1, 2000.]

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

SECTION 1. Section 12287 is added to the Elections Code, to read: 12287. A candidate's residence shall not be designated as a polling place for an election at which that candidate's name will appear on the ballot.

CHAPTER 30

An act to amend Section 6700.2 of the Vehicle Code, relating to vehicles.

[Approved by Governor May 31, 2000. Filed with
Secretary of State June 1, 2000.]

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

SECTION 1. Section 6700.2 of the Vehicle Code is amended to read:

6700.2. (a) Notwithstanding Section 4000.4, subdivision (a) of Section 6700, or Section 6702, a nonresident daily commuter may operate a motor vehicle on the highways of this state only if all of the following conditions are met:

(1) The motor vehicle is a passenger vehicle or a commercial vehicle of less than 6,000 pounds unladen weight with not more than two axles of the type commonly referred to as a pickup truck.

(2) The motor vehicle is used regularly to transport passengers on the highways of this state principally between, and to and from, the place of residence in a contiguous state and the place of employment in this state by the owner of the motor vehicle and for no other business purpose.

(3) The motor vehicle is not used in the course of a business within this state, including the transportation of property other than incidental personal property between, and to or from, the place of residence in a contiguous state and the place of employment of the motor vehicle owner in this state.

(4) Nothing in paragraphs (2) and (3) prohibits a nonresident daily commuter operating a motor vehicle that displays currently valid external vehicle identification indicia and who possess a corresponding identification card issued pursuant to Section 6700.25 from using that vehicle for other lawful purposes.

(b) The exception to registration of a motor vehicle under the conditions specified in this section does not supersede any other exception to registration under other conditions provided by law.

(c) This section does not apply to a resident of a foreign country.

CHAPTER 31

An act to add Section 17139.5 to the Revenue and Taxation Code, and to add Sections 1673, 1673.2, 1673.4, 1673.5, 1673.6, and 1673.7 to the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 8, 2000. Filed with
Secretary of State June 8, 2000.]

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Chapter 3.3 (commencing with Section 6261) of Part 1 of Division 2 of the Revenue and Taxation Code imposes a three hundred dollar (\$300) smog impact fee on used motor vehicles that were last registered outside of this state and are not certified to meet the state's vehicle emission control requirements. The fee is due upon the initial registration of the vehicle in this state.

(b) The smog impact fee has been collected by the Department of Motor Vehicles on behalf of the state since October 1990, during which

time approximately 1,700,000 vehicle owners have paid the fee, resulting in a total amount of approximately five hundred million dollars (\$500,000,000).

(c) Lawsuits challenging the imposition of the smog impact fee were the subject in the case of *Jordan v. Department of Motor Vehicles* (1999) 75 Cal.App.4th 449, in which the court ruled that imposition of the smog impact fee is unconstitutional and ordered the state to refund the fees to the plaintiffs.

(d) The Governor, in November 1999, announced that the state would not appeal the decision of the court in the case cited under subdivision (c) and that the state would refund the smog impact fee, plus interest, to all persons who have paid the fee. The Governor also instructed the Department of Motor Vehicles to stop collecting the fee and made provision in the proposed 2000–01 Budget Act for legislation appropriating funds to pay the smog impact fee refunds with interest.

(e) The Legislature, through enactment of this act and its companion measure, Senate Bill 215, intends to do all of the following:

(1) Repeal existing provisions of law that establish and impose the smog impact fee.

(2) Require the Department of Motor Vehicles to search its records and promptly identify those persons who were, at the time the application for registration was completed, the registered owner or lessee of the vehicle and who are eligible for a refund of the smog impact fee.

(3) Notify all eligible recipients of the pending refunds and provide a simplified verification and claims procedure for those refunds.

(4) Promptly provide payment of the smog impact fee refunds to eligible persons, including the three hundred dollar (\$300) fee, any penalty fee collected for late payment of the smog impact fee, and any interest earned on those charges.

(5) Appropriate the full amount of funds necessary to refund the smog impact fee, any penalty fee collected for late payment of the smog impact fee, and any interest due to those who paid the fee.

SEC. 2. Section 17139.5 is added to the Revenue and Taxation Code, to read:

17139.5. For taxpayers who were not allowed to deduct the vehicle smog impact fee imposed by Section 6262 when paid or incurred, any interest paid by this state in conjunction with the refund of the smog impact fee shall be excluded from gross income.

SEC. 3. Section 1673 is added to the Vehicle Code, to read:

1673. For the purposes of refunding the smog impact fee, as prescribed in Sections 1673.2 and 1673.4, “registered owner or lessee” means the person or persons to whom the registration or title was issued when the transaction that included the imposition of the smog impact fee

under Chapter 3.3 (commencing with Section 6261) of Part 1 of Division 2 of the Revenue and Taxation Code was completed.

SEC. 4. Section 1673.2 is added to the Vehicle Code, to read:

1673.2. (a) The department, in coordination with the Department of Finance, shall do all of the following:

(1) Search its records to identify the registered owner or lessee. Except as required under Section 1673.4, the department shall mail to the registered owner or lessee a refund notification form notifying the registered owner or lessee that he or she is eligible for a refund of the smog impact fee. This form shall identify the vehicle make and year, and include a refund claim that shall be signed, under penalty of perjury, and returned to the department.

(2) Shall acknowledge by mail claims for refund from registered owners or lessees received prior to the effective date of this section.

(3) Except as provided in Section 1673.4, shall verify whether the information provided in any claim is true and correct and shall refund the three hundred dollar (\$300) smog impact fee, plus the amount of any penalty collected for late payment of the smog impact fee, and any interest earned on those charges, to the person shown to be the registered owner or lessee.

(b) Notwithstanding Section 926.19 of the Government Code, interest shall be paid on all claims at a single annual rate, calculated by the Department of Finance, that averages the annualized interest rates earned by the Pooled Money Investment Account for the period beginning October 1990 and ending on the effective date of this section. Interest on each refund shall be calculated from the date the smog impact fee and vehicle registration transaction was completed to the date the refund is issued. Accrual of interest shall terminate one year after the effective date of this section.

(c) (1) Notwithstanding any other provision of law, those who paid the smog impact fee between October 15, 1990, and October 19, 1999, may file a claim for refund.

(2) Claims for refund by a registered owner or lessee shall be filed with the Department of Motor Vehicles within three years of the effective date of this section.

SEC. 5. Section 1673.4 is added to the Vehicle Code, to read:

1673.4. (a) Any claim submitted by a person other than a registered owner or lessee shall be filed within 30 days from the effective date of this section.

(b) If a claimant other than the registered owner or lessee files a claim, or has filed a claim prior to the effective date of this section, for refund in a manner and form verified by the department, the department shall mail a notification to the registered owner or lessee informing that person that he or she is eligible for a refund of the smog impact fee and

that a competing claim for that fee has been filed. The registered owner or lessee shall have three years from the effective date of this section to inform the department that the registered owner or lessee opposes payment of the smog impact fee refund to the competing claimant. In that case, the refund shall be made to the registered owner or lessee and notice of that action shall be sent to the competing claimant. If the registered owner or lessee does not notify the department within the three-year period that he or she opposes the payment, the department shall pay the refund to the competing claimant.

(c) If any refund paid by the department under this section is disputed, any party that filed a claim may commence an action in small claims court. The small claims court action may not be filed if three years or more have elapsed from the date the department mailed the refund to either party.

(d) The State of California, its departments and agencies, and their officers or employees shall not be a party to a lawsuit between competing claimants relating to smog impact fee refunds.

SEC. 6. Section 1673.5 is added to the Vehicle Code, to read:

1673.5. The department shall attempt to recover any refund of the smog impact fee, or part thereof, that is erroneously made. Collection shall be initiated if the recipient fails to respond to the Department of Motor Vehicles' notice to pay the erroneous refund within 90 days in accordance with existing collection procedures utilized by the department.

SEC. 7. Section 1673.6 is added to the Vehicle Code, to read:

1673.6. It is unlawful to use a false or fictitious name, to knowingly make any false statement, or conceal any material fact on a refund claim for the smog impact fee that is filed with the department. A violation of this provision is punishable under Section 72 of the Penal Code. Any signed claim form submitted to the department for a refund of the smog impact fee shall be signed under penalty of perjury.

SEC. 8. Section 1673.7 is added to the Vehicle Code, to read:

1673.7. (a) The department shall include the following notice with each check issued as a refund of the smog impact fee:

“The enclosed check is a refund of the \$300 Smog Impact Fee you paid to the Department of Motor Vehicles when you initially registered an out-of-state vehicle in California. In the case of *Jordan v. Department of Motor Vehicles* (1999) 75 Cal.App.4th 449, the court ruled the smog impact fee unconstitutional. The enclosed check includes an interest payment which has been calculated from the date the fee was paid to the date the refund is issued.

“If you have any questions about the enclosed refund, please contact your local office of the Department of Motor Vehicles.”

(b) No notice other than the one required under subdivision (a) may be included with a smog impact fee refund check.

SEC. 9. There is hereby appropriated to the Department of Motor Vehicles the sum of ten million nine hundred eighty-four thousand dollars (\$10,984,000) from the General Fund for the administrative costs of issuing the smog impact fee refunds. Funds shall be expended by the Department of Motor Vehicles only for the purposes of making the refunds required under Section 1673.2 and 1673.4 of the Vehicle Code.

SEC. 10. This act shall become operative only if Senate Bill 215 of the 1999–2000 Regular Session is enacted and becomes operative.

SEC. 11. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 12. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide, at the earliest possible time, a refund to the public of the unconstitutionally imposed smog impact fee, it is necessary that this act take effect immediately.

CHAPTER 32

An act to amend Section 6263 of, to add Sections 6909 and 6910 to, and to repeal Sections 6261 and 6262 of, the Revenue and Taxation Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 8, 2000. Filed with
Secretary of State June 8, 2000.]

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Chapter 3.3 (commencing with Section 6261) of Part 1 of Division 2 of the Revenue and Taxation Code imposes a three hundred dollar (\$300) smog impact fee on used motor vehicles that were last registered outside of this state and are not certified to meet the state's

vehicle emission control requirements. The fee is due upon the initial registration of the vehicle in this state.

(b) The smog impact fee has been collected by the Department of Motor Vehicles on behalf of the state since October 1990, during which time approximately 1,700,000 vehicle owners have paid the fee resulting in a total amount of approximately five hundred million dollars (\$500,000,000).

(c) Lawsuits challenging the imposition of the smog impact fee were the subject in the case of *Jordan v. Department of Motor Vehicles* (1999) 75 Cal.App.4th 449, in which the court ruled that imposition of the smog impact fee is unconstitutional and ordered the state to refund the fees to the plaintiffs.

(d) The Governor, in November 1999, announced that the state would not appeal the decision of the court in the case cited under subdivision (c) and that the state would refund the smog impact fee, plus interest, to all persons who have paid the fee. The Governor also instructed the Department of Motor Vehicles to stop collecting the fee and made provision in the proposed 2000–01 Budget Act for legislation appropriating funds to pay the smog impact fee refunds with interest.

(e) The Legislature, through enactment of this act and its companion measure, Assembly Bill 809, intends to do all of the following:

(1) Repeal existing provisions of law that establish and impose the smog impact fee.

(2) Require the Department of Motor Vehicles to search its records and promptly identify those persons who were, at the time the application for registration was completed, the registered owner or lessee of the vehicle and who are eligible for a refund of the smog impact fee.

(3) Notify all eligible recipients of the pending refunds and provide a simplified verification and claims procedure for those refunds.

(4) Promptly provide payment of the smog impact fee refunds to eligible persons, including the three hundred dollar (\$300) fee, any penalty fee collected for late payment of the smog impact fee, and interest earned on those charges.

(5) Appropriate the full amount of funds necessary to refund the smog impact fee, any penalty fee collected for late payment of the smog impact fee, and any interest due to those who paid the fee.

SEC. 2. Section 6261 of the Revenue and Taxation Code is repealed.

SEC. 3. Section 6262 of the Revenue and Taxation Code is repealed.

SEC. 4. Section 6263 of the Revenue and Taxation Code is amended to read:

6263. No person, other than the manufacturer who has received authorization to sell the motor vehicle in California or a person authorized by the manufacturer, shall install a vehicle emission control

label on any motor vehicle. No person shall remove, alter, deface, obscure, or destroy a vehicle emission control label or any label required to be affixed to any motor vehicle certified pursuant to the National Emissions Standards Act (42 U.S.C. Sec. 7521 et seq., and Subpart A (commencing with Sec. 86.078-3) of Part 86 of Title 40 of the Code of Federal Regulations). Any person who violates any provision of this section is guilty of a misdemeanor and is subject to a fine of not more than five thousand dollars (\$5,000) or imprisonment in the county jail for not more than one year, or both that fine and imprisonment.

SEC. 5. Section 6909 is added to the Revenue and Taxation Code, to read:

6909. (a) The Controller shall transfer the amount of six hundred sixty-five million two hundred sixty-one thousand dollars (\$665,261,000) from the General Fund to the Smog Impact Fee Refund Account, which is hereby created in the Special Deposit Fund.

(b) Notwithstanding Section 13340 of the Government Code, the moneys in the Smog Impact Fee Refund Account in the Special Deposit Fund are hereby continuously appropriated, without regard to fiscal years, to the Department of Motor Vehicles for the purpose of making refunds to persons who paid the smog impact fee formerly required by Chapter 3.3 (commencing with Section 6261) upon registering a vehicle in California. Each refund shall also include the amount of any penalties incurred by the payer with respect to the fee, and shall also include interest as specified in Sections 1673.2 and 1673.4 of the Vehicle Code. In addition, the appropriate level of court costs, fees, and expenses in the settlement of the case of *Jordan v. Department of Motor Vehicles* (1999) 75 Cal.App.4th 449, shall be determined through binding arbitration, and all of those fees, costs, or expenses shall be paid with funds from the account.

(c) The amount of any refund made under Section 1673.2 or Section 1673.4 of the Vehicle Code that is returned to the Department of Motor Vehicles because the recipient's mailing address as shown by the records of the department is incorrect shall be retained in the Smog Impact Fee Refund Account in the Special Deposit Fund until either of the following occurs:

(1) The department is able to ascertain the correct address of the recipient, at which time the refund shall be mailed to that address.

(2) The date upon which those funds are transferred from the Smog Impact Fee Refund Account in the Special Deposit Fund back to the General Fund.

(d) Any unencumbered balance remaining in the account on or after June 30, 2004, shall revert to the General Fund.

(e) The Legislature hereby finds and declares that the amount appropriated under subdivision (b) is a refund of taxes, as described in

subdivision (a) of Section 8 of Article XIII of the Constitution, and, as a result, is not included within the “appropriations subject to limitation” of the state, as defined in that subdivision (a).

SEC. 6. (a) The Legislature hereby finds and declares that a portion of the revenue generated by imposition of the smog impact fee was deposited in the High Polluter Repair or Removal Account in the Vehicle Inspection and Repair Fund.

(b) Accordingly, it is the intent of the Legislature that any unused funds remaining in that account, after the Legislature has determined that all goals and objectives of the programs funded from that account have been achieved, be transferred to the General Fund.

SEC. 7. This act shall become operative only if Assembly Bill 809 of the 1999–2000 Regular Session is enacted and becomes operative and provides for a program to make refunds of the smog impact fee enacted under Chapter 3.3 (commencing with Section 6261) of Part 1 of Division 2 of the Revenue and Taxation Code.

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

In order to provide, at the earliest possible time, a refund to the public of the smog impact fee, it is necessary that this act take effect immediately.

CHAPTER 33

An act to amend Sections 1277 and 1278 of the Code of Civil Procedure, and to amend Sections 6205, 6205.5, 6206.5, 6206.7, 6208, and 6210 of, and to add Section 6206.4 to, the Government Code, relating to domestic violence.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

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

SECTION 1. Section 1277 of the Code of Civil Procedure is amended to read:

1277. (a) Where an action for a change of name is commenced by the filing of a petition, except as provided in subdivision (b), the court shall thereupon make an order reciting the filing of the petition, the name of the person by whom it is filed and the name proposed, and directing all persons interested in the matter to appear before the court at a time

and place specified, which shall be not less than four or more than eight weeks from the time of making the order, to show cause why the application for change of name should not be granted. A copy of the order to show cause shall be published pursuant to Section 6064 of the Government Code in a newspaper of general circulation to be designated in the order published in the county. If no newspaper of general circulation is published in the county, a copy of the order to show cause shall be posted by the clerk of the court in three of the most public places in the county in which the court is located, for a like period. Proof shall be made to the satisfaction of the court of this publication or posting, at the time of the hearing of the application.

Four weekly publications shall be sufficient publication of the order to show cause. If the order is published in a daily newspaper, publication once a week for four successive weeks shall be sufficient.

Where a petition has been filed for a minor and the other parent, if living, does not join in consenting thereto, the petitioner shall cause, not less than 30 days prior to the hearing, to be served notice of the time and place of the hearing or a copy of the order to show cause on the other parent pursuant to Section 413.10, 414.10, 415.10, or 415.40.

(b) Where the petition for a change of name alleges that the reason for the petition is to avoid domestic violence, as defined in Section 6211 of the Family Code, and the petitioner is a participant in the address confidentiality program created pursuant to Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code, the petition, the order of the court, and the copy published pursuant to subdivision (a) shall, in lieu of reciting the proposed name, indicate that the proposed name is confidential and will be on file with the Secretary of State pursuant to the provisions of the address confidentiality program.

(c) Where application for change of name is brought as part of an action under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), whether as part of a petition or cross-complaint or as a separate order to show cause in a pending action thereunder, service of the application shall be made upon all other parties to the action in a like manner as prescribed for the service of a summons, as is set forth in Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2. Upon the setting of a hearing on the issue, notice of the hearing shall be given to all parties in the action in a like manner and within the time limits prescribed generally for the type of hearing (whether trial or order to show cause) at which the issue of the change of name is to be decided.

SEC. 1.5. Section 1277 of the Code of Civil Procedure is amended to read:

1277. (a) Where an action for a change of name is commenced by the filing of a petition, except as provided in subdivision (b), the court shall thereupon make an order reciting the filing of the petition, the name of the person by whom it is filed and the name proposed, and directing all persons interested in the matter to appear before the court at a time and place specified, which shall be not less than four or more than eight weeks from the time of making the order, to show cause why the application for change of name should not be granted. A copy of the order to show cause shall be published pursuant to Section 6064 of the Government Code in a newspaper of general circulation to be designated in the order published in the county. If no newspaper of general circulation is published in the county, a copy of the order to show cause shall be posted by the clerk of the court in three of the most public places in the county in which the court is located, for a like period. Proof shall be made to the satisfaction of the court of this publication or posting, at the time of the hearing of the application.

Four weekly publications shall be sufficient publication of the order to show cause. If the order is published in a daily newspaper, publication once a week for four successive weeks shall be sufficient.

Where a petition has been filed for a minor and the other parent, if living, does not join in consenting thereto, the petitioner shall cause, not less than 30 days prior to the hearing, to be served notice of the time and place of the hearing or a copy of the order to show cause on the other parent pursuant to Section 413.10, 414.10, 415.10, or 415.40.

(b) Where the petition for a change of name alleges that the reason for the petition is to avoid domestic violence, as defined in Section 6211 of the Family Code, or stalking, as defined in Section 646.9 of the Penal Code, and the petitioner is a participant in the address confidentiality program created pursuant to Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code, the petition, the order of the court, and the copy published pursuant to subdivision (a) shall, in lieu of reciting the proposed name, indicate that the proposed name is confidential and will be on file with the Secretary of State pursuant to the provisions of the address confidentiality program.

(c) Where application for change of name is brought as part of an action under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), whether as part of a petition or cross-complaint or as a separate order to show cause in a pending action thereunder, service of the application shall be made upon all other parties to the action in a like manner as prescribed for the service of a summons, as is set forth in Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2. Upon the setting of a hearing on the issue, notice of the hearing shall be given to all parties in the action in a like manner and within the time limits prescribed generally for the

type of hearing (whether trial or order to show cause) at which the issue of the change of name is to be decided.

SEC. 2. Section 1278 of the Code of Civil Procedure is amended to read:

1278. (a) Except as provided in subdivision (b), the application shall be heard at the time designated by the court, only if objections are filed by any person who can, in those objections, show to the court good reason against the change of name. At the hearing, the court may examine on oath any of the petitioners, remonstrants, or other persons, touching the application, and may make an order changing the name, or dismissing the application, as to the court may seem right and proper.

If no objection is filed the court may, without hearing, enter the order that the change of name is granted.

(b) Where the provisions of subdivision (b) of Section 1277 apply, the court shall not disclose the proposed name unless the court finds by clear and convincing evidence that the allegations of domestic violence in the petition are false.

(c) Where the application for a change of name is brought as part of an action under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), the hearing on the issue of the change of name shall be conducted pursuant to statutes and rules of court governing those proceedings, whether the hearing is conducted upon an order to show cause or upon trial.

SEC. 2.5. Section 1278 of the Code of Civil Procedure is amended to read:

1278. (a) Except as provided in subdivision (b), the application shall be heard at the time designated by the court, only if objections are filed by any person who can, in those objections, show to the court good reason against the change of name. At the hearing, the court may examine on oath any of the petitioners, remonstrants, or other persons, touching the application, and may make an order changing the name, or dismissing the application, as to the court may seem right and proper.

If no objection is filed the court may, without hearing, enter the order that the change of name is granted.

(b) Where the provisions of subdivision (b) of Section 1277 apply, the court shall not disclose the proposed name unless the court finds by clear and convincing evidence that the allegations of domestic violence or stalking in the petition are false.

(c) Where the application for a change of name is brought as part of an action under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), the hearing on the issue of the change of name shall be conducted pursuant to statutes and rules of court governing those proceedings, whether the hearing is conducted upon an order to show cause or upon trial.

SEC. 3. Section 6205 of the Government Code is amended to read: 6205. The Legislature finds that persons attempting to escape from actual or threatened domestic violence frequently establish new names or addresses in order to prevent their assailants or probable assailants from finding them. The purpose of this chapter is to enable state and local agencies to respond to requests for public records without disclosing the changed name or location of a victim of domestic violence, to enable interagency cooperation with the Secretary of State in providing name and address confidentiality for victims of domestic violence, and to enable state and local agencies to accept a program participant's use of an address designated by the Secretary of State as a substitute mailing address.

SEC. 4. Section 6205.5 of the Government Code is amended to read: 6205.5. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(a) "Address" means a residential street address, school address, or work address of an individual, as specified on the individual's application to be a program participant under this chapter.

(b) "Domestic violence" means an act as defined in Section 6211 of the Family Code.

(c) "Program participant" means a person certified as a program participant under Section 6206.

SEC. 5. Section 6206.4 is added to the Government Code, to read: 6206.4. The Secretary of State shall keep confidential name changes of program participants obtained pursuant to subdivision (b) of Section 1277 of the Code of Civil Procedure. The Secretary of State shall have the same responsibilities and obligations to program participants who have obtained a name change as to any other program participant under this chapter.

SEC. 6. Section 6206.5 of the Government Code is amended to read: 6206.5. (a) The Secretary of State may cancel a program participant's certification if there is a change in the residential address from the one listed on the application, unless the program participant provides the Secretary of State with at least seven days' prior notice of the change of address.

(b) The Secretary of State may cancel a program participant's certification if the program participant changes his or her name from the one listed in the application and fails to notify the Secretary of State of the name change within seven days of the change.

(c) The Secretary of State may cancel certification of a program participant if mail forwarded by the secretary to the program participant's address is returned as nondeliverable.

(d) The Secretary of State shall cancel certification of a program participant who applies using false information.

(e) Any records or documents pertaining to a program participant shall be retained and held confidential for a period of three years after termination of certification and then destroyed.

SEC. 7. Section 6206.7 of the Government Code is amended to read:

6206.7. (a) A program participant may withdraw from program participation by submitting to the address confidentiality program manager written notification of withdrawal and his or her current identification card. Certification shall be terminated on the date of receipt of this notification.

(b) The address confidentiality program manager may terminate a program participant's certification and invalidate his or her authorization card for any of the following reasons:

(1) The program participant's certification term has expired and certification renewal has not been completed.

(2) The address confidentiality program manager has determined that false information was used in the application process or that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement.

(3) The program participant no longer resides at the residential address listed on the application, and has not provided at least seven days' prior notice in writing of a change in address.

(4) A service of process document or mail forwarded to the program participant by the address confidentiality program manager is returned as nondeliverable.

(c) If termination is a result of paragraph (1), (3), or (4) of subdivision (b), the address confidentiality program manager shall send written notification of the intended termination to the program participant. The program participant shall have five business days in which to appeal the termination under procedures developed by the Secretary of State.

(d) The address confidentiality program manager shall notify in writing the county elections official and authorized personnel of the appropriate county clerk's office, county recording office, and department of health of the program participant's certification withdrawal, invalidation, expiration, or termination.

(e) Upon receipt of this termination notification, authorized personnel shall transmit to the address confidentiality program manager all appropriate administrative records pertaining to the program participant and the record transmitting agency is no longer responsible for maintaining the confidentiality of a terminated program participant's record.

SEC. 8. Section 6208 of the Government Code is amended to read:

6208. The Secretary of State may not make a program participant's address, other than the address designated by the Secretary of State, or

a program participant's name change available for inspection or copying, except under any of the following circumstances:

(a) If requested by a law enforcement agency, to the law enforcement agency.

(b) If directed by a court order, to a person identified in the order.

(c) If certification has been canceled.

SEC. 9. Section 6210 of the Government Code is amended to read:

6210. (a) Notwithstanding Section 7550.5, the Secretary of State shall submit to the Legislature, no later than January 10 of each year, a report that includes the total number of applications received for the program established by this chapter. The report shall disclose the number of program participants within each county and shall also describe any allegations of misuse relating to election purposes.

(b) The Secretary of State shall commence accepting applications and other activities under this program on July 1, 1999.

(c) Notwithstanding Section 7550.5, the Secretary of State shall submit to the Legislature by January 1, 2004, a report that includes the total number of pieces of mail forwarded to program participants, the number of program participants during the program's duration, the number of program participants who obtained a confidential name change pursuant to subdivision (b) of Section 1277 of the Code of Civil Procedure, the average length of time a participant remains in the program, and the targeted code changes needed to improve the program's efficiency and cost-effectiveness.

SEC. 10. Sections 1.5 and 2.5 of this act shall take effect and become operative only if Senate Bill 1318 of the 1999–2000 Regular Session is enacted and the amendments to Sections 6205, 6205.5, 6206, 6208.5, and 6209.7 of the Government Code proposed by that bill become operative, in which case Sections 1 and 2 of this act shall not become operative.

CHAPTER 34

An act to add Section 53216.8 to the Government Code, and to amend Sections 16060.5, 16061.5, 16061.7, and 16061.8 of, and to add Section 16061.9 to, the Probate Code, relating to trusts.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

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

SECTION 1. Section 53216.8 is added to the Government Code, to read:

53216.8. In the case of a pension trust established pursuant to this article which provides for individual accounts and permits a participant or beneficiary to direct investments in his or her account, if a participant or beneficiary directs investments in his or her account, no person who is a corporate custodian or a corporate trustee that provides services to the pension trust shall be liable for any loss, or by reason of any breach, which results from that participant's or beneficiary's directions with respect to the assets in his or her account.

SEC. 2. Section 16060.5 of the Probate Code is amended to read:

16060.5. As used in this article, "terms of the trust" means the written trust instrument of an irrevocable trust or those provisions of a written trust instrument in effect at the settlor's death that describe or affect that portion of a trust that has become irrevocable at the death of the settlor. In addition, "terms of the trust" includes, but is not limited to, signatures, amendments, disclaimers, and any directions or instructions to the trustee that affect the disposition of the trust. "Terms of the trust" does not include documents which were intended to affect disposition only while the trust was revocable. If a trust has been completely restated, "terms of the trust" does not include trust instruments or amendments which are superseded by the last restatement before the settlor's death, but it does include amendments executed after the restatement. "Terms of the trust" also includes any document irrevocably exercising a power of appointment over the trust or over any portion of the trust which has become irrevocable.

SEC. 3. Section 16061.5 of the Probate Code is amended to read:

16061.5. (a) When a revocable trust or any portion of a revocable trust becomes irrevocable because of the death of one or more of the settlors of the trust, or because, by the express terms of the trust, the trust becomes irrevocable within one year of the death of a settlor because of a contingency related to the death of one or more of the settlors of the trust, the trustee shall provide a true and complete copy of the terms of the irrevocable trust, or irrevocable portion of the trust, to any beneficiary of the trust who requests it and to any heir of a deceased settlor who requests it.

(b) The trustee shall, for purposes of this section, rely upon any final judicial determination of heirship. However, the trustee shall have discretion to make a good faith determination by any reasonable means of the heirs of a deceased settlor in the absence of a final judicial determination of heirship known to the trustee.

SEC. 4. Section 16061.7 of the Probate Code is amended to read:

16061.7. (a) A trustee shall serve a notification by the trustee as described in this section in the following events:

(1) When a revocable trust or any portion thereof becomes irrevocable because of the death of one or more of the settlors of the trust, or because, by the express terms of the trust, the trust becomes irrevocable within one year of the death of a settlor because of a contingency related to the death of one or more of the settlors of the trust.

(2) Whenever there is a change of trustee of an irrevocable trust. The duty to serve the notification by the trustee is the duty of the continuing or successor trustee, and any one cotrustee may serve the notification.

(b) The notification by the trustee required by subdivision (a) shall be served on each of the following:

(1) Each beneficiary of the irrevocable trust or irrevocable portion of the trust, subject to the limitations of Section 15804.

(2) Each heir of the deceased settlor, if the event that requires notification is the death of a settlor or irrevocability within one year of the death of the settlor of the trust by the express terms of the trust because of a contingency related to the death of a settlor.

(3) If the trust is a charitable trust subject to the supervision of the Attorney General, to the Attorney General.

(c) A trustee shall, for purposes of this section, rely upon any final judicial determination of heirship, known to the trustee, but the trustee shall have discretion to make a good faith determination by any reasonable means of the heirs of a deceased settlor in the absence of a final judicial determination of heirship known to the trustee.

(d) The trustee need not provide a copy of the notification by trustee to any beneficiary or heir (1) known to the trustee but who cannot be located by the trustee after reasonable diligence or (2) unknown to the trustee.

(e) The notification by trustee shall be served by mail to the last known address, pursuant to Section 1215, or by personal delivery.

(f) The notification by trustee shall be served not later than 60 days following the occurrence of the event requiring service of the notification by trustee, or 60 days after the trustee became aware of the existence of a person entitled to receive notification by trustee, if that person was not known to the trustee on the occurrence of the event requiring service of the notification. If there is a vacancy in the office of the trustee on the date of the occurrence of the event requiring service of the notification by trustee, or if that event causes a vacancy, then the 60-day period for service of the notification by trustee commences on the date the new trustee commences to serve as trustee.

(g) The notification by trustee shall contain the following information:

(1) The identity of the settlor or settlors of the trust and the date of execution of the trust instrument.

(2) The name, mailing address and telephone number of each trustee of the trust.

(3) The address of the physical location where the principal place of administration of the trust is located, pursuant to Section 17002.

(4) Any additional information that may be expressly required by the terms of the trust instrument.

(5) A notification that the recipient is entitled, upon reasonable request to the trustee, to receive from the trustee a true and complete copy of the terms of the trust.

(h) If the notification by the trustee is served because a revocable trust or any portion of it has become irrevocable because of the death of one or more settlors of the trust, or because, by the express terms of the trust, the trust becomes irrevocable within one year of the death of a settlor because of a contingency related to the death of one or more of the settlors of the trust, the notification by the trustee shall also include a warning, set out in a separate paragraph in not less than 10-point boldface type, or a reasonable equivalent thereof, that states as follows:

“You may not bring an action to contest the trust more than 120 days from the date this notification by the trustee is served upon you or 60 days from the date on which a copy of the terms of the trust is mailed or personally delivered to you, whichever is later.”

(i) Any waiver by a settlor of the requirement of serving the notification by trustee required by this section is against public policy and shall be void.

(j) A trustee may serve a notification by trustee in the form required by this section on any person in addition to those on whom the notification by trustee is required to be served. A trustee is not liable to any person for serving or for not serving the notice on any person in addition to those on whom the notice is required to be served. A trustee is not required to serve a notification by trustee if the event that otherwise requires service of the notification by trustee occurs before January 1, 1998.

SEC. 5. Section 16061.8 of the Probate Code is amended to read:

16061.8. No person upon whom the notification by the trustee is served pursuant to this chapter may bring an action to contest the trust more than 120 days from the date the notification by the trustee is served upon him or her, or 60 days from the day on which a copy of the terms of the trust is mailed or personally delivered to him or her, whichever is later.

SEC. 6. Section 16061.9 is added to the Probate Code, to read:

16061.9. (a) A trustee who fails to serve the notification by trustee as required by Section 16061.7 on a beneficiary shall be responsible for

all damages, attorney's fees, and costs caused by the failure unless the trustee makes a reasonably diligent effort to comply with that section.

(b) A trustee who fails to serve the notification by trustee as required by Section 16061.7 on an heir who is not a beneficiary and whose identity is known to the trustee shall be responsible for all damages caused to the heir by the failure unless the trustee shows that the trustee made a reasonably diligent effort to comply with that section. For purposes of this subdivision, "reasonably diligent effort" means that the trustee has sent notice by first-class mail to the heir at the heir's last mailing address actually known to the trustee.

(c) A trustee, in exercising discretion with respect to the timing and nature of distributions of trust assets, may consider the fact that the period in which a beneficiary or heir could bring an action to contest the trust has not expired.

CHAPTER 35

An act to amend Section 24011 of the Government Code, relating to county government.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

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

SECTION 1. Section 24011 of the Government Code is amended to read:

24011. Notwithstanding Section 24009:

(a) The boards of supervisors of Madera County, Mendocino County, Solano County, Trinity County, and Lake County may, by ordinance, provide that the public administrator shall be appointed by the board.

(b) The boards of supervisors of Madera County, Mendocino County, Trinity County, and Lake County may appoint the same person to the offices of public administrator, veteran service officer, and public guardian. The Board of Supervisors of Solano County may, by ordinance, appoint the same person to the offices of public administrator and public guardian.

(c) The boards of supervisors of Madera County, Mendocino County, Trinity County, and Lake County may separate the consolidated offices of district attorney and public administrator at any time in order to make the appointments permitted by this section. Upon approval by the board of supervisors, the officer elected to these offices at any time may resign, or decline to qualify for, the office of public administrator without

resigning from, or declining to qualify for, the office of district attorney.

CHAPTER 36

An act to amend Section 10295 of the Public Contract Code, relating to the California Community Colleges.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

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

SECTION 1. Section 10295 of the Public Contract Code is amended to read:

10295. All contracts entered into by any state agency for (a) the hiring or purchase of equipment, supplies, materials, or elementary school textbooks, (b) services, whether or not the services involve the furnishing or use of equipment, materials or supplies or are performed by an independent contractor, (c) the construction, alteration, improvement, repair or maintenance of property, real or personal, or (d) the performance of work or services by the state agency for or in cooperation with any person, or public body, are void unless and until approved by the department. Every such contract shall be transmitted with all papers, estimates, and recommendations concerning it to the department and, if approved by the department, shall be effective from the date of the approval. This section applies to any state agency that by general or specific statute is expressly or impliedly authorized to enter into transactions referred to in this section. This section does not apply to any transaction entered into by the Trustees of the California State University, by the Board of Governors of the California Community Colleges, or by a department under the State Contract Act or the California State University Contract Law, any contract of a type specifically mentioned and authorized to be entered into by the Department of Transportation under Section 14035 or 14035.5 of the Government Code, Sections 99316 to 99319, inclusive, of the Public Utilities Code, or the Streets and Highways Code, any contract entered into by the Department of Transportation that is not funded by money derived by state tax sources but, rather, is funded by money derived from federal or local tax sources, any contract entered into by the Department of Personnel Administration for state employees in state bargaining units that have agreed to this section in a memorandum of understanding for employee benefits, occupational health and safety, training services,

or combination thereof any contract let by the Legislature, or any contract entered into under the authority of Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code.

SEC. 2. Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code applies to the Board of Governors of the California Community Colleges and the Chancellor's Office of the California Community Colleges, and nothing in this act shall be construed to provide any exemption for the Board of Governors of the California Community Colleges or the Chancellor's Office of the California Community Colleges from that article. The Legislature finds and declares that this section is declaratory of existing law.

CHAPTER 37

An act to amend Sections 7316 and 7346 of the Business and Professions Code, relating to cosmetology.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

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

SECTION 1. Section 7316 of the Business and Professions Code is amended to read:

7316. (a) The practice of barbering is all or any combination of the following practices:

- (1) Shaving or trimming the beard or cutting the hair.
- (2) Giving facial and scalp massages or treatments with oils, creams, lotions, or other preparations either by hand or mechanical appliances.
- (3) Singeing, shampooing, arranging, dressing, curling, waving, chemical waving, hair relaxing, or dyeing the hair or applying hair tonics.
- (4) Applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face, or neck.
- (5) Hair styling of all textures of hair by standard methods which are current at the time of the hair styling.

(b) The practice of cosmetology is all or any combination of the following practices:

- (1) Arranging, dressing, curling, waving, machineless permanent waving, permanent waving, cleansing, cutting, shampooing, relaxing, singeing, bleaching, tinting, coloring, straightening, dyeing, applying

hair tonics to, beautifying, or otherwise treating by any means, the hair of any person.

(2) Massaging, cleaning or stimulating the scalp, face, neck, arms, or upper part of the human body, by means of the hands, devices, apparatus or appliances, with or without the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(3) Beautifying the face, neck, arms, or upper part of the human body, by use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(4) Removing superfluous hair from the body of any person by the use of depilatories or by the use of tweezers, chemicals, preparations or by the use of devices or appliances of any kind or description, except by the use of light waves, commonly known as rays.

(5) Cutting, trimming, polishing, tinting, coloring, cleansing, or manicuring the nails of any person.

(6) Massaging, cleansing, treating, or beautifying the hands or feet of any person.

(c) Within the practice of cosmetology there exist the specialty branches of skin care, and nail care.

(1) Skin care is any one or more of the following practices:

(A) Giving facials, applying makeup, giving skin care, removing superfluous hair from the body of any person by the use of depilatories, tweezers or waxing, or applying eyelashes to any person.

(B) Beautifying the face, neck, arms, or upper part of the human body, by use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(C) Massaging, cleaning, or stimulating the face, neck, arms, or upper part of the human body, by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(2) Nail care is the practice of cutting, trimming, polishing, coloring, tinting, cleansing, or manicuring the nails of any person or massaging, cleansing, or beautifying the hands or feet of any person.

(d) The practice of barbering and the practice of cosmetology do not include any of the following:

(1) The mere sale, fitting, or styling of wigs or hairpieces.

(2) Natural hair braiding. Natural hair braiding is a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device, provided that the service does not include hair cutting or the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair.

(e) Notwithstanding paragraph (2) of subdivision (d), a person who engages in natural hair styling, which is defined as the provision of natural hair braiding services together with any of the services or procedures defined within the regulated practices of barbering or

cosmetology, is subject to regulation pursuant to this chapter and shall obtain and maintain a barbering or cosmetology license as applicable to the services respectively offered or performed.

(f) Electrolysis is the practice of removing hair from, or destroying hair on, the human body by the use of an electric needle only.

“Electrolysis” as used in this chapter includes electrolysis or thermolysis.

SEC. 2. Section 7346 of the Business and Professions Code is amended to read:

7346. (a) For purposes of this chapter, “establishment” means any premises, building or part of a building where any activity licensed under this chapter is practiced.

(b) “Establishment” also includes any premises, building, or part of a building in which natural hair styling is practiced for compensation.

CHAPTER 38

An act relating to fish, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

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

SECTION 1. (a) The sum of nine million dollars (\$9,000,000) in federal funds from the Pacific Coastal Salmon Recovery Fund is hereby appropriated to the Department of Fish and Game for the protection and recovery of salmon and steelhead trout pursuant to the Memorandum of Understanding between the Department of Fish and Game, the Resources Agency, and the United States Department of Commerce, National Marine Fisheries Service, dated May 5, 2000, regarding administration of the Pacific Coastal Salmon Recovery Fund.

(b) The Legislature finds and declares that the enactment of this section satisfies the requirements of Provision 1 of Item 0540-001-0001 of Section 2.00 of the Budget Act of 1999 and nothing in that provision shall be construed to prevent the expenditure of funds appropriated by this section.

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

In order to commence the work relating to the protection and recovery of salmon and steelhead trout at the earliest possible time, it is necessary that this act take effect immediately.

CHAPTER 39

An act relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

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

SECTION 1. Notwithstanding Section 25608 of the Business and Professions Code or any other provision of law, alcoholic beverages may be served on the campus of the Monterey Peninsula College during the period from June 15 to June 22, 2000, inclusive, in connection with the 100th anniversary of the United States Open Golf Championship Tournament at Pebble Beach.

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

In order to provide needed funds to Monterey Peninsula College resulting from the service of alcoholic beverages in connection with the 100th anniversary of the United States Open Golf Tournament at Pebble Beach in June 2000, it is necessary that this act take effect immediately.

CHAPTER 40

An act to amend Section 68120 of the Education Code, relating to postsecondary education.

[Approved by Governor June 19, 2000. Filed with
Secretary of State June 21, 2000.]

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

SECTION 1. Section 68120 of the Education Code, as amended by Section 1 of Chapter 953 of the Statutes of 1999, is amended to read:

68120. (a) Notwithstanding any other provision of law, no mandatory systemwide fees or tuition of any kind shall be required of or collected by the Regents of the University of California, the Board of Directors of the Hastings College of the Law, or the Trustees of the California State University from any surviving spouse or surviving child, natural or adopted, of a deceased person who met all of the following requirements:

- (1) He or she was a resident of this state.
- (2) He or she was employed by a public agency, or was a contractor, or an employee of a contractor, performing services for a public agency.
- (3) His or her principal duties consisted of active law enforcement service or active fire suppression and prevention. This section shall not apply to a person whose principal duties were clerical, even if he or she was subject to occasional call or was occasionally called upon to perform duties within the scope of active law enforcement or active fire suppression and prevention.
- (4) He or she was killed in the performance of active law enforcement or active fire suppression and prevention duties or died as a result of an accident or an injury caused by external violence or physical force, incurred in the performance of his or her active law enforcement or active fire suppression and prevention duties.

(b) As used in this section, "public agency" means the state or any city, city and county, county, district, or other local authority or public body of or within the state.

(c) This section shall remain in effect only until January 1, 2002, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2002, deletes or extends that date.

SEC. 2. Section 68120 of the Education Code, as added by Section 2 of Chapter 953 of the Statutes of 1999, is amended to read:

68120. (a) Notwithstanding any other provision of law, no mandatory systemwide fees or tuition of any kind shall be required of or collected by the Regents of the University of California, the Board of Directors of the Hastings College of the Law, or the Trustees of the California State University from any surviving spouse or surviving child, natural or adopted, of a deceased person who met all of the following requirements:

- (1) He or she was a resident of this state.
- (2) He or she was employed by a public agency.
- (3) His or her principal duties consisted of active law enforcement service or active fire suppression and prevention. This section shall not apply to a person whose principal duties were clerical, even if he or she was subject to occasional call or was occasionally called upon to perform duties within the scope of active law enforcement or active fire suppression and prevention.

(4) He or she was killed in the performance of active law enforcement or active fire suppression and prevention duties or died as a result of an accident or an injury caused by external violence or physical force, incurred in the performance of his or her active law enforcement or active fire suppression and prevention duties.

(b) As used in this section, "public agency" means the state or any city, city and county, county, district, or other local authority or public body of or within the state.

(c) This section shall become operative on January 1, 2002.

CHAPTER 41

An act to amend Sections 6601.3, 6601.5, and 6602 of the Welfare and Institutions Code, relating to sexually violent predators, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 26, 2000. Filed with
Secretary of State June 26, 2000.]

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

SECTION 1. Section 6601.3 of the Welfare and Institutions Code is amended to read:

6601.3. Upon a showing of good cause, the Board of Prison Terms may order that a person referred to the State Department of Mental Health pursuant to subdivision (b) of Section 6601 remain in custody for no more than 45 days beyond the person's scheduled release date for full evaluation pursuant to subdivisions (c) to (i), inclusive, of Section 6601.

SEC. 2. Section 6601.5 of the Welfare and Institutions Code is amended to read:

6601.5. Upon filing of the petition and a request for review under this section, a judge of the superior court shall review the petition and determine whether the petition states or contains sufficient facts that, if true, would constitute probable cause to believe that the individual named in the petition is likely to engage in sexually violent predatory criminal behavior upon his or her release. If the judge determines that the petition, on its face, supports a finding of probable cause, the judge shall order that the person be detained in a secure facility until a hearing can be completed pursuant to Section 6602. The probable cause hearing provided for in Section 6602 shall commence within 10 calendar days of the date of the order issued by the judge pursuant to this section.

SEC. 3. Section 6602 of the Welfare and Institutions Code is amended to read:

6602. (a) A judge of the superior court shall review the petition and shall determine whether there is probable cause to believe that the individual named in the petition is likely to engage in sexually violent predatory criminal behavior upon his or her release. The person named in the petition shall be entitled to assistance of counsel at the probable cause hearing. Upon the commencement of the probable cause hearing, the person shall remain in custody pending the completion of the probable cause hearing. If the judge determines there is not probable cause, he or she shall dismiss the petition and any person subject to parole shall report to parole. If the judge determines that there is probable cause, the judge shall order that the person remain in custody in a secure facility until a trial is completed and shall order that a trial be conducted to determine whether the person is, by reason of a diagnosed mental disorder, a danger to the health and safety of others in that the person is likely to engage in acts of sexual violence upon his or her release from the jurisdiction of the Department of Corrections or other secure facility.

(b) The probable cause hearing shall not be continued except upon a showing of good cause by the party requesting the continuance.

(c) The court shall notify the State Department of Mental Health of the outcome of the probable cause hearing by forwarding to the department a copy of the minute order of the court within 15 days of the decision.

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

In order to protect public safety by preventing the immediate release of convicted violent sex offenders while the court determines their eligibility for intensive inpatient treatment, it is necessary that this act take effect immediately.

CHAPTER 42

An act to amend Section 1000.3 of the Penal Code, relating to criminal procedure.

[Approved by Governor June 26, 2000. Filed with
Secretary of State June 26, 2000.]

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

SECTION 1. Section 1000.3 of the Penal Code is amended to read:

1000.3. If it appears to the prosecuting attorney, the court, or the probation department that the defendant is performing unsatisfactorily in the assigned program, or that the defendant is not benefiting from education, treatment, or rehabilitation, or that the defendant is convicted of a misdemeanor that reflects the defendant's propensity for violence, or the defendant is convicted of a felony, or the defendant has engaged in criminal conduct rendering him or her unsuitable for deferred entry of judgment, the prosecuting attorney, the court on its own, or the probation department may make a motion for entry of judgment.

After notice to the defendant, the court shall hold a hearing to determine whether judgment should be entered.

If the court finds that the defendant is not performing satisfactorily in the assigned program, or that the defendant is not benefiting from education, treatment, or rehabilitation, or the court finds that the defendant has been convicted of a crime as indicated above, or that the defendant has engaged in criminal conduct rendering him or her unsuitable for deferred entry of judgment, the court shall render a finding of guilt to the charge or charges pled, enter judgment, and schedule a sentencing hearing as otherwise provided in this code.

If the defendant has performed satisfactorily during the period in which deferred entry of judgment was granted, at the end of that period, the criminal charge or charges shall be dismissed.

Prior to dismissing the charge or charges or rendering a finding of guilt and entering judgment, the court shall consider the defendant's ability to pay and whether the defendant has paid a diversion restitution fee pursuant to Section 1001.90, if ordered, and has met his or her financial obligation to the program, if any. As provided in Section 1203.1b, the defendant shall reimburse the probation department for the reasonable cost of any program investigation or progress report filed with the court as directed pursuant to Sections 1000.1 and 1000.2.

CHAPTER 43

An act to amend Section 204 of, and to add Section 231.5 to, the Code of Civil Procedure, relating to jurors.

[Approved by Governor June 27, 2000. Filed with
Secretary of State June 27, 2000.]

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

SECTION 1. (a) the Legislature finds and declares all of the following:

(1) When any cognizable segment of the community is excluded from jury service, the effect is to remove from the jury room qualities of human nature and varieties of human experience.

(2) Restricting jury service to only special groups or excluding identifiable segments playing major roles in the community cannot be squared with the constitutional concept of jury trial.

(3) Lesbians and gay men represent such a cognizable segment of the community, sharing a common perspective based upon their membership in that community.

(4) Lesbians and gay men share the common perspective of having spent their lives in a sexual minority, either exposed to, or fearful of, persecution and discrimination.

(5) That perspective deserves representation in the jury venire, and people who share that perspective deserve to bear their share of the burdens and benefits of citizenship, including jury service.

(b) It is the intent of the Legislature to codify the decision in *People v. Garcia* (2000) ____ Cal.App.4th ____.

SEC. 2. Section 204 of the Code of Civil Procedure is amended to read:

204. (a) No eligible person shall be exempt from service as a trial juror by reason of occupation, race, color, religion, sex, national origin, economic status, or sexual orientation, or for any other reason. No person shall be excused from service as a trial juror except as specified in subdivision (b).

(b) An eligible person may be excused from jury service only for undue hardship, upon themselves or upon the public, as defined by the Judicial Council.

SEC. 3. Section 231.5 is added to the Code of Civil Procedure, to read:

231.5. A party may not use a peremptory challenge to remove a prospective juror on the basis of an assumption that the prospective juror is biased merely because of his or her race, color, religion, sex, national origin, sexual orientation, or similar grounds.

CHAPTER 44

An act to amend Sections 15102, 15106, 35233, and 72533 of, and to add Chapter 1.5 (commencing with Section 15264) to Part 10 of, the Education Code, relating to school bonds.

[Approved by Governor June 27, 2000. Filed with
Secretary of State June 27, 2000.]

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

SECTION 1. Section 15102 of the Education Code is amended to read:

15102. The total amount of bonds issued pursuant to this chapter and Chapter 1.5 (commencing with Section 15264) shall not exceed 1.25 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987–88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987–88 fiscal year, and multiplying that result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equalized assessment roll.

SEC. 2. Section 15106 of the Education Code is amended to read:

15106. Any unified school district or community college district may issue bonds that, in aggregation with bonds issued pursuant to Section 15270, may not exceed 2.5 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

In computing the outstanding bonded indebtedness of any unified school district or community college district for all purposes of this section, any outstanding bonds shall be deemed to have been issued for elementary school purposes, high school purposes, and community college purposes, respectively, in the respective amounts that the proceeds of the sale of those outstanding bonds, excluding any premium and accrued interest received on that sale, were or have been allocated by the governing board of the unified school district or community college district to each of those purposes respectively.

(a) For the purposes of the State School Building Aid Law of 1952 (Chapter 6 (commencing with Section 16000) of Part 10) with respect to applications for apportionments and apportionments filed or made prior to September 15, 1961, and to the repayment thereof, Chapter 6 (commencing with Section 15700) of this part, inclusive, only, any unified school district shall be considered to have a bonding capacity in the amount permitted by law for an elementary school district and a bonding capacity in the amount permitted by law for a high school district.

(b) For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the

assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987–88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987–88 fiscal year, and multiplying the result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equalized assessment roll. In the event of the unification of two or more school districts or community college districts subsequent to the 1987–88 fiscal year, the assessed value of all unitary and operating nonunitary property of the unified district or community college district shall be deemed to be the total of the assessed value of the taxable property of each of the unifying districts as that assessed value would be determined under Section 15102.

SEC. 3. Chapter 1.5 (commencing with Section 15264) is added to Part 10 of the Education Code, to read:

CHAPTER 1.5. STRICT ACCOUNTABILITY IN LOCAL SCHOOL
CONSTRUCTION BONDS ACT OF 2000

Article 1. General Provisions

15264. It is the intent of the Legislature that all of the following are realized:

(a) Vigorous efforts are undertaken to ensure that the expenditure of bond measures, including those authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, are in strict conformity with the law.

(b) Taxpayers directly participate in the oversight of bond expenditures.

(c) The members of the oversight committees appointed pursuant to this chapter promptly alert the public to any waste or improper expenditure of school construction bond money.

(d) That unauthorized expenditures of school construction bond revenues are vigorously investigated, prosecuted, and that the courts act swiftly to restrain any improper expenditures.

15266. (a) As an alternative to authorizing and issuing bonds pursuant to Chapter 1 (commencing with Section 15100), the governing board of a school district or community college district may decide, pursuant to a two-thirds vote and subject to Section 15100, to pursue the authorization and issuance of bonds pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution. An election may only be ordered on the

question of whether bonds of a school district or community college district shall be issued and sold pursuant to subdivision (b) of Section 18 of Article XVI of the California Constitution at a primary or general election, a regularly scheduled local election, or a statewide special election.

(b) Upon adopting a resolution to incur bonded indebtedness pursuant to subdivision (b) of Section 18 of Article XVI of the California Constitution and after the question has been submitted to the voters, if approved at the election, the bonds shall be issued pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and this chapter, and the governing board may not, regardless of the number of votes cast in favor of the bond, subsequently proceed exclusively under Chapter 1 (commencing with Section 15100). Where not inconsistent, the provisions of Chapter 1 (commencing with Section 15100) shall apply to this chapter.

15268. The total amount of bonds issued pursuant to this section and Section 15102 shall not exceed 1.25 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. The tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred by a school district pursuant to this chapter, at a single election, shall not exceed thirty dollars (\$30) per one hundred thousand dollars (\$100,000) of taxable property. For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987–88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987–88 fiscal year, and multiplying that result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equalized assessment roll.

15270. (a) Notwithstanding Sections 15102 and 15268, any unified school district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Section 15106, may not exceed 2.5 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. The tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred pursuant to this chapter at a single election, by a unified school district, shall not exceed sixty dollars (\$60) per one hundred thousand dollars (\$100,000) of taxable property.

(b) Notwithstanding Sections 15102 and 15268, any community college district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Section 15106, may not exceed 2.5 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. The tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred pursuant to this chapter at a single election, by a community college district, shall not exceed twenty-five dollars (\$25) per one hundred thousand dollars (\$100,000) of taxable property.

(c) In computing the outstanding bonded indebtedness of any unified school district or community college district for all purposes of this section, any outstanding bonds shall be deemed to have been issued for elementary school purposes, high school purposes, and community college purposes, respectively, in the respective amounts that the proceeds of the sale of those outstanding bonds, excluding any premium and accrued interest received on that sale, were or have been allocated by the governing board of the unified school district or community college district to each of those purposes respectively.

(d) For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987–88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987–88 fiscal year, and multiplying the result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equalized assessment roll. In the event of the unification of two or more school districts subsequent to the 1987–88 fiscal year, the assessed value of all unitary and operating nonunitary property of the unified district shall be deemed to be the total of the assessed value of the taxable property of each of the unifying districts as that assessed value would be determined under Section 15268.

15272. In addition to the ballot requirements of Section 15122 and the ballot provisions of this code applicable to governing board member elections, for bond measures pursuant to this chapter, the ballot shall also be printed with a statement that the board will appoint a citizens' oversight committee and conduct annual independent audits to assure that funds are spent only on school and classroom improvements and for no other purposes.

15274. If it appears from the certificate of election results that 55 percent of the votes cast on the proposition of issuing bonds pursuant to subdivision (b) of Section 18 of Article XVI of the California

Constitution are in favor of issuing bonds, the governing board shall cause an entry of that fact to be made upon its minutes. The governing board shall then certify to the board of supervisors of the county whose superintendent of schools has jurisdiction over the district, all proceedings had in the premises. The county superintendent of schools shall send a copy of the certificate of election results to the board of supervisors of the county.

15276. Notwithstanding any other provision of law, a county board of education may not order an election to determine whether bonds may be issued under this article to raise funds for a county office of education.

Article 2. Citizens' Oversight Committee

15278. (a) If a bond measure authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution is approved, the governing board of the school district or community college shall establish and appoint members to an independent citizens' oversight committee, pursuant to Section 15282, within 60 days of the date that the governing board enters the election results on its minutes pursuant to Section 15274.

(b) The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues. The citizens' oversight committee shall actively review and report on the proper expenditure of taxpayers' money for school construction. The citizens' oversight committee shall advise the public as to whether a school district or community college district is in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution. The citizens' oversight committee shall convene to provide oversight for, but not be limited to, both of the following:

(1) Ensuring that bond revenues are expended only for the purposes described in paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(2) Ensuring that, as prohibited by subparagraph (A) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, no funds are used for any teacher or administrative salaries or other school operating expenses.

(c) In furtherance of its purpose, the citizens' oversight committee may engage in any of the following activities:

(1) Receiving and reviewing copies of the annual, independent performance audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(2) Receiving and reviewing copies of the annual, independent financial audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(3) Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(4) Receiving and reviewing copies of any deferred maintenance proposals or plans developed by a school district or community college district, including any reports required by Section 17584.1.

(5) Reviewing efforts by the school district or community college district to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:

(A) Mechanisms designed to reduce the costs of professional fees.

(B) Mechanisms designed to reduce the costs of site preparation.

(C) Recommendations regarding the joint use of core facilities.

(D) Mechanisms designed to reduce costs by incorporating efficiencies in schoolsite design.

(E) Recommendations regarding the use of cost-effective and efficient reusable facility plans.

15280. (a) The governing board of the district shall, without expending bond funds, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance in furtherance of its purpose and sufficient resources to publicize the conclusions of the citizens' oversight committee.

(b) All committee proceedings shall be open to the public and notice to the public shall be provided in the same manner as the proceedings of the governing board. The citizens' oversight committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an Internet website maintained by the governing board.

15282. (a) The citizens' oversight committee shall consist of at least seven members to serve for a term of two years without compensation and for no more than two consecutive terms. While consisting of a minimum of at least seven members, the citizens' oversight committee shall be comprised, as follows:

(1) One member shall be active in a business organization representing the business community located within the district.

(2) One member shall be active in a senior citizens' organization.

(3) One member shall be active in a bona fide taxpayers' organization.

(4) For a school district, one member shall be the parent or guardian of a child enrolled in the district. For a community college district, one member shall be a student who is both currently enrolled in the district and active in a community college group, such as student government. The community college student member may, at the discretion of the board, serve up to six months after his or her graduation.

(5) For a school district, one member shall be both a parent or guardian of a child enrolled in the district and active in a parent-teacher organization, such as the Parent Teacher Association or schoolsite council. For a community college district, one member shall be active in the support and organization of a community college or the community colleges of the district, such as a member of an advisory council or foundation.

(b) No employee or official of the district shall be appointed to the citizens' oversight committee. No vendor, contractor, or consultant of the district shall be appointed to the citizens' oversight committee. Members of the citizens' oversight committee shall, pursuant to Sections 35233 and 72533, abide by the prohibitions contained in Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code.

Article 3. Bond Accountability

15284. (a) An action to obtain an order restraining and preventing any expenditure of funds received by a school district or community college district through the sale of bonds authorized by this chapter pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution may be maintained against any officer, agent, or other person acting on behalf of, that school district or community college district, by a citizen residing in the school or community college district who is assessed and is liable to pay an ad valorem tax on real property within the school or community college district, or who has paid an ad valorem tax on real property within the school or community college district within one year before the commencement of the action if it appears by the complaint or affidavits that any of the following conditions are present:

(1) An expenditure of funds received by a school district or community college district through the sale of bonds authorized by this chapter is for purposes other than those specified in paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(2) The expenditure is not in compliance with paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(3) That an expenditure in violation of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution will be made or will continue to be made during the litigation that would produce waste or great or irreparable injury.

(4) The governing board of a school district or community college has willfully failed to appoint the citizens' oversight committee in violation of the requirements of Section 15278.

(b) An action brought pursuant to this section shall take special precedence over all civil matters on the calendar of the court except those matters granted equal precedence by law.

(c) The rights, remedies, or penalties established by this section are cumulative to the rights, remedies, or penalties established under other laws, including subdivision (a) of Section 526 of Chapter 3 of Title 7 of Part 2 of the Code of Civil Procedure.

(d) If an order is obtained to restrain and prevent an expenditure of funds pursuant to subdivision (a), a court may award attorneys' fees pursuant to Chapter 6 (commencing with Section 1021.5) of Title 14 of Part 2 of the Code of Civil Procedure.

(e) The action authorized by this section shall be known as a "School Bond Waste Prevention Action."

15288. It is the intent of the Legislature that upon receipt of allegations of waste or misuse of bond funds authorized in this chapter, appropriate law enforcement officials shall expeditiously pursue the investigation and prosecution of any violation of law associated with the expenditure of those funds.

SEC. 4. Section 35233 of the Education Code is amended to read:

35233. The prohibitions contained in Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code are applicable to members of governing boards of school districts and to members of citizens' oversight committees appointed by those governing boards pursuant to Chapter 1.5 (commencing with Section 15264) of Part 10.

SEC. 5. Section 72533 of the Education Code is amended to read:

72533. The prohibitions contained in Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code are applicable to members of governing boards of community college districts and to members of citizens' oversight committees appointed by those governing boards pursuant to Chapter 1.5 (commencing with Section 15264) of Part 10.

SEC. 6. This act shall only become operative upon the passage of the "Smaller Classes, Safer Schools and Financial Accountability Act"

which is contained in a proposition at the November 7, 2000, general election.

CHAPTER 45

An act to amend Section 627 of the Vehicle Code, relating to vehicles.

[Approved by Governor June 28, 2000. Filed with
Secretary of State June 28, 2000.]

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

SECTION 1. Section 627 of the Vehicle Code is amended to read:
627. (a) "Engineering and traffic survey," as used in this code, means a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation for use by state and local authorities.

(b) An engineering and traffic survey shall include, among other requirements deemed necessary by the department, consideration of all of the following:

(1) Prevailing speeds as determined by traffic engineering measurements.

(2) Accident records.

(3) Highway, traffic, and roadside conditions not readily apparent to the driver.

(c) When conducting an engineering and traffic survey, local authorities, in addition to the factors set forth in paragraphs (1) to (3), inclusive, of subdivision (b) may consider all of the following:

(1) Residential density, if any of the following conditions exist on the particular portion of highway and the property contiguous thereto, other than a business district:

(A) Upon one side of the highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures.

(B) Upon both sides of the highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures.

(C) The portion of highway is longer than one-quarter of a mile but has the ratio of separate dwelling houses or business structures to the length of the highway described in either subparagraph (A) or (B).

(2) Pedestrian and bicyclist safety.

CHAPTER 46

An act to add Section 1418.9 to the Health and Safety Code, relating to physicians and surgeons.

[Approved by Governor June 28, 2000. Filed with
Secretary of State June 29, 2000.]

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

SECTION 1. Section 1418.9 is added to the Health and Safety Code, to read:

1418.9. (a) If the attending physician and surgeon of a resident in a skilled nursing facility prescribes, orders, or increases an order for an antipsychotic medication for the resident, the physician and surgeon shall do both of the following:

(1) Obtain the informed consent of the resident for purposes of prescribing, ordering, or increasing an order for the medication.

(2) Seek the consent of the resident to notify the resident's interested family member, as designated in the medical record. If the resident consents to the notice, the physician and surgeon shall make reasonable attempts, either personally or through a designee, to notify the interested family member, as designated in the medical record, within 48 hours of the prescription, order, or increase of an order.

(b) Notification of an interested family member is not required under paragraph (2) of subdivision (a) if any of the following circumstances exist:

(1) There is no interested family member designated in the medical record.

(2) The resident has been diagnosed as terminally ill by his or her physician and surgeon and is receiving hospice services from a licensed, certified hospice agency in the facility.

(3) The resident has not consented to the notification.

(c) As used in this section, the following definitions shall apply:

(1) "Resident" means a patient of a skilled nursing facility who has the capacity to consent to make decisions concerning his or her health care, including medications.

(2) "Designee" means a person who has agreed with the physician and surgeon to provide the notice required by this section.

(3) "Antipsychotic medication" means a medication approved by the United States Food and Drug Administration for the treatment of psychosis.

(4) "Increase of an order" means an increase of the dosage of the medication above the dosage range stated in a prior consent from the resident.

(d) This section shall not be construed to require consent from an interested family member for an attending physician and surgeon of a resident to prescribe, order, or increase an order for antipsychotic medication.

CHAPTER 47

An act to amend Section 836 of the Penal Code, relating to arrests.

[Approved by Governor June 28, 2000. Filed with
Secretary of State June 29, 2000.]

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

SECTION 1. Section 836 of the Penal Code is amended to read:

836. (a) A peace officer may arrest a person in obedience to a warrant, or, pursuant to the authority granted to him or her by Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, without a warrant, may arrest a person whenever any of the following circumstances occur:

(1) The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.

(2) The person arrested has committed a felony, although not in the officer's presence.

(3) The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

(b) Any time a peace officer is called out on a domestic violence call, it shall be mandatory that the officer make a good faith effort to inform the victim of his or her right to make a citizen's arrest. This information shall include advising the victim how to safely execute the arrest.

(c) (1) When a peace officer is responding to a call alleging a violation of a domestic violence protective or restraining order issued under the Family Code, Section 527.6 of the Code of Civil Procedure, Section 213.5 of the Welfare and Institutions Code, Section 136.2 of this code, or paragraph (2) of subdivision (a) of Section 1203.097 of this code, or of a domestic violence protective or restraining order issued by the court of another state, tribe, or territory and the peace officer has probable cause to believe that the person against whom the order is issued has notice of the order and has committed an act in violation of the order, the officer shall, consistent with subdivision (b) of Section 13701, make a lawful arrest of the person without a warrant and take that person into custody whether or not the violation occurred in the presence

of the arresting officer. The officer shall, as soon as possible after the arrest, confirm with the appropriate authorities or the Domestic Violence Protection Order Registry maintained pursuant to Section 6380 of the Family Code that a true copy of the protective order has been registered, unless the victim provides the officer with a copy of the protective order.

(2) The person against whom a protective order has been issued shall be deemed to have notice of the order if the victim presents to the officer proof of service of the order, the officer confirms with the appropriate authorities that a true copy of the proof of service is on file, or the person against whom the protective order was issued was present at the protective order hearing or was informed by a peace officer of the contents of the protective order.

(3) In situations where mutual protective orders have been issued under Division 10 (commencing with Section 6200) of the Family Code, liability for arrest under this subdivision applies only to those persons who are reasonably believed to have been the primary aggressor. In those situations, prior to making an arrest under this subdivision, the peace officer shall make reasonable efforts to identify, and may arrest, the primary aggressor involved in the incident. The primary aggressor is the person determined to be the most significant, rather than the first, aggressor. In identifying the primary aggressor, an officer shall consider (A) the intent of the law to protect victims of domestic violence from continuing abuse, (B) the threats creating fear of physical injury, (C) the history of domestic violence between the persons involved, and (D) whether either person involved acted in self-defense.

(d) Notwithstanding paragraph (1) of subdivision (a), if a suspect commits an assault or battery upon a current or former spouse, fiancé, fiancée, a current or former cohabitant as defined in Section 6209 of the Family Code, a person with whom the suspect currently is having or has previously had an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243, a person with whom the suspect has parented a child, or is presumed to have parented a child pursuant to the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), a child of the suspect, a child whose parentage by the suspect is the subject of an action under the Uniform Parentage Act, a child of a person in one of the above categories, or any other person related to the suspect by consanguinity or affinity within the second degree, a peace officer may arrest the suspect without a warrant where both of the following circumstances apply:

(1) The peace officer has probable cause to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(2) The peace officer makes the arrest as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(e) In addition to the authority to make an arrest without a warrant pursuant to paragraphs (1) and (3) of subdivision (a), a peace officer may, without a warrant, arrest a person for a violation of Section 12025 when all of the following apply:

(1) The officer has reasonable cause to believe that the person to be arrested has committed the violation of Section 12025.

(2) The violation of Section 12025 occurred within an airport, as defined in Section 21013 of the Public Utilities Code, in an area to which access is controlled by the inspection of persons and property.

(3) The peace officer makes the arrest as soon as reasonable cause arises to believe that the person to be arrested has committed the violation of Section 12025.

CHAPTER 48

An act to amend Section 14105.98 of, and to add Section 14105.982 to, the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 28, 2000. Filed with
Secretary of State June 29, 2000.]

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

SECTION 1. Section 14105.98 of the Welfare and Institutions Code is amended to read:

14105.98. (a) The following definitions shall apply for purposes of this section:

(1) "Disproportionate share list" means an annual list of disproportionate share hospitals that provide acute inpatient services issued by the department for purposes of this section.

(2) "Fund" means the Medi-Cal Inpatient Payment Adjustment Fund, created pursuant to Section 14163.

(3) "Eligible hospital" means a hospital included on a disproportionate share list, which is eligible to receive payment adjustments under this section with respect to a particular state fiscal year.

(4) "Hospital" means a health facility that is licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2 of the Health

and Safety Code to provide acute inpatient hospital services, and includes all components of the facility.

(5) "Payment adjustment" or "payment adjustment amount" means an amount paid under this section for acute inpatient hospital services provided by a disproportionate share hospital.

(6) "Payment adjustment year" means the particular state fiscal year with respect to which payments are to be made to eligible hospitals under this section.

(7) "Payment adjustment program" means the system of Medi-Cal payment adjustments for acute inpatient hospital services established by this section.

(8) "Annualized Medi-Cal inpatient paid days" means the total number of Medi-Cal acute inpatient hospital days, regardless of dates of service, for which payment was made by or on behalf of the department to a hospital, under present or previous ownership, during the most recent calendar year ending prior to the beginning of a particular payment adjustment year, including all Medi-Cal acute inpatient covered days of care for hospitals which are paid on a different basis than per diem payments.

(9) "Low-income utilization rate" means a percentage rate determined by the department in accordance with the requirements of Section 1396r-4(b)(3) of Title 42 of the United States Code, and included on a disproportionate share list.

(10) "Low-income number" means a hospital's low-income utilization rate rounded down to the nearest whole number, and included on a disproportionate share list.

(11) "1991 Peer Grouping Report" means the final report issued by the department dated May 1991, entitled "Hospital Peer Grouping."

(12) "Major teaching hospital" means a hospital that meets the definition of a university teaching hospital, major nonuniversity teaching hospital, or large teaching emphasis hospital as set forth on page 51 of the 1991 Peer Grouping Report.

(13) "Children's hospital" means a hospital that meets the definition of a children's hospital—state defined, as set forth on page 53 of the 1991 Peer Grouping Report, or which is listed in subdivision (a), or subdivisions (c) to (g), inclusive, of Section 16996.

(14) "Acute psychiatric hospital" means a hospital that meets the definition of an acute psychiatric hospital, a combination psychiatric/alcohol-drug rehabilitation hospital, or a psychiatric health facility, to the extent the facility is licensed to provide acute inpatient hospital service, as set forth on page 52 of the 1991 Peer Grouping Report.

(15) “Alcohol-drug rehabilitation hospital” means a hospital that meets the definition of an alcohol-drug rehabilitation hospital as set forth on page 52 of the 1991 Peer Grouping Report.

(16) “Emergency services hospital” means a hospital that is a licensed provider of basic emergency services as described in Sections 70411 to 70419, inclusive, of Title 22 of the California Code of Regulations, or that is a licensed provider of comprehensive emergency medical services as described in Sections 70451 to 70459, inclusive, of Title 22 of the California Code of Regulations.

(17) “Medi-Cal day of acute inpatient hospital service” means any acute inpatient day of service attributable to patients who, for those days, were eligible for medical assistance under the California state plan, including any day of service that is reimbursed on a basis other than per diem payments.

(18) “Total per diem composite amount” means, for each eligible hospital for a particular payment adjustment year, the total of the various per diem payment adjustment amounts to be paid to the hospital for each eligible day as calculated under the applicable provisions of this section.

(19) “Supplemental lump-sum payment adjustment” means a lump-sum amount paid under this section for acute inpatient hospital services provided by a disproportionate share hospital.

(20) “Projected total payment adjustment amount” means, for each eligible hospital for a particular payment adjustment year, the amount calculated by the department as the projected maximum total amount the hospital is expected to receive under the payment adjustment program for the particular payment adjustment year (including all per diem payment adjustment amounts and any applicable supplemental lump-sum payment adjustments).

(21) “To align the program with the federal allotment” means to modify the size of the payment adjustment program to be as close as reasonably feasible to, but not to exceed, the estimated or actual maximum state disproportionate share hospital allotment for the particular federal fiscal year for California under Section 1396r-4(f) of Title 42 of the United States Code.

(22) “Descending pro rata basis” means an allocation methodology under which a pool of funds is distributed to hospitals on a pro rata basis until one of the recipient hospitals reaches its maximum payment limit, after which all remaining amounts in the pool are distributed on a pro rata basis to the recipient hospitals that have not reached their maximum payment limits, until another hospital reaches its maximum payment limit, and which process is repeated until the entire pool of funds has been distributed among the recipient hospitals.

(23) “Secondary supplemental payment adjustment” means a payment adjustment amount, whether paid or payable, to an eligible

hospital as a second type of supplemental distribution earned as of June 30, 1996, with respect to the 1995–96 payment adjustment year.

(24) “OBRA 1993 payment limitation” means the hospital-specific limitation on the total annual amount of payment adjustments to each eligible hospital under the payment adjustment program that can be made with federal financial participation under Section 1396r-4(g) of Title 42 of the United States Code, as implemented pursuant to the Medi-Cal State Plan.

(25) “Public hospital” means a hospital that is licensed to a county, a city, a city and county, the State of California, the University of California, a local health care district, a local health authority, or any other political subdivision of the state.

(26) “Nonpublic hospital” means a hospital that satisfies all of the following:

(A) The hospital does not meet the definition of a public hospital as described in paragraph (25).

(B) The hospital does not meet the definition of a nonpublic-converted hospital as described in paragraph (27).

(C) The hospital does not meet the definition of a converted hospital as described in paragraph (28).

(27) “Nonpublic-converted hospital” means a hospital that satisfies all of the following, or, if two or more inpatient facilities are licensed by the department under a consolidated license, a hospital as to which any component of the hospital satisfies all of the following:

(A) The hospital does not meet the definition of a public hospital as described in paragraph (25).

(B) The hospital or such component, at any time during the 1994–95 payment adjustment year, was a public hospital as described in paragraph (25), whether or not the hospital or such component currently is located at the same site as it was located when it was a public hospital.

(C) The hospital does not meet the definition of a converted hospital as described in paragraph (28).

(28) “Converted hospital” means a hospital that satisfies both of the following:

(A) The hospital does not meet the definition of a public hospital as described in paragraph (25).

(B) The hospital, at any time during the 1999–2000 payment adjustment year, was an eligible hospital meeting the definition of a public hospital as described in paragraph (25), whether or not the hospital currently is located at the same site as it was located when it was a public hospital.

(29) “Remained in operation” or “remains in operation” means that, except for closure or other cessation of services caused by natural disasters or other events beyond the hospital’s reasonable control,

including labor disputes, the hospital was licensed to provide hospital inpatient services, and continued to provide, or was available to provide, hospital inpatient services to Medi-Cal patients throughout the particular time period in question.

(30) “Maximum state disproportionate share hospital allotment for California” means, with respect to the 1998 federal fiscal year and subsequent federal fiscal years, that amount specified for California under Section 1396r-4(f) of Title 42 of the United State Code for that fiscal year, divided by the federal medical assistance percentage applicable for federal financial participation purposes for Medi-Cal program expenditures with respect to that same federal fiscal year.

(31) “Applicable federal fiscal year” means, with respect to the 2000–01 payment adjustment year and subsequent payment adjustment years, the federal fiscal year that commences on October 1 of the particular payment adjustment year.

(32) “Medical assistance increment” means the federal medical assistance percentage applicable for federal financial participation purposes for Medi-Cal program expenditures, expressed as a percentage, less the number one-half, expressed as a percentage.

(b) For each fiscal year commencing with 1991–92, there shall be Medi-Cal payment adjustment amounts paid to hospitals pursuant to this section. The amount of payments made and the eligible hospitals for each payment adjustment year shall be determined in accordance with the provisions of this section. The payments are intended to support health care services rendered by disproportionate share hospitals.

(c) For each fiscal year commencing with 1991–92, the department shall issue a disproportionate share list. The list shall be developed in accordance with subdivisions (e) and (f), and shall serve as a basis for payments under this section for the particular payment adjustment year.

(d) (1) Except as otherwise provided by this section, the payment adjustment amounts under this section shall be distributed as a supplement to, and concurrent with, payments on all billings for Medi-Cal acute inpatient hospital services that are paid through Medi-Cal claims payment systems on or after July 1, 1991. In connection with those billings, the department shall pay payment adjustment amounts in accordance with subdivision (g), (h), (i), or (j), as applicable, to any hospital qualifying under subdivision (e). In addition, the department shall pay to each of those hospitals any supplemental lump-sum payment adjustment amounts that are payable, and shall adjust payment amounts, in accordance with applicable provisions of this section. The nonfederal share of all payment adjustment amounts shall be funded by amounts from the fund. The department shall obtain federal matching funds for the payment

adjustment program through customary Medi-Cal accounting procedures.

(2) As a limitation to paragraph (1), all payment adjustment amounts under this section, which are due with respect to billings paid through Medi-Cal claims payment systems on or after July 1, 1991, shall be suspended until the time federal approval is first obtained for the payment adjustment program as part of the Medi-Cal program. For purposes of this paragraph, federal approval requires both (i) approval by appropriate federal agencies of an amendment to the Medi-Cal State Plan, as referred to in subdivision (o), and (ii) confirmation by appropriate federal agencies regarding the availability of federal financial participation for the payment adjustment program at a level of at least 40 percent of the percentage of federal financial participation that is normally applicable for Medi-Cal expenditures for acute inpatient hospital services. At the time federal approval is first obtained, the department shall proceed pursuant to subparagraphs (A) and (B) in connection with the suspended payment adjustment amounts.

(A) Except as provided by subdivision (l), or by any other subdivision of this section, any payment adjustment amounts which were suspended shall, within 60 days, be paid for all those billings paid through Medi-Cal claims payment systems during periods of time, on or after July 1, 1991, for which federal approval is first effective for the payment adjustment program.

(B) Payment adjustment amounts shall not be paid in connection with any Medi-Cal billings which were paid through Medi-Cal claims payment systems during any period of time for which federal approval is not effective for the payment adjustment program.

(3) As a limitation to paragraph (1), the amendments to this section enacted during calendar year 1993 shall not be implemented until the department has obtained any approvals that are necessary under federal law. Until all necessary federal approvals are obtained, the payment adjustment program shall continue as though no amendments had been enacted during calendar year 1993. When all necessary federal approvals have been obtained, the amendments enacted during calendar year 1993, shall be implemented effective as of the earliest effective date permissible under federal law.

(4) As a limitation to paragraph (1), amendments to this section enacted during calendar year 1994 shall not be implemented until the department has obtained any approvals that are necessary under federal law. Until all necessary federal approvals are obtained, the payment adjustment program shall continue as though no amendments had been enacted during calendar year 1994. When all necessary federal approvals have been obtained, the amendments enacted during calendar year 1994 shall be implemented effective as of the earliest effective date

permissible under federal law. Notwithstanding any other provision of law, on or after the date that federal approval is obtained the payments made prior to that date with respect to the 1994–95 payment adjustment year or subsequent payment adjustment years shall be deemed nonfinal payments for purposes of this section and Section 14163. Any of those amounts paid or payable prior to that date shall then be compared to the payments that would have been made pursuant to the program changes as approved by the federal government for all periods of time permissible under federal law, and the difference, if any, shall be paid or recouped by the department, as appropriate.

(5) As a limitation to paragraph (1), amendments to this section enacted during June 1996 shall not be implemented until the department has obtained any approvals that are necessary under federal law. Until all necessary federal approvals are obtained, the payment adjustment program shall continue as though no amendments had been enacted during June 1996. When all necessary federal approvals have been obtained, the amendments enacted during June 1996 shall be implemented effective as of the earliest effective date permissible under federal law. Notwithstanding any other provision of law, on or after the date that federal approval is obtained, the payments made prior to that date with respect to the 1995–96 payment adjustment year shall be deemed nonfinal payments for purposes of this section and Section 14163. Any of those amounts paid or payable prior to that date shall then be compared to the payments that would have been made pursuant to the program changes as approved by the federal government for all periods of time permissible under federal law, and the difference, if any, shall be paid or recouped by the department, as appropriate.

(6) As a limitation to paragraph (1), any amendment of this section enacted during the period August 1, 1996, to September 30, 1996, inclusive, shall not be implemented until the department has obtained any approvals that are necessary under federal law. Until all necessary federal approvals are obtained, the payment adjustment program shall continue as though no amendments had been enacted during the period August 1, 1996, to September 30, 1996, inclusive. When all necessary federal approvals have been obtained, the amendments enacted during the period August 1, 1996, to September 30, 1996, inclusive, shall be implemented effective as of the earliest effective date permissible under federal law. Notwithstanding any other provision of law, on or after the date that federal approval is obtained, the payments made prior to that date with respect to the 1996–97 payment adjustment year shall be deemed nonfinal payments for purposes of this section and Section 14163. Any of those amounts paid or payable prior to that date shall then be compared to the payments that would have been made pursuant to the program changes as approved by the federal government for all periods

of time permissible under federal law, and the difference, if any, shall be paid or recouped by the department, as appropriate.

(7) As a limitation to paragraph (1), any amendment of this section enacted during the period September 1, 1997, to September 30, 1997, inclusive, shall not be implemented until the department has obtained any approvals that are appropriate under federal law. Until appropriate federal approvals are obtained, the payment adjustment program shall continue as though amendments had not been enacted during the period September 1, 1997, to September 30, 1997, inclusive. When appropriate federal approvals have been obtained, the amendments enacted during the period September 1, 1997, to September 30, 1997, inclusive, shall be implemented effective as of the earliest effective date permissible under federal law. Notwithstanding any other provision of law, on or after the date that federal approval is obtained, the payments made prior to that date with respect to the 1997–98 payment adjustment year shall be deemed nonfinal payments for purposes of this section and Section 14163. Any of those amounts paid or payable prior to that date shall then be compared to the payments that would have been made pursuant to the program changes as approved by the federal government for all periods of time permissible under federal law, and the difference, if any, shall be paid or recouped by the department, as appropriate.

(8) As a limitation to paragraph (1), any amendment of this section enacted during the 1998 calendar year shall not be implemented until the department has obtained any approvals that are appropriate under federal law. Until appropriate federal approvals are obtained, the payment adjustment program shall continue as though amendments had not been enacted during the 1998 calendar year. When appropriate federal approvals have been obtained, the amendments enacted during the 1998 calendar year shall be implemented effective as of the earliest effective date permissible under federal law. Notwithstanding any other provision of law, on or after the date that federal approval is obtained, the payments made prior to that date with respect to the particular payment adjustment year shall be deemed nonfinal payments for purposes of this section and Section 14163. Any of those amounts paid or payable prior to that date shall then be compared to the payments that would have been made pursuant to the program changes as approved by the federal government for all periods of time permissible under federal law, and the difference, if any, shall be paid or recouped by the department, as appropriate.

(9) As a limitation to paragraph (1), any amendment of this section enacted during the period of June 1, 1999, to June 30, 1999, inclusive, shall not be implemented until the department has obtained any approvals that are appropriate under federal law. Until appropriate federal approvals are obtained, the payment adjustment program shall continue as though amendments had not been enacted during the period

of June 1, 1999, to June 30, 1999, inclusive. When appropriate federal approvals have been obtained, the amendments enacted during the period of June 1, 1999, to June 30, 1999, inclusive, shall be implemented effective as of the earliest effective date permissible under federal law. Notwithstanding any other provision of law, on or after the date that federal approval is obtained, the payments made prior to that date with respect to the particular payment adjustment year shall be deemed nonfinal payments for purposes of this section and Section 14163. Any of those amounts paid or payable prior to that date shall then be compared to the payments that would have been made pursuant to the program changes as approved by the federal government for all periods of time permissible under federal law, and the difference, if any, shall be paid or recouped by the department, as appropriate.

(10) As a limitation to paragraph (1), any amendment of this section enacted during the period of June 1, 2000, to June 30, 2000, inclusive, shall not be implemented until the department has obtained any approvals that are appropriate under federal law. Until appropriate federal approvals are obtained, the payment adjustment program shall continue as though amendments had not been enacted during the period of June 1, 2000, to June 30, 2000, inclusive. When appropriate federal approvals have been obtained, the amendments enacted during the period of June 1, 2000, to June 30, 2000, inclusive, shall be implemented effective as of the earliest effective date permissible under federal law. Notwithstanding any other provision of law, on or after the date that federal approval is obtained, the payments made prior to that date with respect to the particular payment adjustment year shall be deemed nonfinal payments for purposes of this section and Section 14163. Any of those amounts paid or payable prior to that date shall then be compared to the payments that would have been made pursuant to the program changes as approved by the federal government for all periods of time permissible under federal law, and the difference, if any, shall be paid or recouped by the department, as appropriate.

(e) To qualify for payment adjustment amounts under this section, a hospital shall have been included on the disproportionate share list for the particular payment adjustment year. The list shall consist of those hospitals which satisfy both of the following requirements:

(1) The hospital shall meet the federal requirements for disproportionate share status set forth in subsection (d) of Section 1396r-4 of Title 42 of the United States Code.

(2) Either of the following shall apply:

(A) The hospital's medicaid inpatient utilization rate, as defined in Section 1396r-4(b)(2) of Title 42 of the United States Code, shall be at least one standard deviation above the mean medicaid inpatient utilization rate for hospitals receiving medicaid payments in the state.

(B) The hospital's low-income utilization rate shall exceed 25 percent.

(f) (1) For the 1991–92 payment adjustment year, a disproportionate share list shall be issued by the department no later than 65 days after the enactment of this section. For subsequent payment adjustment years, a tentative listing shall be prepared by the department at least 60 days before the beginning of the particular payment adjustment year, and a disproportionate share list shall be issued no later than five days after the beginning of the particular payment adjustment year. All state agencies shall take all necessary steps to supply the most recent data available to the department to meet these deadlines. The Office of Statewide Health Planning and Development shall provide to the department quarterly access to the edited and unedited confidential patient discharge data files for all Medi-Cal eligible patients. The department shall maintain the confidentiality of that data to the same extent as is required of the Office of Statewide Health Planning and Development. In addition, the Office of Statewide Health Planning and Development shall provide to the department no later than March 1 of each year, the data specified by the department, as the data existed on the statewide data base file as of February 1 of each year (except that for the 1991–92 payment adjustment year, the Office of Statewide Health Planning and Development shall provide data as it existed on the statewide data base file as of August 30, 1991), from all of the following:

(A) Hospital annual disclosure reports, filed with the Office of Statewide Health Planning and Development pursuant to Section 443.31 or 128735 of the Health and Safety Code, for hospital fiscal years which ended during the calendar year ending 13 months prior to the applicable February 1.

(B) Annual reports of hospitals, filed with the Office of Statewide Health Planning and Development pursuant to Section 439.2 or 127285 of the Health and Safety Code, for the calendar year ending 13 months prior to the applicable February 1.

(C) Hospital patient discharge data reports, filed with the Office of Statewide Health Planning and Development pursuant to subdivision (g) of Section 443.31 or 128735 of the Health and Safety Code, for the calendar year ending 13 months prior to the applicable February 1.

(D) Any other materials on file with the Office of Statewide Health Planning and Development.

(2) The disproportionate share list shall show all of the following:

(A) The name and license number of the hospital.

(B) Expressed as a percentage, the hospital's Medi-Cal utilization rate and low-income utilization rate as referred to in paragraph (2) of subdivision (e). The department shall determine these rates in accordance with paragraph (4).

(C) Based on the hospital's low-income utilization rate, the hospital's low-income number.

(3) The department shall determine a hospital's satisfaction of paragraph (1) of subdivision (e) based on the most recent annual data available, as it existed on the Office of Statewide Health Planning and Development statewide data base file as of February 1 of each year, and August 30 for the 1991-92 payment adjustment year, whether the data relates to operations under present or previous ownership.

(4) To determine a hospital's Medi-Cal inpatient utilization rate and low-income utilization rate for purposes of disproportionate share lists, the department shall utilize the same methodology, formulae, and data sources as set forth in connection with interim determinations in Attachment 4.19-A of the Medi-Cal State Plan (effective on or about July 1, 1990), and as subsequently amended by Medi-Cal State Plan amendments relating to the payment adjustment program submitted to and approved by the federal Health Care Financing Administration, except that the following shall apply:

(A) The calculations shall not be interim, but shall be final for purposes of this section.

(B) To the extent permitted by federal law, the payment adjustment amounts provided to hospitals pursuant to this section shall not be included for any purpose in the calculations and determinations made pursuant to this section.

(C) Any other variation otherwise required by this section or by federal law.

(D) The data utilized by the department shall relate to the hospital under present and previous ownership. When there has been a change of ownership, a change in the location of the main hospital facility, or a material change in patient admission patterns during the 24 months immediately prior to the payment adjustment year, and the change has resulted in a diminution of access for Medi-Cal inpatients at the hospital, all as determined by the department, the department shall, to the extent permitted by federal law, utilize current data that are reflective of the diminution of access, even if the data are not annual data.

(E) Unless expressly provided otherwise by this section, the hospital's low-income utilization rate shall be based on the most recent annual data available from annual hospital reports existing on the Office of Statewide Health Planning and Development data base file as of February 1 of each year.

(F) (i) If, for the 1994-95 payment adjustment year, some or all of the annual data elements available to the department from hospital reports filed with the Office of Statewide Health Planning and Development for purposes of computing hospital low-income utilization rates are different than in prior years due to changes in data

reporting requirements of the Office of Statewide Health Planning and Development or changes in other state health care programs, the department shall take the necessary steps to obtain from hospitals appropriate data in order to clarify the annual data filed with the Office of Statewide Health Planning and Development. This shall be done by the department in order to ensure that low-income utilization rates are determined in a manner as equivalent as possible to the approach and methodology used for the 1991–92 payment adjustment year.

(ii) The efforts of the department to obtain and apply data for the purposes described in clause (i) shall include a survey to collect, from one or more hospitals, any data necessary to calculate the low-income utilization rates in accordance with clause (i). The purpose for the survey shall be to clarify the data already included by hospitals in their annual reports submitted to the Office of Statewide Health Planning and Development. The data requested by the department in the survey may include, among other things, information regarding the manner in which payments made to hospitals under this section were reported by the hospitals to the Office of Statewide Health Planning and Development. The data requested may also include information regarding the manner in which hospitals reported figures relating to charity care, bad debts, and amounts received in connection with state or local indigent care programs.

(iii) In connection with any survey conducted under clause (ii), the department may require that hospitals submit responses in accordance with a deadline established by the department, and that the responses be supported by a verification of a hospital representative. Should any hospital not respond on a timely basis in accordance with protocols established by the department, the department shall utilize prior year data, adjusted by the department in its discretion, to calculate the hospital's low-income utilization rate.

(G) Notwithstanding any other provision of law, all payment adjustment amounts, including per diem payment adjustment amounts and supplemental lump-sum payment adjustments, paid or payable to a hospital under this section, shall be recorded on an accrual basis of accounting in reports filed by the hospital with the Office of Statewide Health Planning and Development or the department.

(5) For purposes of payment adjustment amounts under this section, each disproportionate share list shall be considered complete when issued by the department pursuant to paragraph (1). Nothing on a disproportionate share list, once issued by the department, shall be modified for any reason, other than mathematical or typographical errors or omissions on the part of the department or the Office of Statewide Health Planning and Development in preparation of the list.

(6) No Medi-Cal State Plan amendment of the type referred to in paragraph (4) shall be valid if inconsistent with this section. For those Medi-Cal State Plan amendments of the type referred to in paragraph (4), to be initially submitted to the federal Health Care Financing Administration on or after the operative date of this paragraph, these amendments shall be provided to representatives of the hospital industry, including, but not limited to, the California Healthcare Association, as soon as possible, but in no event less than 30 days prior to submission of the amendment to the federal Health Care Financing Administration. If, in the public interest, the director determines that exigent circumstances necessitate that the 30-day requirement cannot be met, the director shall immediately in writing advise the Chairperson of the Senate Committee on Health and Human Services and the Assembly Committee on Health of the exigent circumstances and the department's timetable for providing the amendment to the hospital industry.

(g) For each Medi-Cal day of acute inpatient hospital service paid by or on behalf of the department during a payment adjustment year, regardless of dates of service, to a hospital on the applicable disproportionate share list, where that hospital, on the first day of the payment adjustment year, is a major teaching hospital, the hospital shall be paid the sum of all of the following amounts, except as limited by other applicable provisions of this section:

(1) A minimum payment adjustment of three hundred dollars (\$300).
(2) The sum of the following amounts, minus three hundred dollars (\$300):

(A) A ninety dollar (\$90) payment adjustment for each percentage point, from 25 percent to 29 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(B) A seventy dollar (\$70) payment adjustment for each percentage point, from 30 percent to 34 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(C) A fifty dollar (\$50) payment adjustment for each percentage point, from 35 percent to 44 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(D) A thirty dollar (\$30) payment adjustment for each percentage point, from 45 percent to 64 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(E) A ten dollar (\$10) payment adjustment for each percentage point, from 65 percent to 80 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(3) If the sum calculated under paragraph (2) is less than zero, it shall be disregarded for payment purposes.

(h) For each Medi-Cal day of acute inpatient hospital service paid by or on behalf of the department during a payment adjustment year,

regardless of dates of service, to a hospital on the applicable disproportionate share list, where that hospital, on the first day of the payment adjustment year, is a children's hospital, the hospital shall be paid the sum of four hundred fifty dollars (\$450), except as limited by other applicable provisions of this section.

(i) For each Medi-Cal day of acute inpatient hospital service paid by or on behalf of the department during a payment adjustment year, regardless of dates of service, to a hospital on the applicable disproportionate share list, where that hospital, on the first day of the payment adjustment year, is an acute psychiatric hospital or an alcohol-drug rehabilitation hospital, the hospital shall be paid the sum of all of the following amounts, except as limited by other applicable provisions of this section:

(1) A minimum payment adjustment of fifty dollars (\$50).

(2) The sum of the following amounts, minus fifty dollars (\$50):

(A) A ten dollar (\$10) payment adjustment for each percentage point, from 25 to 29 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(B) A seven dollar (\$7) payment adjustment for each percentage point, from 30 to 34 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(C) A five dollar (\$5) payment adjustment for each percentage point, from 35 to 44 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(D) A two dollar (\$2) payment adjustment for each percentage point, from 45 to 64 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(E) A one dollar (\$1) payment adjustment for each percentage point, from 65 to 80 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(3) If the sum calculated under paragraph (2) is less than zero, it shall be disregarded for payment purposes.

(j) For each Medi-Cal day of acute inpatient hospital service paid by or on behalf of the department during a payment adjustment year, regardless of dates of service, to a hospital on the applicable disproportionate share list, where that hospital does not meet the criteria for receiving payments under subdivision (g), (h), or (i) above, the hospital shall be paid the sum of all of the following amounts, except as limited by other applicable provisions of this section:

(1) A minimum payment adjustment of one hundred dollars (\$100).

(2) If the hospital is an emergency services hospital at the time the payment adjustment is paid, a two hundred dollar (\$200) payment adjustment.

(3) The sum of the following amounts minus one hundred dollars (\$100), and minus an additional two hundred dollars (\$200) if the hospital is an emergency services hospital at the time the payment adjustment is paid:

(A) A forty dollar (\$40) payment adjustment for each percentage point, from 25 percent to 29 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(B) A thirty-five dollar (\$35) payment adjustment for each percentage point, from 30 percent to 34 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(C) A thirty dollar (\$30) payment adjustment for each percentage point, from 35 percent to 44 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(D) A twenty dollar (\$20) payment adjustment for each percentage point, from 45 percent to 64 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(E) A fifteen dollar (\$15) payment adjustment for each percentage point, from 65 percent to 80 percent, inclusive, of the hospital's low-income number as shown on the disproportionate share list.

(4) If the sum calculated under paragraph (3) is less than zero, it shall be disregarded for payment purposes.

(k) (1) For any particular payment adjustment year, no hospital may qualify for payments under more than one subdivision among subdivisions (g), (h), (i), and (j). If any hospital qualifies under more than one subdivision, the department shall determine which subdivision shall apply for payments.

(2) For each payment adjustment year beginning with 1992-93, the total applicable per diem payment adjustment amount calculated for each eligible hospital pursuant to subdivision (g), (h), (i), or (j) shall be adjusted by a percentage identical to the percentage increase in transfer amounts that the department has authorized for use pursuant to paragraph (1) of subdivision (h) of Section 14163 for the particular fiscal year.

(3) If an eligible hospital ordinarily is paid by or on behalf of the department for Medi-Cal acute inpatient hospital services based on a payment methodology other than per diem payments, the eligible hospital shall receive payment adjustment amounts under subdivision (g), (h), (i), or (j) of this section based on its approved Medi-Cal days of acute inpatient hospital care, in the same fashion as all other eligible hospitals under this section.

(l) (1) (A) In determining Medi-Cal days of service for purposes of payment adjustments under this section, the department shall recognize

all acute inpatient hospital days of service required to be taken into account under federal law.

(B) For the 1992–93 payment year, the department may consider the Medi-Cal days of service provided by the qualifying hospitals for Medi-Cal patients covered by the prepaid health plans contracting directly with the Medi-Cal program in achieving their maximum payments.

(C) For 1993–94 and subsequent payment years, the department may consider the Medi-Cal days of service provided by hospitals for Medi-Cal patients covered by the prepaid health plans contracting directly with the Medi-Cal program in determining the Medi-Cal utilization rate and the maximum days of payment. Additionally, the department may consider the days of service provided by the qualifying hospitals for Medi-Cal patients covered by the prepaid health plans contracting directly with the Medi-Cal program in achieving their maximum payments in those payment years.

(D) In order to meet the requirements of subparagraph (C), the Office of Statewide Health Planning and Development shall provide to the department quarterly access to all data elements on the edited and unedited confidential patient discharge data files, including Social Security account numbers. The department shall match these data with the department's Medi-Cal Eligibility Data System files to extract any data necessary to meet the requirements of subparagraph (C). The department shall maintain the confidentiality of all patient discharge data to the same extent as is required of the Office of Statewide Health Planning and Development.

(2) Notwithstanding paragraph (1), there shall be, for each eligible hospital, a maximum limit on the number of Medi-Cal acute inpatient hospital days for which payment adjustment amounts may be paid under this section with respect to each payment adjustment year. The maximum limit shall be that number of days that equals 80 percent of the eligible hospital's annualized Medi-Cal inpatient paid days, as determined from all Medi-Cal paid claims records available through April 1 preceding the beginning of the payment adjustment year.

(m) No payment rate for any service rendered by any hospital under the Medi-Cal selective provider contracting program shall be reduced as a result of this section.

(n) Notwithstanding any other provision of law, to the extent consistent with federal law, and except as provided by this section, no maximum payment limit shall be placed on the amount of Medi-Cal payment adjustments which may be made to disproportionate share hospitals. The payments made to disproportionate share hospitals pursuant to this section and Section 14105.99 shall not cause any other

amounts paid or payable to a hospital to be deemed in excess of any applicable maximum payment limit.

(o) The department shall promptly seek any necessary federal approvals in order to implement this section, including any amendments. Pursuant to Section 1396r-4 of Title 42 of the United States Code, and related federal medicaid statutes and regulations, payment adjustment systems for inpatient hospital services rendered by disproportionate share hospitals shall be included in a state's medicaid plan. Therefore, the department shall, prior to the end of the calendar quarter during which this section is enacted or amended, submit for federal approval an amendment to the Medi-Cal State Plan in connection with the payment adjustment program.

(p) (1) The department shall compute, prior to the beginning of each payment adjustment year, the projected size of the payment adjustment program for the particular payment adjustment year. To do so, the department shall determine the projected total payment adjustment amount for each eligible hospital, and shall add these amounts together to determine the projected total size of the program. To the extent this projected total figure for the program exceeds the portion of the maximum state disproportionate share hospital allotment for California under federal law that the department anticipates will be available for the period in question, the department shall reduce the total per diem composite amounts of the various eligible hospitals in the fashion described below so that the allotment in question will not be exceeded.

(2) As an initial step, all total per diem composite amounts for the entire payment adjustment year shall be reduced proportionately not to exceed 2 percent of each total per diem composite amount.

(3) If the reductions authorized by paragraph (2) are insufficient to align the program with the federal allotment for California, then, to the extent permitted by federal law, the following shall apply:

(A) The adjusted total per diem composite amounts, as calculated under paragraph (2), shall remain in effect for each eligible hospital whose low-income number is 30 percent or more.

(B) The adjusted total per diem composite amounts, as calculated under paragraph (2), for all other eligible hospitals shall be further reduced proportionately to align the program with the federal allotment, but in no event to a level that is less than 65 percent of the total per diem composite amount that would have been payable to the eligible hospital had no reductions taken place.

(4) If the steps set forth in paragraph (3) are not permissible under federal law, or are not adequate to align the program with the federal allotment, the adjusted total per diem composite amounts for all eligible hospitals for the entire payment adjustment year shall be further reduced proportionately to align the program with the federal allotment, but in

no event to a level that would result in adjusted total per diem composite amounts that are less than 65 percent of the total per diem composite amounts that would have been payable had no reductions taken place.

(5) When all eligible hospitals have been reduced to the 65-percent level set forth in paragraphs (3) and (4), the adjusted total per diem composite amounts for all eligible hospitals shall be further reduced proportionately as necessary to align the program with the federal allotment.

(6) This subdivision shall not apply to the 1995–96 payment adjustment year.

(q) (1) If it is necessary to apply the provisions of paragraph (3) of subdivision (p) at any time, the department shall, as soon as practicable, evaluate why the insufficiency arose and identify the projected occurrence and duration of any future insufficiencies.

(2) If the department determines as a result of the evaluations under paragraph (1) that (A) implementation of paragraph (3) of subdivision (p) will likely be necessary to resolve additional insufficiencies for the current payment adjustment year or the next payment adjustment year; and (B) that the level of federal financial participation realized by the payment adjustment program, for the current payment adjustment year as a whole, will be less than 30 percent of the percentage of federal financial participation that normally is applicable for Medi-Cal expenditures for acute inpatient hospital services, and that the level of federal financial participation for the payment adjustment program is expected to continue to remain below that 30-percent level for the next payment adjustment year as a whole, the department shall, as soon as practicable, implement paragraphs (3) and (4).

(3) If the department determines that the circumstances described in paragraph (2) are present, the payment adjustment program shall be terminated, effective as of the earliest date permissible under federal law. In that event, all installment payments to the fund which are already due pursuant to Section 14163 at the time of the department's determination shall remain due, and shall be collected by the Controller. However, installment payments which are not yet due at that time shall not become due.

(4) Within 90 days after the termination of the payment adjustment program, as referred to in paragraph (3), or as soon as practicable, the department shall determine whether any amounts remain in the fund that are not needed to pay prior payment adjustment amounts under this section. If remaining amounts exist in the fund, they shall be refunded to transferor entities on a pro rata basis, within 45 days after the date of the department's determination.

(r) (1) The state shall be held harmless from any federal disallowance resulting from payments made under this section, and from payments

made to hospitals based on transfers accepted by the department under Section 14164. Any hospital that has received payments under this section, or based on transfers accepted by the department under Section 14164, shall be liable for any audit exception or federal disallowance only with respect to the payments made to that hospital. The department shall recoup from a hospital the amount of any audit exception or federal disallowance in the manner authorized by applicable laws and regulations.

(2) Notwithstanding any other provisions of law, if any payment adjustment that has been paid, or that otherwise would have been payable to an eligible hospital under this section, exceeds the OBRA 1993 payment limitation for the particular hospital, the department shall withhold or recoup the payment adjustment amount that exceeds the limitation. The nonfederal component of the amount withheld or recouped shall be redeposited in, or shall remain in, the fund, as applicable, until used for the purposes described in paragraph (2) of subdivision (j) of Section 14163.

(s) (1) The department may utilize existing administrative appeal procedures for purposes of any appealable matter that arises under the payment adjustment program. The matters that may be appealed shall be limited to those related to the following:

(A) Paragraph (5) of subdivision (f).

(B) State audit disallowances of amounts paid to hospitals under the payment adjustment program.

(2) Calculations which are final pursuant to paragraph (4) or (5) of subdivision (f) or the procedures or data on which those calculations are based, shall not be appealed.

(t) (1) Except as provided in paragraph (2), the department shall take all appropriate steps permitted by law and the Medi-Cal State Plan to ensure the following for all years of the payment adjustment program:

(A) That well-baby (nursery) days and acute administrative days are included in the payment adjustment program in the same fashion as all other Medi-Cal days of acute inpatient hospital service.

(B) That, to the same extent as any other Medi-Cal days of acute inpatient hospital service, well-baby (nursery) days and acute administrative days are included as payable days under the payment adjustment program and in the total of annualized Medi-Cal inpatient paid days.

(C) That, if pursuant to paragraph (2), any well-baby (nursery) days or acute administrative days are not included in the payment adjustment program for payment purposes for any parts of the 1992-93 or 1993-94 payment adjustment years, all those days are nevertheless included in the total of annualized Medi-Cal inpatient paid days for all purposes under

the payment adjustment program, unless otherwise barred by paragraph (2).

(2) In no event shall paragraph (1) be implemented in a fashion that is inconsistent with federal medicaid law or the Medi-Cal State Plan.

(u) (1) For the 1993–94 payment adjustment year, each eligible hospital shall also be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the hospital being included on the disproportionate share list as of September 30, 1993. For purposes of federal medicaid rules, including Section 447.297(d) of Title 42 of the Code of Federal Regulations, the supplemental payment adjustments shall be applicable to the federal fiscal year that ends on September 30, 1993.

(2) The availability of supplemental payment adjustments under this subdivision shall be determined as follows:

(A) The final maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 1993 federal fiscal year. This final allotment is two billion one hundred ninety-one million four hundred fifty-one thousand dollars (\$2,191,451,000), as specified at page 43186 of Volume 58 of the Federal Register.

(B) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, that are applicable to the 1993 federal fiscal year shall be determined. The applicability of the per diem payment adjustment amounts to the 1993 federal fiscal year shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, supplemental lump-sum payment adjustments shall be made under this subdivision in accordance with paragraph (3).

(3) The amount of the supplemental lump-sum payment adjustment to each eligible hospital shall be computed as follows:

(A) The projected total of all per diem payment adjustment amounts payable to each particular eligible hospital under this section for the 1993–94 payment adjustment year shall be determined. For each hospital, this figure shall be identical to the figure used for the same hospital in the calculations regarding transfer amounts under subdivision (h) of Section 14163 for the 1993–94 state fiscal year.

(B) The projected totals for all eligible hospitals determined under subparagraph (A) shall be added together to determine an aggregate total of all projected per diem payment adjustments for the 1993–94 payment adjustment year. This figure shall be identical to the aggregate figure for

all hospitals used in the calculations regarding transfer amounts under subdivision (h) of Section 14163 for the 1993–94 state fiscal year.

(C) The figure determined for each eligible hospital under subparagraph (A) shall be divided by the aggregate figure determined under subparagraph (B), yielding a percentage figure for each hospital.

(D) The percentage figure determined for each hospital under subparagraph (C) shall be multiplied by the positive remainder calculated under subparagraph (C) of paragraph (2).

(E) The product as so determined for each eligible hospital under subparagraph (D) shall be the supplemental lump-sum payment adjustment amount payable to the particular hospital.

(4) The department shall make partial payments of the supplemental lump-sum payment adjustments to eligible hospitals on or before January 1, 1994. The department shall make final calculations regarding the supplemental lump-sum payments based on data available as of March 1, 1994, and shall distribute the final payments promptly thereafter.

(5) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available. In doing so, the department shall comply with any procedures instituted by the Health Care Financing Administration in connection with Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(v) (1) For the 1993–94 payment adjustment year, each eligible hospital that remains in operation as of June 30, 1994, shall also be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the hospital being a disproportionate share hospital in operation as of that date.

(2) The availability of supplemental lump-sum payment adjustments under this subdivision shall be determined by the department as follows:

(A) The final maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 1994 federal fiscal year. This final allotment is two billion one hundred ninety-one million four hundred fifty-one thousand dollars (\$2,191,451,000), as specified on page 22676 of Volume 59 of the Federal Register.

(B) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, that are applicable to the period October 1, 1993, through June 30, 1994, shall be determined. The applicability of the per diem payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, supplemental lump-sum payment adjustments shall be made under this subdivision in accordance with paragraph (3).

(3) The amount of the supplemental lump-sum payment adjustment to each hospital shall be computed as follows:

(A) The projected total of all other payment adjustment amounts payable to each particular hospital under this section applicable to the 1993–94 payment adjustment year shall be determined. For each hospital, this figure shall be identical to the sum of the figures used for the same hospital in the calculations regarding transfer amounts under subdivision (h) of Section 14163 for the 1993–94 state fiscal year, not including the supplemental lump-sum payments described in this subdivision.

(B) The projected totals for all hospitals determined under subparagraph (A) shall be added together to determine an aggregate total. This aggregate total shall be identical to the aggregate figure for all hospitals used in the calculations regarding transfer amounts under subdivision (h) of Section 14163 for the 1993–94 state fiscal year, not including the supplemental lump-sum payments described in this subdivision.

(C) The figure determined for each hospital under subparagraph (A) shall be divided by the aggregate figure determined under subparagraph (B), yielding a percentage figure for each hospital.

(D) The percentage figure determined for each hospital under subparagraph (C) shall be multiplied by the positive remainder calculated under subparagraph (C) of paragraph (2).

(E) The product determined under subparagraph (D) for each hospital shall be the supplemental lump-sum payment adjustment amount payable to the particular hospital, which shall be payable because the facility is a disproportionate share hospital in operation as of June 30, 1994.

(4) The department shall make interim and final payments of the supplemental lump-sum payment adjustments to hospitals on or before October 31, 1994.

(5) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available. In doing so, the department shall comply with any procedures instituted by the Health Care Financing Administration in connection with Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(w) (1) For the 1994–95 payment adjustment year, each eligible hospital that remains in operation as of June 30, 1995, shall also be

eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the hospital being a disproportionate share hospital in operation as of that date.

(2) The availability of supplemental lump-sum payment adjustments under this subdivision shall be determined by the department as follows:

(A) The final maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 1995 federal fiscal year.

(B) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, that are applicable to the period October 1, 1994, through June 30, 1995, shall be determined. The applicability of the per diem payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, supplemental lump-sum payment adjustments shall be made under this subdivision in accordance with paragraph (3).

(3) The amount of the supplemental lump-sum payment adjustment to each hospital shall be computed as follows:

(A) The projected total of all other payment adjustment amounts payable to each particular hospital under this section applicable to the 1994-95 payment adjustment year shall be determined. For each hospital, this figure shall be identical to the sum of the figures used for the same hospital in the calculations regarding transfer amounts under subdivision (h) of Section 14163 for the 1994-95 state fiscal year, not including the supplemental lump-sum payments described in this subdivision.

(B) The projected totals for all hospitals determined under subparagraph (A) shall be added together to determine an aggregate total. This aggregate total shall be identical to the aggregate figure for all hospitals used in the calculations regarding transfer amounts under subdivision (h) of Section 14163 for the 1994-95 state fiscal year, not including the supplemental lump-sum payments described in this subdivision.

(C) The figure determined for each hospital under subparagraph (A) shall be divided by the aggregate figure determined under subparagraph (B), yielding a percentage figure for each hospital.

(D) The percentage figure determined for each hospital under subparagraph (C) shall be multiplied by the positive remainder calculated under subparagraph (C) of paragraph (2).

(E) The product as so determined under subparagraph (D) for each hospital shall be the supplemental lump-sum payment adjustment

amount payable to the particular hospital, which shall be payable because the facility is a disproportionate share hospital in operation as of June 30, 1995.

(4) The department shall make interim and final payments of the supplemental lump-sum payment adjustments to hospitals on or before October 31, 1995.

(5) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available. In doing so, the department shall comply with any procedures instituted by the Health Care Financing Administration in connection with Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(x) (1) With respect to per diem payment adjustments otherwise payable in connection with the period of July 1 through September 30 of the 1994–95 payment adjustment year, payment adjustment amounts shall be adjusted as described in paragraph (2).

(2) No per diem payment adjustment amounts shall be payable in connection with the period of July 1 through September 30 of the 1994–95 payment adjustment year. The Medi-Cal days of acute inpatient hospital service paid by or on behalf of the department that otherwise would have given rise to payment adjustment amounts with respect to this period of time shall not count toward the maximum limit set forth in paragraph (2) of subdivision (l).

(y) Notwithstanding any other provision of law, except subdivision (z), the payment adjustment program for the 1995–96 payment adjustment year shall be structured as set forth below.

(1) (A) The department shall, in the manner used for prior years, compute the projected total payment adjustment amounts for all eligible hospitals, by determining for each eligible hospital its total per diem composite amount and multiplying that figure by 80 percent of the hospital's annualized Medi-Cal inpatient paid days.

(B) The products of the calculations under subparagraph (A) for all eligible hospitals shall be added together. The sum of all these figures shall be the unadjusted projected total payment adjustment program for the 1995–96 payment adjustment year.

(2) The remaining amount available as part of the state disproportionate share hospital allotment for California under applicable federal rules for July 1995 through September 1995 (as part of the 1995 federal fiscal year) shall be recognized as being zero.

(3) The department shall estimate what the state disproportionate share hospital allotment for California will be for the 1996 federal fiscal year under applicable federal rules. The estimate shall not exceed the

allotment that was applicable for California for the 1995 federal fiscal year.

(4) The estimate identified by the department under paragraph (3) shall be reduced by subtracting the total amount of the supplemental lump-sum payments paid or payable under subdivisions (v) and (w).

(5) The remainder determined under paragraph (4) shall be added to the amount determined under paragraph (2). The total of those two amounts shall be the unadjusted tentative size of the payment adjustment program for the 1995–96 payment adjustment year.

(6) The total per diem composite amount computed for each eligible hospital under subparagraph (A) of paragraph (1) shall be modified as follows:

(A) The department shall reduce the total per diem composite amount for each eligible hospital by multiplying the amount by an identical percentage. The percentage figure to be used for this purpose shall be that percentage that is derived by dividing the amount determined under paragraph (5) by the unadjusted projected total payment adjustment program amount determined under subparagraph (B) of paragraph (1).

(B) The percentage figure derived under subparagraph (A) shall be applied to the total per diem composite amount for each eligible hospital, yielding an adjusted total per diem composite amount for each hospital for the 1995–96 payment adjustment year.

(C) (i) The adjusted total per diem composite amount determined under subparagraph (B) for each eligible hospital shall be multiplied by 80 percent of the hospital's annualized Medi-Cal inpatient paid days.

(ii) The amount computed for each hospital under clause (i) shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital.

(iii) Where the amount computed under clause (i) for the particular hospital is less than the OBRA 1993 payment limitation for the hospital, the amount computed under clause (i) shall be used for purposes of clause (v).

(iv) Where the amount computed under clause (i) for the particular hospital exceeds the OBRA 1993 payment limitation for the hospital, the amount computed under clause (i) shall be reduced to an amount equal to the OBRA 1993 payment limitation for the particular hospital. The amount as so reduced shall be used for purposes of clause (v).

(v) The amount for each hospital, as determined under either clause (iii) or clause (iv), as applicable, shall be the adjusted projected total payment adjustment amount for the hospital for the 1995–96 payment adjustment year.

(D) The adjusted figures computed for all eligible hospitals under subparagraph (C) shall be added together, yielding the adjusted tentative

size of the payment adjustment program for the 1995–96 payment adjustment year.

(7) The adjusted tentative size of the payment adjustment program for the 1995–96 payment adjustment year as determined under subparagraph (D) of paragraph (6), and the adjusted projected total payment adjustment amount for each eligible hospital, as determined under subparagraph (C) of paragraph (6), shall be distributed as follows:

(A) No per diem payment adjustment amounts shall be payable in connection with the period of July 1 through September 30 of the 1995–96 payment adjustment year. The Medi-Cal days of acute inpatient hospital service paid by or on behalf of the department that otherwise would have given rise to payment adjustment amounts with respect to this period of time shall not count toward the maximum limit set forth in paragraph (2) of subdivision (l).

(B) For all eligible hospitals, the adjusted per diem composite amounts (as determined under subparagraph (B) of paragraph (6)) shall be the amounts payable with respect to the period of October 1 through June 30 of the 1995–96 payment adjustment year, subject to the applicable provisions of subdivision (z).

(8) For the 1995–96 payment adjustment year, each eligible hospital that remains in operation as of June 30, 1996, shall also be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date. The availability of supplemental lump-sum payment adjustments under this paragraph shall be determined by the department as follows:

(A) The adjusted projected total payment adjustment amount for each hospital, as determined under subparagraph (C) of paragraph (6), shall be identified.

(B) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, that are applicable to the period July 1, 1995, through June 30, 1996, shall be determined for each hospital, taking into account subparagraph (A) of paragraph (7). The applicability of the per diem payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) The amount determined under subparagraph (B) for each hospital shall be subtracted from the amount identified under subparagraph (A) for each hospital. If the remainder is a positive figure for the particular hospital, the supplemental lump-sum payment adjustment for the hospital shall be the positive remainder amount, which shall be payable because the facility is a disproportionate share hospital in operation as of June 30, 1996.

(D) The department shall make interim and final payments of the supplemental lump-sum payment adjustments under this paragraph on or before September 30, 1996.

(9) Except as provided in subparagraph (C), for the 1995–96 payment adjustment year each eligible hospital that remains in operation as of June 30, 1996, shall also be eligible to receive a secondary supplemental payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date. The availability of secondary supplemental payment adjustments under this paragraph shall be determined by the department as follows:

(A) The maximum amount of secondary supplemental payment adjustments available pursuant to this paragraph shall be calculated as follows:

(i) The total amount of all per diem payment adjustment amounts, whether paid or payable, for the 1995–96 payment adjustment year, as determined under subparagraph (B) of paragraph (8), shall be identified.

(ii) The total amount of all supplemental lump-sum payment adjustments, whether paid or payable, as determined under subparagraph (C) of paragraph (8), shall be identified.

(iii) The department shall estimate the total amount of payment adjustments under this section that it anticipates will be applicable to the period July 1, 1996, through September 30, 1996. The applicability of the payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(iv) The department shall identify the amount of the final maximum state disproportionate share hospital allotment for California for the 1996 federal fiscal year under applicable federal rules. The amount identified shall not exceed two billion one hundred ninety-one million four hundred fifty-one thousand dollars (\$2,191,451,000).

(v) The amounts identified or estimated under clauses (i), (ii), and (iii) shall be added together, and the sum of these amounts shall be subtracted from the amount identified under clause (iv). The remainder determined from this calculation, or the amount of two hundred million dollars (\$200,000,000), whichever is less, shall be the maximum amount available for secondary supplemental payment adjustments under this paragraph.

(B) The maximum amount available for secondary supplemental payment adjustments, as identified under clause (v) of subparagraph (A), shall be distributed to eligible hospitals as follows:

(i) The total amount of all per diem payment adjustments and supplemental lump-sum payment adjustments relating to the 1995–96 payment adjustment year, whether paid or payable, shall be identified for

each eligible hospital. However, notwithstanding any other provision of law, those hospitals referred to in subparagraph (C) shall not be included in this step, and shall not receive any secondary supplemental payment adjustments, as described in subparagraph (C).

(ii) For purposes of secondary supplemental payment adjustments, the eligible hospitals shall be classified into various groups. No hospital may qualify for more than one of these groups. Notwithstanding subclause (II), the hospitals described in subparagraph (C) shall not be included in any of these groups. The following groups of hospitals shall be recognized:

(I) "State of California hospitals," which shall include all eligible hospitals that, as of July 1, 1995, were licensed to the State of California or to the University of California.

(II) "County hospitals," which shall include all eligible hospitals that, as of July 1, 1995, were licensed to a county or a city and county, but shall exclude those hospitals referred to in subparagraph (C).

(III) "Other public hospitals," which shall include all eligible hospitals that, as of July 1, 1995, were licensed to a local hospital district, a local health authority, a city, or any other noncounty political subdivision of the state.

(IV) "Children's hospitals," which shall include all eligible hospitals that, as of July 1, 1995, were included in the children's hospital group under subdivision (h).

(V) "Other nonpublic hospitals," which shall include all eligible hospitals that are not included in any group described in subclauses (I) through (IV).

(iii) The amount determined to be the maximum amount of secondary supplemental payment adjustments under clause (v) of subparagraph (A) shall first be allocated among the groups of hospitals referred to in clause (ii), as follows:

(I) "State of California hospitals": 64.35 percent of the maximum amount.

(II) "County hospitals": 18.095 percent of the maximum amount.

(III) "Other public hospitals": 0.65 percent of the maximum amount.

(IV) "Children's hospitals": 6.755 percent of the maximum amount.

(V) "Other nonpublic hospitals": 10.15 percent of the maximum amount.

(iv) (I) The amount of funds allocated pursuant to clause (iii) to each of the particular groups of hospitals referred to in clauses (ii) and (iii) shall then be distributed as secondary supplemental payment adjustments among the eligible hospitals within each particular group. The secondary supplemental distributions shall be made on a descending pro rata basis within each group. Each cycle of the descending pro rata distribution shall be considered to be a phase of the process. As described

in subclauses (II) to (V), inclusive, in each phase of the descending pro rata distribution, the pro rata share of the distribution to each hospital that remains eligible to receive additional distributions shall be computed based on the ratio of the total payment adjustments that the particular hospital has already earned under the payment adjustment program for the 1995–96 payment adjustment year, as compared to the total payment adjustments already earned by the other hospitals in the particular group that remain eligible to receive the additional distributions.

(II) For the first phase, the total amount of payment adjustments under this section for the 1995–96 payment adjustment year, including all per diem payment adjustments and all supplemental lump-sum payment adjustments, that are determined by the department as already being paid or payable to each hospital eligible for the distribution shall be determined.

(III) The figures determined under subclause (II) for each hospital in the particular group shall be added together to determine an aggregate total.

(IV) The figures determined for each hospital under subclause (II) shall be divided by the aggregate total determined under subclause (III), yielding a percentage figure for each hospital.

(V) The percentage figure determined for each hospital under subclause (IV) shall be applied to the maximum portion of the funds allocated to the particular group under clause (iii) that can be distributed in the particular phase until a hospital in the particular group reaches the limitation set forth in clause (v).

(v) For each hospital, no secondary supplemental payment adjustment shall be paid to the extent that either of the following conditions exist:

(I) The secondary supplemental payment adjustment would cause the total of all payment adjustments to the hospital under this section relating to the 1995–96 payment adjustment year to exceed the amount that is the product of multiplying 0.95 times the particular hospital's OBRA 1993 payment limitation for the 1995–96 payment adjustment year, as computed by the department in accordance with applicable provisions of the Medi-Cal State Plan.

(II) Without regard to any secondary supplemental payment adjustment, the hospital has already received or has earned payment adjustments relating to the 1995–96 payment adjustment year that equal or exceed the product referred to in subclause (I).

(vi) Any secondary supplemental payment adjustment amount, or portion thereof, that otherwise would have been payable to a particular hospital under this paragraph, but that is barred by the limitation described in clause (v), shall be distributed by the department through

additional phases of the descending pro rata distribution process to those hospitals within the same group, as set forth in clauses (ii) and (iii), as the particular hospital. For each additional phase, the mathematical steps referred to in subclauses (II) to (V), inclusive, of clause (iv) shall be repeated for those hospitals that have not reached the limitation set forth in clause (v). The phases shall continue until the funds allocated to the particular group under clause (iii) have been fully exhausted. No such distribution, however, shall be in an amount that would cause any hospital to exceed the limitation set forth in clause (v).

(C) Notwithstanding any other provision of law, prior to the allocation or distribution of any secondary supplemental payment adjustments, hospitals that, as of July 1, 1995, were part of a county-operated health system of three or more eligible hospitals licensed to the county, shall be deemed to have reached the limitations on total payments described in subclause (II) of clause (v) of subparagraph (B). Data regarding payment adjustments earned by these hospitals with respect to the 1995–96 payment adjustment year, whether paid or payable, shall be included in the computations under subparagraph (A), but excluded from the computations under subparagraph (B).

(D) The department shall make payments of the secondary supplemental payment adjustments to hospitals on or before November 30, 1996.

(10) The final total amount of per diem payment adjustments paid by the department for the 1995–96 payment adjustment year, plus the final total amount of supplemental lump-sum payment adjustments and secondary supplemental payment adjustments paid by the department for the 1995–96 payment adjustment year, shall be the maximum size of the payment adjustment program for the 1995–96 payment adjustment year.

(11) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available. In doing so, the department shall comply with any procedures instituted by the Health Care Financing Administration in connection with Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(z) (1) (A) Notwithstanding any other provision of law (except for subparagraph (B)), all Medi-Cal days of acute inpatient hospital service paid by or on behalf of the department that give rise to payment adjustment amounts with respect to the period October 1, 1994, through June 30, 1995, shall be treated as involving 1.4 days for purposes of payment adjustments with respect to this period of time. As a result, each per diem payment adjustment amount otherwise payable to the hospital

in connection with these days shall be increased by 40 percent. The Medi-Cal days in question shall be treated as involving 1.4 days toward the maximum limit set forth in paragraph (2) of subdivision (l). The Medi-Cal days in question shall be treated as involving 1.0 days for purposes of determining the hospital's annualized Medi-Cal inpatient paid days for the next applicable payment adjustment year.

(B) For the 1994-95 payment adjustment year, no eligible hospital shall receive total payment adjustments, including per diem payment adjustment amounts and any supplemental lump-sum payment adjustment amounts, in excess of the projected total payment adjustment amounts that were computed or recomputed, as applicable, for the hospital by the department with respect to the 1994-95 payment adjustment year. For each hospital, this maximum figure shall not exceed the sum of the following two components:

(i) The final figure computed by the department as the hospital's total per diem composite amount (including any applicable adjustments under subdivision (p)), multiplied by 80 percent of the hospital's annualized Medi-Cal inpatient paid days.

(ii) The amount calculated by the department as the hospital's pro rata share (based on the figures for all hospitals computed under clause (i)) of the remainder determined by subtracting (I) the sum of the figures computed for all hospitals under clause (i) from (II) the final maximum state disproportionate share hospital allotment for California under applicable federal rules for the 1995 federal fiscal year.

(C) Any payment adjustment amount that otherwise would be payable to a hospital, but that is barred by subparagraph (B), shall be withheld or recouped by the department and distributed on a descending pro rata basis as part of the supplemental lump-sum distribution described in subdivision (w) to those hospitals that have not reached their maximum figures as described in subparagraph (B).

(2) (A) Notwithstanding any other provision of law, except for subparagraph (B), all Medi-Cal days of acute inpatient hospital service paid by or on behalf of the department that give rise to payment adjustment amounts with respect to the period October 1, 1995, through June 30, 1996, shall be treated as involving 1.4 days for purposes of payment adjustments with respect to this period of time. As a result, each per diem payment adjustment amount otherwise payable to the hospital in connection with these days shall be increased by 40 percent. The Medi-Cal days in question shall be treated as involving 1.4 days toward the maximum limit set forth in paragraph (2) of subdivision (l). The Medi-Cal days in question shall be treated as involving 1.0 days for purposes of determining the hospital's annualized Medi-Cal inpatient paid days for the next applicable payment adjustment year.

(B) For the 1995–96 payment adjustment year, no eligible hospital shall receive total payment adjustments, including per diem payment adjustment amounts, supplemental lump-sum payment adjustment amounts, and secondary supplemental payment adjustments in excess of the hospital's OBRA 1993 payment limitation as computed by the department pursuant to the Medi-Cal State Plan. No hospital shall receive secondary supplemental payment adjustments to the extent the payment adjustments would be inconsistent with paragraph (9) of subdivision (y).

(C) Any payment adjustment amount that otherwise would be payable to a hospital, but that is barred by subparagraph (B), shall be withheld or recouped by the department and thereafter distributed to other eligible hospitals, refunded to transferors, or otherwise processed in accordance with this section and Section 14163.

(3) Notwithstanding any other provision of law, to the extent necessary or appropriate to implement and administer the amendments to this section enacted during the 1994 calendar year, the department may utilize an approach involving interim payments, with reconciliation to final payments within a reasonable time.

(aa) (1) For the 1996–97 payment adjustment year, each eligible hospital that remains in operation as of June 30, 1997, shall also be eligible to receive a supplemental lump-sum payment adjustment, that shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date. The availability of supplemental lump-sum payment adjustments under this paragraph shall be determined by the department as follows:

(A) The projected total payment adjustment amount for each hospital, as determined by the department at the outset of the payment adjustment year, including any reductions arising from payment limitations under this section, shall be identified. For each hospital, this amount shall be identical to the amount that was used for the same hospital in the calculations made at the outset of the 1996–97 state fiscal year regarding transfer amounts under subdivision (h) of Section 14163 for that fiscal year.

(B) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, that are applicable to the period July 1, 1996, through June 30, 1997, shall be determined for each hospital. The applicability of the per diem payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) The amount determined under subparagraph (B) for each hospital shall be subtracted from the amount identified under subparagraph (A) for each hospital. If the remainder is a positive figure for the particular

hospital, the supplemental lump-sum payment adjustment for the hospital shall be the positive remainder amount, which shall be payable because the facility is a disproportionate share hospital in operation as of June 30, 1997.

(D) The department shall make interim and final payments of the supplemental lump-sum payment adjustments under this paragraph on or before September 30, 1997.

(2) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available. In doing so, the department shall comply with any procedures instituted by the Health Care Financing Administration in connection with Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(ab) (1) For the 1997–98 payment adjustment year, eligible hospitals that meet the requirements of this subdivision and that remain in operation as of September 30, 1997, shall be eligible to receive a special supplemental payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date. For purposes of federal medicaid rules, including Section 447.297(d) of Title 42 of the Code of Federal Regulations, the special supplemental payment adjustments shall be applicable to the federal fiscal year that ends on September 30, 1997.

(2) The availability of special supplemental payment adjustments under this subdivision shall be determined as follows:

(A) The final maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 1997 federal fiscal year.

(B) The total amount of all per diem payment adjustment amounts and supplemental payment adjustments under this section (exclusive of any payments under this subdivision) applicable to the 1997 federal fiscal year, whether paid or payable, shall be determined. The applicability of per diem payment adjustment amounts and supplemental payment adjustments of all types to the 1997 federal fiscal year shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, special supplemental payment adjustments shall be made under this subdivision in accordance with paragraph (3). The positive remainder shall be the maximum amount of special supplemental payment adjustments under this subdivision.

(3) (A) For purposes of these special supplemental payment adjustments, only hospitals that can be categorized into either of the two groups specified in clauses (i) and (ii) shall be eligible to receive the supplemental payment adjustments, and no hospital may qualify for more than one of the two groups. The following groups of hospitals shall be recognized:

(i) "Public hospitals," which shall include all eligible hospitals that, as of July 1, 1997, met the definition of a public hospital.

(ii) "Nonpublic hospitals," which shall include all eligible hospitals that, as of July 1, 1997, met the definition of a nonpublic hospital.

(B) The amount determined to be the maximum amount of special supplemental payment adjustments under subparagraph (C) of paragraph (2) shall first be allocated between the two groups of hospitals referred to in subparagraph (A) as follows:

(i) "Public hospitals": 74.885 percent of the maximum amount.

(ii) "Nonpublic hospitals": 25.115 percent of the maximum amount.

(C) The amount of funds allocated pursuant to subparagraph (B) to each of the particular groups of hospitals referred to in subparagraphs (A) and (B) shall then be distributed as special supplemental payment adjustments among the eligible hospitals within each particular group as follows:

(i) The department shall compute the projected total payment adjustment amounts for all eligible hospitals for the 1997–98 payment adjustment year, exclusive of any payments under this subdivision, subdivision (ad), or subdivision (af), by determining for each eligible hospital its total per diem composite amount and multiplying that figure by the maximum number of the hospital's Medi-Cal inpatient paid days determined under paragraph (2) of subdivision (l). For purposes of this clause, the determinations shall be without regard to the OBRA 1993 payment limitations.

(ii) The amount computed under clause (i) for each hospital described in subparagraph (A) shall be compared to the amount that is the product of multiplying 0.95 times the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital for the 1997–98 payment adjustment year.

(iii) Where the amount computed under clause (i) for the particular hospital is equal to or exceeds the product computed for the hospital under clause (ii), the hospital shall not receive a special supplemental payment adjustment. Data regarding hospitals that have reached this limitation shall not be used for purposes of clauses (v) through (viii).

(iv) Where the amount computed under clause (i) for the particular hospital is less than the product computed for the hospital under clause

(ii), the amount computed under clause (i) for the hospital shall be used for purposes of clauses (v) through (viii).

(v) The figures determined under clause (iv) for each hospital in the particular group shall be added together to determine an aggregate total for each group.

(vi) The figures determined for each hospital under clause (iv) shall be divided by the aggregate total determined under clause (v) for the particular group, yielding a percentage figure for each hospital.

(vii) The percentage figure determined for each hospital under clause (vi) shall be applied to the maximum portion of the funds allocated to the particular group under subparagraph (B), to determine the hospital's pro rata share of the special supplemental lump-sum payment adjustments. Except, however, in the case of a nonpublic hospital that, as of July 1, 1997, meets the definition of a children's hospital, such pro rata share otherwise determined shall be multiplied by a factor of 1.09, yielding a modified pro rata share. The pro rata share for the other nonpublic hospitals shall be reduced accordingly, yielding a modified pro rata share, so that the maximum portion of the funds allocated to the nonpublic hospitals group will not be exceeded. The pro rata share or modified pro rata share, as applicable, for each hospital, as computed under this clause, shall also be used for all purposes relating to descending pro rata distributions under clause (viii).

(viii) In no event shall a hospital receive special supplemental payment adjustment amounts in excess of the difference between the product computed for the hospital under clause (ii) and the amount computed for the hospital under clause (i). Any special supplemental payment adjustment amount, or portion thereof, that otherwise would have been payable under this paragraph to a hospital, but that is barred by this limitation, shall be distributed on a descending pro rata basis to those hospitals within the same group.

(D) The department shall make interim and final payments of the special supplemental payment adjustments to hospitals on or before February 28, 1998.

(4) The department shall implement this subdivision only if consistent with federal medicaid law and the Medi-Cal State Plan, and only if the department determines that federal financial participation is available.

(ac) Notwithstanding any other provision of law, the payment adjustment program with respect to the period October 1, 1997 through June 30, 1998, shall be structured as set forth below and in subdivisions (ad) and (af). However, if the effective date of the Medi-Cal State Plan amendment relating to this subdivision is later than October 1, 1997, as approved by the federal Health Care Financing Administration, all references in this subdivision to the period October 1, 1997, through

June 30, 1998, shall be references to the period that commences on that effective date and continues through June 30, 1998.

(1) (A) The department shall utilize the computations made pursuant to clause (i) of subparagraph (C) of paragraph (3) of subdivision (ab) of the projected total payment adjustment amounts for all eligible hospitals for the entire 1997–98 payment adjustment year, exclusive of any supplemental payments under subdivision (ab), (ad), or (af).

(B) The computed amount referred to in subparagraph (A) for each hospital shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital.

(C) Where the computed amount referred to in subparagraph (A) for the particular hospital exceeds the OBRA 1993 payment limitation for the hospital, the amount computed under subparagraph (A) shall be reduced to an amount equal to the OBRA 1993 payment limitation for the particular hospital. The amount so reduced shall be used for purposes of subparagraph (E).

(D) Where the computed amount referred to in subparagraph (A) for the particular hospital is equal to or less than the OBRA 1993 payment limitation for the hospital, the computed amount referred to in subparagraph (A) shall be used for purposes of subparagraph (E).

(E) The amounts determined under subparagraphs (C) and (D) for all eligible hospitals shall be added together, yielding an aggregate sum. The aggregate sum shall be the unadjusted projected total payment adjustment program for the entire 1997–98 payment adjustment year, exclusive of any supplemental payments under subdivision (ab) or (ad).

(2) The initial maximum size of the payment adjustment program for the entire 1997–98 payment adjustment year shall be set at one billion seven hundred fifty million dollars (\$1,750,000,000), exclusive of any supplemental payments under subdivision (ab) or (ad).

(3) The department shall increase or decrease the amount determined for each eligible hospital under subparagraph (C) or (D) of paragraph (1), as applicable, by multiplying the amount by an identical percentage, yielding the hospital's tentative adjusted projected total payment adjustment amount for the 1997–98 payment adjustment year. The identical percentage figure to be used for this purpose shall be that percentage that is derived by dividing the amount set forth in paragraph (2) by the aggregate sum determined under subparagraph (E) of paragraph (1). Except, however, the amount determined for a hospital under subparagraph (C) or (D) of paragraph (1) shall not be increased if it would exceed the OBRA 1993 payment limitation for the hospital.

(4) The tentative adjusted projected total payment adjustment amount computed for each eligible hospital under paragraph (3) shall be further adjusted as follows:

(A) (i) For each eligible hospital that met the definition of a nonpublic-converted hospital as of July 1, 1997, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic-converted hospital adjustment factor." The applicable adjustment factor shall be that which is necessary to result in an amount, for each hospital, equal to the amount used for the particular hospital under subparagraph (E) of paragraph (1). The amount so adjusted shall be used for purposes of clause (iii).

(ii) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, applicable to the period July 1, 1997, through September 30, 1997, shall be determined for each hospital referred to in clause (i). The applicability of the per diem payment adjustment amounts to the period July 1, 1997, through September 30, 1997, shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations. However, if the effective date of the Medi-Cal State Plan amendment relating to this subdivision is later than October 1, 1997, as approved by the federal Health Care Financing Administration, all determinations under this clause shall include per diem payment adjustment amounts applicable to the period July 1, 1997, through the date that is one day prior to that effective date.

(iii) The amount determined for each hospital under clause (i) shall be reduced by the amount determined under clause (ii) for the hospital. The resulting figure shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 1997, through June 30, 1998, which shall be paid to the hospital in accordance with paragraph (5).

(B) (i) For each eligible hospital that met the definition of a nonpublic hospital as of July 1, 1997, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each nonpublic hospital described above shall be added together.

(II) The amount identified in paragraph (2) shall be divided by 2.38. The resulting figure shall then be reduced by the sum of the amounts determined for all nonpublic-converted hospitals under clauses (ii) and (iii) of subparagraph (A).

(III) The amount computed under subclause (II) shall be divided by 2, and the result thereof further reduced by the amount of thirty-seven million five hundred thousand dollars (\$37,500,000).

(IV) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (III) by the amount derived in subclause (I).

(ii) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, applicable to the period July 1, 1997, through September 30, 1997, shall be determined for each hospital referred to in clause (i). The applicability of the per diem payment adjustment amounts to the period July 1, 1997, through September 30, 1997, shall be determined in accordance with federal medicaid rules including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations. However, if the effective date of the Medi-Cal State Plan amendment relating to this subdivision is later than October 1, 1997, as approved by the federal Health Care Financing Administration, all determinations under this clause shall include per diem payment adjustment amounts applicable to the period July 1, 1997, through the date that is one day prior to that effective date.

(iii) The amount determined for each hospital under clause (i) shall be reduced by the amount determined under clause (ii) for the hospital. The resulting figure shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 1997, through June 30, 1998, which shall be paid to the hospital in accordance with paragraph (5).

(C) (i) For each eligible hospital that met the definition of a public hospital as of July 1, 1997, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "public hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each public hospital described above shall be added together.

(II) The amount identified in paragraph (2) shall be reduced by the sum of the amounts determined for all nonpublic-converted hospitals under clauses (ii) and (iii) of subparagraph (A) and the sum of the amounts determined for all nonpublic hospitals under clauses (ii) and (iii) of subparagraph (B).

(III) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (II) by the amount derived in subclause (I).

(ii) The total amount of all per diem payment adjustment amounts under this section, whether paid or payable, applicable to the period July 1, 1997, through September 30, 1997, shall be determined for each hospital referred to in clause (i). The applicability of the per diem payment adjustment amounts to the period July 1, 1997, through September 30, 1997, shall be determined in accordance with federal

medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations. However, if the effective date of the Medi-Cal State Plan amendment relating to this subdivision is later than October 1, 1997, as approved by the federal Health Care Financing Administration, all determinations under this clause shall include per diem payment adjustment amounts applicable to the period July 1, 1997, through the date that is one day prior to that effective date.

(iii) The amount determined for each hospital under clause (i) shall be reduced by the amount determined under clause (ii) for the hospital. The resulting figure shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 1997, through June 30, 1998, which shall be paid to the hospital in accordance with paragraph (5).

(5) The final adjusted projected total payment adjustment amount determined for each eligible hospital for the period October 1, 1997, through June 30, 1998, shall be distributed in 16 or fewer equal installments to be paid no later than the 10th and 25th day of each month during the period that commences on the effective date of the Medi-Cal State Plan amendment relating to this subdivision, as approved by the federal Health Care Financing Administration, and continues through May 25, 1998.

(6) Notwithstanding any other provision of law, for the entire 1997–98 payment adjustment year, no eligible hospital shall receive total payment adjustments, including per diem payment adjustments, payments under this subdivision, and any supplemental payments under subdivision (ab) or (ad), in excess of the hospital's OBRA 1993 payment limitation as computed by the department pursuant to the Medi-Cal State Plan. No hospital shall receive any special supplemental payment adjustments or supplemental lump-sum payment adjustments to the extent the payments would be inconsistent with subdivision (ab) or (ad), respectively.

(7) The aggregate sum of the final adjusted projected total payment adjustment amounts computed under paragraph (4) for each eligible hospital for the period October 1, 1997, through June 30, 1998, plus the aggregate sum of the amounts determined for each eligible hospital under clause (ii) of subparagraph (A) of paragraph (4), clause (ii) of subparagraph (B) of paragraph (4) and clause (ii) of subparagraph (C) of paragraph (4), shall be the maximum size of the payment adjustment program for the entire 1997–98 payment adjustment year, exclusive of the special supplemental payment adjustments provided for under subdivision (ab) and the supplemental lump-sum payment adjustments provided for under subdivision (ad).

(8) The department shall implement this subdivision only if consistent with federal medicaid law and the Medi-Cal State Plan, and

only if the department determines that federal financial participation is available.

(ad) (1) For the 1997–98 payment adjustment year, eligible hospitals that meet the requirements of this subdivision and that remain in operation as of June 30, 1998, shall be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date, but only if the hospital has remained in operation for the period October 1, 1997, to June 30, 1998, inclusive.

(2) The amount of supplemental lump-sum payment adjustments available to hospitals under this subdivision shall be four hundred five million dollars (\$405,000,000).

(3) (A) For purposes of these supplemental lump-sum payment adjustments, only hospitals that can be categorized into either of the two groups specified in clauses (i) and (ii) shall be eligible to receive the supplemental payment adjustments, and no hospital may qualify for more than one of the two groups. The following groups of hospitals shall be recognized:

(i) “Public hospitals,” which shall include all eligible hospitals that, as of July 1, 1997, met the definition of a public hospital.

(ii) “Nonpublic hospitals,” which shall include all eligible hospitals that, as of July 1, 1997, met the definition of a nonpublic hospital.

(B) The amount of supplemental lump-sum payment adjustments as referred to in paragraph (2) shall first be allocated between the two groups of hospitals referred to in subparagraph (A) as follows:

(i) “Public hospitals”: 72.17 percent of the amount.

(ii) “Nonpublic hospitals”: 27.83 percent of the amount.

(C) The amount of funds allocated pursuant to subparagraph (B) to each of the particular groups of hospitals referred to in subparagraphs (A) and (B) shall then be distributed as supplemental lump-sum payment adjustments among the eligible hospitals within each particular group as follows:

(i) The department shall identify for each eligible hospital the total amount of payment adjustments under this section (exclusive of any payments under this subdivision and subdivision (af)) applicable to the 1997–98 payment adjustment year, whether paid or payable. The applicability of the payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(ii) The amount identified for each hospital under clause (i) shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department

has computed for the particular hospital for the 1997–98 payment adjustment year.

(iii) Where the amount computed under clause (i) for the particular hospital is equal to or exceeds the OBRA 1993 payment limitation for the hospital, the hospital shall not receive a supplemental lump-sum payment adjustment. Data regarding hospitals that have reached this limitation shall not be used for purposes of clauses (v) through (viii).

(iv) Where the amount computed under clause (i) for the particular hospital is less than the OBRA 1993 payment limitation for the hospital, the amount computed under clause (i) minus that amount paid or payable to the hospital under subdivision (ab) shall be used for purposes of clauses (v) through (viii).

(v) The figures determined under clause (iv) for each hospital in the particular group shall be added together to determine an aggregate total for each group.

(vi) The figures determined for each hospital under clause (iv) shall be divided by the aggregate total determined under clause (v) for the particular group, yielding a percentage figure for each hospital.

(vii) The percentage figure determined for each hospital under clause (vi) shall be applied to the maximum portion of the funds allocated to the particular group under subparagraph (B), to determine the hospital's pro rata share of the supplemental lump-sum payment adjustments. Except, however, in the case of a nonpublic hospital that, as of July 1, 1997, meets the definition of a children's hospital, the pro rata share otherwise determined shall be multiplied by a factor of 1.09, yielding a modified pro rata share. The pro rata share for the other nonpublic hospitals shall be reduced accordingly, yielding a modified pro rata share, so that the maximum portion of the funds allocated to the nonpublic hospitals group will not be exceeded. The pro rata share or modified pro rata share, as applicable, for each hospital, as computed under this clause, shall also be used for all purposes relating to descending pro rata distributions under clause (viii).

(viii) In no event shall a hospital receive supplemental lump-sum payment adjustment amounts in excess of the difference between the OBRA 1993 payment limitation for the hospital and the amount computed for the hospital under clause (i). Any supplemental lump-sum payment adjustment amount, or portion thereof, that otherwise would have been payable under this paragraph to a hospital, but that is barred by this limitation, shall be distributed on a descending pro rata basis to those hospitals within the same group.

(D) The department shall make interim and final payments of the supplemental lump-sum payment adjustments to hospitals on or before August 15, 1998.

(4) The department shall implement this subdivision only if consistent with federal medicaid law and the Medi-Cal State Plan, and only if the department determines that federal financial participation is available.

(5) Notwithstanding any other provision of law, the payment adjustments, data, and related aspects of subdivision (af) shall not be taken into account for any purpose under this subdivision, subdivision (ab), or subdivision (ac).

(ae) (1) In the event that any provision of subdivision (ab), (ac), or (ad), as reflected in a proposed Medi-Cal State Plan amendment, is not approved by the federal Health Care Financing Administration, the director shall modify the proposed Medi-Cal State Plan amendment in a manner intended to be consistent with all applicable federal requirements. Subject to the requirements of federal law, in developing the modified proposed Medi-Cal State Plan amendment, the director shall, to the extent practicable, incorporate, implement, and modify, as necessary, the payment methodologies applicable to the 1997–98 payment adjustment year in a manner that is as consistent as possible with the approach and intent of subdivisions (ab), (ac), and (ad), respectively.

(2) In the event that any provision of subdivision (af), (ag), (ah), (ai), or (aj), as reflected in a proposed Medi-Cal State Plan amendment, is not approved by the federal Health Care Financing Administration, the director shall modify that proposed Medi-Cal State Plan amendment in a manner intended to be consistent with all applicable federal requirements. Subject to the requirements of federal law, in developing the modified proposed Medi-Cal State Plan amendment, the director shall, to the extent practicable, incorporate, implement, and modify, as necessary, the payment methodologies applicable to the 1997–98, 1998–99, and 1999–2000 payment adjustment years in a manner that is as consistent as possible with the approach and intent of subdivisions (af), (ag), (ah), (ai), and (aj), respectively.

(3) In the event that any provision of subdivision (ak), (al), (am), or (an), as reflected in a proposed Medi-Cal State Plan amendment, is not approved by the federal Health Care Financing Administration, the director shall modify that proposed Medi-Cal State Plan amendment in a manner intended to be consistent with all applicable federal requirements. Subject to the requirements of federal law, in developing the modified proposed Medi-Cal State Plan amendment, the director shall, to the extent practicable, and after consulting with representatives of the hospital industry, including, but not limited to, the California Healthcare Association, incorporate, implement, and modify, as necessary, the payment methodologies applicable to the 2000–01 payment adjustment year and subsequent payment adjustment years in

a manner that is as consistent as possible with the approach and intent of subdivisions (ak), (al), (am), and (an), respectively.

(af) (1) The provisions of this subdivision shall apply for the 1997–98 payment adjustment year, and, for all purposes under the program, shall be implemented subsequent to the provisions of subdivisions (ab), (ac), and (ad). Under this subdivision, eligible hospitals that, as of October 1, 1997, were part of a county-operated health system of three or more eligible hospitals licensed to the county, and that are in operation as of June 30, 1998, shall be eligible to receive an additional supplemental lump-sum payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date, but only if the hospital has remained in operation for the period October 1, 1997, through June 30, 1998.

(2) The maximum amount of additional supplemental lump-sum payment adjustments under this subdivision shall be one hundred sixty-six million dollars (\$166,000,000).

(3) The maximum amount of funds specified under paragraph (2) shall be distributed as additional supplemental lump-sum payment adjustments among the hospitals eligible under this subdivision as follows:

(A) The department shall identify for each eligible hospital the total amount of payment adjustments under this section (exclusive of any payments under this subdivision) applicable to the 1997–98 payment adjustment year, whether paid or payable. The applicability of the payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(B) The amount identified for each hospital under subparagraph (A) shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital for the 1997–98 payment adjustment year.

(C) Where the amount computed under subparagraph (A) for the particular hospital is equal to or exceeds the OBRA 1993 payment limitation for the hospital, the hospital shall not receive an additional supplemental lump-sum payment adjustment. Data regarding hospitals that have reached this limitation shall not be used for purposes of subparagraphs (E) through (H).

(D) Where the amount computed under subparagraph (A) for the particular hospital is less than the OBRA 1993 payment limitation for the hospital, the amount computed under subparagraph (A) shall be used for purposes of subparagraphs (E) through (H).

(E) The figures determined under subparagraph (D) for each hospital eligible to receive additional supplemental lump-sum payment adjustments under this subdivision shall be added together to determine an aggregate total.

(F) The figures determined for each hospital under subparagraph (D) shall be divided by the aggregate total determined under subparagraph (E), yielding a percentage figure for each hospital.

(G) The percentage figure determined for each hospital under subparagraph (F) shall be applied to the maximum amount specified in paragraph (2), to determine the hospital's pro rata share of the additional supplemental lump-sum payment adjustments.

(H) In no event shall a hospital receive additional supplemental lump-sum payment adjustment amounts in excess of the difference between the OBRA 1993 payment limitation for the hospital and the amount computed for the hospital under subparagraph (A). Any additional supplemental lump-sum payment adjustment amount, or portion thereof, that otherwise would have been payable under this paragraph to a hospital, but that is barred by this limitation, shall be distributed on a descending pro rata basis to those hospitals eligible for distributions under this subdivision that have not reached their OBRA 1993 payment limitation.

(4) The department shall make interim and final payments of the additional supplemental lump-sum payment adjustments to hospitals on or before August 15, 1998.

(5) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

(ag) Notwithstanding any other provision of law, the payment adjustment program for the 1998–99 payment adjustment year shall be structured as set forth below and in subdivision (ah).

(1) (A) The department shall compute the projected total payment adjustment amounts for all eligible hospitals for the 1998–99 payment adjustment year by determining for each eligible hospital its total per diem composite amount and multiplying that figure by the maximum number of the hospital's Medi-Cal inpatient paid days determined under paragraph (2) of subdivision (l). For purposes of this subparagraph, these determinations shall be without regard to the OBRA 1993 payment limitations. With respect to a public hospital that, as of July 1, 1998, is part of a county-operated health system of three or more eligible hospitals licensed to the county, the projected total payment adjustment amount shall be reduced by an amount equal to the amount paid or payable to the hospital under subdivision (af).

(B) The computed amount referred to in subparagraph (A) for each hospital shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital.

(C) Where the computed amount referred to in subparagraph (A) for the particular hospital exceeds the OBRA 1993 payment limitation for the hospital, the amount computed under subparagraph (A) shall be reduced to an amount equal to the OBRA 1993 payment limitation for the particular hospital. The amount so reduced shall be used for purposes of subparagraph (E). Except, however, with respect to a public hospital that, as of July 1, 1998, is part of a county-operated health system of three or more eligible hospitals licensed to the county, the amount as so reduced shall be increased by an amount equal to the amount paid or payable to the hospital under subdivision (af), and used for purposes of subparagraph (E).

(D) Where the computed amount referred to in subparagraph (A) for the particular hospital is equal to or less than the OBRA 1993 payment limitation for the hospital, the computed amount referred to in subparagraph (A) shall be used for purposes of subparagraph (E). Except, however, with respect to a public hospital that, as of July 1, 1998, is part of a county-operated health system of three or more eligible hospitals licensed to the county, the computed amount shall be increased by an amount equal to the amount paid or payable to the hospital under subdivision (af), and used for purposes of subparagraph (E).

(E) The amounts determined under subparagraphs (C) and (D) for all eligible hospitals shall be added together, yielding an aggregate sum. The aggregate sum shall be the unadjusted projected total payment adjustment program for the 1998–99 payment adjustment year, exclusive of any supplemental payment adjustments under subdivision (ah).

(2) The initial maximum size of the payment adjustment program for the 1998–99 payment adjustment program shall be set at one billion seven hundred fifty million dollars (\$1,750,000,000), exclusive of any supplemental payment adjustments under subdivision (ah).

(3) (A) The department shall increase or decrease the amount determined for each eligible hospital under subparagraph (C) or (D) of paragraph (1), as applicable, by multiplying the amount by an identical percentage, yielding the hospital's tentative adjusted projected total payment adjustment amount for the 1998–99 payment adjustment year. The identical percentage figure to be used for this purpose shall be that percentage that is derived by dividing the amount set forth in paragraph (2) by the aggregate sum determined under subparagraph (E) of paragraph (1). Except, however, the amount determined for a hospital under subparagraph (C) or (D) of paragraph (1), as applicable, shall not

be increased so that it would exceed the OBRA 1993 payment limitation for the hospital, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the tentative adjusted projected total payment adjustment amounts for all hospitals equals the amount set forth in paragraph (2).

(B) (i) With respect to a public hospital that, as of July 1, 1998, is part of a county-operated health system of three or more eligible hospitals licensed to the county, the amount determined under subparagraph (C) or (D) of paragraph (1), as applicable, shall be reduced by an amount equal to the amount paid or payable to the hospital under subdivision (af), prior to applying the OBRA 1993 payment limitation under subparagraph (A).

(ii) Notwithstanding clause (i), all other computations under subparagraph (A), including the determination of the hospital's pro rata share of any reallocations, shall be made as though the reduction described in clause (i) had not occurred.

(4) The tentative adjusted projected total payment adjustment amount computed for each eligible hospital under paragraph (3) shall be further adjusted as follows:

(A) (i) For each eligible hospital that meets the definition of a nonpublic-converted hospital as of July 1, 1998, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic-converted hospital adjustment factor." The applicable adjustment factor shall be that which is necessary to result for each such hospital in an amount equal to the amount used for the particular hospital under subparagraph (E) of paragraph (1).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the 1998-99 payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5).

(B) (i) For each eligible hospital that meets the definition of a converted hospital as of July 1, 1998, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "converted hospital adjustment factor." The applicable adjustment factor shall be that which is necessary to result for each such hospital in an amount equal to: (I) the maximum number of the hospital's annualized Medi-Cal inpatient paid days determined under paragraph (2) of subdivision (l); multiplied by (II) the total per diem composite amount determined for the hospital, the calculation of the per diem composite amount being restricted by a maximum low-income number of 40 percent for the hospital, regardless if the hospital's low-income number would otherwise be higher. In no case shall the product of this

calculation exceed the amount used for the particular hospital under subparagraph (E) of paragraph (1).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the 1998–99 payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5).

(C) (i) For each eligible hospital that meets the definition of a nonpublic hospital as of July 1, 1998, the hospital’s tentative adjusted projected total payment adjustment amount shall be multiplied by a “nonpublic hospital adjustment factor.” The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each nonpublic hospital described above shall be added together.

(II) The amount identified in paragraph (2) shall be divided by 2.347. The resulting figure shall then be reduced by the sum of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A) and the amounts determined for all converted hospitals under clause (ii) of subparagraph (B).

(III) The amount computed under subclause (II) shall be divided by 2, and the result thereof further reduced by the amount of thirty-seven million five hundred thousand dollars (\$37,500,000).

(IV) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (III) by the amount derived in subclause (I).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the 1998–99 payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5). Except, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital’s OBRA 1993 payment limitation, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other nonpublic hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the final adjusted projected total payment adjustment amounts for all nonpublic hospitals equals the amount derived in subclause (III) of clause (i).

(D) (i) For each eligible hospital that meets the definition of a public hospital as of July 1, 1998, the hospital’s tentative adjusted projected total payment adjustment amount shall be multiplied by a “public hospital adjustment factor.” The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each public hospital described above shall be added together.

(II) The amount identified in paragraph (2) shall be reduced by the sum of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A), the amounts determined for all converted hospitals under clause (ii) of subparagraph (B) and the amounts determined for all nonpublic hospitals under clause (ii) of subparagraph (C).

(III) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (II) by the amount derived in subclause (I).

(ii) The product determined for each hospital under clause (i) shall be further adjusted as follows:

(I) The product shall be reduced as necessary so as not to exceed the hospital's OBRA 1993 payment limitation.

(II) With respect to a public hospital that, as of July 1, 1998, is part of a county-operated health system of three or more eligible hospitals licensed to the county, the product shall, prior to the application of subclause (I), be reduced by an amount equal to the amount paid or payable to the hospital under subdivision (af).

(III) Any amounts that would otherwise have been allocated to a hospital but for the hospital's OBRA 1993 payment limitation as applied under subclause (I) shall be reallocated to all other public hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis. With respect to a public hospital described in subclause (II), the hospital's pro rata share of any reallocated amounts shall be based on the product derived for the hospital under clause (i).

(IV) The amount determined for each hospital pursuant to subclause (I) and subclause (II), as applicable (including the reduction under subclause (II)), plus any reallocations to the hospital under subclause (III), shall be the final adjusted projected total payment adjustment amount for the hospital for the 1998–99 payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5).

(5) The final adjusted projected total payment adjustment amount determined for each eligible hospital for the 1998–99 payment adjustment year shall be distributed as set forth below.

(A) With respect to the period July 1, 1998, through September 30, 1998, payment adjustment amounts shall be payable only to those eligible hospitals that, as of July 1, 1998, were not part of a county-operated health system of three or more eligible hospitals licensed to the county.

(i) The maximum amount of payment adjustments payable to eligible hospitals under this paragraph for the period of July 1, 1998, through September 30, 1998, shall be determined as follows:

(I) The maximum state disproportionate share hospitals allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 1998 federal fiscal year. This maximum allotment is two billion one hundred seventeen million eight hundred ninety-nine thousand six hundred sixty-eight dollars (\$2,117,899,668).

(II) The total amount of all payment adjustments under this section (exclusive of any payments under this subparagraph) applicable to the 1998 federal fiscal year, whether paid or payable, shall be determined. The applicability of payment adjustment amounts to the 1998 federal fiscal year shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(III) The figure determined under subclause (II) shall be subtracted from the figure identified under subclause (I). The positive remainder shall be the maximum amount of payment adjustments payable with respect to the period July 1, 1998, through September 30, 1998, under this subparagraph.

(ii) With respect to an eligible hospital that, as of July 1, 1998, meets the definition of a nonpublic-converted hospital, the maximum amount payable for the period July 1, 1998, through September 30, 1998, shall be equal to the product of the final adjusted projected total payment adjustment amount determined for the hospital pursuant to paragraph (4), multiplied by a fraction that is computed as follows:

(I) The maximum amount derived in subclause (III) of clause (i) shall be increased by an amount equal to the total amount of payment adjustments paid or payable under subdivision (af).

(II) The figure derived in subclause (I) shall be divided by the amount specified in paragraph (2).

(iii) With respect to an eligible hospital that, as of July 1, 1998, meets the definition of a converted hospital, the maximum amount payable for the period July 1, 1998, through September 30, 1998, shall be equal to the product of the final adjusted projected total payment adjustment amount determined for the hospital pursuant to paragraph (4), multiplied by a fraction that is computed as follows:

(I) The maximum amount derived in subclause (III) of clause (i) shall be increased by an amount equal to the total amount of payment adjustments paid or payable under subdivision (af).

(II) The figure derived in subclause (I) shall be divided by the amount specified in paragraph (2).

(iv) With respect to an eligible hospital that, as of July 1, 1998, meets the definition of a nonpublic hospital, the maximum amount payable for

the period July 1, 1998, through September 30, 1998, shall be equal to the product of the final adjusted projected total payment adjustment amount determined for the hospital pursuant to paragraph (4), multiplied by a fraction that is computed as follows:

(I) The maximum amount derived in subclause (III) of clause (i) shall be increased by an amount equal to the total amount of payment adjustments paid or payable under subdivision (af).

(II) The figure derived in subclause (I) shall be divided by the amount specified in paragraph (2).

(v) With respect to an eligible hospital that, as of July 1, 1998, meets the definition of a public hospital, the maximum amount payable for the period July 1, 1998, through September 30, 1998, shall be equal to the product of the final adjusted projected total payment adjustment amount determined for the hospital pursuant to paragraph (4), multiplied by a fraction that is computed as follows:

(I) The maximum amount derived in subclause (III) of clause (i) shall be reduced by the sum of the amounts determined for all nonpublic-converted hospitals under clause (ii), the amounts determined for all converted hospitals under clause (iii) and the amounts determined for all nonpublic hospitals under clause (iv).

(II) The amounts computed under paragraph (4) with respect to all public hospitals that are subject to this subparagraph (A) shall be added together, yielding an aggregate sum.

(III) The figure derived in subclause (I) shall be divided by the aggregate sum derived in subclause (II).

(vi) The resulting product determined for each hospital pursuant to clauses (ii) through (v), as applicable, shall be distributed to the hospital in three equal installments, each payable as of the last day of each month from July 1998 through September 1998. However, no hospital shall receive an installment for any month in which the hospital does not remain in operation for the entire month. To the extent that any hospital is not entitled to receive an installment that otherwise would be payable but for the hospital's failure to remain in operation through the last day of a particular month, the amount that would have been paid to the hospital shall be redistributed among those hospitals within the same hospital group (as those groups are described in clauses (ii) through (v)) that remain in operation from July 1, 1998, through September 30, 1998, to be distributed on a pro rata basis. The redistributed amounts shall be payable as of September 30, 1998.

(B) (i) With respect to the period October 1, 1998, through June 30, 1999, payment adjustment amounts shall be payable to each eligible hospital in the amount equal to the final adjusted projected total payment adjustment amount determined for the hospital pursuant to paragraph (4), less any payment adjustments paid or payable to the hospital, or

payment adjustments that would have been payable but for the hospital's failure to remain in operation for a particular month, under subparagraph (A). The payment adjustments shall be distributed in eight equal amounts, each payable as of the last day of each month from October 1998 through May 1999. However, no hospital shall receive an installment for any month in which the hospital does not remain in operation for the entire month.

(ii) To the extent that any hospital of either of the hospital types described in clause (iv) or (v) of subparagraph (A) is not entitled to receive an installment that otherwise would be payable but for the hospital's failure to remain in operation through the last day of a particular month, the amount that would have been paid to the hospital shall be redistributed among those hospitals of the same hospital type that remain in operation from October 1, 1998, through June 30, 1999, to be distributed on a pro rata basis. The redistributed amounts shall be payable as of June 30, 1999.

(iii) With respect to a public hospital that, as of July 1, 1998, is part of a county-operated health system of three or more eligible hospitals licensed to the county, the hospital's pro rata share of any reallocations under clause (ii) shall be based on the final adjusted projected total payment adjustment amount determined for the hospital pursuant to paragraph (4), as increased by an amount equal to the amount paid or payable to the hospital under subdivision (af).

(6) Notwithstanding any other provision of law, for the 1998–99 payment adjustment year, no eligible hospital shall receive total payment adjustments in excess of the hospital's OBRA 1993 payment limitation as computed by the department pursuant to the Medi-Cal State Plan.

(7) The aggregate sum of the final adjusted projected total payment adjustment amounts computed under paragraph (4) for each eligible hospital shall be the maximum size of the payment adjustment program for the 1998–99 payment adjustment year, exclusive of the supplemental payment adjustments provided for under subdivision (ah).

(8) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

(ah) (1) For the 1998–99 payment adjustment year, eligible hospitals that meet the requirements of this subdivision and that are in operation as of June 30, 1999, shall be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date, but only if the hospital has remained in operation for the period October 1, 1998, through June 30, 1999.

(2) The availability of supplemental lump-sum payment adjustments under this subdivision shall be determined as follows:

(A) The maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 1999 federal fiscal year. It is estimated that this amount will be two billion seventy-one million seven hundred seventy-four thousand nine hundred seventy-six dollars (\$2,071,774,976).

(B) The total amount of all payment adjustment amounts under this section (exclusive of any payments under this subdivision) applicable to the 1999 federal fiscal year, whether paid or payable, shall be determined. The applicability of payment adjustment amounts to the 1999 federal fiscal year shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, supplemental lump-sum payment adjustments shall be made under this subdivision in accordance with paragraph (3). The positive remainder shall be the maximum amount of supplemental lump-sum payment adjustments under this subdivision.

(3) (A) For purposes of supplemental lump-sum payment adjustments under this subdivision, only hospitals that can be categorized into either of the two groups specified in clauses (i) and (ii) below shall be eligible to receive the supplemental payment adjustments, and no hospital may qualify for more than one of the two groups. The following groups of hospitals shall be recognized:

(i) "Public hospitals," which shall include all eligible hospitals that, as of July 1, 1998, met the definition of a public hospital.

(ii) "Nonpublic hospitals," which shall include all eligible hospitals that, as of July 1, 1998, met the definition of a nonpublic hospital.

(B) The amount determined to be the maximum amount of supplemental lump-sum payment adjustments under subparagraph (C) of paragraph (2) shall first be allocated between the two groups of hospitals referred to in subparagraph (A) as follows:

(i) "Public hospitals": 72.78 percent of the maximum amount.

(ii) "Nonpublic hospitals": 27.22 percent of the maximum amount.

(C) The amount of funds allocated pursuant to subparagraph (B) to each of the particular groups of hospitals referred to in subparagraphs (A) and (B) shall then be distributed as supplemental lump-sum payment adjustments among the eligible hospitals within each particular group as follows:

(i) The department shall identify for each eligible hospital the total amount of payment adjustments under this section (exclusive of any

payments under this subdivision) applicable to the 1998–99 payment adjustment year, whether paid or payable. The applicability of the payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(ii) The amount identified for each hospital under clause (i) shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital for the 1998–99 payment adjustment year.

(iii) Where the amount computed under clause (i) for the particular hospital is equal to or exceeds the OBRA 1993 payment limitation for the hospital, the hospital shall not receive a supplemental lump-sum payment adjustment. Data regarding hospitals that have reached this limitation shall not be used for purposes of clauses (v) through (viii).

(iv) Where the amount computed under clause (i) for the particular hospital is less than the OBRA 1993 payment limitation for the hospital, the amount computed under clause (i) shall be used for purposes of clauses (v) through (viii). Except, however, with respect to a public hospital that, as of July 1, 1998, was part of a county-operated health system of three or more eligible hospitals licensed to the county, the amount computed under clause (i) plus the amounts paid or payable to the hospital pursuant to subdivision (af) shall be used for purposes of clauses (v) through (vii), while the amount computed under clause (i) only shall be used for purposes of applying the limitation described in clause (viii).

(v) The figures determined under clause (iv) for each hospital in the particular group shall be added together to determine an aggregate total for each group.

(vi) The figures determined for each hospital under clause (iv) shall be divided by the aggregate total determined under clause (v) for the particular group, yielding a percentage figure for each hospital.

(vii) The percentage figure determined for each hospital under clause (vi) shall be applied to the maximum portion of the funds allocated to the particular group under subparagraph (B), to determine the hospital's pro rata share of the supplemental lump-sum payment adjustments. Except, however, in the case of a nonpublic hospital that, as of July 1, 1998, met the definition of a children's hospital, the pro rata share otherwise determined shall be multiplied by a factor of 1.09, yielding a modified pro rata share. The pro rata share for the other nonpublic hospitals shall be reduced accordingly, yielding a modified pro rata share, so that the maximum portion of the funds allocated to the nonpublic hospitals group will not be exceeded. The pro rata share or

modified pro rata share, as applicable, for each hospital, as computed under this clause, shall also be used for all purposes relating to descending pro rata distributions under clause (viii).

(viii) In no event shall a hospital receive supplemental lump-sum payment adjustment amounts in excess of the difference between the OBRA 1993 payment limitation for the hospital and the amount computed for the hospital under clause (i). Any supplemental lump-sum payment adjustment amount, or portion thereof, that otherwise would have been payable under this paragraph to a hospital, but that is barred by this limitation, shall be distributed on a descending pro rata basis to those hospitals within the same group.

(D) The department shall make interim and final payments of the supplemental lump-sum payment adjustments to hospitals on or before August 15, 1999.

(4) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

(ai) Notwithstanding any other provision of law, no payment adjustment amounts shall be payable in connection with the period of July 1 through September 30 of the 1999–2000 payment adjustment year. The payment adjustment program with respect to the period October 1, 1999, through June 30, 2000, shall be structured as set forth below and in subdivision (aj).

(1) (A) The department shall compute the projected total payment adjustment amounts for all eligible hospitals for the 1999–2000 payment adjustment year, by determining for each eligible hospital its total per diem composite amount and multiplying that figure by the maximum number of the hospital's Medi-Cal inpatient paid days determined under paragraph (2) of subdivision (l). For purposes of this subparagraph, these determinations shall be without regard to the OBRA 1993 payment limitations.

(B) The computed amount referred to in subparagraph (A) for each hospital shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital.

(C) Where the computed amount referred to in subparagraph (A) for the particular hospital exceeds the OBRA 1993 payment limitation for the hospital, the amount computed under subparagraph (A) shall be reduced to an amount equal to the OBRA 1993 payment limitation for the particular hospital. The amount so reduced shall be used for purposes of subparagraph (E).

(D) Where the computed amount referred to in subparagraph (A) for the particular hospital is equal to or less than the OBRA 1993 payment

limitation for the hospital, the computed amount referred to in subparagraph (A) shall be used for purposes of subparagraph (E).

(E) The amounts determined under subparagraphs (C) and (D) for all eligible hospitals shall be added together, yielding an aggregate sum. The aggregate sum shall be the unadjusted projected total payment adjustment program for the period of October 1, 1999, through June 30, 2000, exclusive of any supplemental payment adjustments under subdivision (aj).

(2) The initial maximum size of the payment adjustment program for the period October 1, 1999, through June 30, 2000, shall be set at one billion seven hundred fifty million dollars (\$1,750,000,000), exclusive of any supplemental payment adjustments under subdivision (aj).

(3) The department shall increase or decrease the amount determined for each eligible hospital under subparagraph (C) or (D) of paragraph (1), as applicable, by multiplying the amount by an identical percentage, yielding the hospital's tentative adjusted projected total payment adjustment amount for the period October 1, 1999, through June 30, 2000. The identical percentage figure to be used for this purpose shall be that percentage that is derived by dividing the amount set forth in paragraph (2) by the aggregate sum determined under subparagraph (E) of paragraph (1). Except, however, the amount determined for a hospital under subparagraphs (C) or (D) of paragraph (1) shall not be increased so that it would exceed the OBRA 1993 payment limitation for the hospital, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the tentative adjusted projected total payment adjustment amount for all hospitals equals the amount set forth in paragraph (2).

(4) The tentative adjusted projected total payment adjustment amount computed for each eligible hospital under paragraph (3) shall be further adjusted as follows:

(A) (i) For each eligible hospital that meets the definition of a nonpublic-converted hospital as of July 1, 1999, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic-converted hospital adjustment factor." The applicable adjustment factor shall be that which is necessary to result in an amount for each such hospital equal to the amount used for the particular hospital under subparagraph (E) of paragraph (1).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 1999, through June 30, 2000, which shall be paid to the hospital in accordance with paragraph (5).

(B) (i) For each eligible hospital that meets the definition of a converted hospital as of July 1, 1999, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "converted hospital adjustment factor." The applicable adjustment factor shall be that which is necessary to result for each such hospital in an amount equal to: (I) the maximum number of the hospital's annualized Medi-Cal inpatient paid days determined under paragraph (2) of subdivision (I); multiplied by (II) the total per diem composite amount determined for the hospital, the calculation of the per diem composite amount being restricted by a maximum low-income number of 40 percent for the hospital, regardless if the hospital's low-income number would otherwise be higher. In no case shall the product of this calculation exceed the amount used for the particular hospital under subparagraph (E) of paragraph (1).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 1999, through June 30, 2000, which shall be paid to the hospital in accordance with paragraph (5).

(C) (i) For each eligible hospital that meets the definition of a nonpublic hospital as of July 1, 1999, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each nonpublic hospital shall be added together.

(II) The amount identified in paragraph (2) shall be divided by 2.130. The resulting figure shall then be reduced by the sums of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A) and all converted hospitals under clause (ii) of subparagraph (B).

(III) The amount computed under subclause (II) shall be divided by 2, and the result thereof further reduced by the amount of thirty-seven million five hundred thousand dollars (\$37,500,000).

(IV) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (III) by the amount derived in subclause (I).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 1999, through June 30, 2000, which shall be paid to the hospital in accordance with paragraph (5). Except, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation, and, where that would otherwise occur, the remaining amount that would have been allocated

to the particular hospital shall be reallocated to all other nonpublic hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the final adjusted projected total payment adjustment amounts for all nonpublic hospitals equals the amount derived in subclause (III) of clause (i).

(D) (i) For each eligible hospital that meets the definition of a public hospital as of July 1, 1999, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "public hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each public hospital described above shall be added together.

(II) The amount identified in paragraph (2) shall be reduced by the sums of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A) and all converted hospitals under clause (ii) of subparagraph (B), and the sum of the amounts determined for all nonpublic hospitals under clause (ii) of subparagraph (C).

(III) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (II) by the amount derived in subclause (I).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 1999, through June 30, 2000, which shall be paid to the hospital in accordance with paragraph (5). Except, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other public hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the final adjusted projected total payment adjustment amounts for all public hospitals equals the amount derived in subclause (II) of clause (i).

(5) (A) The final adjusted projected total payment adjustment amount determined for each eligible hospital for the period October 1, 1999, through June 30, 2000, shall be distributed to the hospital in 8 equal installments, each payable as of the last day of each month from October 1999 through May 2000. However, no hospital shall receive an installment for any month in which the hospital does not remain in operation for the entire month.

(B) To the extent that any hospital of either of the hospital types described in subparagraph (C) or (D) of paragraph (4) is not entitled to receive an installment that otherwise would be payable but for the hospital's failure to remain in operation through the last day of a

particular month, the amount that would have been paid to the hospital shall be redistributed among those hospitals of the same hospital type that remain in operation from October 1, 1999, through June 30, 2000, to be distributed on a pro rata basis. The redistributed amounts shall be payable as of June 30, 2000.

(6) Notwithstanding any other provision of law, with respect to a hospital that meets the definition of a public hospital as of July 1, 1999, the provisions of paragraphs (1) through (5) shall initially be implemented for the period October 1, 1999, through December 31, 1999, without application of the OBRA 1993 payment limitations. As of January 1, 2000, the department shall recalculate all determinations under paragraphs (1) through (5) for the payment adjustment year, taking into account the hospital's OBRA 1993 payment limitation as determined pursuant to federal medicaid law in existence as of January 1, 2000, and adjust, as necessary, the monthly payment installments from January 2000 through May 2000 to take into account any modifications to the recalculated amounts payable for the period October 1999 through December 1999 as may arise from the application of this paragraph.

(7) Notwithstanding any other provision of law, for the entire 1999–2000 payment adjustment year, no eligible hospital shall receive total payment adjustments in excess of the hospital's OBRA 1993 payment limitation as computed by the department pursuant to the Medi-Cal State Plan.

(8) The aggregate sum of the final adjusted projected total payment adjustment amounts computed under paragraph (4) for each eligible hospital for the period October 1, 1999, through June 30, 2000, shall be the maximum size of the payment adjustment program for the entire 1999–2000 payment adjustment year, exclusive of the supplemental payment adjustments provided for under subdivision (aj).

(9) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

(aj) (1) For the 1999–2000 payment adjustment year, eligible hospitals that meet the requirements of this subdivision and that are in operation as of June 30, 2000, shall be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date, but only if the hospital has remained in operation for the period October 1, 1999, through June 30, 2000.

(2) The availability of supplemental lump-sum payment adjustments under this subdivision shall be determined as follows:

(A) The maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 2000 federal fiscal year.

(B) The total amount of all payment adjustment amounts under this section (exclusive of any payments under this subdivision) applicable to the 2000 federal fiscal year, whether paid or payable, shall be determined. The applicability of payment adjustment amounts to the 2000 federal fiscal year shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(C) (i) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, supplemental lump-sum payment adjustments shall be made under this subdivision in accordance with this subparagraph and paragraph (3).

(ii) The positive remainder derived under clause (i) shall be the maximum amount of supplemental lump-sum payment adjustments under this subdivision where: (I) effective for at least the 1999–2000 payment adjustment year, federal legislation is enacted regarding the application of the OBRA 1993 payment limitation with provisions substantially similar in effect to Section 4721(e) of the federal Balanced Budget Act of 1997 (P.L. 105-33) as that related to the 1997–98 and 1998–99 payment adjustment years; and (II) all necessary amendments to the Medi-Cal State Plan implementing that federal legislation as it relates to the 1999–2000 payment adjustment year have been approved by the federal Health Care Financing Administration.

(iii) If any element set forth in clause (ii) is not satisfied, the maximum amount of supplemental lump-sum payment adjustments under this subdivision shall be the lesser of: (I) the positive remainder derived in clause (i); or (II) one hundred six million dollars (\$106,000,000).

(3) (A) For purposes of supplemental lump-sum payment adjustments under this subdivision, only hospitals that can be categorized into either of the two groups specified in clauses (i) and (ii) below shall be eligible to receive the supplemental payment adjustments, and no hospital may qualify for more than one of the two groups. The following groups of hospitals shall be recognized:

(i) “Public hospitals,” which shall include all eligible hospitals that, as of July 1, 1999, met the definition of a public hospital.

(ii) “Nonpublic hospitals,” which shall include all eligible hospitals that, as of July 1, 1999, met the definition of a nonpublic hospital.

(B) The amount determined to be the maximum amount of supplemental lump-sum payment adjustments under subparagraph (C)

of paragraph (2) shall first be allocated between the two groups of hospitals referred to in subparagraph (A) as follows:

- (i) "Public hospitals": 71.64 percent of the maximum amount.
- (ii) "Nonpublic hospitals": 28.36 percent of the maximum amount.

(C) The amount of funds allocated pursuant to subparagraph (B) to each of the particular groups of hospitals referred to in subparagraphs (A) and (B) shall then be distributed as supplemental lump-sum payment adjustments among the eligible hospitals within each particular group as follows:

(i) The department shall identify for each eligible hospital the total amount of payment adjustments under this section (exclusive of any payments under this subdivision) applicable to the 1999–2000 payment adjustment year, whether paid or payable. The applicability of the payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules, including Sections 447.297(d)(3) and 447.298 of Title 42 of the Code of Federal Regulations.

(ii) The amount identified for each hospital under clause (i) shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital for the 1999–2000 payment adjustment year. For all purposes under this subdivision, calculations of the OBRA 1993 payment limitations for public hospitals shall not be performed prior to January 1, 2000, as referred to in paragraph (6) of subdivision (ai).

(iii) Where the amount computed under clause (i) for the particular hospital is equal to or exceeds the OBRA 1993 payment limitation for the hospital, the hospital shall not receive a supplemental lump-sum payment adjustment. Data regarding hospitals that have reached this limitation shall not be used for purposes of clauses (v) through (viii).

(iv) Where the amount computed under clause (i) for the particular hospital is less than the OBRA 1993 payment limitation for the hospital, the amount computed under clause (i) shall be used for purposes of clauses (v) through (viii).

(v) The figures determined under clause (iv) for each hospital in the particular group shall be added together to determine an aggregate total for each group.

(vi) The figures determined for each hospital under clause (iv) shall be divided by the aggregate total determined under clause (v) for the particular group, yielding a percentage figure for each hospital.

(vii) The percentage figure determined for each hospital under clause (vi) shall be applied to the maximum portion of the funds allocated to the particular group under subparagraph (B), to determine the hospital's pro rata share of the supplemental lump-sum payment adjustments.

Except, however, in the case of a nonpublic hospital that, as of July 1, 1999, met the definition of a children's hospital, that pro rata share otherwise determined shall be multiplied by a factor of 1.09, yielding a modified pro rata share. The pro rata share for the other nonpublic hospitals shall be reduced accordingly, yielding a modified pro rata share, so that the maximum portion of the funds allocated to the nonpublic hospitals group will not be exceeded. The pro rata share or modified pro rata share, as applicable, for each hospital, as computed under this clause, shall also be used for all purposes relating to descending pro rata distributions under clause (viii).

(viii) In no event shall a hospital receive supplemental lump-sum payment adjustment amounts in excess of the difference between the OBRA 1993 payment limitation for the hospital and the amount computed for the hospital under clause (i). Any supplemental lump-sum payment adjustment amount, or portion thereof, that otherwise would have been payable under this paragraph to a hospital, but that is barred by this limitation, shall be distributed on a descending pro rata basis to those hospitals within the same group.

(D) The department shall make interim and final payments of the supplemental lump-sum payment adjustments to hospitals on or before August 15, 2000.

(4) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

(ak) Notwithstanding any other provision of law, no payment adjustment amounts shall be payable in connection with the period of July 1 through September 30 of the 2000–01 payment adjustment year. The payment adjustment program with respect to the period October 1, 2000, through June 30, 2001, shall be structured as set forth below and in subdivision (al).

(1) (A) The department shall compute the projected total payment adjustment amounts for all eligible hospitals for the 2000–01 payment adjustment year, by determining for each eligible hospital its total per diem composite amount and multiplying that figure by the maximum number of the hospital's Medi-Cal inpatient paid days determined under paragraph (2) of subdivision (l). For purposes of this subparagraph, these determinations shall be without regard to the OBRA 1993 payment limitations. Notwithstanding the foregoing, with respect to a hospital that, as of July 1, 2000, meets the definition of converted hospital, the amount otherwise determined under this subparagraph shall be reduced as necessary so as not to exceed the total amount of all payment adjustment amounts payable to the hospital under this section for that

payment adjustment year in which the hospital was last an eligible hospital meeting the definition of a public hospital.

(B) The computed amount referred to in subparagraph (A) for each hospital shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital.

(C) Where the computed amount referred to in subparagraph (A) for the particular hospital exceeds the OBRA 1993 payment limitation for the hospital, the amount computed under subparagraph (A) shall be reduced to an amount equal to the OBRA 1993 payment limitation for the particular hospital. The amount so reduced shall be used for purposes of subparagraph (E).

(D) Where the computed amount referred to in subparagraph (A) for the particular hospital is equal to or less than the OBRA 1993 payment limitation for the hospital, the computed amount referred to in subparagraph (A) shall be used for purposes of subparagraph (E).

(E) The amounts determined under subparagraphs (C) and (D) for all eligible hospitals shall be added together, yielding an aggregate sum. The aggregate sum shall be the unadjusted projected total payment adjustment program for the period of October 1, 2000, through June 30, 2001, exclusive of any supplemental payment adjustments under subdivision (a).

(2) The initial maximum size of the payment adjustment program for the period October 1, 2000, through June 30, 2001, shall be set at one billion seven hundred fifty million dollars (\$1,750,000,000), exclusive of any supplemental payment adjustments under subdivision (a).

(3) The department shall increase or decrease the amount determined for each eligible hospital under subparagraph (C) or (D) of paragraph (1), as applicable, by multiplying the amount by an identical percentage, yielding the hospital's tentative adjusted projected total payment adjustment amount for the period October 1, 2000, through June 30, 2001. The identical percentage figure to be used for this purpose shall be that percentage that is derived by dividing the amount set forth in paragraph (2) by the aggregate sum determined under subparagraph (E) of paragraph (1). Notwithstanding the foregoing, however, the amount determined for a hospital under subparagraphs (C) or (D) of paragraph (1) shall not be increased so that it would exceed the OBRA 1993 payment limitation for the hospital, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the tentative adjusted projected total payment adjustment amount for all hospitals equals the amount set forth in paragraph (2).

(4) The tentative adjusted projected total payment adjustment amount computed for each eligible hospital under paragraph (3) shall be further adjusted as follows:

(A) (i) For each eligible hospital that meets the definition of a nonpublic-converted hospital as of July 1, 2000, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic-converted hospital adjustment factor." The applicable adjustment factor for the particular hospital shall be 0.81; except however, where the hospital also meets the definition of a major teaching hospital as of July 1, 2000, the applicable adjustment factor shall be that which is necessary to result in an amount for the particular hospital equal to forty million dollars (\$40,000,000).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 2000, through June 30, 2001, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation.

(B) (i) For each eligible hospital that meets the definition of a converted hospital as of July 1, 2000, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "converted hospital adjustment factor," derived as follows:

(I) The maximum OBRA 1993 payment limitation specified by federal law, expressed as a maximum percentage of uncompensated care costs, that is applicable to the hospital for the 2000-01 payment adjustment year shall be subtracted from that maximum percentage of uncompensated care costs that the hospital was subject to as a public hospital during the 1999-2000 payment adjustment year.

(II) The converted hospital adjustment factor shall be that figure derived in subclause (I), expressed as a fraction, subtracted from 1.00.

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 2000, through June 30, 2001, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation.

(C) (i) For each eligible hospital that meets the definition of a nonpublic hospital as of July 1, 2000, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each nonpublic hospital shall be added together.

(II) The amount identified in paragraph (2) shall be divided by 2.1527.

(III) The amount derived under subclause (II) shall be reduced by the sum of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A), and the sum of the amounts determined for all converted hospitals under clause (ii) of subparagraph (B) that exceed that amount equal to 31 percent of all payment adjustment amounts payable to each converted hospital under this section for that payment adjustment year in which the hospital was last an eligible hospital meeting the definition of a public hospital.

(IV) The amount computed under subclause (III) shall be divided by 2, and the result thereof further reduced by the amount of thirty-three million five hundred thousand dollars (\$33,500,000).

(V) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (IV) by the amount derived in subclause (I).

(i) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 2000, through June 30, 2001, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other nonpublic hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the final adjusted projected total payment adjustment amounts for all nonpublic hospitals equals the amount derived in subclause (IV) of clause (i).

(D) (i) For each eligible hospital that meets the definition of a public hospital as of July 1, 2000, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "public hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each public hospital described above shall be added together.

(II) The amount identified in paragraph (2) shall be reduced by the sums of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A) and all converted hospitals under

clause (ii) of subparagraph (B), and the sum of the amounts determined for all nonpublic hospitals under clause (ii) of subparagraph (C).

(III) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (II) by the amount derived in subclause (I).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1, 2000, through June 30, 2001, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other public hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the final adjusted projected total payment adjustment amounts for all public hospitals equals the amount derived in subclause (II) of clause (i).

(5) (A) The final adjusted projected total payment adjustment amount determined for each eligible hospital for the period October 1, 2000, through June 30, 2001, shall be distributed to the hospital in 8 equal installments, each payable as of the last day of each month from October 2000 through May 2001. However, no hospital shall receive an installment for any month in which the hospital does not remain in operation for the entire month.

(B) To the extent that any hospital of either of the hospital types described in subparagraph (C) or (D) of paragraph (4) is not entitled to receive an installment that otherwise would be payable but for the hospital's failure to remain in operation through the last day of a particular month, the amount that would have been paid to the hospital shall be redistributed among those hospitals of the same hospital type that remain in operation from October 1, 2000, through June 30, 2001, to be distributed on a pro rata basis. The redistributed amounts shall be payable as of June 30, 2001.

(6) If, effective for the 2001 federal fiscal year, federal legislation is enacted that amends Section 1396r-4(f) of Title 42 of the United States Code to increase the amount for California for that fiscal year above the amount that would have otherwise been identified pursuant to that section as in existence on January 1, 2000, the department shall implement the provisions of paragraphs (1) through (5) as modified below.

(A) The department shall determine the maximum state disproportionate share hospital allotment for California for the 2001

federal fiscal year under the provisions of applicable federal medicaid rules.

(B) The department shall determine the maximum state disproportionate share hospital allotment for California for the 2001 federal fiscal year that would have resulted had Section 1396r-4(f) of Title 42 of the United States Code not been amended from the version of that section as in existence on January 1, 2000.

(C) The amount determined under subparagraph (B) shall be subtracted from the amount determined under subparagraph (A).

(D) For purposes of the calculations set forth in paragraph (3) regarding each hospital's tentative adjusted projected total payment adjustment amount, the initial amount as set forth in paragraph (2) shall, in each instance prior to its application in those calculations, be increased by the amount derived in subparagraph (C).

(E) The difference derived in subparagraph (C) shall be divided by the amount determined in subparagraph (B). The resulting fraction shall be multiplied by 1.145, and the result thereof added to 1.00, yielding a factor for purposes of modifying the determination of the applicable nonpublic hospital adjustment factor pursuant to subparagraph (F).

(F) The amount determined under subclause (II) of clause (i) of subparagraph (C) of paragraph (4) shall be multiplied by the factor derived in subparagraph (E). The resulting amount shall be used for purposes of the calculations set forth in subclause (III) of clause (i) of subparagraph (C) of paragraph (4).

(G) For purposes of the calculations set forth in clause (i) of subparagraph (D) of paragraph (4) regarding the determination of the applicable public hospital adjustment factor, the initial amount as set forth in paragraph (2) shall, in each instance prior to its application in those calculations, be increased by the amount derived in subparagraph (C).

(7) Notwithstanding any other provision of law, for the entire 2000–01 payment adjustment year, no eligible hospital shall receive total payment adjustments in excess of the hospital's OBRA 1993 payment limitation as computed by the department pursuant to the Medi-Cal State Plan.

(8) The aggregate sum of the final adjusted projected total payment adjustment amounts computed under paragraph (4) for each eligible hospital for the period October 1, 2000, through June 30, 2001, shall be the maximum size of the payment adjustment program for the entire 2000–01 payment adjustment year, exclusive of the supplemental payment adjustments provided for under subdivision (a).

(9) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan,

and only to the extent that the department determines that federal financial participation is available.

(a) (1) For the 2000–01 payment adjustment year, eligible hospitals that meet the requirements of this subdivision and that are in operation as of June 30, 2001, shall be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date, but only if the hospital has remained in operation for the period October 1, 2000, through June 30, 2001.

(2) The availability of supplemental lump-sum payment adjustments under this subdivision shall be determined as follows:

(A) The maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the 2001 federal fiscal year.

(B) The total amount of all payment adjustment amounts under this section (exclusive of any payments under this subdivision) applicable to the 2001 federal fiscal year, whether paid or payable, shall be determined. The applicability of payment adjustment amounts to the 2001 federal fiscal year shall be determined in accordance with federal medicaid rules.

(C) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, supplemental lump-sum payment adjustments shall be made under this subdivision in accordance with this subparagraph and paragraph (3). The positive remainder so derived shall be the maximum amount of supplemental lump-sum payment adjustments under this subdivision.

(3) (A) For purposes of supplemental lump-sum payment adjustments under this subdivision, only hospitals that can be categorized into either of the two groups specified in clauses (i) and (ii) below shall be eligible to receive the supplemental payment adjustments, and no hospital may qualify for more than one of the two groups. The following groups of hospitals shall be recognized:

(i) “Public hospitals,” which shall include all eligible hospitals that, as of July 1, 2000, met the definition of a public hospital.

(ii) “Nonpublic hospitals,” which shall include all eligible hospitals that, as of July 1, 2000, met the definition of a nonpublic hospital.

(B) The amount determined to be the maximum amount of supplemental lump-sum payment adjustments under subparagraph (C) of paragraph (2) shall first be allocated between the two groups of hospitals referred to in subparagraph (A) as follows:

(i) “Public hospitals”: 75 percent of the maximum amount.

(ii) “Nonpublic hospitals”: 25 percent of the maximum amount.

(C) The amount of funds allocated pursuant to subparagraph (B) to each of the particular groups of hospitals referred to in subparagraphs (A) and (B) shall then be distributed as supplemental lump-sum payment adjustments among the eligible hospitals within each particular group as follows:

(i) The department shall identify for each eligible hospital the total amount of payment adjustments under this section, exclusive of any payments under this subdivision, applicable to the 2000–01 payment adjustment year, whether paid or payable. The applicability of the payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules.

(ii) The amount identified for each hospital under clause (i) shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital for the 2000–01 payment adjustment year.

(iii) Where the amount computed under clause (i) for the particular hospital is equal to or exceeds the OBRA 1993 payment limitation for the hospital, the hospital shall not receive a supplemental lump-sum payment adjustment. Data regarding hospitals that have reached this limitation shall not be used for purposes of clauses (v) through (viii).

(iv) Where the amount computed under clause (i) for the particular hospital is less than the OBRA 1993 payment limitation for the hospital, the amount computed under clause (i) shall be used for purposes of clauses (v) through (viii).

(v) The figures determined under clause (iv) for each hospital in the particular group shall be added together to determine an aggregate total for each group.

(vi) The figures determined for each hospital under clause (iv) shall be divided by the aggregate total determined under clause (v) for the particular group, yielding a percentage figure for each hospital.

(vii) The percentage figure determined for each hospital under clause (vi) shall be applied to the maximum portion of the funds allocated to the particular group under subparagraph (B), to determine the hospital's pro rata share of the supplemental lump-sum payment adjustments. Notwithstanding the foregoing, however, in the case of a nonpublic hospital that, as of July 1, 2000, met the definition of a children's hospital, that pro rata share otherwise determined shall be multiplied by a factor of 1.69, yielding a modified pro rata share to be applied only with respect to the first one million dollars (\$1,000,000) of the funds allocated pursuant to clause (ii) of subparagraph (B), and, with respect to the remainder of the funds so allocated, the pro rata share otherwise determined shall be multiplied by a factor of 1.09, yielding a modified pro rata share to be applied. The pro rata share for the other nonpublic

hospitals shall be reduced accordingly, yielding a modified pro rata share, so that the maximum portion of the funds allocated to the nonpublic hospitals group will not be exceeded. The pro rata share or modified pro rata share, as applicable, for each hospital, as computed under this clause, shall also be used for all purposes relating to descending pro rata distributions under clause (viii).

(viii) In no event shall a hospital receive supplemental lump-sum payment adjustment amounts in excess of the difference between the OBRA 1993 payment limitation for the hospital and the amount computed for the hospital under clause (i). Any supplemental lump-sum payment adjustment amount, or portion thereof, that otherwise would have been payable under this paragraph to a hospital, but that is barred by this limitation, shall be distributed on a descending pro rata basis to those hospitals within the same group.

(D) The department shall make interim and final payments of the supplemental lump-sum payment adjustments to hospitals on June 30, 2001.

(4) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

(am) Notwithstanding any other provision of law, no payment adjustment amounts shall be payable in connection with the period of July 1 through September 30 of the 2001–02 payment adjustment year and subsequent payment adjustment years. The payment adjustment program with respect to the period October 1 through June 30 of the 2001–02 payment adjustment year and subsequent payment adjustment years shall be structured as set forth below and in subdivision (an).

(1) (A) The department shall compute the projected total payment adjustment amounts for all eligible hospitals for the applicable payment adjustment year, by determining for each eligible hospital its total per diem composite amount and multiplying that figure by the maximum number of the hospital's Medi-Cal inpatient paid days determined under paragraph (2) of subdivision (l). For purposes of this subparagraph, these determinations shall be without regard to the OBRA 1993 payment limitations. Notwithstanding the foregoing, with respect to a hospital that, as of July 1 of the applicable payment adjustment year, meets the definition of a converted hospital, the amount otherwise determined under this subparagraph shall be reduced as necessary so as not to exceed the total amount of all payment adjustment amounts payable to the hospital under this section for that payment adjustment year in which the hospital was last an eligible hospital meeting the definition of a public hospital.

(B) The computed amount referred to in subparagraph (A) for each hospital shall be compared to the OBRA 1993 payment limitation that, in accordance with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital.

(C) Where the computed amount referred to in subparagraph (A) for the particular hospital exceeds the OBRA 1993 payment limitation for the hospital, the amount computed under subparagraph (A) shall be reduced to an amount equal to the OBRA 1993 payment limitation for the particular hospital. The amount so reduced shall be used for purposes of subparagraph (E).

(D) Where the computed amount referred to in subparagraph (A) for the particular hospital is equal to or less than the OBRA 1993 payment limitation for the hospital, the computed amount referred to in subparagraph (A) shall be used for purposes of subparagraph (E).

(E) The amounts determined under subparagraphs (C) and (D) for all eligible hospitals shall be added together, yielding an aggregate sum. The aggregate sum shall be the unadjusted projected total payment adjustment program for the period of October 1 through June 30 of the applicable payment adjustment year, exclusive of any supplemental payment adjustments under subdivision (an).

(2) (A) The department shall determine the maximum state disproportionate share hospital allotment for California for the applicable federal fiscal year under the provisions of applicable federal medicaid rules.

(B) The initial maximum size of the payment adjustment program for the period October 1 through June 30 of each applicable payment adjustment year, shall be set at one billion six hundred million dollars (\$1,600,000,000), exclusive of any supplemental payment adjustments under subdivision (an).

(3) The department shall increase or decrease the amount determined for each eligible hospital under subparagraph (C) or (D) of paragraph (1), as applicable, by multiplying the amount by an identical percentage, yielding the hospital's tentative adjusted projected total payment adjustment amount for the period October 1 through June 30 of the applicable payment adjustment year. The identical percentage figure to be used for this purpose shall be that percentage that is derived by dividing the amount set forth in subparagraph (B) of paragraph (2) by the aggregate sum determined under subparagraph (E) of paragraph (1). Notwithstanding the foregoing, however, the amount determined for a hospital under subparagraph (C) or (D) of paragraph (1) shall not be increased so that it would exceed the OBRA 1993 payment limitation for the hospital, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other hospitals (that have not reached their OBRA 1993

payment limitation) on a pro rata basis so that the aggregate sum of the tentative adjusted projected total payment adjustment amount for all hospitals equals the amount set forth in subparagraph (B) of paragraph (2).

(4) The tentative adjusted projected total payment adjustment amount computed for each eligible hospital under paragraph (3) shall be further adjusted as follows:

(A) (i) For each eligible hospital that meets the definition of a nonpublic-converted hospital as of July 1 of the applicable payment adjustment year, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic-converted hospital adjustment factor." The applicable adjustment factor for the particular hospital shall be 0.835; except, however, where the hospital also meets the definition of a major teaching hospital as of July 1 of the applicable payment adjustment year, the applicable adjustment factor shall be the lesser of 1.00, or that which is necessary to result in an amount for the particular hospital equal to thirty-five million eight hundred thousand dollars (\$35,800,000).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1 through June 30 of the applicable payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation.

(B) (i) For each eligible hospital that meets the definition of a converted hospital as of July 1 of the applicable payment adjustment year, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "converted hospital adjustment factor," derived as follows:

(I) The maximum OBRA 1993 payment limitation specified by federal law, expressed as a maximum percentage of uncompensated care costs, that is applicable to the hospital for the particular payment adjustment year shall be subtracted from that maximum percentage of uncompensated care costs that the hospital was subject to as a public hospital during the 1999–2000 payment adjustment year.

(II) The converted hospital adjustment factor shall be that figure derived in subclause (I), expressed as a fraction, subtracted from 1.00.

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1 through June 30 of the applicable payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final

adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation.

(C) (i) For each eligible hospital that meets the definition of a nonpublic hospital as of July 1 of the applicable payment adjustment year, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "nonpublic hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each nonpublic hospital shall be added together.

(II) The amount identified in subparagraph (B) of paragraph (2) shall be divided by 2.237.

(III) The resulting figure in subclause (II) shall be increased by an amount equal to the product of the medical assistance increment multiplied by the maximum amount identified in subparagraph (A) of paragraph (2).

(IV) The amount derived under subclause (III) shall be reduced by the sum of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A), and the sum of the amounts determined for all converted hospitals under clause (ii) of subparagraph (B) that exceed that amount equal to 31 percent of all payment adjustment amounts payable to each converted hospital under this section for that payment adjustment year in which the hospital was last an eligible hospital meeting the definition of a public hospital.

(V) The amount computed under subclause (IV) shall be divided by 2, and the result thereof further reduced by the amount of thirty-three million five hundred thousand dollars (\$33,500,000).

(VI) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (V) by the amount derived in subclause (I).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1 through June 30 of the applicable payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation, and where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other nonpublic hospitals (that have not reached their OBRA 1993 payment limitation) on a pro rata basis so that the aggregate sum of the final adjusted projected total payment adjustment amounts for all nonpublic hospitals equals the amount derived in subclause (V) of clause (i).

(D) (i) For each eligible hospital that meets the definition of a public hospital as of July 1 of the applicable payment adjustment year, the hospital's tentative adjusted projected total payment adjustment amount shall be multiplied by a "public hospital adjustment factor." The applicable adjustment factor shall be derived as follows:

(I) The tentative adjusted projected total payment adjustment amounts determined under paragraph (3) for each public hospital described above shall be added together.

(II) The amount identified in subparagraph (B) of paragraph (2) shall be reduced by the sums of the amounts determined for all nonpublic-converted hospitals under clause (ii) of subparagraph (A) and all converted hospitals under clause (ii) of subparagraph (B) and the sum of the amounts determined for all nonpublic hospitals under clause (ii) of subparagraph (C).

(III) The applicable adjustment factor shall be that ratio that results from dividing the amount derived in subclause (II) by the amount derived in subclause (I).

(ii) The resulting product shall be the final adjusted projected total payment adjustment amount for the hospital for the period October 1 through June 30 of the applicable payment adjustment year, which shall be paid to the hospital in accordance with paragraph (5). Notwithstanding the foregoing, however, in no case shall the final adjusted projected total payment adjustment amount exceed the hospital's OBRA 1993 payment limitation, and, where that would otherwise occur, the remaining amount that would have been allocated to the particular hospital shall be reallocated to all other public hospitals that have not reached their OBRA 1993 payment limitation on a pro rata basis so that the aggregate sum of the final adjusted projected total payment adjustment amounts for all public hospitals equals the amount derived in subclause (II) of clause (i).

(5) (A) The final adjusted projected total payment adjustment amount determined for each eligible hospital for the period October 1 through June 30 of the applicable payment adjustment year shall be distributed to the hospital in 8 equal installments, each payable as of the last day of each month from October through May of the applicable payment adjustment year. However, no hospital shall receive an installment for any month in which the hospital does not remain in operation for the entire month.

(B) To the extent that any hospital of either of the hospital types described in subparagraph (C) or (D) of paragraph (4) is not entitled to receive an installment that otherwise would be payable but for the hospital's failure to remain in operation through the last day of a particular month, the amount that would have been paid to the hospital shall be redistributed among those hospitals of the same hospital type

that remain in operation from October 1 through June 30 of the applicable payment adjustment year, to be distributed on a pro rata basis. The redistributed amounts shall be payable as of June 30 of the applicable payment adjustment year.

(6) If, with respect to the 2001–02 payment adjustment year or any subsequent payment adjustment year, the amount identified for California for the applicable federal fiscal year pursuant to Section 1396r-4(f) of Title 42 of the United States Code exceeds the amount of eight hundred seventy-seven million dollars (\$877,000,000), the department shall implement the provisions of paragraphs (1) through (5) with respect to the applicable payment adjustment year as modified below.

(A) The department shall determine the maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules.

(B) The department shall calculate the maximum state disproportionate share hospital allotment for California, by substituting in the calculation the amount of eight hundred seventy-seven million dollars (\$877,000,000), as though that amount was identified for California for the applicable federal fiscal year pursuant to Section 1396r-4(f) of Title 42 of the United States Code.

(C) The amount determined under subparagraph (B) shall be subtracted from the amount determined under subparagraph (A).

(D) For purposes of the calculations set forth in paragraph (3) regarding each hospital's tentative adjusted projected total payment adjustment amount, the initial amount as set forth in subparagraph (B) of paragraph (2) shall, in each instance prior to its application in those calculations, be increased by the amount derived in subparagraph (C).

(E) The difference derived in subparagraph (C) shall be divided by the amount determined in subparagraph (B).

(F) For purposes of the determination made under clause (i) of subparagraph (A) of paragraph (4) regarding nonpublic-converted hospitals that also meet the definition of a major teaching hospital, the amount of thirty-five million eight hundred thousand dollars (\$35,800,000) as specified therein shall be multiplied by a number equal to the sum of the fraction derived in subparagraph (E) plus the number 1.00.

(G) The fraction derived in subparagraph (E) shall be multiplied by 1.226, and the result thereof added to 1.00, yielding a factor for purposes of modifying the determination of the applicable nonpublic hospital adjustment factor pursuant to subparagraphs (H) and (I).

(H) The amount determined under subclause (II) of clause (i) of subparagraph (C) of paragraph (4) shall be multiplied by the factor derived in subparagraph (G), and the resulting amount shall be used for

purposes of the calculations set forth in subclause (III) of clause (i) of subparagraph (C) of paragraph (4), as modified by subparagraph (I) below.

(I) For purposes of the calculations in subclause (III) of clause (i) of subparagraph (C) of paragraph (4), the recalculated maximum amount derived in subparagraph (B) shall be used in lieu of the maximum amount determined in subparagraph (A) of paragraph (2).

(J) For purposes of the calculations set forth in subclause (II) of clause (i) of subparagraph (D) of paragraph (4) regarding the determination of the applicable public hospital adjustment factor, the initial amount as set forth in subparagraph (B) of paragraph (2) shall, in each instance prior to its application in those calculations, be increased by the amount derived in subparagraph (C).

(7) Notwithstanding any other provision of law, for the entire payment adjustment year, no eligible hospital shall receive total payment adjustments in excess of the hospital's OBRA 1993 payment limitation as computed by the department pursuant to the Medi-Cal State Plan.

(8) The aggregate sum of the final adjusted projected total payment adjustment amounts computed under paragraph (4) for each eligible hospital for the period October 1 through June 30 of the applicable payment adjustment year, shall be the maximum size of the payment adjustment program for the entire payment adjustment year, exclusive of the supplemental payment adjustments provided for under subdivision (an).

(9) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

(an) (1) For the 2001–02 payment adjustment year and subsequent payment adjustment years, eligible hospitals that meet the requirements of this subdivision and that are in operation as of June 30 of the applicable payment adjustment year, shall be eligible to receive a supplemental lump-sum payment adjustment, which shall be payable as a result of the facility being a disproportionate share hospital in operation as of that date, but only if the hospital has remained in operation for the period October 1 through June 30 of the applicable payment adjustment year.

(2) The availability of supplemental lump-sum payment adjustments under this subdivision shall be determined as follows:

(A) The maximum state disproportionate share hospital allotment for California under the provisions of applicable federal medicaid rules shall be identified for the applicable federal fiscal year.

(B) The total amount of all payment adjustment amounts under this section, exclusive of any payments under this subdivision, applicable to the applicable federal fiscal year, whether paid or payable, shall be determined. The applicability of payment adjustment amounts to the 2000 federal fiscal year shall be determined in accordance with federal medicaid rules.

(C) The figure determined under subparagraph (B) shall be subtracted from the figure identified under subparagraph (A). If the remainder is a positive figure, supplemental lump-sum payment adjustments shall be made under this subdivision in accordance with this subparagraph and paragraph (3). The positive remainder so derived shall be the maximum amount of supplemental lump-sum payment adjustments under this subdivision for the applicable payment adjustment year.

(3) (A) For purposes of supplemental lump-sum payment adjustments under this subdivision, only hospitals that can be categorized into either of the two groups specified in clauses (i) and (ii) below shall be eligible to receive the supplemental payment adjustments, and no hospital may qualify for more than one of the two groups. The following groups of hospitals shall be recognized:

(i) "Public hospitals," which shall include all eligible hospitals that, as of July 1 of the applicable payment adjustment year, met the definition of a public hospital.

(ii) "Nonpublic hospitals," which shall include all eligible hospitals that, as of July 1 of the applicable payment adjustment year, met the definition of a nonpublic hospital.

(B) The amount determined to be the maximum amount of supplemental lump-sum payment adjustments under subparagraph (C) of paragraph (2) shall first be allocated between the two groups of hospitals referred to in subparagraph (A) as follows:

(i) "Public hospitals": 75 percent of the maximum amount.

(ii) "Nonpublic hospitals": 25 percent of the maximum amount.

(C) The amount of funds allocated pursuant to subparagraph (B) to each of the particular groups of hospitals referred to in subparagraphs (A) and (B) shall then be distributed as supplemental lump-sum payment adjustments among the eligible hospitals within each particular group as follows:

(i) The department shall identify for each eligible hospital the total amount of payment adjustments under this section, exclusive of any payments under this subdivision, applicable to the payment adjustment year, whether paid or payable. The applicability of the payment adjustment amounts to this period of time shall be determined in accordance with federal medicaid rules.

(ii) The amount identified for each hospital under clause (i) shall be compared to the OBRA 1993 payment limitation that, in accordance

with applicable provisions of the Medi-Cal State Plan, the department has computed for the particular hospital for the applicable payment adjustment year.

(iii) Where the amount computed under clause (i) for the particular hospital is equal to or exceeds the OBRA 1993 payment limitation for the hospital, the hospital shall not receive a supplemental lump-sum payment adjustment. Data regarding hospitals that have reached this limitation shall not be used for purposes of clauses (v) through (viii).

(iv) Where the amount computed under clause (i) for the particular hospital is less than the OBRA 1993 payment limitation for the hospital, the amount computed under clause (i) shall be used for purposes of clauses (v) through (viii).

(v) The figures determined under clause (iv) for each hospital in the particular group shall be added together to determine an aggregate total for each group.

(vi) The figures determined for each hospital under clause (iv) shall be divided by the aggregate total determined under clause (v) for the particular group, yielding a percentage figure for each hospital.

(vii) The percentage figure determined for each hospital under clause (vi) shall be applied to the maximum portion of the funds allocated to the particular group under subparagraph (B), to determine the hospital's pro rata share of the supplemental lump-sum payment adjustments. Notwithstanding the foregoing, however, in the case of a nonpublic hospital that, as of July 1 of the applicable payment adjustment year, met the definition of a children's hospital, that pro rata share otherwise determined shall be multiplied by a factor of 1.69, yielding a modified pro rata share to be applied only with respect to the first one million dollars (\$1,000,000) of the funds allocated pursuant to clause (ii) of subparagraph (B), and, with respect to the remainder of the funds so allocated, the pro rata share otherwise determined shall be multiplied by a factor of 1.09, yielding a modified pro rata share to be applied. The pro rata share for the other nonpublic hospitals shall be reduced accordingly, yielding a modified pro rata share, so that the maximum portion of the funds allocated to the nonpublic hospitals group will not be exceeded. The pro rata share or modified pro rata share, as applicable, for each hospital, as computed under this clause, shall also be used for all purposes relating to descending pro rata distributions under clause (viii).

(viii) In no event shall a hospital receive supplemental lump-sum payment adjustment amounts in excess of the difference between the OBRA 1993 payment limitation for the hospital and the amount computed for the hospital under clause (i). Any supplemental lump-sum payment adjustment amount, or portion thereof, that otherwise would have been payable under this paragraph to a hospital, but that is barred

by this limitation, shall be distributed on a descending pro rata basis to those hospitals within the same group.

(D) The department shall make interim and final payments of the supplemental lump-sum payment adjustments to hospitals on June 30 of the applicable payment adjustment year.

(4) The department shall implement this subdivision only to the extent consistent with federal medicaid law and the Medi-Cal State Plan, and only to the extent that the department determines that federal financial participation is available.

SEC. 2. Section 14105.982 is added to the Welfare and Institutions Code, to read:

14105.982. (a) (1) The department may adopt emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 1 of Title 2 of the Government Code to specify a process for the preparation and issuance of any or all of the following:

(A) The tentative listing, as that term is used in paragraph (1) of subdivision (f) of Section 14105.98.

(B) The disproportionate share list, as that term is used in paragraphs (1) and (2) of subdivision (f) of Section 14105.98.

(C) Hospital-specific payment determinations pursuant to Section 14105.98.

(2) The process may include, but shall not be limited to, all of the following:

(A) Identification of the particular information to be prepared and issued.

(B) The opportunity for an affected hospital to review its individual hospital data elements.

(C) The timeframes for issuance and review of the items described in paragraph (1).

(D) The circumstances under which updated or corrected data may be accepted and used by the department.

(b) The initial adoption of the emergency regulations and one readoption of the initial regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. The initial emergency regulations and the first readoption of those regulations shall be exempt from review by the Office of Administrative Law. The emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the Secretary of State and publication in the California Code of Regulations, and shall remain in effect for no more than 180 days. Before adopting any emergency regulations pursuant to this section, the department shall seek input from representatives of the hospital industry, including, but not limited to, the California Healthcare Association.

SEC. 3. (a) This section shall apply with respect to the 2000–01 fiscal year if all of the following conditions have been met for that fiscal year, and with respect to any subsequent fiscal year if all of the following conditions have been met for such subsequent fiscal year:

(1) There is a reduction in the amount transferred, or to be transferred, to the Health Care Deposit Fund required pursuant to paragraph (2) of subdivision (d) of Section 14163 of the Welfare and Institutions Code for the applicable fiscal year as compared to the amount so transferred for the 1999–2000 fiscal year.

(2) Section 3 does not apply.

(3) Section 4 does not apply.

(b) Pursuant to this section, the percentages specified in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (al) or in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (an), as applicable, of Section 14105.98 of the Welfare and Institutions Code for the public hospitals and nonpublic hospitals shall be deemed to be 0 percent and 100 percent, respectively, but only with respect to that amount equal to two-thirds of the amount of the transfer reduction described in paragraph (1) of subdivision (a). For all remaining amounts allocable under paragraph (3) of subdivision (al) and paragraph (3) of subdivision (an) of Section 14105.98 of the Welfare and Institutions Code, the percentages shall be as shown in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (al), or in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (an), of Section 14105.98 of the Welfare and Institutions Code, respectively.

SEC. 4. (a) This section shall apply with respect to the 2000–01 fiscal year, if all of the following conditions have been met for that fiscal year:

(1) There is a reduction in the amount transferred, or to be transferred, to the Health Care Deposit Fund required pursuant to paragraph (2) of subdivision (d) of Section 14163 of the Welfare and Institutions Code for the fiscal year as compared to the amount so transferred for the 1999–2000 fiscal year.

(2) The maximum amount identified pursuant to subparagraph (A) of paragraph (2) of subdivision (al) of Section 14105.98 of the Welfare and Institutions Code exceeds one billion nine hundred twenty-three million nine hundred thousand dollars (\$1,923,900,000).

(b) Pursuant to this section, the methodology for determining the supplemental lump-sum payment adjustment amounts set forth in subdivision (al) of Section 14105.98 of the Welfare and Institutions Code shall be modified as provided below:

(1) Each nonpublic-converted disproportionate share hospital that remains in operation as of June 30, 2001, shall be eligible to receive a supplemental lump-sum payment adjustment in an amount equal to the

amount of the transfer reduction described in paragraph (1) of subdivision (a), multiplied by a fraction, the numerator of which is the total payment adjustment amounts payable to the hospital pursuant to Section 14105.98 of the Welfare and Institutions Code for the 2000–01 fiscal year, before application of this section, and the denominator of which is the maximum amount identified pursuant to subparagraph (A) of paragraph (2) of subdivision (al) of Section 14105.98 of the Welfare and Institutions Code for the same fiscal year. Notwithstanding the foregoing, however, no hospital shall receive supplemental lump-sum payment adjustments under this paragraph if the total payment adjustment amounts payable to the hospital pursuant to Section 14105.98 of the Welfare and Institutions Code for the 2000–01 fiscal year, before application of this section, is at least forty million dollars (\$40,000,000).

(2) Notwithstanding the provisions of paragraph (1), in no case shall any amount otherwise payable pursuant to this section be paid in an amount that would cause any hospital to exceed the applicable limitation set forth in Section 1396r-4(f) of Title 42 of the United States Code. The modified methodology with respect to nonpublic-converted hospitals shall not provide for a descending pro rata distribution phase.

(3) The percentages specified in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (al) of Section 14105.98 of the Welfare and Institutions Code for the public hospitals and nonpublic hospitals shall be deemed to be 0.00 percent and 100 percent, respectively, but only with respect to that amount equal to two-thirds of the amount of the transfer reduction described in paragraph (1) of subdivision (a), less one-third of the sum of the amounts payable to nonpublic-converted hospitals pursuant to paragraph (1). For all remaining amounts allocable under paragraph (3) of subdivision (al) of Section 14105.98 of the Welfare and Institutions Code, the percentages shall be as shown in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (al) of Section 14105.98 of the Welfare and Institutions Code, respectively.

SEC. 5. (a) This section shall apply with respect to the 2001–02 fiscal year if all of the following conditions have been met for that fiscal year, and with respect to any subsequent fiscal year if all of the following conditions have been met for such subsequent fiscal year:

(1) There is a reduction in the amount transferred, or to be transferred, to the Health Care Deposit Fund required pursuant to paragraph (2) of subdivision (d) of Section 14163 of the Welfare and Institutions Code for the applicable fiscal year as compared to the amount so transferred for the 1999–2000 fiscal year.

(2) The maximum amount identified pursuant to subparagraph (A) of paragraph (2) of subdivision (an) of Section 14105.98 of the Welfare and

Institutions Code exceeds one billion eight hundred sixty-three million eight hundred thousand dollars (\$1,863,800,000).

(b) Pursuant to this section, the methodology for determining the supplemental lump-sum payment adjustment amounts set forth in subdivision (an) of Section 14105.98 of the Welfare and Institutions Code shall be modified as provided below:

(1) Each nonpublic-converted disproportionate share hospital that remains in operation as of June 30 of the applicable fiscal year shall be eligible to receive a supplemental lump-sum payment adjustment in an amount equal to the amount of the transfer reduction described in paragraph (1) of subdivision (a), multiplied by a fraction, the numerator of which is the total payment adjustment amounts payable to the hospital pursuant to Section 14105.98 of the Welfare and Institutions Code for the applicable fiscal year, before application of this section, and the denominator of which is the maximum amount identified pursuant to subparagraph (A) of paragraph (2) of subdivision (an) of Section 14105.98 of the Welfare and Institutions Code for the same fiscal year.

(2) Notwithstanding the provisions of paragraph (1), in no case shall any amount otherwise payable pursuant to this section be paid in an amount that would cause any hospital to exceed the applicable limitation set forth in Section 1396r-4(f) of Title 42 of the United States Code. The modified methodology with respect to nonpublic-converted hospitals shall not provide for a descending pro rata distribution phase.

(3) The percentages specified in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (an) of Section 14105.98 of the Welfare and Institutions Code for the public hospitals and nonpublic hospitals shall be deemed to be 0.00 percent and 100 percent, respectively, for the applicable fiscal year, but only with respect to that amount equal to two-thirds of the amount of the transfer reduction described in paragraph (1) of subdivision (a), less one-third of the sum of the amounts payable to nonpublic-converted hospitals pursuant to paragraph (1). For all remaining amounts allocable under paragraph (3) of subdivision (an) of Section 14105.98 of the Welfare and Institutions Code, the percentages shall be as shown in clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (an) of Section 14105.98 of the Welfare and Institutions Code, respectively.

SEC. 6. On or before June 29, 2000, the State Department of Health Services shall take all necessary steps to arrange for the publication of any public notices that are required or appropriate under federal or state law, in order to ensure an effective date for this act of not later than June 30, 2000, for federal medicaid purposes. Notwithstanding any other provision of law, the department may arrange for the publication of any notice through a private vendor, on a bid or nonbid basis, on an exclusive or nonexclusive basis, and without review or approval by any other

department, agency, or instrumentality of the state. The costs of publishing any notice through a private vendor shall be recovered by the department from the Medi-Cal Inpatient Payment Adjustment Fund.

SEC. 7. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure sufficient funding for disproportionate share providers in the Medi-Cal program, to enable them to provide sufficient access to Medi-Cal benefits as soon as possible, it is necessary that this act take effect immediately.

CHAPTER 49

An act to amend Section 19826 of the Health and Safety Code, relating to building permits.

[Approved by Governor June 28, 2000. Filed with
Secretary of State June 29, 2000.]

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

SECTION 1. Section 19826 of the Health and Safety Code is amended to read:

19826. (a) No city or county, whether general law or chartered, shall issue a building permit which does not contain all applicable declarations required by Section 19825 properly executed by the owner, applicant, contractor, or agent of the owner, contractor, or applicant. The properly executed declarations shall be a condition for issuance of the building permit. A properly executed declaration may include a declaration signed and transmitted by facsimile or other electronic means. However, no city or county or its employees shall be responsible for determining the truth or accuracy of the declarations, and no monetary liability on the part of, and no cause of action for damages against them, shall arise from their failure to verify the truth or accuracy of the declarations.

(b) A city or county may require that within 15 days of issuance, the issuing agency of the city or county deliver copies of all building permits to the assessor of the county.

(c) For purposes of this section, an "application for a building permit" shall be construed as a "transaction" and all declarations

required shall be construed as “records” under Title 2.5 (commencing with Section 1633.1) of Part 2 of Division 3 of the Civil Code.

CHAPTER 50

An act to amend Section 594 of the Penal Code, relating to vandalism.

[Approved by Governor June 28, 2000. Filed with
Secretary of State June 29, 2000.]

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

SECTION 1. Section 594 of the Penal Code, as amended by Section 12 of Proposition 21, March 7, 2000, is amended to read:

594. (a) Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism:

- (1) Defaces with graffiti or other inscribed material.
- (2) Damages.
- (3) Destroys.

Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, furnishings, or property belonging to any public entity, as defined by Section 811.2 of the Government Code, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property.

(b) (1) If the amount of defacement, damage, or destruction is four hundred dollars (\$400) or more, vandalism is punishable by imprisonment in the state prison or in a county jail not exceeding one year, or by a fine of not more than ten thousand dollars (\$10,000), or if the amount of defacement, damage, or destruction is ten thousand dollars (\$10,000) or more, by a fine of not more than fifty thousand dollars (\$50,000), or by both that fine and imprisonment.

(2) (A) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), vandalism is punishable by imprisonment in a county jail not exceeding one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment.

(B) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), and the defendant has been previously convicted of vandalism or affixing graffiti or other inscribed material under Section 594, 594.3, 594.4, 640.5, 640.6, or 640.7, vandalism is

punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than five thousand dollars (\$5,000), or by both that fine and imprisonment.

(c) (1) Upon conviction of any person under this section for acts of vandalism consisting of defacing property with graffiti or other inscribed materials, the court may, in addition to any punishment imposed under subdivision (b), order the defendant to clean up, repair, or replace the damaged property himself or herself, or order the defendant, and his or her parents or guardians if the defendant is a minor, to keep the damaged property or another specified property in the community free of graffiti for up to one year. Participation of a parent or guardian is not required under this subdivision if the court deems this participation to be detrimental to the defendant, or if the parent or guardian is a single parent who must care for young children.

(2) Any city, county, or city and county may enact an ordinance that provides for all of the following:

(A) That upon conviction of any person pursuant to this section for acts of vandalism, the court may, in addition to any punishment imposed under subdivision (b), provided that the court determines that the defendant has the ability to pay any law enforcement costs not exceeding two hundred fifty dollars (\$250), order the defendant to pay all or part of the costs not to exceed two hundred fifty dollars (\$250) incurred by a law enforcement agency in identifying and apprehending the defendant. The law enforcement agency shall provide evidence of, and bear the burden of establishing, the reasonable costs that it incurred in identifying and apprehending the defendant.

(B) The law enforcement costs authorized to be paid pursuant to this subdivision are in addition to any other costs incurred or recovered by the law enforcement agency, and payment of these costs does not in any way limit, preclude, or restrict any other right, remedy, or action otherwise available to the law enforcement agency.

(d) If a minor is personally unable to pay a fine levied for acts prohibited by this section, the parent of that minor shall be liable for payment of the fine. A court may waive payment of the fine, or any part thereof, by the parent upon a finding of good cause.

(e) As used in this section, the term "graffiti or other inscribed material" includes any unauthorized inscription, word, figure, mark, or design, that is written, marked, etched, scratched, drawn, or painted on real or personal property.

(f) The court may order any person ordered to perform community service or graffiti removal pursuant to paragraph (1) of subdivision (c) to undergo counseling.

(g) No amount paid by a defendant in satisfaction of a criminal matter shall be applied in satisfaction of the law enforcement costs that may be

imposed pursuant to this section until all outstanding base fines, state and local penalty assessments, restitution orders, and restitution fines have been paid.

(h) This section shall remain in effect until January 1, 2002, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2002, deletes or extends that date.

SEC. 2. Section 594 of the Penal Code, as amended by Section 12.5 of Proposition 21, March 7, 2000, is amended to read:

594. (a) Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism:

- (1) Defaces with graffiti or other inscribed material.
- (2) Damages.
- (3) Destroys.

Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, furnishings, or property belonging to any public entity, as defined by Section 811.2 of the Government Code, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property.

(b) (1) If the amount of defacement, damage, or destruction is four hundred dollars (\$400) or more, vandalism is punishable by imprisonment in the state prison or in a county jail not exceeding one year, or by a fine of not more than ten thousand dollars (\$10,000), or if the amount of defacement, damage, or destruction is ten thousand dollars (\$10,000) or more, by a fine of not more than fifty thousand dollars (\$50,000), or by both that fine and imprisonment.

(2) (A) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), vandalism is punishable by imprisonment in a county jail not exceeding one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment.

(B) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), and the defendant has been previously convicted of vandalism or affixing graffiti or other inscribed material under Section 594, 594.3, 594.4, 640.5, 640.6, or 640.7, vandalism is punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than five thousand dollars (\$5,000), or by both that fine and imprisonment.

(c) Upon conviction of any person under this section for acts of vandalism consisting of defacing property with graffiti or other inscribed materials, the court may, in addition to any punishment imposed under subdivision (b), order the defendant to clean up, repair, or replace the

damaged property himself or herself, or order the defendant, and his or her parents or guardians if the defendant is a minor, to keep the damaged property or another specified property in the community free of graffiti for up to one year. Participation of a parent or guardian is not required under this subdivision if the court deems this participation to be detrimental to the defendant, or if the parent or guardian is a single parent who must care for young children.

(d) If a minor is personally unable to pay a fine levied for acts prohibited by this section, the parent of that minor shall be liable for payment of the fine. A court may waive payment of the fine, or any part thereof, by the parent upon a finding of good cause.

(e) As used in this section, the term “graffiti or other inscribed material” includes any unauthorized inscription, word, figure, mark, or design, that is written, marked, etched, scratched, drawn, or painted on real or personal property.

(f) The court may order any person ordered to perform community service or graffiti removal pursuant to paragraph (1) of subdivision (c) to undergo counseling.

(g) This section shall become operative on January 1, 2002.

CHAPTER 51

An act to add Article 5w (commencing with Section 998.300) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to the financing of a program to provide farm and home aid for veterans in accordance with the Veterans’ Farm and Home Purchase Act of 1974, and acts amendatory thereof and supplemental thereto, through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 29, 2000. Filed with
Secretary of State June 29, 2000.]

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

SECTION 1. Article 5w (commencing with Section 998.300) is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5w. Veterans' Bond Act of 2000

998.300. This article may be cited as the Veterans' Bond Act of 2000.

998.301. (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.

998.302. As used herein, the following words have the following meanings:

(a) "Board" means the Department of Veterans Affairs.

(b) "Bond" means veterans' bond, a state general obligation bond, issued pursuant to this article adopting the provisions of the State General Obligation Bond Law.

(c) "Bond act" means this article authorizing the issuance of state general obligation bonds and adopting the State General Obligation Bond Law by reference.

(d) "Committee" means the Veterans' Finance Committee of 1943, established by Section 991.

(e) "Fund" means the Veterans' Farm and Home Building Fund of 1943, established by Section 998.

998.303. 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 five hundred million dollars (\$500,000,000), exclusive of refunding bonds, in the manner provided herein.

998.304. (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. 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 returned, at the same rate of interest as borne by the bonds, compounded semiannually. Notwithstanding any other provision of law to the contrary, this subdivision shall apply to all veterans farm and home purchase contracts pursuant to this chapter. This subdivision does not grant any lien on the fund or the moneys therein to holders of any bonds issued under this article. For the purposes of the subdivision, "debt service" means the principal (whether due at maturity, by redemption, or acceleration), premium, if any, or interest payable on any date to any series of bonds. This subdivision shall not apply, however, in the case of any debt service that is payable from the proceeds of any refunding bonds.

998.305. 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 998.306, appropriated without regard to fiscal years.

998.306. For the 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 moneys 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.

998.307. 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 article. 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 article. 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 article.

998.308. 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 of the bonds be issued or sold at any one time.

998.309. As long as any bonds authorized under this article are outstanding, the Secretary 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 Secretary of Veterans Affairs, the California Veterans Board, the appropriate policy committees dealing with veterans affairs in the Senate and the Assembly, 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.

998.310. The committee may authorize the Treasurer to sell all or any part of the bonds authorized by this article at the time or times established 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.

998.311. 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.

998.312. 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.

998.313. 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.

998.314. 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.

998.315. Notwithstanding any other provision of law, any bonds issued and sold under the Veterans Bond Act of 1982, and the Veterans Bond Act of 1984 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, without regard to the first sentence of Section 16786 of the Government Code.

SEC. 2. Section 1 of this act shall take effect upon the approval by the people of the Veterans' Bond Act of 2000, submitted to the voters pursuant to Section 3 of this act.

SEC. 3. (a) Notwithstanding Sections 9040, 9043, 9044, 9065, 9094, and 13115 of the Elections Code or any other provision of law, a ballot measure that sets forth the Veterans' Bond Act of 2000, as set forth in Section 1 of this act, shall be submitted to the voters at the November 2000 general election. Notwithstanding Section 9040 of the Elections Code, the ballot measure as set forth in Section 1 of this act shall appear on the November 7, 2000, general election ballot.

(b) The Secretary of State shall ensure the placement of the Veterans' Bond Act of 2000 ballot measure as set forth in Section 1 of this act on the November 2000 general election ballot, in substantial compliance with any statutory time requirements applicable to the submission of statewide measures to the voters at a statewide election.

(c) Notwithstanding Section 9051 of the Elections Code, the Attorney General shall prepare and return to the Secretary of State a ballot title for the bond act contained in Section 1 of this act as

expeditiously as possible, but not later than two days after the effective date of this act.

(d) Notwithstanding Section 9087 of the Elections Code, the Legislative Analyst shall prepare an impartial analysis of the bond act contained in Section 1 of this act as expeditiously as possible, but not later than five days after the effective date of this act, and the analysis shall not be submitted to a review committee.

(e) The Secretary of State shall include, in the ballot pamphlet mailed pursuant to Section 9094 of the Elections Code, the information specified in Section 9084 of that code regarding the bond act contained in Section 1 of this act.

If that inclusion is not possible, the Secretary of State shall publish a supplemental ballot pamphlet regarding the bond act to be mailed with the ballot pamphlet. If the supplemental ballot pamphlet cannot be mailed with the ballot pamphlet, the supplemental ballot pamphlet shall, notwithstanding Section 9094 of that code, be mailed at least 14 days before the election.

SEC. 4. Notwithstanding any other provision of law, all ballots at the election shall have printed thereon, in a square, the words: "Veterans' Bond Act of 2000" and in the same square, under the words, the following in 8-point type: "This act provides for a bond issue of five hundred million dollars (\$500,000,000) to provide farm and home aid for California veterans." Opposite the square, there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against the act.

Where the voting of the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters' choice by means thereof are in compliance with this section.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the Veterans' Bond Act of 2000 may be included on the November 2000, statewide ballot in furtherance of an orderly program of providing farm and home purchase benefits to California veterans, it is necessary that this act take effect immediately.

CHAPTER 52

An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 30, 2000. Filed with Secretary of State June 30, 2000.]

I object to the following appropriations contained in Assembly Bill 1740.

Item 0450-101-0932—For local assistance, State Trial Court Funding. I am deleting Provisions 6 and 9.

I am deleting Provision 6, which would require that any funds for salary increases for trial court judicial officers only be distributed to those trial courts that are unified to the fullest extent of the law.

I am also deleting Provision 9, which would require that funding for new trial court judicial officers shall be provided to those courts that are unified to the fullest extent of the law.

The 56th and final eligible county has recently unified, and this language is no longer necessary.

Item 0505-001-0001—For support of Department of Information Technology. I delete Provision 2.

I am deleting Provision 2 which would require \$500,000 of the funds appropriated in this item to be used to conduct a study that will research, analyze, and report on the lack of access to advanced technologies among low-income and minority communities, otherwise known as the “digital divide”. While a study of this issue may be meritorious, I am deleting this language because when it was added, \$500,000 was available for this purpose. However, this item no longer contains resources for this study. Additionally, several national studies have been conducted on this issue.

Item 0505-101-0001—For local assistance, Department of Information Technology. I reduce this item from \$190,000 to \$150,000 by deleting:

(a) Sacramento Police Department—Racial Profiling Technology (\$40,000)

Consistent with my action in Item 2720-101-0001, which provides \$5,000,000 for grants to local law enforcement agencies that collect racial profiling data, I am deleting the \$40,000 legislative augmentation to the Sacramento Police Department for Racial Profiling Technology. Since it is my intention that the grant funds be used to offset a portion of local agency costs to report data to the Highway Patrol, the additional funding provided in this item is unnecessary.

Item 0530-001-0001—For support of Secretary for California Health and Human Services Agency. I reduce this item from \$2,274,000 to \$1,874,000 by reducing:

(a) 10-Secretary for California Health and Human Services Agency from \$3,272,000 to \$2,872,000,

and by revising Provision 1.

I am deleting \$400,000 and 0.9 personnel years of the \$600,000 and 0.9 personnel years legislative augmentation to implement Chapter 990, Statutes of 1999 (SB 480) and conduct a study regarding universal health care coverage options. While these resources were added for the purpose of conducting an additional study, Chapter 990 does not require such a study. Instead, Chapter 990 requires the Agency to examine and use the results of an existing University of California study, meet with interested parties, and report back to the Legislature on options regarding universal health care coverage. Given that Chapter 990 contained no appropriation and requires no additional study, \$200,000 is sufficient funding for the Agency to complete the required tasks.

I am revising the language in the item to conform to this action.

"1. Of the amount appropriated in this item, ~~\$500,000~~ \$200,000 shall be used to conduct a study pursuant to ~~Division 25 (commencing with Section 25000)~~ of the ~~Welfare and Institutions Code~~; to develop options for achieving universal health care coverage. The Secretary of the California Health and Human Services Agency may utilize an interagency agreement, or conduct a competitive process, for allocating all or any portion of these funds. These funds may be leveraged to obtain additional federal funds, grant moneys or foundation assistance, including in-kind support. It is the intent of the Legislature for the Secretary to utilize recommendations as contained in the report prepared by the Universal Health Care Technical Advisory Committee, dated April 2000, where applicable and deemed appropriate by the Secretary."

Item 0540-001-0001—For support of Secretary for Resources. I reduce this item from \$11,781,000 to \$7,781,000 by reducing:

(a) 10-Administration of Resources Agency from \$13,673,000 to \$9,673,000 and revising Provision 1.

I am reducing the \$8,000,000 legislative augmentation by \$4,000,000 for projects associated with removing the Auburn Dam diversion tunnel. While I am supportive of restoring the American River, closure of the tunnel is primarily a federal responsibility. It is premature to fully fund a state contribution toward the closure until the federal government has made clear its plans for and commitment to restoration of the river.

I am revising Provision 1 as follows:

"1. Of the funds appropriated in this item, ~~\$8,000,000~~ \$4,000,000 may be allocated by the Secretary for Resources for the joint restoration, with the U.S. Bureau of Reclamation, of the natural stream channel of the North Fork of the American River to its previous free-flowing condition, in conjunction with the U.S. Bureau of Reclamation's closure of the Auburn Dam diversion tunnel for the purpose of restoring navigable flows and installation of a permanent, midchannel instream diversion and a pumping station for the Placer County Water Agency. Notwithstanding any other provision of law, these funds shall be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years."

Item 0540-101-0001—For local assistance, Secretary for Resources. I reduce this item from \$4,007,000 to \$3,397,000 by revising:

(2) Special Projects (Baldwin Hills) from \$860,000 to \$250,000 by deleting:
 (b) Baldwin Hills Conservancy (100,000); and
 (c) Baldwin Hills Planning Fund (510,000).

I am deleting the legislative augmentation of \$610,000 for these two projects. I have sustained \$250,000 for support of the Baldwin Hills Conservancy if it is created by legislation during the 1999–2000 Regular Session.

Item 0540-102-0005—For local assistance, Secretary for Resources. I deleted this item.

These legislative augmentations would over subscribe the allocation to the Resources Agency from the 2000 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund. Specifically, I am deleting the funding for all of the projects related to the San Gabriel and Lower Los Angeles River and Mountains area (subschedules (l), (m), (n) and (o) because, while these projects are meritorious, funding for these projects is premature. The newly established San Gabriel and Lower Los Angeles River and Mountains Conservancy has not yet had an opportunity to develop an implementation plan of priority projects for the region. Further, I believe it is important that project selection include community participation in order to keep faith with the voters to allow community groups to have a role in project selection.

Item 0552-001-0001—For support of Office of the Inspector General. I reduce this item from \$10,348,000 to \$10,248,000 and delete Provision 1.

I am deleting the \$100,000 legislative augmentation to contract with independent social science researchers to study the incidence of violence in State prisons and Youth Authority institutions in order to fund higher competing priorities.

I am deleting Provision 1 to conform to this action.

Item 0555-001-0001—For support of Secretary for Environmental Protection. I reduce this item from \$4,477,000 to \$4,177,000.

I am deleting the \$300,000 legislative augmentation for the California Border Environmental Education Program. This augmentation would provide technical assistance and training for government officials and community-based organizations on environmental issues at the Mexican border, and fund minor capital outlay projects for emergency situations. The Administration’s California-Mexico Border Initiative already provides \$2.8 million to address environmental pollution at the Mexican border, including approximately \$306,000 for technical assistance and training.

Item 0555-001-0028—For support of Secretary for Environmental Protection. I delete this item.

I am deleting the \$700,000 legislative augmentation to develop and implement a geographical information management system for Unified Program data tracking. I believe it would be premature to fund this information technology project prior to an approved feasibility study report. If a feasibility study for a geographical information management system is completed and approved, funding for development and implementation costs could be considered in a future budget.

I am deleting Provision 1 to conform to this action.

Item 0555-001-0044—For support of Secretary for Environmental Protection. I revise this item by reducing:

- (b) 20-Special Environmental Programs from (\$5,424,000) to (\$4,724,000);
- (4) 20.25-Information Technology from \$746,000 to \$46,000;
- (d) Amount payable from the General Fund (Item 0555-001-0001) from -\$4,477,000 to -\$4,177,000;

and by deleting:

- (bx) 20.55-California Border Environmental Education Program (\$300,000);
- (ex) Amount payable from the Unified Program Account (Item 0555-001-0028) (\$700,000).

I am revising this item to conform to the actions taken in Items 0555-001-0001 and 0555-001-0028.

Item 0650-011-0001—For support of the Office of the Secretary for Education. I reduce this item from \$6,453,000 to \$6,273,000 by reducing:

- (a) Office of the Secretary for Education from \$6,463,000 to \$6,283,000.

I am reducing this item by \$180,000 and two positions which I proposed to support the expansion of the Academic Volunteer and Mentor Service Program. The expansion of the Program was not supported by the Legislature; thus these positions are no longer necessary.

Item 0690-103-0001—For support of the Office of Emergency Services. I reduce this item from \$7,685,350 to \$6,935,350 and revise Provision 1.

I am deleting funding for the East County Fire Protection District’s fire rescue equipment. I am also reducing the appropriation for the San Mateo County emergency shelter facility from \$500,000 to \$250,000. While these projects may be meritorious, I am reducing or deleting the funding for them to fund higher competing priorities. I am revising Provision 1 as follows:

“1. The funds appropriated in this item are for various grants for emergency projects or emergency equipment as follows:

- (a) Hanford Fire Department: 3 automated external defibrillators 13,000
- (b) City of San Diego: East County Fire Protection District fire truck 169,500
- (c) East County Fire Protection District: Wildland Type III fire engine 169,850
- (d) East County Fire Protection District: fire rescue equipment 500,000
- (e) City of South San Francisco: San Mateo County emergency shelter facility ~~500,000~~ 250,000
- (f) City and County of San Francisco Offices of Emergency Services: Conversion of 911 Building into a community resource computer learning center 700,000
- (g) City of Long Beach: Fire safety house and tow vehicle 63,000

(h) City of Signal Hill: Emergency operation center	250,000
(i) Walnut Grove Fire District: Fire truck	250,000
(j) Ceres Fire Department: Breathing apparatus	40,000
(k) City of Dinuba: Fire safety equipment	30,000"

Item 0750-001-0001—For support of the Office of the Lieutenant Governor. I reduce this item from \$2,571,000 to \$1,829,000.

I am deleting the \$532,000 legislative augmentation for the Commission for Economic Development. Funding for this commission was eliminated in 1995, and has not since been funded because other state agencies are now responsible for these activities.

I am reducing the legislative augmentation to establish a San Diego office by \$210,000 from \$265,000 to \$55,000. Currently, the Lt. Governor has three offices, which are located in Sacramento, Los Angeles, and Fresno. Although I believe the existing offices provide the Lt. Governor sufficient flexibility in accomplishing existing duties, I am sustaining \$55,000 for related operational needs.

Item 0845-001-0217—For support of Department of Insurance. I reduce this item from \$123,590,000 to \$122,399,000 by reducing:

(c) 20-Fraud Control from \$29,967,000 to \$28,776,000.

I am deleting the \$1,191,000 legislative augmentation for the Employment Misrepresentation Task Force. I believe there is insufficient justification for additional efforts by the Department of Insurance in this area at this time.

Item 0845-101-0217—For local assistance, Department of Insurance. I reduce this item from \$32,416,000 to \$31,903,000.

I am deleting the \$513,000 legislative augmentation for local assistance for the Employment Misrepresentation Task Force to conform to my previous action regarding Item 0845-001-0217. There is not sufficient justification for additional efforts by the Department of Insurance in this area at this time.

Item 1100-001-0001—For support of California Science Center. I revise this item by deleting Provision 2.

I am deleting Provision 2, which would require the Secretary of State and Consumer Services to represent the state's interests in any lease negotiations for Exposition Park. This provision is unnecessarily restrictive and interferes with the Executive Branch's ability to manage its programs. I also note that the state's interests are already protected by Section 4102 of the Food and Agricultural Code which provides that the California Science Center may lease, let, or grant licenses for the use of a stadium or any arena, pavilion, or other building, with the approval of the State and Consumer Services Agency. Additionally, Provision 1 of this item protects the interests of the state since it requires (1) the Director of General Services to approve any contract, permit, or lease agreement that reduces state revenues or increases state costs by \$25,000 or more, and (2) a written, 30-day notification of the intent to approve such an agreement to the Chairperson of the Joint Legislative Budget Committee.

Item 1111-002-0960—For support of the Bureau for Private Postsecondary and Vocational Education, Department of Consumer Affairs. I reduce this item from \$2,400,000 to \$400,000 by reducing:

(a) 27.30-Student Tuition Recovery Program from \$2,400,000 to \$400,000.

I am revising this item to conform to the action I have taken in Item 1111-003-0001.

Item 1111-003-0001—For transfer to the Student Tuition Recovery Fund. I delete this item and Provisions 1 and 2.

I am deleting the \$2,000,000 legislative augmentation. Existing law provides for a special assessment upon private post-secondary institutions for deposit in the Student Tuition Recovery Fund (STRF) to pay student tuition reimbursement claims in the event the STRF does not have sufficient resources for payment of the claims. A General Fund augmentation to this fund would inappropriately relieve the institutions of their statutory responsibility to students and could set an undesirable precedent for General Fund payment of any future judgments against the STRF.

I am deleting Provisions 1 and 2, and revising Item 1111-002-0960 to conform to this action.

Item 1111-102-0001—For local assistance, Bureau of Automotive Repair, Department of Consumer Affairs. I delete this item.

I am deleting the \$2,000,000 legislative augmentation for smog check remote sensing. Smog check remote sensing is more appropriately funded by the Vehicle Inspection and Repair Fund, and the budget already provides sufficient funding from that source for those purposes.

Item 1760-001-0001—For support of Department of General Services. I reduce this item from \$24,690,000 to \$24,290,000 and delete Provision 3.

I am deleting the legislative augmentation of \$400,000 for the public school construction businesses process review. Chapter 401, Statutes of 1998, authorizing statute for the School Facilities Program, recently streamlined the cumbersome and complex Lease-Purchase School Construction Program in an effort to allow local districts more flexibility to build schools as efficiently as possible. It would be premature to initiate actions related to further program modifications until the program has been operational for a sufficient length of time to warrant effective evaluation.

I am deleting Provision 3 to conform to this action.

Item 1760-001-0666—For support of Department of General Services. I revise this item by reducing:

- (a) Program support from \$591,547,000 to \$591,147,000, and
- (c) Amount payable from the General Fund (Item 1760-001-0001) from ~~-\$24,690,000~~ to ~~-\$24,290,000~~.

I am revising this item to conform to the action taken in Item 1760-001-0001.

Item 1760-491—Reappropriation, Department of General Services. I delete Provision 1.

I am revising this Item by deleting Provision 1, which declares the intent of the Legislature not to reappropriate funding for the projects listed in this Item and states that the Department of General Services should identify new eligible projects for which any unexpended funds could be used. This language is an infringement on the Executive Branch's budget development process and restricts my authority to prepare a budget that reflects my spending priorities within available fiscal resources.

Item 2240-107-0001—For transfer by the Controller to the Housing Rehabilitation Loan Fund (0929). I reduce this item from \$288,000,000 to \$213,000,000 and revise Provision 1.

I am reducing the legislative augmentation for the Multifamily Housing Program by \$75,000,000, sustaining \$188,000,000 for the program and revising Provision 1 accordingly. This represents more than twice the amount of funding for multifamily housing than I proposed, even though the total for all housing augmentations now matches the \$500 million proposed in the May Revision. New multifamily housing funds will assist in the development of 5,200 to 7,200 rental units for low- and very low-income Californians.

I am deleting all but the first sentence of Provision 1 to eliminate \$19,000,000 that the Legislature set aside within the Multifamily Housing Program for low-income housing that is at risk of converting to market rate rents as federal loans or subsidies expire. This language is unnecessary since the multifamily housing funds can already be used to preserve such at-risk units.

- "1. Of the amount transferred by this item ~~\$263,000,000~~ \$188,000,000 shall be utilized for the purposes of the Multifamily Housing Program as set forth in Chapter 6.7 (commencing with Section 50675) of Part 2, Division 31 of the Health and Safety Code. ~~\$19,000,000~~ of the funds identified in this provision shall be reserved for projects which are at risk of conversion to market rate rents as a result of prepayment of their federally insured or federally held mortgage or termination of their federal subsidy program; as those terms are set forth in paragraphs (4) and (5) of subdivision (a) of Section 65863.10 of the Government Code. In regard to the preservation funds, these may be used for innovative programs that leverage private funding and that result in the preservation of housing units at a relatively low cost per unit. The Legislature encourages the Department of Housing and Community Development to investigate methods of using the funds on a revolving basis."

Item 2400-001-0933—For support of Department of Managed Care. I reduce this item from \$36,827,000 to \$33,017,000 by reducing:

(a) 30-Health Plan Program from \$36,827,000 to \$33,017,000; and by deleting Provision 2.

I am reducing the legislative augmentation for consumer education and outreach by \$3,000,000, because it is premature to fund a large marketing campaign during the Department's first year of operations. I am sustaining \$2,000,000 of this augmentation to develop and begin implementing a targeted education program to inform health plan enrollees of the Department's existence and purpose and how to reach the Department. These activities will be evaluated to determine the level and types of educational efforts required for the next year and on an ongoing basis.

I am reducing by \$250,000 the legislative augmentation for consulting services to develop the report card for health care organizations required by Chapter 525, Statutes of 1999. I am sustaining \$500,000 of the augmentation to develop the report card structure and complete the initial report. This amount should be sufficient for the first year of this program.

I am also reducing by \$560,000 the legislative augmentation for consumer call center services and for consultants to assist with design and development of the Office of Patient Advocate. Consistent with my May Revision proposal, I am sustaining \$140,000 of the augmentation to handle any temporary surges in consumer calls during the Department's initial year. The Patient Advocate should take the lead in organizing the Office of Patient Advocate, in accordance with the legislation creating the office.

I am also signing AB 2877, the omnibus health care trailer bill, which includes sections addressing the industry assessments that fund the activities of the Department. However, these assessment provisions are inconsistent with what I proposed in the May Revision, because AB 2877 effectively eliminates any cap on assessments. Therefore, I request that the Legislature pass subsequent legislation to establish an assessment cap more consistent with my May Revision proposal. The assessment cap must allow the Department to provide increased consumer services without creating an unreasonable financial burden on the managed care system. I am also deleting Provision 2 of this item to conform to my signing AB 2877.

Item 2660-001-0042—For support of Department of Transportation. I reduce this item from \$1,994,470,000 to \$1,988,601,000 by reducing:

- (d) 20.40 Highway Transportation—Program Development from \$103,711,000 to \$102,842,000, and
- (f) 20.70 Highway Transportation—Operations from \$143,273,000 to \$138,273,000.

I am deleting the augmentation of \$869,000 and 10 positions for the Bicycle Transportation Program. In January, I proposed \$415,000 and 4 positions to centralize the operations that assist local agencies in the planning and construction of bicycle pathways. The Legislature augmented this program without a compelling rationale and also decentralized operations among the districts. In deleting this augmentation, I am returning the responsibility of this function to Caltrans' headquarters to coordinate new bicycle transportation planning efforts on a statewide basis.

I am deleting the augmentation of \$5,000,000 for the Freeway Service Patrol, which supports patrols of tow truck drivers that provide services free-of-charge to motorists along 1,200 miles of freeways in the more congested areas of the State. Although this increase is characterized as a one-time request, this augmentation may commit Caltrans to higher on-going service and funding levels. I agree that the current Freeway Service Patrol provides valuable assistance to motorists and helps reduce traffic congestion; however, the need for more funds at this time has not been demonstrated.

Item 2660-012-0001—For transfer by the Controller to the Abandoned Railroad Account, State Transportation Fund. I delete this item and Provision 1.

I am deleting the legislative augmentation of \$5,000,000 that would have provided a transfer from this item to the Abandoned Railroad Account within the State Transportation Fund. The Legislature's action would restrict the use of the funds to acquiring land for non-motorized purposes (such as pedestrian or bicycle paths), while ignoring the original intent of the Account, which was to provide funding to acquire inactive

railroad rights-of-way for public transit use. The State already provides \$1 million for bike trails in 2000–01, which is scheduled to increase in increments pursuant to Chapter 644, Statutes of 1997, to \$5 million by 2004–05. In addition, existing federal programs, such as the Transportation Enhancement Activities Program or the State’s Environmental Enhancement and Mitigation Program, would be a more appropriate source of funding available to local agencies for bike paths or trails.

I am deleting Provision 1 to conform to this action.

Item 2660-101-0001—For local assistance of Department of Transportation. I reduce this item from \$77,992,500 to \$75,082,500 by reducing:

(a) 30-Mass Transportation from \$72,549,000 to \$71,249,000;

by deleting:

(6) Southern California Regional Rail Authority (\$400,000);

(8) San Francisco Muni Nextbus Program (\$300,000); and

(b) 20-Highway Transportation from \$1,633,500 to \$1,383,500;

by deleting:

(1) City of Rio Vista Traffic Signals (\$150,000);

(6) City of Isla Vista, Sidewalks (\$100,000); and

(bx) 10-Aeronautics from \$310,000 to \$200,000;

by reducing:

(1) Burbank-Glendale-Pasadena Airport Authority from (\$310,000) to (\$200,000)

(c) 500010-Special Projects from \$3,500,000 to \$2,250,000;

by deleting:

(3) City of Roseville Pedestrian/Bicycle Bridge (\$250,000);

(4) City of Lakewood Pavement Improvement Project (\$700,000); and by reducing \$300,000 from the following subschedule:

(5) Watsonville High School, Bridge from (\$1,500,000) to (\$1,200,000).

I am reducing this item by \$2,310,000 to fund higher competing priorities, including \$71,000,000 for transportation projects I proposed in the January Budget to assist two of the State’s most congested areas—Los Angeles and the Silicon Valley. Additional high priority projects are proposed for funding through my Traffic Congestion Relief Plan.

As a technical correction to this item, I am reducing Program 30—Mass Transportation by an additional \$600,000 to record a legislative change not reflected in the program total. Program 30 initially contained \$600,000 for the Orinda School Safety Program. The Legislature decided that this issue was best budgeted within another department, and the issue was removed without adjusting the program funding total accordingly.

Item 2660-102-0001—For local assistance, Department of Transportation. I delete this item and Provision 1.

I am deleting the legislative augmentation of \$12 million from the General Fund for the Bay Area Water Transit Authority to fund the environmental impact reports and design functions specified in Chapter 1011, Statutes of 1999, to purchase ferries and appropriate infrastructure to establish a high-speed water transit system for San Francisco Bay. In signing this chapter, I stated that the General Fund should not be used for this project. For this reason, I proposed \$12 million for the Bay Area Water Transit Authority from the Public Transportation Account in my January Budget, and I continue to support this phase of the project from that source. Therefore, I request that the Legislature pass a bill this year that provides \$12 million for the Authority from the Public Transportation Account.

The Public Transportation Account will receive about \$45 million in new funds annually from the State Highway Account as I proposed in January and can clearly support the initial planning efforts of the Authority.

I am deleting Provision 1 to conform to this action.

Item 2720-001-0044—For support of Department of the California Highway Patrol. I reduce this item from \$914,917,000 to \$901,085,000 by reducing:

(a) 10-Traffic Management from \$878,517,000 to \$867,486,000;

(b) 20-Regulation and Inspection from \$98,812,000 to \$96,011,000; and revising Provision 1.

I am reducing the \$14,500,000 legislative augmentation for 146 additional CHP motorcycle officers to address traffic congestion in urban areas by \$6,451,000 for 65 officers, and sustaining \$8,049,000 of the augmentation for 81 officers. In addition to these funds, the Budget provides \$1,690,000 for an additional 15 motorcycle officers to provide concentrated congestion relief efforts. I believe a total of 96 additional CHP motorcycle officers will provide sufficient staffing to implement this program on the state's most congested highways.

I am revising Provision 1 to conform to this action.

"1. Of the funds appropriated in this item, ~~\$14,500,000~~ \$8,049,000 shall be used for the support of approximately ~~146~~ 81 motorcycle officers, including equipment and support staff, to improve freeway safety and efficiency in congested areas. The officers shall be deployed in 15 selected operational areas. The operational areas shall be selected, and may be modified as necessary, by the Commissioner of the Highway Patrol, who shall ensure that the areas reflect a geographically diverse group of the state's most congested freeways. The officers shall perform normal freeway patrol activities, but shall be deployed so as to maximize their patrol during normal commute hours. The Department of the California Highway Patrol shall monitor the impact of these additional officers on various safety and efficiency factors, including collision rates, the number of moving violations, average traffic speed, and other factors. The department shall provide an interim report by January 1, 2001, and a final report by January 1, 2002, to the Legislature on the project. The report shall (a) assess the impact of the additional officers on the various safety and efficiency factors and (b) provide recommendations as to whether and how the programs should be continued or expanded."

I am reducing the \$10,433,000 legislative augmentation for 123 additional CHP officers to improve traffic safety, enhance motorist services, and provide additional assistance to allied agencies in rural areas by \$4,580,000 and 54 officers, and sustaining \$5,853,000 of the augmentation for 69 officers. I believe that 69 additional CHP officers will provide a substantial increase in service capacity in rural areas.

I am revising Provision 2 to conform to this action.

"2. Of the funds appropriated in this item, ~~\$10,400,000~~ \$5,853,000 shall be used for the support of approximately ~~123~~ 69 officers, including equipment, to improve traffic safety, enhance motorist services, and provide additional assistance to allied agencies. The officers shall be deployed on routes in unincorporated areas selected by the Commissioner of the Highway Patrol. The Department of the California Highway Patrol shall monitor the impact of these additional officers on traffic safety, including collision rates, motorist services, response times, allied agency services, and other factors. The department shall provide a report by January 1, 2003, to the Legislature on the project. The report shall (a) assess the impact of the additional officers on the various safety and efficiency factors and (b) provide recommendations as to whether and how the program should be continued or expanded."

I am deleting the \$2,801,000 legislative augmentation for 20 additional CHP officers for farm labor vehicle inspections and safety enforcement. In my January Budget, I proposed \$1,750,000 and 10 officers for farm labor vehicle inspection and safety certification. CHP will use these officers in many areas of the state based on seasonal needs and will train other officers throughout the state to help in this program. This program has only been in operation a few months. The need for additional resources should be evaluated based on more experience with this new program before staffing is expanded. I am directing the CHP to monitor the progress of this program and to reassess the need for additional staff.

Item 2720-101-0001—For local assistance, Department of the California Highway Patrol. I sustain this item.

I am sustaining the \$5,000,000 legislative augmentation for grants to local law enforcement agencies that collect racial profiling data. These funds are to encourage local agencies to report data to the Highway Patrol by offsetting some of the local agen-

cies' costs, but not to establish an entitlement for any particular level of reimbursement. I am directing the CHP to allocate these funds to local agencies on a pro rata basis to offset a portion of their costs.

Item 2740-001-0044—For support of Department of Motor Vehicles. I delete Provision 1.

I am deleting Provision 1 that relates to preparations to procure a replacement of all the department's main database applications. The provision restricts the availability of \$988,000 for the project to no sooner than 30 days after the Legislature receives from the Department of Information Technology (DOIT) a report that evaluates the Department of Motor Vehicles' efforts to replace its occupational licensing, vehicle registration, and driver license database systems. DOIT has already reviewed this project; additional reviews at this stage of the project would result in unnecessary delays. This project is already scheduled to be reviewed again in the fall of 2000 and the fall of 2001 before any additional funding will be committed.

Item 2920-101-0001—For local assistance, Trade and Commerce Agency. I reduce this item from \$44,732,000 to \$43,432,000 by reducing:

- (a) 10.09-Economic Development (Office of Military Base Retention) from \$800,000 to \$400,000;
- (b) 10.30-Economic Development (Strategic Technology Program) from \$27,248,000 to \$26,598,000; and
- (d) 10.50-Economic Development (Small Business Development Centers) from \$3,434,000 to \$3,184,000.

I am deleting \$1,300,000 in legislative augmentations to this item to fund higher competing priorities. Specifically, I am deleting: \$200,000 for Project Sirius: China Lake Naval Air Station; \$200,000 to support the Southwest Defense Alliance; \$650,000 for the City of Clovis Research and Technology Park; and \$250,000 for the Central Valley Business Incubator.

Item 3340-001-0001—For support of California Conservation Corps. I reduce this item from \$37,071,000 to \$35,071,000 by reducing:

- (a) 10-Training and Work Program from \$44,944,000 to \$42,944,000.

I am deleting the \$2,000,000 legislative augmentation for emergency response training for corpsmembers. An augmentation of this nature should be considered in the future as a component of a multi-faceted approach to re-define the mission of the CCC.

Item 3340-102-0005—For local assistance, California Conservation Corps. I delete this item.

I am deleting this item because there is insufficient information about these projects to determine if they qualify under the provisions of the 2000 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act. The project proponents are encouraged to participate in the California Conservation Corps' grant selection process and compete, along with the State's other local conservation corps groups, for bond funding.

Item 3340-301-0001—For capital outlay, California Conservation Corps. I reduce this item from \$1,335,000 to \$1,290,000 by reducing:

- (4.6) 20.10.150-Delta Service District Relocation/Construction-Study from \$100,000 to \$55,000.

I am reducing the legislative augmentation to fund a site search and study for a residential facility at the Stockton Multi-Campus Regional Center by \$45,000. The Department of General Services has indicated that \$55,000 will be sufficient to perform the site search and study.

Item 3480-001-0001—For support of Department of Conservation. I delete Provision 4.

I am deleting Provision 4 because it prohibits the expenditure of funds for the North Coast Watershed Assessment unless Assembly Bill 717 or similar legislation is enacted during the 1999-00 Regular Session. Although I am deleting this language, I wish to express my commitment to work with the Legislature during the remainder of this Session on the development of a watershed proposal to address logging-related impacts to salmon and water quality.

I have taken conforming actions in Items 3540-001-0928, 3600-001-0001, 3860-001-0001, and 3940-001-0001.

Item 3480-101-0001—For local assistance, Department of Conservation. I revise this item by deleting Provision 2(d).

I am deleting Provision 2(d) which would require the Department to receive and evaluate grant applications for resource conservation district needs other than for watershed coordinators. The criteria used for the evaluation of grant applications and the award of watershed coordinator grants to resource conservation districts will be made available to the Legislature.

Item 3480-101-0005—For local assistance, Department of Conservation. I reduce this item from \$25,000,000 to \$5,000,000.

I am reducing the \$25,000,000 legislative augmentation for California Farmland Conservancy grants by \$20,000,000. This augmentation over allocates the fund and is premature. This reduction represents a more realistic rate of expenditure for this program in Fiscal Year 2000–01.

Item 3540-001-0001—For support of Forestry and Fire Protection. I reduce this item from \$335,288,000 to \$332,318,000 by reducing:

(a) 100000-Personal Services from \$342,195,000 to \$340,114,000;

(b) 300000-Operating Expenses and Equipment from \$202,662,000 to \$201,773,000;

and by deleting Provision 4.

I am sustaining the \$4,580,000 legislative augmentation to fund the reactivation of inmate conservation camps in those areas of the State that have the most critical need for expanded wildland fire suppression. I am directing the Department of Forestry and Fire Protection to develop a plan, to be approved by the Department of Finance, before these resources can be expended. I am also reducing the number of new positions related to this expansion to two positions.

I am deleting the \$750,000 legislative augmentation for new firefighter uniforms because it is not a priority at this time. I am also deleting the \$2,000,000 legislative augmentation to increase the Department's staffing level to four firefighters on 25 percent of the State's engines because a needs assessment and workload analysis have not been presented to justify this expansion. In addition, this appears to represent a significant policy expansion with emphasis on structural fire protection, which is not the main mission of the Department. Expanded staffing levels also could create significant capital outlay costs for training and housing of additional firefighters.

I am sustaining \$2,490,000 for additional staff for the Department's Training Academy on a limited-term basis to meet immediate needs. This augmentation is necessary to respond to a higher than normal number of retirements expected in the next few years. Because this situation is temporary, it is my intention to continue this level of funding only through 2002–03.

I am deleting the \$220,000 legislative augmentation to fund the reactivation of one fire crew at the Delta Conservation Camp. This item provides a \$4,580,000 augmentation for expansion of the conservation camp program statewide. Reactivation of a fire crew at the Delta Conservation Camp may be accomplished with this funding if the Department determines this to be a high priority wildland fire suppression need.

I am deleting Provision 4 to conform with this action.

Item 3540-001-0928—For support of Department of Forestry and Fire Protection. I delete Provision 3.

I am deleting Provision 3 because it prohibits the expenditure of funds for the North Coast Watershed Assessment unless Assembly Bill 717 or similar legislation is enacted during the 1999–00 Regular Session. Although I am deleting this language, I wish to express my commitment to work with the Legislature during the remainder of this Session on the development of a watershed assessment proposal to address logging-related impacts to salmon and water quality.

I have taken conforming actions in Items 3480-001-0001, 3600-001-0001, 3860-001-0001, and 3940-001-0001.

Item 3540-102-0005—For local assistance, Department of Forestry and Fire Protection. I reduce this item from \$9,308,000 to \$1,425,000 by reducing:

(a) Grants from \$9,308,000 to \$1,425,000, by reducing \$7,383,000 from the following subschedules:

- (1) City and County of San Francisco: Tree Corps for planting and maintaining trees in San Francisco from (\$500,000) to (\$100,000);
- (2) City and County of San Francisco: Friends of the Urban Forest from (\$500,000) to (\$100,000);
- (3) City of Milpitas: Neighborhood and Streetscape beautification from (\$1,250,000) to (\$100,000);
- (4) City of Los Angeles: Greening along Burbank-Chandler Bikeway, including trees, landscaping, irrigation, and fencing from (\$2,000,000) to (\$100,000);
- (5) Sacramento County: Mather Urban Forest Tree Planting Project from (\$150,000) to (\$100,000);
- (6) Los Angeles County: Fox Field Urban Forestry Project from (\$150,000) to (\$100,000);
- (7) City of Palmdale: Urban Forestry Tree Planting Project from (\$200,000) to (\$100,000);
- (8) City of Victorville: Urban Forestry Planting Project (\$200,000) to (\$100,000);
- (9) City of San Jose: Urban Forestry Planting Project from (\$200,000) to (\$100,000);
- (12) City of Tehachapi: Tree planting from (\$300,000) to (\$100,000);
- (13) City of Calexico: Tree planting from (\$750,000) to (\$100,000);
- (14) County of Stanislaus: Tree planting from (\$887,000) to (\$100,000);
- (15) County of Orange: Tree planting from (\$1,000,000) to (\$100,000); and
- (16) Merced County: O'Bannion Park in Dos Palos from (\$696,000) to (\$100,000);

and by deleting \$500,000 for the following subschedule:

- (10) City and County of San Francisco: Friends of the Urban Forest for tree planting (\$500,000).

I am deleting \$500,000 for the City and County of San Francisco: Friends of the Urban Forest for tree planting (subschedule (10)) because it appears to duplicate the project shown in subschedule (2) above. I am reducing each of the remaining projects to \$100,000 to reserve bond funds for other urban forestry proposals to be evaluated on a statewide basis based on merit compared to other eligible projects. This reduction is necessary in order to keep faith with the voters to ensure that organizations throughout the state can compete for funding for this popular program.

Item 3540-302-0001—For capital outlay, Department of Forestry and Fire Protection. I sustain this item.

I am sustaining the \$500,000 legislative augmentation for the acquisition of land for the Alma Helitack Base. Notwithstanding the total amount available in this budget for acquisition of a site for this project, only the amount up to the appraised value of a site as approved by the Department of General Services may be expended. Any amount in excess of the appraised value would be considered a gift of public funds which is prohibited by Section 6 of Article XVI of the California Constitution.

Item 3600-001-0001—For support of Department of Fish and Game. I am reducing this item from \$88,670,000 to \$65,062,000 and deleting Provisions 2 and 3.

I am reducing the \$25,258,000 legislative augmentation to \$2,000,000 and eliminating 170.5 positions. My May Revision plan reflects a deliberative analysis of the critical base funding needs of the Department, which resulted in an augmentation of \$25 million. With the \$2,000,000 I am sustaining, General Fund resources for various baseline programs will have been increased by 75 percent.

I am also deleting the \$350,000 legislative augmentation to the Department's Marine Wildlife Veterinary Care and Research Center to expand its sea otter research. There

is no analytical basis for the augmentation nor is it clear how this project is prioritized along with other competing needs within the Department. I am deleting Provision 3 to conform with my action.

Lastly, I am deleting Provision 2 because it prohibits the expenditure of funds for the North Coast Watershed Assessment unless AB 717 or similar legislation is enacted during the 1999–00 Regular Session. Although I am deleting the language, I wish to express my commitment to work with the Legislature during the remainder of this Session on the development of a watershed assessment proposal to address logging-related impacts to salmon and water quality.

I have taken conforming actions in Items 3480-001-0001, 3540-001-0928, 3860-001-0001, and 3940-001-0001.

Item 3600-001-0200—For support of Department of Fish and Game. I revise this item by reducing:

- (a) 20-Biodiversity Conservation Program from \$117,144,000 to \$109,798,000;
- (b) 25-Hunting, Fishing & Public Use from \$44,471,000 to \$44,452,000;
- (c) 30-Management of Department Lands and Facilities from \$39,513,000 to \$38,065,000;
- (d) 40-Conservation Education & Enforcement from \$66,081,000 to \$51,643,000;
- (e) 50-Spill Prevention and Response from \$23,480,000 to \$23,123,000;
- (f) 70.01-Administration from \$34,644,000 to \$34,144,000;
- (g) 70.02-Distributed Administration from –\$34,644,000 to –\$34,144,000; and
- (i) Amount payable from the General Fund (Item 3600-001-0001) from –\$88,670,000 to –\$65,062,000.

I am revising this item to conform to the actions I have taken in Item 3600-001-0001.

Item 3600-101-0001—For local assistance, Department of Fish and Game. I reduce this item from \$14,431,000 to \$13,481,000 by reducing:

- (b) Grants from \$1,450,000 to \$500,000 by deleting \$950,000 for the following subschedule:
 - (1) County of Orange: East Bluff Slopes Stabilization (\$350,000)
 - (3) Wetlands and Wildlife Care Center of Orange County: Improvements to Animal Hospital (\$600,000).

While these projects may be meritorious, I am reducing this item to fund higher competing priorities.

Item 3600-101-0005—For local assistance, Department of Fish and Game. I delete this item.

I am deleting the \$6,150,000 legislative augmentations because these projects would over subscribe the funding available to the Department of Fish and Game from the 2000 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund. Additionally, most projects are not eligible for funding under the provisions of the 2000 Park Bond.

Item 3640-303-0001—For capital outlay, Wildlife Conservation Board. I reduce this item from \$2,600,000 to \$1,000,000 by reducing:

- (a) 80.10.600—Wildlife Conservation Board Projects from \$2,600,000 to \$1,000,000 and deleting the following projects:
 - (1) City of Laguna Niguel (\$600,000)
 - (3) Puente Hills landfill: Native habitat preservation (\$1,000,000)

I am deleting these projects to fund higher competing priorities.

Item 3640-304-0005—For capital outlay, Wildlife Conservation Board. I delete this item and Provisions 1 and 2.

I am deleting this legislative augmentation because it would over subscribe funding available to the Wildlife Conservation Board (WCB) from the 2000 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund. I am also eliminating all of the specified projects included in this item. I believe that the Board should conduct a deliberative process to identify and negotiate projects that are in the best interest of the people and natural resources of this State. I encourage the proponents of these projects to participate in this process. Further, while many of these

projects may be meritorious, I am unable to determine at this time whether all projects have been evaluated for their fish and wildlife values, whether appraisals have been completed, or whether there are willing sellers. I look forward to evaluating these projects through the WCB process.

I am also deleting Provisions 1 and 2 to conform to my action in this item.

Item 3680-001-0516—For support of Department of Boating and Waterways. I sustain this item.

I am sustaining the \$500,000 legislative augmentation for wave modeling equipment. However, none of these funds shall be encumbered or expended until the Scripps Institution of Oceanography completes a plan, to be approved by the Resources Agency and the Department of Finance, detailing how the equipment to be acquired with these funds will be used.

Item 3680-101-0001—For local assistance, Department of Boating and Waterways. I sustain this item.

I am sustaining the legislative augmentation of \$10,000,000 for beach erosion control project grants. The funds appropriated in this item shall be for one-time expenditures. A priority for the funds shall be research to determine what actions would prevent beach erosion.

Item 3680-102-0001—For local assistance, Department of Boating and Waterways. I reduce this item from \$580,000 to \$230,000 by reducing:

(1) Grants from \$580,000 to \$230,000 by deleting the following subschedule:

(b) City of Huntington Beach: Reconstruction of Warner Dock (\$350,000)

I am reducing this item to fund higher competing priorities.

Item 3720-001-0001—For support of California Coastal Commission. I reduce this item from \$11,517,000 to \$11,463,000 by reducing:

(a) 10-Coastal Management Program from \$14,307,000 to \$14,253,000

I am deleting the \$54,000 legislative augmentation to provide interpretation services to non-English speakers during the Commission's monthly public hearings. While this augmentation may have merit, in the past the Commission has provided translation services within its existing resources on an as-needed basis. I believe this approach is appropriate.

Item 3720-101-0001—For local assistance, California Coastal Commission. I reduce this item from \$1,210,000 to \$650,000 by reducing:

(b) Grants from \$710,000 to \$150,000 by deleting \$560,000 for the following subschedules:

(2) Coastal Conservancy: Coastal Acquisition—Wetlands (\$160,000)

(3) City of Huntington Beach: Beach Maintenance Facility (\$400,000)

To the extent that additional funds are needed to acquire coastal wetlands, I believe such funds should be appropriated directly to the State Coastal Conservancy to fund its longstanding efforts in the acquisition of coastal wetlands.

Item 3760-301-0005—For capital outlay, State Coastal Conservancy. I delete Provision 3.

I am deleting Provision 3 because this language is unnecessarily restrictive in that it precludes the State Coastal Conservancy from expending newly appropriated funds for the Salmon Habitat Restoration Program prior to 20 days following submission of a report to the Legislature identifying criteria, priorities, and process by which the funds will be allocated. The State Coastal Conservancy and the Department of Fish and Game are working together on their salmon habitat restoration efforts; therefore, this language is unnecessary.

Item 3760-302-0001—For capital outlay, State Coastal Conservancy. I reduce this item from \$4,640,000 to \$4,050,000 by reducing:

(a) 80.97.030-Conservancy Programs \$4,640,000 to \$4,050,000, by reducing \$590,000 for the following subsections:

(3) City of Imperial Beach: Repay loan from State Coastal Conservancy for wetlands purchase from (\$140,000) to (\$50,000); and

- (4) Rural/Coastal: Grants to rural, coastal communities to assist in their efforts to identify sources of river and stream sewage effluent, and to develop plans for the remediation of contamination problems from (\$1,500,000) to (\$1,000,000).

I am reducing the \$140,000 legislative augmentation to \$50,000 to the City of Imperial Beach. I believe this represents the appropriate level of state participation for this local agency obligation.

Although the rural/coastal grants may be meritorious, I am reducing the funding to a level that can be implemented in 2000–01.

Item 3760-302-0005—For capital outlay, State Coastal Conservancy. I reduce this item from \$154,882,000 to \$104,927,000 by reducing:

- (1) 80.00.023-San Francisco Bay Area Conservancy Program from \$6,160,000 to \$2,000,000, by deleting \$4,160,000 for the following subsections:
 - (B) San Francisco Bay Joint Venture: Bay Point restoration project (\$160,000);
 - (C) San Francisco Bay Joint Venture: Martinez Regional Shoreline-marsh restoration (\$2,000,000);
 - (D) San Francisco Bay Joint Venture: Lower Walnut Creek restoration-Walnut Creek (\$1,000,000);
 - (E) San Francisco Bay Joint Venture: Big Break Regional Shoreline-Oakley (\$1,000,000);
- (2) 80.97.030-Conservancy Programs from \$148,722,000 to \$102,927,000 by deleting \$42,795,000 for the following subsections:
 - (D) City of Mountain View: Stevens Creek Trail (\$550,000);
 - (E) City of San Jose: Coyote-Alamitos Trail-Planning, design, and environmental documentation (\$400,000);
 - (F) Midpeninsula Open Space District: To fund improvements to selected trail easements (\$450,000);
 - (G) Richardson Bay: Audubon Center-Trail Restoration (\$95,000);
 - (K) Muir Heritage Land Trust: Acquire land to link the Carquinez Strait Regional Shoreline Park to Briones Regional Park and the East Bay Municipal Utility District watershed lands (\$1,500,000);
 - (L) East Bay Regional Park District: Development of a rustic group camp and trail access for the Round Valley Regional Preserve (\$130,000);
 - (M) East Bay Regional Park District: Develop a trail connection for the Delta de Anza Regional Trail (\$1,820,000);
 - (N) East Bay Regional Park District: West Contra Costa Shoreline Trail-Completion of a major section of the San Francisco Bay Trail in West Contra Costa County connecting communities of Richmond, Pinole, Hercules and Rodeo (\$2,000,000);
 - (O) East Bay Regional Park District: Briones/Las Trampas Trail Corridor-To complete scenic trails and wildlife corridors on Lafayette and Burton Ridges (\$1,000,000);
 - (P) Muir Heritage Trust: Pacheco Marsh, 140 acres (Carquinez Straits), Burton Ridge 27 acres, Lafayette, Gustin 80 acres/Franklin Ridge in Martinez (\$750,000);
 - (V) Santa Barbara County: Bridle Ridge-conservation easement (\$3,000,000);
 - (X) Santa Barbara County: J.J. Hollister property acquisition of watershed (\$4,000,000);
 - (Y) Santa Barbara County: Elwood Bluffs-Acquisition (\$5,000,000);
 - (DX) City of Nipomo: Guadalupe Nipomo Dunes Preserve (\$10,000,000);
 - (FX) County of San Luis Obispo: Preservation of the Monterey Pine Forest in Cambria (\$3,000,000);
 - (GX) Solano County: Lynch Canyon (\$240,000);
 - (JX) Port of San Diego, National City, City of Chula Vista: Sweetwater River Wetland Restoration-removal of riprap and reestablishment of wetland habitat (\$5,000,000);
 - (KX) City of Seal Beach: Sand replenishment at Surfside-Sunset (\$3,700,000);
 - (QX) State Coastal Conservancy: Coastal acquisition-wetlands (\$160,000);

and by reducing \$3,000,000 from the following subschedule:

- (U) State Coastal Conservancy: Gaviota Coast property and conservation easement acquisition from \$5,000,000 to \$2,000,000.

Although these projects may be meritorious, I am deleting and reducing the funding because this funding level over subscribes various allocations to the State Coastal Conservancy from the 2000 Safe Neighborhood, Clean Water, Clean Air, and Coastal Protection Bond Fund. Additionally, based on an evaluation by the Conservancy, these projects do not meet the Conservancy's criteria for funding.

Also, I am reducing the \$5,000,000 legislative augmentation for the Gaviota Coast property and conservation easement acquisition because substantial funds remain unspent from the \$5 million General Fund legislative augmentation that I sustained in the 1999 Budget Act. These funds, when combined with a reduced level of \$2 million as sustained in the 2000 Budget Act, reflect an appropriate level of state funding for the project.

Lastly, the Budget Bill contains a technical error in subschedule (TX); the project name is reflected as "San Francisco Bay *rail* Project." Therefore, I am including a statement that clarifies the intent of my action to sustain the \$7,500,000 legislative augmentation for the "San Francisco *Trail* Project."

Item 3780-001-0001—For support of Native American Heritage Commission. I reduce this item from \$393,000 to \$318,000.

I am reducing this item by a one-time \$75,000 legislative augmentation to study the Commission's ability to review, monitor, and track all relevant environmental documents. There is no analytical basis for the level of proposed augmentation, and it is unclear what would be achieved with these funds.

Item 3790-001-0001—For support of Department of Parks and Recreation. I reduce this item from \$145,589,000 to \$120,439,000:

I am reducing this item by the legislative augmentation of \$10,000,000 and 293 limited term, seasonal positions. When I announced my plan to reduce fees at state parks effective July 1, 2000, it was expected that attendance at all state parks would increase. In anticipation of increased attendance, my May Revision plan included \$10,600,000 and 101.5 positions. This level of funding was determined to be appropriate to accommodate the increased number of visitors while still maintaining facilities and protecting natural and cultural resources.

I am also reducing this item by the legislative augmentation of \$15,000,000 and 177 positions for ongoing maintenance. The Budget already includes a \$3,000,000 augmentation proposed in January which is the appropriate level of funding for this program at this time.

Lastly, I am deleting the \$150,000 legislative augmentation for portable bathroom facilities and staffing for Caspar State Beach. Although this project may be meritorious, I am deleting the funding for it at this time to fund competing projects with higher priorities.

Item 3790-001-0392—For support of Department of Parks and Recreation. I revise this item by reducing:

- (a) For support of the Department of Parks and Recreation from \$277,845,000 to \$252,695,000;
- (d) Amount payable from the General Fund (Item 3790-001-0001) from -\$145,589,000 to -\$120,439,000;

and by revising Provision 1.

I am revising the schedules in this item to conform to the actions taken in Item 3790-001-0001.

In addition, I am revising Provision 5 to conform to this action:

- "5. Of the funds appropriated in Schedule (dx) of this item, ~~\$400,000~~ \$250,000 shall be used for the following projects: (a) \$250,000 for oversight and maintenance of the California State Mining and Mineral Museum Association in Mariposa. (b) ~~\$150,000 for portable bathroom facilities and staffing at Caspar State Beach.~~"

Item 3790-101-0001—For local assistance, Department of Parks and Recreation. I reduce this item from \$111,687,094 to \$75,290,000 by reducing:

- (a) Grants from \$111,687,094 to \$75,290,000 by deleting \$20,527,605 for the following subschedules:
 - (3) City of San Luis Obispo: Bob Jones bike trail (\$600,000);
 - (4) Rio Caledonia Adobe (\$500,000);
 - (9) City of Huntington Beach: Replace beach rail at Huntington Beach State Park (\$300,000);
 - (10) City of Pico Rivera: Summer Youth Employment and Training Program (\$40,000);
 - (48) City of Manhattan Beach: New playground equipment to replace old-Polliwog Regional Park (\$300,000);
 - (78) City of San Jose: Guadalupe River Parkway (\$240,000);
 - (79) City of Oakland: Studio One Recreation Center (\$500,000);
 - (83) City of San Diego: Old Town San Diego marketing plan (\$75,000);
 - (91) Lakeport Senior Activity Center: Building purchase for program providing recreational activities for seniors (\$100,000);
 - (103) City of Anaheim: Maxwell Park expansion (\$510,000);
 - (109) Friends of San Leandro Creek Environmental Education Center and Natural History Museum: Funds for project (\$1,500,000);
 - (121) City of San Diego: La Mirada Joint Use Facility/multipurpose field design (\$300,000);
 - (136) City of Pomona: Creation of the Ralph Welch Park (\$200,000);
 - (138) City of Chino: Expansion of the 7th Street Community Theater (\$350,000);
 - (147) City of San Francisco: Restoration of the Tori Gate and Pagoda located in the Japanese Tea Garden (Golden Gate Park) (\$500,000);
 - (165) The Bay Center Coalition: Construction of the Bay Center (Environmental learning resource center) (\$1,000,000);
 - (167) San Francisco Beautification Fund: Creation of the “Lefty” Gordon Park on Ocean Avenue in San Francisco (\$300,000);
 - (171) County of San Mateo: Fitzgerald marine reserve visitor center improvements (\$250,000);
 - (182) San Mateo County: Police Activities League (\$160,000);
 - (187) City of Los Alamitos: Improvements to the USA Water Polo National Aquatics Center (\$490,000);
 - (190) Western Center for Archeology and Paleontology: Operation and maintenance costs (\$1,000,000);
 - (191) City of Tehachapi: Rebuild Beekay Theater (\$250,000);
 - (192) Barstow Parks and Recreation District: Swimming pool for Barstow Parks and Veterans Home (\$200,000);
 - (193) Los Angeles County: Construction of community center in Lake Los Angeles (\$3,500,000);
 - (194) Tehachapi Parks and Recreation District: Development of an aquatic facility (\$1,200,000);
 - (198) Camarillo Ranch Foundation: Preserve, restore, and maintain the Camarillo Ranch (\$492,605);
 - (203) Kern County: Boron Chamber of Commerce expansion project (\$100,000);
 - (208) Inyo County: Pleasant Valley Campground Project (\$180,000);
 - (209) Jurupa Area Recreation and Park District: Paramount Park Rehabilitation (\$180,000);
 - (211) Inyo County: Diaz Lake Campground Project (\$200,000);
 - (214) City of Lafayette: Pedestrian bridge (\$250,000);
 - (215) City of Brentwood: PAL Program Building (\$250,000);
 - (217) City of Yucaipa: Dunlap Park site (\$350,000);
 - (218) City of Norco: Ingalls Regional Esquestrian Park (\$350,000);
 - (222) City of Walnut: Community Sports Complex (\$1,000,000);

- (224) Tulare County: Auditorium restoration project (\$200,000);
 - (238) City of Artesia: Artesia Youth Academy for after school enrichment programs for at risk youth (\$50,000);
 - (241) Foothill Citizens for a Community College: Development of the Sierra Foothills Regional Educational Center (\$1,970,000);
 - (244) Tehachapi Parks and Recreation District: Youth Center-Old Post Office (\$300,000);
 - (247) Manila Dune Public Access (\$250,000);
 - (249) Lakeport Senior Activity Center: Building purchase for program providing recreational activities for seniors (\$100,000);
 - (250) Monterey Park: Expansion of Langley Senior Center (\$350,000); and
 - (251) Martinez Police Activities League: purchase computer and a van (\$100,000)
- and by reducing \$15,869,489 from the following schedules:
- (1) City of Whittier: The Greenway Trail from \$2,000,000 to \$500,000;
 - (11) City of Whittier: Parnell Park restoration from \$250,000 to \$150,000;
 - (49) Marjaree Mason Center: General repairs and maintenance from \$250,000 to \$150,000;
 - (51) Rotary Playland at Roeding Park in Fresno: Repair and construct new rides for the park from \$250,000 to \$150,000;
 - (52) Southeast Fresno: Construction costs for a park located in Kings Canyon and Huntington Avenue areas from \$447,360 to \$250,000;
 - (53) City of Reedley: Second phase of the Reedley Rail Trail Parkway from \$400,000 to \$200,000;
 - (55) City of San Gabriel: Expand Asian Youth Center with the addition of a second floor from \$500,000 to \$400,000;
 - (58) East Los Angeles: Build a community facility in the City Terrace neighborhood of East LA for senior citizens, Creative Thinking Program and facility for community meetings and other events from \$250,000 to \$200,000;
 - (64) Sacramento Boys and Girls Club from \$750,000 to \$350,000;
 - (65) City of Sacramento: Construction of the Sacramento Youth Sports Complex from \$700,000 to \$500,000;
 - (77) City of Los Angeles: Blythe Street Park Expansion from \$1,650,000 to \$1,000,000;
 - (80) Mission Trails Regional Park Foundation: Mission Trails Regional Park-Equestrian and ranger station from \$1,550,000 to \$1,000,000;
 - (85) City of San Diego: San Diego Maritime Museum from \$500,000 to \$450,000;
 - (87) City of Carson: Del Amo Neighborhood Park from \$1,400,000 to \$900,000;
 - (92) Greater Vallejo Recreation District: Children's Wonderland from \$500,000 to \$300,000;
 - (93) City of Santa Rosa: Construction of 25,000 square feet youth center in Southwest Community Park from \$500,000 to \$400,000;
 - (96) Greater Vallejo Recreation District: North Vallejo Community Center expansion from \$500,000 to \$300,000;
 - (98) City of Bakersfield: Construction of the Greenfield Multipurpose public use facility from \$1,497,129 to \$1,000,000;
 - (133) Langley Senior Center in Monterey Park: Expansion of the Langley Senior Center from \$350,000 to \$250,000;
 - (137) City of Ontario: Expand the De Anza Community Center from \$900,000 to \$500,000;
 - (140) City of San Bernardino: Refurbish an existing building in order to create a Multicultural Center from \$500,000 to \$300,000;
 - (142) City of Pomona: Renovation of Washington Park Community Center and Pool from \$300,000 to \$150,000;

- (144) City of Daly City: Construction of Mid-Peninsula Boys and Girls Club from \$1,000,000 to \$750,000;
- (148) City of Pacifica: Supplement the cost of permanently repairing the historic Pacific Pier in Pacifica from \$650,000 to \$500,000;
- (185) City of Redding: Construct recreation and sports complex from \$10,000,000 to \$3,000,000;
- (204) Jurupa Area Recreation and Park District: Memorial Park Swimming Pool from \$100,000 to \$50,000;
- (206) Jurupa Area Recreation and Park District: Memorial Park Athletic Field from \$170,000 to \$85,000;
- (207) Jurupa Area Recreation and Park District: Memorial Park Community Center from \$175,000 to \$85,000;
- (216) Riverside Park and Recreation District: Janet Goeske Senior Center from \$300,000 to \$200,000;
- (219) City of Highland: Highland Community Park construction from \$400,000 to \$300,000;
- (220) City of San Diego: Rancho Bernardo Community Aquatic Center from \$500,000 to \$250,000;
- (221) City of Redlands: Redlands Sports Complex development from \$1,000,000 to \$750,000;
- (229) City of Lakewood: Mae Boyar Park improvements from \$750,000 to \$500,000;
- (230) Western Center for Archeology and Paleontology: Construction from \$3,000,000 to \$2,250,000.

Although these projects may be meritorious, I am deleting or reducing the funding to fund competing projects with higher priorities. Additionally, some of the local parks and recreation projects may qualify for funding through the various grant programs established in the 2000 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act. I encourage the project proponents to seek funding from those programs.

I am deleting the \$40,000 legislative augmentation in subsection (10) for the City of Pico Rivera: Summer Youth Employment and Training Program. While I am supportive of efforts in this area, I am sustaining part of a legislative augmentation in the Employment Development Department since the budgets in the Employment Development Department and the Department of Education provide substantial state and federal funds for youth employment programs. These programs provide training and services for economically disadvantaged youth to prepare them with the skills necessary to obtain unsubsidized employment, to complete secondary or post-secondary education, to gain entrance to military service, or to obtain qualified apprenticeship.

I am deleting the \$500,000 legislative augmentation in subsection (147) for the City of San Francisco: Restoration of the Tori Gate and Pagoda located in the Japanese Tea Garden (Golden Gate Park) because I believe it would be more appropriate for this project to be funded from the Park Bond allocation set aside for projects located within Golden Gate Park. The 2000–01 Budget includes \$13.5 million in expenditure authority from the Golden Gate Park allocation.

I am deleting the legislative augmentation in subsection (241) Foothill Citizens for a Community College of \$1,970,000 for the acquisition of land, purchase of portable classrooms, computers, and infrastructure improvements for the Sierra Foothills Regional Education Center. This funding is intended to assist a non-profit organization in establishing a state regional community college center in the Sierra foothills. While I am committed to increasing access to all segments of higher education, this augmentation has been made by the Legislature without regard to the existing review process by the California Postsecondary Education Commission. Constructing or acquiring sites for higher education enrollment needs should be developed in the context of overall priorities, cost standards, guidelines, instructional purposes, enrollment related needs, and scope standards. Further, projects should secure the appropriate programmatic and site review and approval prior to receiving state funds, and funding should

be allocated to the Chancellor's Office of the California Community Colleges rather than directly to non-profit organizations.

I am deleting the legislative augmentations in subsections (182), (249), (250), and (251) as technical vetoes because these appropriations duplicate appropriations made elsewhere in the Budget.

Item 3790-101-0005—For local assistance, Department of Parks and Recreation. I reduce this item from \$64,730,000 to \$64,085,000 by reducing:

- (a) 80.25-Recreational Grants from \$64,730,000 to \$64,085,000 by reducing \$645,000 from the following subschedule:
 - (10) City and County of San Francisco: Golden Gate Park from (\$14,169,000) to (\$13,524,000).

I have sustained three legislative augmentations in Item 3790-102-0005 (7) totaling \$645,000. I am reducing the appropriation in this item by \$645,000 to conform to my actions in Item 3790-102-0005 (7) and to prevent the 2000 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund from being over subscribed.

Item 3790-102-0005—For local assistance, Department of Parks and Recreation. I reduce this item from \$211,760,000 to \$79,580,000 by reducing:

- (a) 80.25-Recreational Grants from \$211,760,000 to \$79,580,000:
 - (1) Competitive grants (non-project specific) from (\$80,005,000) to (\$1,740,000) by deleting \$77,865,000 for the following:
 - (a) California Heritage Program, State Office of Historic Preservation (\$10,000,000);
 - (b) Riparian habitat acquisition (\$10,000,000);
 - (d) Murray-Hayden Urban Parks and Youth Service Program (\$50,000,000);
 - (e) Museums and Wildlife Education Facilities (\$7,865,000);

and by reducing \$400,000 from the following:

- (c) Non-motorized Trails Grants from (\$2,140,000) to (\$1,740,000);
- (2) Specific Projects from (\$18,000,000) to (\$10,836,000) by deleting \$6,000,000 for the following:
 - (a) State Beach restoration (\$1,000,000);
 - (b) Dinosaur Archaeological Site (\$5,000,000);

and by reducing \$1,164,000 from the following:

- (c) Folsom Zoo from (\$2,000,000) to (\$1,889,000);
- (d) California Science Center-African-American Museum at Exposition Park from (\$3,000,000) to (\$2,834,000);
- (e) California Science Center School from (\$7,000,000) to (\$6,113,000);
- (3) Local Agencies operating park units (\$26,400,000) by deleting the following:
 - (a) East Bay Regional Park District: Planning for East Bay Shoreline Project (\$200,000);
 - (b) County of San Mateo: Restore the grassland and riparian area of the San Bruno Mountain State and County Park (\$200,000);
 - (c) Kenneth Hahn State Recreation Area, Ballona Creek: Acquisition and enhancement of land for Ballona Creek and surrounding wetlands (\$350,000);
 - (d) City of Albany: Albany Landfill-environmental and aquatic habitat restoration, Eastshore State Park (\$650,000);
 - (e) County of San Mateo: Construct visitor center at San Bruno Mountain State and County Park (\$1,600,000);
 - (f) Completion of Rim Trail in Kenneth Hahn State Recreation Area: Design landscaping along ridgeline and Five Point Visitor center (\$2,500,000);
 - (g) East Bay Regional Park District: Complete the community planning process, provide design services, and construct public park improvements in the East Bay Shoreline Project (\$7,400,000);

- (h) East Bay Regional Park District: Robert Crown Beach: Lagoon improvement, dredging to prevent further siltation of the lagoon near the Crab Cove area of the State Beach (\$450,000);
 - (i) East Bay Regional Park District: Lake Del Valle State Recreation Area: Provide additional recreational vehicle hook-ups, upgrade the campground electrical system and renovate restrooms at the State Recreation Area (\$500,000);
 - (j) East Bay Regional Park District: Robert Crown Beach: State Park Shoreline renovation at McKay Ave. in Alameda to remove and replace concrete rubble shoreline with rock along public shoreline pathway (\$800,000);
 - (k) East Bay Regional Park District: Robert Crown Beach: McKay Street: Paving renovation and improvements to public entry to the State Beach (\$850,000);
 - (l) East Bay Regional Park District: Robert Crown Beach: Beach sand replenishment and/or replacement to provide direct water access to the urban communities in the Alameda, Oakland and East Bay area (\$3,500,000);
 - (m) East Bay Regional Park District: Eastshore State Park: Complete community planning process, provide design services and construct public park improvements (\$7,400,000);
- (5) Murray-Hayden Grants from (\$50,016,000) to (\$47,233,000) by deleting \$80,000 for the following:
- (aa) City of Whittier (\$80,000);
- and by reducing \$2,703,000 from the following:
- (a) City and County of San Francisco: Coleman Children and Youth Community Center in Excelsior District-capital outlay from (\$150,000) to (\$142,000);
 - (b) City and County of San Francisco: Youth Mural Art Project in Bayview-Hunters Point and Youth Stewardship Program from (\$200,000) to (\$189,000);
 - (c) City of Richmond: Richmond Natatorium, to enable seismic retrofit of the Natatorium from (\$400,000) to (\$378,000);
 - (d) City of La Puente: Construction of the Youth Learning/Activity Center from (\$400,000) to (\$378,000);
 - (e) City of Glendale: South Glendale mini-park development from (\$400,000) to (\$378,000);
 - (f) City of Los Angeles: Ed Vincent Park from (\$400,000) to (\$378,000);
 - (g) City of San Ysidro: Capital outlay for joint-use community activity park from (\$400,000) to (\$378,000);
 - (h) Sacramento Boys and Girls club: Construction of Boys and Girls Club facility in South Sacramento from (\$500,000) to (\$473,000);
 - (i) City of Huntington Park: Regional Community Youth Center from (\$520,000) to (\$492,000);
 - (j) City of Los Angeles: Blythe Street Pocket Park from (\$550,000) to (\$520,000);
 - (k) City of Fontana: Center city park acquisition from (\$750,000) to (\$709,000);
 - (l) City of Fresno: Construction costs for a park located on Kings Canyon and Huntington Avenue Areas from (\$750,000) to (\$709,000);
 - (m) City of Los Angeles: Renovation of Brand Park from (\$1,000,000) to (\$946,000);
 - (n) Boys and Girls Club of Hayward: Construction of 20,000-square-foot facility from (\$1,000,000) to (\$946,000);
 - (o) County of Los Angeles: San Pedro Park Improvement and Acquisition from (\$1,000,000) to (\$946,000);

- (p) City of Los Angeles: Juntos Park: outdoor development at a recently acquired parcel to serve as a new park from (\$1,500,000) to (\$1,419,000);
- (q) City of Los Angeles: Community Build Youth Center from (\$2,000,000) to (\$1,892,000);
- (r) City of Fresno: Acquisition of the Palm Lakes Golf Course for the operation of Fresno Junior Golf serving disadvantaged youth from (\$250,000) to (\$236,000);
- (s) City of Buena Park: Community park enhancements of deteriorated facilities from (\$250,000) to (\$236,000);
- (t) City of Garden Grove: Village Green Park improvements from (\$650,000) to (\$615,000);
- (u) City of Westminster: Youth Activity Center Program Expansions from (\$750,000) to (\$709,000);
- (v) City of La Puente: Youth Learning/Activity Center from (\$750,000) to (\$709,000);
- (w) City of Lancaster: Whit B. Carter Park Development Project from (\$1,000,000) to (\$946,000);
- (x) City of Anaheim: Maxwell Park Expansion Project from 15 to 21 acres from (\$1,100,000) to (\$1,041,000);
- (y) City of Los Angeles: Soccer Complex from (\$322,000) to (\$305,000);
- (z) City and County of San Francisco: India Basin: Shoreline Park from (\$400,000) to (\$378,000);
- (ax) City of Oakland: West Oakland Playgrounds from (\$600,000) to (\$568,000);
- (bx) City of Los Angeles: Hansen Dam Bluffs from (\$700,000) to (\$662,000);
- (cx) County of Los Angeles: Ted Watkins Park from (\$825,000) to (\$780,000);
- (dx) Santa Monica Mountains Conservancy: Compton-Slauson Natural Park from (\$1,000,000) to (\$946,000);
- (ex) City of Oakland: Sanborn Park from (\$1,500,000) to (\$1,419,000);
- (fx) City of Oakland: Union Point Park from (\$1,500,000) to (\$1,419,000);
- (gx) City of San Diego: North Chollas Park from (\$2,000,000) to (\$1,892,000);
- (hx) City of Maywood: Los Angeles River Parkway from (\$2,500,000) to (\$2,365,000);
- (ix) Santa Monica Mountains Conservancy: Arroyo Seco/Confluence Park from (\$5,000,000) to (\$4,730,000);
- (jx) City of San Diego: Paradise Park Project from (\$34,000) to (\$32,000);
- (kx) City of Lemon Grove: Berry Street Park from (\$40,000) to (\$38,000);
- (kx1) City of Imperial Beach Sports Park from (\$95,000) to (\$90,000);
- (lx) County of San Diego: Lamar Street Park from (\$225,000) to (\$213,000);
- (mx) City of East Palo Alto: Youth Center from (\$250,000) to (\$236,000);
- (mx1) City of San Diego: Boys and Girls Clubs of San Diego: Construction of Linda Vista Teen Center from (\$300,000) to (\$284,000);
- (nx) City of Chula Vista: Greg Rogers Park from (\$300,000) to (\$284,000);
- (ox) City of East Palo Alto: Bell Street Park from (\$350,000) to (\$331,000);
- (px) City of East Palo Alto: Martin Luther King-Jack Ferrell Park from (\$350,000) to (\$331,000);
- (px1) City of Stanton: Stanton Park from (\$500,000) to (\$473,000);
- (qx) City of Huntington Park: Bonelli Regional Youth Center from (\$400,000) to (\$378,000);
- (rx) City of Huntington Park: Westside Park from (\$500,000) to (\$473,000);
- (sx) City of Los Angeles: Tree People Two from (\$500,000) to (\$473,000);

- (tx) City of San Diego: Bay Terrace School Joint Use Facility from (\$500,000) to (\$473,000);
- (ux) County of San Diego: Bancroft Park acquisition from (\$500,000) to (\$473,000);
- (vx) YMCA of San Diego County: Border View expansion from (\$500,000) to (\$473,000);
- (wx) City of Oakland: Studio Recreational Center in North Oakland from (\$500,000) to (\$473,000);
- (xx) City of Stockton: Van Buskirk Community Center: gymnasium construction from (\$750,000) to (\$709,000);
- (yx) City of Fontana: Center City park acquisition from (\$750,000) to (\$709,000);
- (yx1) Columbia Boys and Girls Club: Renovation of building in Tenderloin for after school programs from (\$850,000) to (\$804,000);
- (zx) Cities of Bell and Cudahy: Bell Elementary Park from (\$1,000,000) to (\$946,000);
- (ay) City of Pico Rivera: Rio Honda Park from (\$1,000,000) to (\$946,000);
- (by) City of Los Angeles: Blythe Street expansion from (\$1,000,000) to (\$946,000);
- (cy) City of Baldwin Park: Teen Center from (\$1,000,000) to (\$946,000);
- (dy) City of Los Angeles: South Central Sports Center from (\$1,300,000) to (\$1,230,000);
- (ey) City of Los Angeles: Antes Columbus Club Youth Center from (\$1,345,000) to (\$1,272,000);
- (fy) Los Angeles Conservation Corps: Youth Center from (\$2,000,000) to (\$1,892,000);
- (gy) City of Whittier: Children's wading pool reconstruction at Friends Park to comply with current standards from (\$80,000) to (\$76,000);
- (6a) Urban and cultural centers, zoos, museums (\$17,540,000) by deleting the following:
 - (a) City of Los Angeles: Cabrillo Marine Aquarium (\$500,000);
 - (b) San Joaquin County: Micke Grove Zoo: east end exhibit: compliance with American Zoological Society Standards (\$500,000);
 - (c) City of Long Beach: Aquarium of the Pacific (\$1,400,000);
 - (d) City and County of San Francisco: San Francisco Zoo (\$1,000,000);
 - (e) Ararat Eskijian Museum: Project to preserve Armenian history and heritage (\$25,000);
 - (f) City of Laguna Hills: Display items of local paleontological importance (\$150,000);
 - (g) City of Rocklin Historical Transportation and Granite Industry Museum (\$200,000);
 - (h) Central Sierra Historical Society Museum of the Central Valley (\$250,000);
 - (i) City of Morgan Hill: Construction of facilities for wildlife and education (\$500,000);
 - (j) Kern County: Build and equip the San Joaquin Valley Discovery Center in the Kern County Museum in Bakersfield (\$1,500,000);
 - (k) Western Center for Archeology and Paleontology: Construction of the Western Center for Archeology and Paleontology (\$2,015,000);
 - (l) Western Center for Archeology and Paleontology: Construction of the Western Center for Archeology and Paleontology (\$4,500,000);
 - (m) Kern County: Build and equip the San Joaquin Valley Discovery Center in the Kern County Museum in Bakersfield (\$5,000,000);
- (6b) Marine Sanctuary from (\$500,000) to (\$472,000) by reducing \$28,000 from the following:
 - (n) Wildlife Conservation Board: O'Neill Sea Odyssey facilities improvements from (\$500,000) to (\$472,000).

I am deleting and reducing the funding for the above projects to ensure that the various allocations in the 2000 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund are not over subscribed, and that the projects are consistent with the intent and provisions of the 2000 Park Bond.

Specifically, the legislative augmentations for various competitive grants in subschedule (1) are essentially reduced to the level in the May Revision because the Department of Parks and Recreation needs further opportunity to prepare for the implementation of these grant programs. I am sustaining, however \$1,740,000 for the non-motorized trails grant program, which the Department indicates can be implemented in 2000-01.

Legislative augmentations for subschedules (2a) and (2b) are being deleted because they are duplicative of my May Revision. Further, I am reducing subschedules (2c), (2d) and (2e) to ensure there are sufficient funds in those allocations to meet various bond and program costs.

I am deleting all legislative augmentations in subschedule (3) because those grants only provide funding to five of 40 locally operated State park units. I believe it is more appropriate for the Department to determine the priority use of those bond funds.

I am sustaining all legislative augmentations made from the non-competitive Murray-Hayden allocation of the 2000 Park Bond [subschedule (5)]. To ensure that there are sufficient funds in those allocations to meet various bond and program costs associated with this grant program, I am reducing each legislative augmentation by approximately 5.4 percent.

I am deleting subschedule (6a) because (1) this allocation of the bond is over subscribed, (2) there is insufficient information to determine the merits and benefits of these projects in comparison to other similar projects statewide, and (3) several of these projects do not qualify under this allocation.

I am reducing subschedule (6b) to ensure that there are sufficient funds in that allocation to meet various bond and program costs necessary to implement this grant.

Lastly, I am sustaining the legislative augmentations in subschedules (4) and (6c) with the understanding that the Department will determine if these projects are eligible for funding under the provisions of the 2000 Park Bond.

Item 3790-103-0005—For local assistance, Department of Parks and Recreation. I reduce this item from \$388,000,000 to \$366,522,000 by reducing:

Grants (per capita) from \$388,000,000 to \$366,522,000.

I am reducing this item by \$21,478,000 to ensure that there are sufficient funds in that allocation to meet various bond and program costs necessary to implement and administer this grant over a multiple number of years.

Item 3790-104-0005—For local assistance, Department of Parks and Recreation. I delete this item and Provision 1.

I am deleting the \$200,000,000 legislative augmentation for Roberti-Z'berg-Harris grants because it is premature. Funding will not be allocated until the results of the federal 2000 census are known. Moreover, program complexities warrant a more deliberative process. I am, however, sustaining the per capita bond grant program to begin the allocation of grants to local entities for park and recreation purposes.

I am deleting Provision 1 to conform to this action.

Item 3790-302-0001—For capital outlay, Department of Parks and Recreation. I reduce this item from \$2,350,000 to \$1,200,000 by deleting:

(1) 90.EC.401-Kenneth B. Hahn State Recreation Area: Expansion-Study (150,000),

and by deleting Provision 1;
and by reducing:

(2) 90.KX.100-Acquiring and restoring space to house the Office of Historic Preservation from \$2,200,000 to \$1,200,000.

I am deleting the \$150,000 legislative augmentation to fund additional study work on the Kenneth B. Hahn State Recreation Area Master Plan from funds that were appropriated by the Budget Act of 1999. I direct the Department of Parks and Recreation to fund any additional and necessary study work out of its existing appropriation for master plan development of this State Recreational Area.

I am deleting Provision 1 to conform to this action.

I am reducing the \$2,200,000 legislative augmentation for the acquisition and restoration of office space to house the Office of Historic Preservation to \$1,200,000 to fund higher competing priorities.

Item 3790-302-0005—For capital outlay, Department of Parks and Recreation. I reduce this item from \$141,568,000 to \$25,594,000 by reducing:

- (20) 90.6L.100-Tomales Bay State Park for acquisition and easements from \$5,000,000 to \$1,200,000;
- (43) 90.9H.121-Colonel Allensworth SHP restoration from \$8,000,000 to \$4,000,000;

and by deleting \$108,174,000 for the following projects:

- (1) 90.6F.200-Angel Island Immigration Facility (\$15,000,000);
- (2) 90.E4.200-Chino Hills and Citrus State Historic Park Visitor Center (\$2,600,000);
- (3) 90.RS.200-State Park Playground Upgrades (\$650,000);
- (4) 90.FK.200-Poppy Reserve (\$250,000);
- (5) 90.AN.100-Empire Mine (\$2,500,000);
- (6) 90.8J.100-Colombia State Historic Park (\$250,000);
- (7) 90.RS.417-Redwood Acquisition (\$10,000,000);
- (8) 90.CO.200-Henry Coe State Park Trails and Access (\$500,000);
- (10) 90.6E.100-Pacifica State Beach: Linda Mar State Beach (\$1,000,000);
- (12) 90.GL.100-Verduga Mountains: Restroom, office, contact station, signs, fencing, trails (\$2,000,000);
- (14) 90.EC.103-Improvements to the 5-mile Ballona Creek Trail and Bikeway: public access, staging areas, landscaping, fencing, lighting, and paving (\$2,100,000);
- (18) 90.KY.100-Granite Rock acquisition, Monterey County at Fort Ord Dunes State Park (\$3,500,000);
- (19) 90.KV.103-Los Angeles River: smaller Chinatown Yards project, 6 acres adjacent to river and contiguous to Elysian Park (\$3,770,000);
- (21) 90.FU.100-California Citrus State Historic Park: Improvements project (\$154,000);
- (23) 90.SN.100-Mount Diablo State Park: Rock City Picnic Area (\$275,000);
- (24) 90.HA.106-Anza Borrego Desert State Park: Land Acquisition to expand and rehabilitate existing facilities (\$400,000);
- (26) 90.SN.403-Mount Diablo State Park: Acquisition to preserve 46 acres of land adjacent to Mount Diablo with red-legged frog habitat (\$525,000);
- (27) 90.9J.100-Kings Beach State Recreation Area: Facility Improvements Project (\$1,000,000);
- (28) 90.8U.103-Folsom Lake SRA: Visitor Center Project (\$1,000,000);
- (29) 90.GI.100-Red Rock Canyon State Park: Trail Rehabilitation Project (\$1,000,000);
- (30) 90.E4.100-Providence Mountains SRA: Facility Rehabilitation Project (\$1,000,000);
- (31) 90.3I.100-Shasta SHP: McGlaughlin House Visitor Center (\$1,230,000);
- (33) 90.CO.102-Acquisition of Conservation Easements on the Silacci Ranch adjacent to Henry W. Coe State Park (\$1,500,000);
- (35) 90.H6.100-Cuyamaca Rancho State Park: Green Valley Falls Campground Rehabilitation (\$2,000,000);
- (36) 90.GG.103-Silverwood Lake SRA: Construct New Visitor Center (\$2,200,000);
- (37) 90.3V.100-Bidwell Mansion SHP: Mansion Restoration Project (\$2,255,000);
- (38) 90.GG.102-Silverwood Lake SRA: Rehabilitate Miller Canyon Day Use Area (\$2,500,000);
- (40) 90.CO.103-Acquisition of Conservation Easements in Santa Clara and Stanislaus Counties adjacent to the Henry W. Coe State Park (\$8,000,000);
- (41) 90.GY.100-Purchase Headlands Reserve adjacent to Doheny State Beach (\$18,000,000);

- (42) 90.FB.103-Pio Pico SHP: Restoration Project to provide vital services and facilities for urban youth (\$1,500,000);
- (44) 90.93.100-City of Woodland: Woodland Opera House SHP (\$75,000);
- (45) 90.68.100-Solano County: Benicia State Recreation Area (\$205,000);
- (46) 90.68.100-Solano County: Benicia State Recreation Area (\$205,000);
- (50) 90.5N.103-Mt. Diablo State Park: Facilities Rehabilitation (\$2,000,000);
- (51) 90.GY.100-Coal Canyon acquisition (\$9,000,000);
- (52) 90.5P.100-San Bruno Mountain State Park—San Bruno Mountain, addition (\$405,000);
- (53) 90.G3.100-Antelope Valley Indian Museum: Cultural Artifact Preservation Project (\$500,000);
- (54) 90.8G.100-Marshall Gold Discovery SHP: Gold Discovery Museum (\$1,625,000);
- (55) 90.72.102-John Marsh Home (\$5,000,000); and
- (56) 90.5Y.100-Candlestick Point SRA Volunteer Building (\$500,000)

I am reducing the legislative augmentation for the Tomales Bay State Park acquisition and the Colonel Allensworth SHP restoration project to more accurately reflect the level of effort needed for these two projects.

While consistent with the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, I am deleting subschedules 1 through 8 because these proposals are in need of further development and are not yet ready for implementation.

I am deleting the remaining projects because they have not been reviewed by the Department against other competing priority park system needs.

Item 3790-491—Reappropriation, Department of Parks and Recreation. I revise this item by deleting schedule (183) for City of Westminster (\$125,000).

I am deleting the reappropriation for the City of Westminster: Little Saigon Cultural Heritage Museum, Item 3790-101-0001, Budget Act of 1999. Although this project may be meritorious, I am deleting this reappropriation to fund higher competing priorities.

Item 3820-001-0001—For support of San Francisco Bay Conservation and Development Commission. I reduce this item from \$4,967,000 to \$3,807,000 by reducing:

- (a) 10-Bay Conservation and Development from \$5,676,000 to \$4,516,000

I am deleting the \$1,160,000 legislative augmentation, including eight positions and four temporary help personnel years, for the Commission's regulatory and planning programs. My proposed budget for the Commission included an augmentation of \$379,000 to expedite the review of the Bay Plan, augment the enforcement program, and enhance the review of permit applications based on workload information provided by the Commission.

Item 3860-001-0001—For support of Department of Water Resources. I reduce this item from \$194,860,000 to \$193,860,000 by reducing:

- (a) 10-Continuing Formulation of the California Water Plan from \$67,279,000 to \$66,279,000;

and by deleting Provision 5.

I am deleting the legislative augmentation of \$1,000,000 and 4.2 personnel years for a more extensive update of the Department's publication titled "California's Groundwater" Bulletin 118. The budget already includes \$1,000,000 for the second of three years' funding to complete this project.

I am deleting Provision 5 to conform to the actions taken in Items 3480-001-0001, 3540-001-0928, 3600-001-0001, and 3940-001-0001.

Item 3860-101-0001—For local assistance, Department of Water Resources. I reduce this item from \$79,360,000 to \$51,200,000 by reducing:

- (b) Flood Control Subventions from \$68,000,000 to \$40,300,000;
- (c) Grants from \$1,360,000 to \$900,000;

by deleting \$460,000 for the following project:

- (1) City of Whittier: Flomar Drainage Project (460,000).

I am reducing the legislative augmentations to this item by \$28,160,000 to fund higher competing priorities. I am sustaining \$40,300,000 for local flood control subventions which will allow payment of all claims through June 30, 2001.

Item 3860-101-6006—For local assistance, Department of Water Resources. I delete Provision 1.

I delete Provision 1 which allocates \$300,000 to the Fresno Metropolitan Flood Control District. The proposed use of the allocation is not eligible for funding through the local flood control subvention program.

Item 3910-101-0005—For local assistance, California Integrated Waste Management Board. I reduce this item from \$10,635,000 to \$2,558,000 by reducing:

- (1) 11-Waste Reduction and Management from \$10,635,000 to \$2,558,000, by deleting:
 - (b) Special Projects (8,077,000)
 - (1) County of Yolo, Town of Clarksburg: Restore and rehabilitate a playground (125,000);
 - (2) City of San Diego: Ocean Beach Recreation Center Tot Lot upgrade for ADA compliance (175,000);
 - (3) City of Glendale: Public parks ADA compliance (200,000);
 - (4) City of San Francisco: Playground upgrades to meet ADA standards (500,000);
 - (5) County of Plumas: Play area for youth and ADA compliance (150,000);
 - (6) City of El Centro: City Parks playground equipment enhancements (125,000);
 - (7) City of Orange: Replacement of tot lots and ADA compliance (75,000);
 - (8) Fair Oaks Recreation and Park District: Bannister Park ADA compliance and improvements (50,000);
 - (9) City of Willows: Play equipment pathway from recycled materials and ADA compliance (20,000);
 - (10) County of Tuolumne: Patterson field play area for kids (25,000);
 - (11) City of Anaheim: Play equipment replacement at Peter Marshall, Pearson, Boysen, and Rio Vista Parks (230,000);
 - (12) City of Covina: Replace playground and ADA compliance (100,000);
 - (13) Fulton-El Camino Recreation and Park District: District playground improvements and ADA compliance (50,000);
 - (14) Elk Grove Community Services Center: Clarence Frank Baker Park playground equipment and ADA compliance (50,000);
 - (15) Cordova Recreation and Park District: Play structure replacements and ground surface improvements at Larchmont-Roosmoor, Lincoln Village, Hensley and Rosswood Parks (50,000);
 - (16) Fulton-El Camino Recreation and Park District: Improvements to area playgrounds and ADA compliance (50,000);
 - (17) Elk Grove Community Services District: King Park Tot Lot improvements and ADA compliance (50,000);
 - (18) Elk Grove Community Services District: Johnson Park Tot Lot improvements and ADA compliance (50,000);
 - (19) Elk Grove Community Services District: Caterino Park Tot Lot and hardscape improvements (75,000);
 - (20) City of Palmdale: Replacement of playground equipment at Courson, Manzanita and Pelona Vista Parks (100,000);
 - (21) City of Santa Ana: Sand Point Park—Refurbish playground equipment (50,000);
 - (22) City of Santa Ana: Santa Anita Park—Renovation and purchase playground equipment (75,000);
 - (23) City of Santa Ana: Morrison Park equipment replacement (50,000);
 - (24) National City: Installation of ADA approved playground for Kimball Park (50,000);
 - (25) East Bay Regional Park District: Camp Ohloine ADA improvements (600,000);

- (26) City of Stockton: City park playground facility upgrade to meet current state requirements (300,000);
- (27) Manhattan Beach: Polliwog Regional Park—New playground equipment (300,000);
- (28) City of Reedley: Mueller Park—Repairs to damaged playground (20,000);
- (29) City of Fresno: Roeding Regional Park playground improvements (75,000);
- (30) City of Tulare: Cecil Berkeley activity center—construction of play structure (20,000);
- (31) City of Lakeport: Westside Community Park—Phase I improvements (250,000);
- (32) City of Watsonville: Playground upgrades and rehabilitation (500,000);
- (33) City of Salinas: Playground upgrades and rehabilitation (500,000);
- (34) City of Ceres: Playground upgrades (887,000);
- (35) City of Fresno: Tree planting (150,000);
- (36) City of San Bernardino: New children's park construction (750,000);
- (37) City of San Bernardino: Purchase new equipment for children's tot lots throughout city and install new tot lot (310,000);
- (38) City of Escondido: Construction of a regional, universal accessible playground in Kit Carson Park (250,000);
- (39) City of Tulare: Construction of a play structure adjacent to the Cecil Berkeley Activity Center (20,000);
- (40) Kern County: Bring Wofford Heights up to ADA standards (60,000);
- (41) Kern County: Bring Mountain Mesa up to ADA standards (60,000);
- (42) Kern County: Bring Scodie Parks up to ADA standards (60,000);
- (43) Livermore Area Recreation and Park District: Karl Wente Neighborhood Park—Renovation of playground equipment (120,000);
- (44) Livermore Area Recreation and Park District: Maitland Henry Neighborhood Park—Renovation of playground equipment (110,000);
- (45) Livermore Area Recreation and Park District: Watenburger Neighborhood Park—Renovation of playground equipment (60,000);
- (46) Livermore Area Recreation and Park District: Ravenswood Neighborhood Park—Renovation of playground equipment (100,000);
- (47) Livermore Area Recreation and Park District: Summit Neighborhood Park—Renovation of playground equipment (100,000)

I am deleting the \$8,077,000 legislative augmentation to fund various projects for the purchase of safe playground equipment made from recycled materials. Because the Park Bond only provides \$7,000,000 for the grant program, this augmentation would significantly oversubscribe the program's allocation. Furthermore, it is unclear whether these projects would meet the program's 50 percent local matching requirement, and in the case of the Fresno tree planting project [subschedule (35)], the project is not related to the purchase of safe playground equipment made from recycled materials. Since the Budget already provides \$2,813,000 for the grant program, I believe that qualifying and meritorious projects should be funded through the competitive grant process to be established by the Integrated Waste Management Board.

Item 3930-001-0001—For support of Department of Pesticide Regulation. I reduce this item from \$19,441,000 to \$14,241,000 by reducing:

(b) 17-Enforcement, Environmental Monitoring, and Data Management from \$36,963,000 to \$31,763,000, and by deleting Provisions 2, 3, 4, 5, and 6.

I am deleting the \$5,200,000 legislative augmentation for the University of California Sustainable Agriculture Research Program. The Department already administers a \$1.5 million Pest Management Alliance Program, which funds alternative pest management strategies.

I am deleting Provisions 2, 3, 4, 5, and 6 to conform to this action.

Item 3940-001-0001—For support of State Water Resources Control Board. I reduce this item from \$103,347,000 to \$87,197,000 by reducing:

(a) 10-Water Quality from \$405,339,000 to \$389,189,000; and by deleting Provisions 3 and 4.

I am deleting the following legislative augmentations: \$7,500,000 for University of California total maximum daily load (TMDL) education and research programs, \$2,000,000 for organophosphate TMDL development, and \$2,500,000 for ambient water quality monitoring. I am also reducing the following legislative augmentations: \$1,000,000 of the \$5,000,000 for total maximum daily load development and \$2,500,000 of the \$7,500,000 for storm water management. I am sustaining over \$25,500,000 in the budget for these water quality activities, including \$13,900,000 in new funding. I believe that this significant increase in funding will ensure that the highest priority water quality issues are addressed.

I am deleting the \$500,000 legislative augmentation for storm drain pollutant research by the Southern California Water Research Project to fund higher competing water quality priorities.

I am deleting the \$150,000 legislative augmentation for a study of white croaker fish off the Palos Verdes Shelf. Since the State already has conducted a white croaker fish study, established fish closure boundaries, and received \$3,100,000 in federal funds to enforce the existing fish closure, there is no need for another study.

I am deleting Provision 3 to conform to this action.

I am deleting Provision 4 to conform to actions taken in Items 3480-001-0001, 3540-001-0928, 3600-001-0001, and 3860-001-0001. Although I am deleting this language, I wish to express my commitment to work with the Legislature during the remainder of this session on development of a watershed assessment proposal to address logging-related impacts to salmon and water quality.

Item 3940-101-0001—For local assistance, State Water Resources Control Board. I reduce this item from \$27,155,000 to \$13,365,000 by reducing:

(1.5) Special projects from \$27,155,000 to \$13,365,000;

by deleting \$5,890,000 for the following projects:

- (c) Yucaipa: Water recycling project development and implementation (\$4,000,000);
- (g) Orange County: Top Rate water quality laboratory establishment (\$1,240,000);
- (o) County of Amador: Newton Copper Mine Passivation Technology Pilot Project (\$250,000);
- (q) City of Los Angeles Department of Water and Power: Pacoima Community-based Watershed Management Plan (\$200,000); and
- (r) City of Seal Beach: Boardwalk and Flood Protection Wall Improvement Project (\$200,000);

and by reducing \$7,900,000 for the following projects:

- (a) San Diego: Rose and Tecolote Creek water quality improvement from (\$5,000,000) to (\$2,000,000);
- (b) County of Orange: Urban runoff action plan from (\$4,750,000) to (\$1,000,000);
- (e) County of Siskiyou: McCloud Sewer System replacement project from (\$2,000,000) to (\$1,000,000); and
- (n) City of Santa Rosa: Santa Rosa Creek restoration from (\$250,000) to (\$100,000).

I am deleting and reducing the funding for these projects because of the need to fund higher competing priorities, and in addition, in the case of Yucaipa: Water recycling project development and implementation [subschedule (c)], because this project should be addressed through the Water Resources Control Board's normal application, review, and selection process for funding water recycling and other water quality projects. This budget contains over \$50 million of General Fund augmentations for various water quality, coastal protection, and urban runoff programs. Additional, there are special fund and Proposition 13 Water Bond resources available for these purposes.

Item 3980-001-0001—For support of Office of Environmental Health Hazard Assessment. I reduce this item from \$12,877,000 to \$12,777,000 by reducing:

(a) 10-Health Risk Assessment from \$17,163,000 to \$17,063,000.

I am deleting the \$100,000 legislative augmentation to evaluate the health and environmental risks of genetically modified organisms. The National Academy of Sciences already has evaluated genetic modification, and additional evaluation by the Office of Environmental Health Hazard Assessment is not an effective use of funds at this time.

Item 4110-001-0001—For support of Area Boards on Developmental Disabilities. I revise this item by reducing:

(a) 10-Area Board Services from \$7,725,000 to \$7,623,000; and

(b) Reimbursements from -\$7,585,000 to -\$7,483,000.

I am reducing by \$102,000 the \$283,000 legislative augmentation provided for the Client's Rights Advocacy program because the full amount of the augmentation is not needed to meet workload and contractual obligations.

Item 4120-101-0001—For local assistance, Emergency Medical Services Authority. I reduce this item from \$9,707,000 to \$7,207,000.

I am deleting the \$2,500,000 legislative augmentation for the California Poison Control System. The base budget of \$4,000,000 General Fund and existing federal matching funds fully support the Poison Control System. Consistent with Budget Act language, I am requesting the Director of the Emergency Medical Services Authority to continue to seek this federal fund match to the General Fund dollars appropriated for the California Poison Control System. Such a match was obtained in the current year and should be available again in the budget year. I also support continued efforts to seek support from stakeholders and others who benefit from the system, such as health plans, insurance companies, hospitals, and physicians' groups.

Item 4140-101-0001—For local assistance, Office of Statewide Health Planning and Development. I reduce this item from \$9,535,000 to \$8,235,000 by reducing:

(b) 30-Health Professions Development (Family Physician Training) from \$7,935,000 to \$6,635,000;

and by deleting provisions 2, 3, 4, and 5.

I am deleting the \$800,000 legislative augmentation for the proposed Physician Assistant Recruitment/Training Program for international medical graduates. I believe that such a program would be duplicative of programs already in place in the Office of Statewide Health Planning and Development, including the Song-Brown program. Existing physician assistant programs funded by Song-Brown currently accept international medical graduates on a competitive basis, and there is no demonstrated need for a separate program.

I am deleting the \$500,000 legislative augmentation for the proposed California Health Service Corps Loan Repayment Program that would provide the match required from medical care and dental service practice sites under an existing federal program, in response to claims that some sites are unable to afford this match. I believe that these sites should be required to make an investment in the health professionals they attract through this program by providing the local match required for participation. Additionally, there is currently insufficient information regarding the number of practice sites that are reportedly unable to provide the match and why these sites are not able to make the match.

Additionally, I am deleting Provisions 2, 3, 4, and 5 to conform to the actions in this item.

Item 4170-001-0001—For support of Department of Aging. I reduce this item from \$8,052,090 to \$7,297,090 by reducing:

(c) 30-Supportive Services and Centers from \$6,312,000 to \$5,696,000;

(d) 40-Special Projects from \$6,325,090 to \$6,103,090; and

(g) Reimbursements from -\$3,060,000 to -\$2,977,000;

and by revising Provision 4.

For community-based programs for seniors, I am sustaining the legislative augmentations of \$371,090 for the Multipurpose Senior Services Program and \$75,000 for the Health Insurance Counseling and Advocacy Program to meet the increased demand for these worthwhile services. I am, however, deleting the augmentations of \$216,000 and

3.8 personnel years for the Ombudsman Program, \$61,000 and 0.9 personnel years for the Linkages Program, and \$161,000 (\$78,000 General Fund and \$83,000 reimbursements) and 1.9 personnel years for the Adult Day Health Care Program. This conforms with action taken in Item 4170-101-0001.

I am also reducing, by \$400,000, the legislative augmentation of \$750,000 for support of my Long-Term Care Innovation Grants Initiative. Of that \$750,000, \$375,000 was for program evaluation and \$375,000 was for technical assistance. I am reducing the amount for the evaluation by \$275,000 since many of the programs will not start until late in the fiscal year. I am reducing the amount for technical assistance by \$125,000, leaving a more appropriate level of funding for the anticipated workload.

Finally, I am revising Provision 4 to conform to the action in this item.

“4. Of the funds appropriated in this item, up to ~~\$375,000~~ \$100,000 shall be used to contract for an evaluation of the programs funded through the Long-Term Care Innovation Grants Program funded by this act. At a minimum, the evaluation shall assess the effectiveness of the grantees at enabling program participants to remain in their homes rather than enter long-term care facilities, with an emphasis on the programs’ ability to provide a good quality of life outside of an institutionalized setting. The department shall provide copies of the report to the fiscal and policy committees of the Legislature by March 1, 2002. In addition, ~~\$375,000~~ \$250,000 shall be used to fund technical assistance, distribution of information, and support of regional conferences to assist in proposal and grant planning and information sharing about effective grant programs.”

Item 4170-101-0001—For local assistance, Department of Aging. I reduce this item from \$66,352,000 to \$55,377,000 by reducing:

- (a) 10-Nutrition from \$69,393,000 to \$68,814,000;
- (c) 30-Supportive Services and Centers from \$59,192,000 to \$55,389,000; and
- (d) 40-Special Projects from \$34,140,000 to \$27,547,000;

and by deleting Provisions 3, 5, 8, and 10, and revising Provision 12.

I am sustaining the legislative augmentations of \$3,321,000 for the Multipurpose Senior Services Program and \$1,190,000 for the Health Insurance Counseling and Advocacy Program. Of the \$4,105,000 augmentation for the Linkages program, I am sustaining \$1,499,000 and deleting \$2,606,000. Additionally, I am deleting a total of \$7,369,000, which the legislature augmented for community-based programs for seniors. These reductions include: \$2,803,000 for the Long-Term Care Ombudsman Program, \$1,644,000 for the Adult Day Health Care Planning and Development Grants Program, \$781,000 for the Foster Grandparent Program, \$781,000 for the Senior Companion Program, \$781,000 for the Information and Assistance Program, and \$579,000 for the Home-Delivered Meals Program.

I am also deleting the legislative augmentation of \$1,000,000 for the construction of a new senior center in the City of Laguna Beach in order to fund higher competing priorities.

This budget includes significant augmentations I have proposed for seniors’ programs. My Aging with Dignity Initiative, which includes augmentations for community-based programs for seniors as well as long-term care facilities, was adopted by the Legislature and contains over \$270 million in new General Fund monies. Of this amount, \$15.2 million of one-time funding is in the Department of Aging to support Long-Term Care Innovation Grants to implement and expand community-based adult care alternatives to nursing homes. I am challenging private foundations to sustain these grants at much higher levels for the next 10 years.

I am deleting Provisions 3, 5, 8, and 10 to conform to this action.

I am also revising Provision 12 to conform to the action in this item.

“12. Of the funds appropriated in this item, ~~\$4,105,000~~ \$1,499,000 shall be used to expand the Linkages Program; ~~\$2,803,000~~ shall be used to expand the Ombudsman Program; \$781,000 shall be used to expand the Foster Grandparent Program; \$781,000 shall be used to expand the Senior Companion Program; \$579,000 shall be used to expand the Home-Delivered Meals

Program, and \$781,000 shall be used to expand the Information and Assistance Program. Included in this funding are administrative costs for participating Area Agencies on Aging.”

Item 4180-001-0001—For support of Commission on Aging. I delete this item.

I am deleting the legislative augmentation of \$235,000 and 2.8 personnel years for the Commission on Aging. I believe that the current budget for the Commission is sufficient for the accomplishment of its mandated tasks. Further, I continue to believe that the varied non-General Fund sources that contribute to the Commission are the appropriate funding sources.

Item 4200-101-0001—For local assistance, Department of Alcohol and Drug Programs. I reduce this item from \$63,428,000 to \$56,828,000 by reducing:

(a) 15-Alcohol and Other Drug Services Program from \$384,893,000 to \$378,293,000;

and by deleting Provision 3.

I am deleting the \$4,300,000 legislative augmentation to expand the Adolescent Treatment Program begun under Chapter 866, Statutes of 1998 (AB 1784). The Budget contains over \$420 million in state and federal funds for local drug and alcohol treatment programs including approximately \$20 million for youth treatment and prevention services. Of this amount, \$20.9 million in federal carryover funds has been reserved for youth substance abuse prevention and treatment. I am also sustaining \$5,700,000 for discretionary substance abuse treatment services for youth. Given the existing base budget and the augmentations I am sustaining, which represent more than a doubling of funding for youth services, I am deleting this \$4,300,000.

I am also deleting Provision 3 to conform to this action.

I am reducing by \$2,300,000 the \$10,000,000 legislative augmentation for expansion of alcohol and drug treatment programs for adults. While I am supportive of efforts in this area, I cannot support all of this augmentation as the Budget includes \$420 million for substance abuse and treatment, the majority of which is already used for adult prevention, intervention, and treatment services. I am sustaining the \$7,700,000 to allow the counties to expand services based on local priorities and needs.

Item 4260-001-0001—For support of Department of Health Services. I reduce this item from \$260,472,000 to \$253,233,000 by reducing:

- (1) 10-Public and Environmental Health from \$306,172,000 to \$300,872,000;
- (2) 20-Health Care Services from \$466,633,320 to \$464,139,000; and
- (43) Amount payable from the Federal Trust Fund (Item 4260-001-0890) from -\$296,294,320 to -\$295,739,000.

I am deleting the \$113,000 legislative augmentation and three positions to develop rate models for disabled and elderly persons who are eligible for Medicare and Medi-Cal. This proposal is overly prescriptive as it requires commitment of rate development staff to a narrowly defined, specialized area which may not represent the highest priority at any given point in time. I am also deleting \$113,000 from the Federal Trust Fund, Item 4260-001-0890, to conform with this action.

I am deleting the \$547,000 legislative augmentation and six positions for unannounced hospital inspections. The Budget includes \$47.6 million (General Fund) for the licensing and certification of health facilities, including hospitals. The Department of Health Services (DHS) already investigates complaints involving serious threat of imminent danger of death or serious bodily harm, and is currently developing criteria for evaluation of nurse-patient ratios as required by AB 394, Chapter 945, Statutes of 1999. It is premature to require additional inspection staff at this time.

I am deleting the \$2,000,000 legislative augmentation for the California Health Interview Survey. The 1999–00 Budget Act contained language specifying that no more than \$2,000,000, including federal funds, was to be used for this purpose. The Department of Health Services was also directed to seek any additional funding required for this survey from other non-state sources. Therefore, it is current policy that funding from other sources, including foundations, is to be sought. The initial General Fund augmentation provided in 1999–00 was intended as start-up to be used to match outside sources of funding.

I am deleting the \$239,000 legislative augmentation and five positions for California Children's Services credentialing and increased county and provider site reviews. The Department of Health Services is currently staffed to provide oversight and enforcement of this program. In addition, the department currently performs site reviews and is clearing an existing backlog. Therefore, the additional positions are not necessary.

I am also deleting the \$222,000 from the Federal Trust Fund, Item 4260-001-0890 to conform with this action.

I am deleting the \$3,000,000 legislative augmentation and 11 positions for asthma intervention grants, education, and technical assistance. The Budget contains a \$2.1 million augmentation to provide treatment to asthmatic children under age 6. In addition, recent significantly increased local resources from health account realignment funds, Proposition 10 and the Master Tobacco Settlement should provide the resources for this program to be funded at the local level, if deemed a priority. Lastly, expansions in the Medi-Cal and Healthy Families Programs should provide increased access to care for all children, including those with asthma.

I am also deleting the \$6,000,000 legislative augmentation in Item 4260-111-0001 to conform with this action.

While I am sustaining the \$2,550,000 legislative augmentation to the California Cancer Registry, I am deleting the six positions added by the Legislature for this purpose. The current staffing level is sufficient to continue thorough and accurate cancer data collection.

I am deleting the \$103,000 legislative augmentation and one position to expand the American Indian Infant Health Initiative. The Budget currently includes \$424,000 to promote the health of American Indian infants. The proposed General Fund augmentation would constitute a 94.3 percent increase and would establish a precedent of providing General Fund for a program that has been funded exclusively by federal funds.

I am also deleting \$297,000 legislative augmentation in Item 4260-111-0001 to conform with this action.

I am deleting the \$238,000 legislative augmentation and six positions for California Children's Services treatment authorization requests and case management assistance. The Budget contains a \$567,000 augmentation and nine positions for this purpose. This augmentation and additional positions are commensurate with the increase in workload, and will provide effective case management and service delivery.

I am also deleting the \$220,320 from the Federal Trust Fund, in Item 4260-001-0890 to conform with this action.

I am deleting the \$180,000 legislative augmentation and two positions to expand the Children's Dental Disease Prevention Program, to conform to the action taken in Item 4260-111-0001.

I am deleting the \$169,000 legislative augmentation and two positions for administrative activities associated with the community-based clinic programs, to conform with the action taken in Item 4260-111-0001.

I am deleting the one-time \$300,000 legislative augmentation for compliance and enforcement of the Safe Needle Law (Chapter 999, Statutes of 1998 [AB 1208]). The Safe Needle Law requires the DHS to compile and make available a list of needle-less systems and needles with engineered needle stick protection. The DHS has complied with the law by compiling a list of these devices. This augmentation is for an educational component to advise health practitioners on better practices. Educational materials on needle-less systems and needles engineered with needle stick protection are currently available. The Administration has not seen workload data to justify this effort. Additionally, while the appropriation was provided on a one-time basis, DHS advises that the need to educate health practitioners would be ongoing. Thus, ongoing General Fund costs would result.

I am deleting the \$150,000 legislative augmentation for a baby abandonment study. Although this program may have merit, considerable research has been conducted in this area, and further research should be considered as part of legislative efforts currently being developed.

I am deleting the \$200,000 legislative augmentation to the Granada Hills Community Hospital for the Maternity Services Expansion Program. While I am supportive of maternity health services, the Medi-Cal, Healthy Families, and Access for Infants and Mothers (AIM) programs already provide comprehensive prenatal and perinatal care to low-income California residents.

Item 4260-001-0890—For support of Department of Health Services. I reduce this item from \$296,294,320 to \$295,739,000.

I am reducing this item by \$555,320 to conform with actions taken in Item 4260-001-0001.

Item 4260-101-0001—For local assistance, Department of Health Services. I reduce this item from \$9,236,793,000 to \$9,193,054,000 by reducing:

- (a) 20.10.030-Benefits (Medical Care and Services) from \$21,004,224,000 to \$20,934,334,000;
- (b) 20.10.010-Eligibility (County Administration) from \$1,223,185,000 to \$1,205,185,000;
- (c) Amount payable from the Federal Trust Fund (Item 4260-101-0890) from -\$13,213,096,000 to -\$13,168,945,000;

and by deleting Provisions 13,15,16, 18 and 19.

I am deleting the \$5,359,000 General Fund legislative augmentation for long-term care rate increases for intermediate care facilities for the developmentally disabled. I am supportive of the services provided by these facilities; however, the budget already contains \$13,424,000 General Fund for an 8.9 percent average rate increase for these facilities. In addition, I am deleting \$5,359,000 from the Federal Trust Fund, Item 4260-101-0890, to conform to this action.

I am deleting the \$2,950,000 legislative augmentation for transfer to the Emergency Services and Supplemental Payments Fund to be allocated by the California Medical Assistance Commission for the first year of a two-year pediatric nurse intern program. Although I have sustained a one-time \$12,000,000 General Fund appropriation for equipment and capital improvements for Children's Hospitals, I do not support appropriations to this fund that are not of a one-time nature. Contributions to this special fund, which are then matched by federal funds, should continue to be made by the public hospitals themselves, not by the State. In addition, I am deleting \$2,950,000 from the Federal Trust Fund, Item 4260-101-0890, and am deleting Provision 13, to conform to this action.

I am deleting the \$1,000,000 legislative augmentation for increased Medi-Cal outpatient rates for hospitals qualifying for federally defined critical access hospital status. The intent is to enable Medi-Cal to match the higher Medicare reimbursement rate for those hospitals. The May Revision includes \$2,000,000 to double the funding of the existing program of supplemental payments to small and rural hospitals, many of which are the same hospitals intended to benefit from this legislative augmentation. Further, any attempt to tie Medi-Cal rates to those under the Medicare program would reduce the State's rate-setting flexibility and create a General Fund pressure to provide increased rates to all other providers. In addition, I am deleting \$1,000,000 from the Federal Trust Fund, Item 4260-101-0890, to conform to this action.

I am reducing by \$2,630,000 the \$5,542,000 legislative augmentation to increase reimbursement rates for Medi-Cal pap smears. Rate increases included in the May Revision already provide a 53 percent increase, which is sufficient to maintain access to these important services. I am deleting \$2,630,000 from the Federal Trust Fund, Item 4260-101-0890, to conform with this action.

I am deleting the \$9,347,000 legislative augmentation to increase Medi-Cal dental rates. These rates have increased significantly more than other Medi-Cal rates as a result of the Clark lawsuit. Therefore, the average 6.8 percent rate increase included in the May Revision is sufficient. I am also deleting \$9,347,000 from the Federal Trust Fund, Item 4260-101-0890, to conform with this action.

I am deleting the \$9,000,000 legislative augmentation for processing Healthy Families and Medi-Cal applications through a single point-of-entry. Although I support processes that will simplify these two programs and contribute to increased enrollment, this proposal is the most costly and complex means possible of interpreting the

Medi-Cal mail-in application requirement, and would add a new and unnecessary layer of state administration and contracted services. Further, this proposal would actually delay the Healthy Families Program application approval. I am also deleting \$9,000,000 from the Federal Trust Fund, Item 4260-101-0890 and deleting Provision 19 to conform with this action.

I am deleting the \$7,500,000 legislative augmentation to provide a \$25 facility fee for each special care center visit provided to Medi-Cal eligible children under the California Children's Services (CCS) program. The budget includes \$5 million to increase rates for services provided to CCS children receiving care in these centers, including those who are Medi-Cal eligible. In addition, I am sustaining augmentations which result in a 39 percent CCS physician rate increase. I am deleting \$7,500,000 from the Federal Trust Fund, Item 4260-101-0890, to conform with this action.

I am reducing by \$5,193,000 the \$13,519,000 legislative augmentation to conform to actions taken in Item 4300-101-0001 related to In-Home Respite and Day Programs in the Department of Developmental Services. In addition, I am reducing \$5,482,000 from the Federal Trust Fund, Item 4260-101-0890, to conform to this action.

I am reducing by \$760,000 the \$2,584,000 legislative augmentation to conform to the action taken in Item 4300-101-0001 related to supported living services rates. In addition, I am reducing \$800,000 from the Federal Trust Fund, Item 4260-101-0890, to conform with this action.

I am deleting the \$83,000 legislative augmentation of the Federal Trust Fund, Item 4260-101-0890, to conform to the action taken in Item 4170-001-0001 regarding increased administrative costs associated with the Adult Day Health Care program in the Department of Aging.

I am deleting Provision 15 which would require the Department of Health Services (DHS) to implement a simplified appeals system for denied emergency room Medi-Cal claims. This language is unnecessary as DHS has already begun the process of implementing a simplified claims appeals process.

I am deleting Provision 16 which would require DHS to conduct a second, more comprehensive evaluation of the Transitional Inpatient Care Program. The first evaluation of this program was completed in January 2000. A second evaluation of this program would result in unnecessary administrative costs to DHS. It is already proven that this program allows Medi-Cal to purchase this level of care from hospitals at a savings of over \$15 million General Fund annually.

I am sustaining the \$10,700,000 General Fund one-time legislative augmentation for distinct part nursing facilities, but am deleting Provision 18 because it would require a significant and unacceptable departure from existing rate methodology, a public notice process, a change in the state's Medicaid plan, and approval by the federal government of that change. Instead, I am directing the Department of Health Services (DHS) to allocate these funds, not as a change in the rate of payment, but as a one-time, lump-sum supplemental payment, on or about February 1, 2001, to each distinct part nursing facility which receives the maximum rate for the 2000-01 rate year, distributed in proportion to each such facility's 1999 distinct part nursing facility Medi-Cal patient days.

Item 4260-101-0890—For local assistance, Department of Health Services. I reduce this item from \$13,213,096,000 to \$13,168,945,000.

I am reducing this item to conform to the action I have taken in Item 4260-101-0001.

Item 4260-111-0001—For local assistance, Department of Health Services. I reduce this item from \$498,973,000 to \$450,978,000 by reducing:

- (4) 10.30.030-Childhood Lead Poison Prevention from \$8,500,000 to \$2,500,000;
- (5) 10.30.040-Chronic Diseases from \$139,486,000 to \$139,466,000;
- (6) 10.30.050-Communicable Disease Control from \$67,984,000 to \$66,604,000;
- (7) 10.30.060-AIDS from \$252,537,000 to \$245,537,000;
- (8) 20.30-County Health Services from \$130,399,000 to \$95,318,000;
- (9) 20.40-Primary Care and Family Health from \$1,480,882,000 to \$1,448,965,000;

- (15) Amount payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0232) from $-\$79,680,000$ to $-\$70,665,000$;
- (16) Amount payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0233) from $-\$9,166,000$ to $-\$6,838,000$;
- (17) Amount payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0236) from $-\$67,517,000$ to $-\$45,457,000$; and by deleting Provisions 7 and 9.

I am deleting the $\$350,000$ legislative augmentation for continuation and expansion of the California Children's Services Assistance to Children At Home Demonstration Project. Although preliminary outcomes of this program have been positive, I cannot support expansion of the pilot project until a complete evaluation of the program can be conducted and its cost effectiveness demonstrated.

I am deleting the $\$440,000$ legislative augmentation to provide the varicella vaccine to public health clinics for children not eligible under state-funded health care programs. Although I recognize the importance of disease prevention, the State currently provides the varicella vaccine to children enrolled in Medi-Cal and the Healthy Families Program. In addition, recent increased local funding in excess of $\$1.1$ billion from the Children and Families Commission, local realignment health account funds, and the Master Tobacco Settlement should provide resources to fund this program at the local level.

I am deleting the $\$340,000$ legislative augmentation to assist county health departments to monitor parolees with tuberculosis. This augmentation could be funded using local resources. In 2000-01, local realignment funds are estimated to increase by $\$93.6$ million. In addition, the Master Tobacco Settlement awards local government in California an additional $\$389$ million. These funds may be used for any public health purpose deemed a local priority. Further, the Medi-Cal program has been expanded and will improve access to care.

I am deleting the $\$1,000,000$ legislative augmentation for an expansion of the HIV/AIDS partner counseling and referral pilot program. The Budget provides $\$1.4$ million for continuation of the five-county pilot program begun in 1999-00. While I am supportive of the pilot programs, expansion of this program should be delayed until an analysis of the existing pilot is available and the effectiveness of the program is determined.

I am reducing $\$6,000,000$ of the $\$8,000,000$ legislative augmentation for HIV/AIDS health outreach, education, and prevention for communities of color. The Budget currently includes $\$3.6$ million for these activities. This $\$2,000,000$ augmentation, when combined with all other HIV/AIDS augmentations, results in a Budget which contains increases of $\$12.7$ million. These augmentations and the existing base level of funding result in total HIV/AIDS program expenditures in excess of $\$325$ million. This provides significant resources to fight the spread of the disease.

I am deleting the $\$600,000$ legislative augmentation to provide the Hepatitis A vaccine to public health clinics for individuals not eligible under state-funded programs. The State currently provides the Hepatitis A vaccine to individuals enrolled in Medi-Cal and the Healthy Families Program. In addition, recent increased local funding in excess of $\$1.1$ billion from varied fund sources provide the resources for this program to be funded at the local level.

I am also deleting Provision 9 to conform with this action.

I am deleting the $\$6,000,000$ legislative augmentation for asthma intervention grants, education, and technical assistance to conform with actions taken in Item 4260-001-0001.

I am deleting the $\$297,000$ legislative augmentation to expand the American Indian Infant Health Initiative to conform with actions taken in Item 4260-001-0001.

I am deleting the $\$9,528,000$ legislative augmentation for local public health subvention. The 2000-01 Budget provides $\$1.6$ million for this purpose. In 2000-01, local realignment health education funds are estimated to increase by $\$93.6$ million. In addition, the 1998 Master Tobacco Settlement awards local governments in California an

additional \$389 million. These funds may be used for any public health purpose deemed a local priority. Further, the Medi-Cal and Healthy Families programs have been expanded and will improve access to care, and reduce the demand on local public health programs.

I am also deleting Provision 7 to conform with this action.

I am reducing this item by \$24,803,000. My January Budget proposal directed this augmentation to emergency room physicians and hospital services. Because the Legislature did not adopt the proposed enabling trailer bill language, I am deleting the augmentation. However, I am reserving these funds and will sign legislation authorizing their expenditure for emergency services as originally proposed.

To conform with this action, I am also reducing Item 4260-111-0232 by \$9,015,000; Item 4260-111-0233 by \$2,328,000; and Item 4260-111-0236 by \$13,460,000.

I am deleting the \$15,000,000 one-time legislative augmentation for community-based clinic dental infrastructure grants. These grants are to be allocated specifically for the purchase of dental equipment and to renovate or expand dental facilities. For each of the last three years, the budget included \$3 million for the Rural Demonstration Project. These funds were provided for local infrastructure, including equipment. In addition, I have sustained a \$50 million legislative augmentation for the California Health Facilities Financing Authority. These funds will provide grants for capital outlay needs including those of dental programs of local community and free clinics. Additionally, this proposal could be funded using local resources if deemed a local priority.

I am deleting the \$1,500,000 legislative augmentation for the Indian Health Clinic Program. The Budget Act of 1999 provided a \$2 million General Fund augmentation to Indian Health Clinics, increasing the base from \$3.8 million to \$5.8 million. The May Revision provides an additional 10 percent increase (\$587,000 General Fund). Including the amount provided in the May Revision, the program has increased by 65 percent since 1998. In addition, expanded Medi-Cal and Healthy Families services will improve access to health care for all Californians, including Native Americans, and mitigate the need for further categorical program expansion.

I am reducing by \$1,750,000 the \$3,400,000 legislative augmentation for the Children's Dental Disease Prevention Program. This augmentation would provide dental sealants, increase reimbursements to providers from \$4.50 to \$10 per child in the program, and would expand the program from its current 300,000 to 475,000 children. I am sustaining \$1,650,000 which would provide funding for increased rates at the current caseload of 300,000 children. However, the remaining \$1,750,000 would constitute a state-funded program expansion that could be funded using local resources including increased local realignment health account funds of \$93.6 million, the recent Master Tobacco Settlement awards of \$389 million, and Proposition 10 funds of \$573 million.

I am also deleting \$180,000 in Item 4260-001-0001 to conform with this action.

I am deleting the \$3,000,000 legislative augmentation for community-based clinic programs. The Legislature accepted my proposal of a ten percent rate increase for community-based clinics, and provided funding for a caseload expansion of 27.2 percent. Expanded Medi-Cal and Healthy Families services will improve access to health care for all Californians, and mitigates the need for further program expansion. In addition, in 2000-01, local realignment health account funds are estimated to increase by \$93.6 million and the recent Master Tobacco Settlement awards local government in California an additional \$389 million. These funds may be used for any public health purpose deemed a local priority.

I am also deleting the legislative augmentation of \$169,000 and two positions in Item 4260-001-0001 to conform to this action.

I am also deleting the legislative augmentation of \$8,600,000 in Item 4260-111-0236 to conform to this action.

I am deleting the \$10,000 legislative augmentation for the San Diego County Alzheimer's Association Program and the \$10,000 legislative augmentation for the Orange

County Alzheimer's Association Program. I am supportive of additional Alzheimer's education efforts, and the Budget includes \$2.4 million for a one-time public education campaign on state-of-the-art best practices in the clinical care of Alzheimer's disease.

I am deleting the \$100,000 legislative augmentation for the Vietnamese Community of Orange County, Inc. Although this project is meritorious, I am vetoing this legislative augmentation in order to fund higher competing priorities.

I am deleting the \$50,000 legislative augmentation for the Maternal Outreach Management System, Santa Ana. I am supportive of outreach, education, and support for soon-to-be mothers; however, the Medi-Cal, Healthy Families, and Access for Infants and Mothers (AIM) programs already provide comprehensive prenatal and perinatal care to California residents.

I am deleting the \$250,000 legislative augmentation to the Santa Barbara County Public Health Department for dental clinic equipment. In this budget, I have sustained a \$50 million legislative augmentation for the California Health Facilities Financing Authority. These funds will provide grants for capital outlay needs of local community and free clinics, including dental programs. Additionally, this proposal could be funded using local resources if deemed a local priority.

I am deleting the \$750,000 legislative augmentation to the Southern Inyo Hospital for seismic retrofitting. I am deleting this legislative augmentation to fund higher competing priorities.

I am deleting the \$20,000 legislative augmentation to La Clinica de la Raza for community outreach. While community outreach for clinical services may have merit, expanded Medi-Cal and Healthy Families services already include substantial outreach efforts.

I am deleting the \$1,000,000 legislative augmentation to the County of San Mateo for the establishment of the East Palo Alto Family Clinic. While this program may have merit, expanded Medi-Cal and Healthy Families services will improve access to care for low-income Californians, including family clinical services. I am sustaining \$50 million in this budget for a new primary care clinic grant program under the California Health Facilities Financing Authority.

Item 4260-111-0232—For local assistance, Department of Health Services. I reduce this item from \$79,680,000 to \$70,665,000.

I am reducing this item by \$9,015,000 to conform to the actions taken in Item 4260-111-0001.

Item 4260-111-0233—For local assistance, Department of Health Services. I reduce this item from \$9,166,000 to \$6,838,000.

I am reducing this item by \$2,328,000 to conform with the action taken in Item 4260-111-0233.

Item 4260-111-0236—For local assistance, Department of Health Services. I reduce this item from \$67,517,000 to \$45,457,000.

I am reducing this item by \$22,060,000 to conform with actions taken in Item 4260-111-0001.

Item 4260-117-0001—For transfer by the Controller from the General Fund to the Human Leukocyte Antigen Testing Fund (1002). I delete this item.

I am deleting the \$1,500,000 legislative augmentation for transfer to a newly established fund for blood collection and human leukocyte antigen typing for use in bone marrow transplantation. Human leukocyte antigen typing is currently available through some blood banks or donor centers. In addition, some health plans cover human leukocyte antigen testing for use in bone marrow transplantation. Also, providing widespread coverage of human leukocyte antigen typing may not be warranted, as bone marrow treatments are considered experimental in some cases. Lastly, providing one-time General Fund resources for this program could create pressure for ongoing General Fund resources when the initial funds are depleted.

Item 4260-117-1002—For local assistance, Department of Health Services. I delete this item.

I am deleting the \$1,500,000 legislative augmentation for blood collection and human leukocyte antigen typing to conform with the action taken in Item 4260-117-0001.

Item 4280-112-0236—For transfer by the Controller upon notification from the Department of Finance from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund. I reduce this item from (\$10,000,000) to (\$5,000,000) and delete Provision 1.

I am reducing the one-time legislative augmentation for the Major Risk Medical Insurance Program to maintain its current enrollment level and to partially fund coverage of persons on the waiting list. As Proposition 99 is a declining revenue source, reserves will be needed for other high priority programs, including the growing Access for Infants and Mothers program. Further, the Legislature and the insurance industry should work together over the next year to develop market-based solutions to providing coverage to persons with resources but reduced access to private health insurance.

I am deleting Provision 1 to conform to this action.

Item 4300-003-0001—For support of Department of Developmental Services, for Developmental Centers. I delete Provisions 5 and 6 and sustain Provisions 7 and 8.

I am deleting Provision 5, which would require the Department of Developmental Services (DDS) to terminate the janitorial contracts currently in effect at the five developmental centers and rebid the contracts to include health benefits for the contract janitorial workers. The language for this item also requires DDS to use \$2 million of its existing developmental center funding to provide these health benefits. The language in Provision 5 is unnecessary because the department already has authority to amend existing contracts to add health benefits for janitors. Further, the language requires DDS to use its existing funding to provide health benefits to its developmental center janitors. This Budget provides a total of \$6 million, to be allocated by the Department of Finance, to fund health benefits for contract janitorial services on a statewide basis. Language is also included which authorizes augmentation of the amounts appropriated for this purpose. Thus, Provision 5 is unnecessary.

I am also deleting Provision 6, which would require the Department of Developmental Services to rescind the Mitigated Negative Declaration it approved on February 9, 1999, for the project known as the Facility and Security Improvements to Accommodate New Forensic and Specialized Behavior Programs at Lanterman Developmental Center. This rescission, related to facility and security improvements at Lanterman, would negate the ruling of the court in the State's favor regarding the placement of specific client categories at this facility and expose the state to attorneys' fees.

I am sustaining Provision 7, which prohibits placement of forensic clients at Lanterman Developmental Center, as the State does not intend to place any forensic patients at Lanterman Developmental Center.

I am also sustaining Provision 8, which limits the type and number of behaviorally disturbed developmentally disabled clients that may be housed at Lanterman Developmental Center and is consistent with the type and number of clients associated with this project.

Item 4300-101-0001—For local assistance, Department of Developmental Services, for Regional Centers. I reduce this item from \$999,955,000 to \$980,834,000 by reducing:

- (b) 10.10.020—purchase of Services from \$1,523,639,000 to \$1,489,483,000;
- (f) Reimbursements from -\$856,393,000 to -\$844,158,000; and
- (h) Amount payable from Developmental Disabilities Services Account (Item 4300-101-0496) from -\$3,800,000 to -\$1,000,000.

I am reducing the legislative augmentation of \$41,918,000 by \$27,546,000 (\$16,871,000 General Fund and \$10,675,000 reimbursements) for rate increases for day program and in-home respite care providers. The 2000-01 Budget provides \$66,300,000 (\$33,800,000 General Fund) for a 10 percent increase in wages for Day Program and In-Home Respite Care workers. In addition, my proposal included a 5 percent rate increase for the administrative cost of wage increases, which was omitted by the Legislature. Thus, this Budget provides for an approximate overall 8.5 percent rate increase. Funding for the administrative cost is necessary to ensure that the wages

are increased as authorized, and to ensure that services are not reduced to fund the administrative costs of increased wages.

I am reducing the \$12,954,000 legislative augmentation for rate increases for supported living services (SLS) providers by \$3,810,000 (\$2,250,000 General Fund and \$1,560,000 reimbursements) to bring the rate increases for these caregivers into parity with increases provided to caregivers providing similar services to developmentally disabled clients, such as Day Program and In-Home Respite providers. The remaining augmentation, combined with the 3 percent increase for SLS providers included in the 2000–01 budget, will provide a rate increase for SLS providers commensurate with increases for other caregivers which average 10 percent for salaries and wages and 5 percent for the administrative cost of the increases.

I am deleting the \$2,800,000 Developmental Disabilities Services Account legislative augmentation provided for Affordable Housing Projects. Although this project may be meritorious, I am deleting the legislative augmentation for the program because it would deplete the fund. Further, this augmentation was not provided on a one-time basis, and no future source of funding has been identified to continue the project beyond 2000–01. The level of funding proposed in my Budget would allow the program to continue to provide eligible services to the developmentally disabled for approximately five years.

Item 4300-101-0496—For local assistance, Department of Developmental Services. I reduce this item from \$3,800,000 to \$1,000,000.

I am reducing this item by \$2,800,000 to conform to actions taken in Item 4300-101-0001.

Item 4300-490—Reappropriation, Department of Developmental Services. I revise this item by deleting Provision 2.

I am deleting Provision 2. I believe this language is unnecessarily restrictive and would have required that \$4,000,000 in unexpended funds for the purchase of services for regional center clients be reappropriated and transferred to the Department of Health Services for the California Birth Defects Monitoring Program to research causes of autism, cerebral palsy, and mental retardation. Typically, this item is used to reappropriate unexpended purchase of service funds for use in the following year to expand the services available for regional center clients. This transfer would make less money available for the developmentally disabled. Although the proposed research is meritorious, I do not concur with the means adopted by the Legislature to fund the research. I have sustained a \$30 million augmentation in the budget for the University of California (UC) Medical Investigation Neurodevelopmental Disorder (MIND) Institute, which provides research into brain development and genetic causes of developmental disorders. I am requesting the UC to use \$4,000,000 of this \$30 million augmentation to contract with an appropriate organization to continue the research started regarding the causes of autism, cerebral palsy, and mental retardation.

Item 4440-001-0001—For support of Department of Mental Health. I reduce this item from \$31,943,000 to \$29,925,000 by reducing:

(a) 10-Community Services from \$34,465,000 to \$31,714,000;

(e) Reimbursements from –\$11,039,000 to –\$10,306,000;

and by deleting Provision 4.

I am deleting the \$150,000 General Fund legislative augmentation related to the Early Intervention Program to conform to my action taken in Item 4440-101-0001.

I am deleting the \$70,000 (\$35,000 General Fund and \$35,000 reimbursements) legislative augmentation and one position for Early and Periodic Screening, Diagnosis, and Treatment Technical Assistance; \$2,092,000 (\$1,394,000 General Fund and \$698,000 reimbursements) legislative augmentation and six positions for mental health managed care accountability and oversight; and \$139,000 General Fund legislative augmentation and two positions for state oversight of county Children’s System of Care programs. Given the high vacancy rates, which led to a reduction of 50 positions in the Department of Mental Health, additional positions are not needed. The department is already charged with oversight responsibility and the provision of technical assistance for all mental health programs. The department may also redirect positions if necessary.

I am deleting the \$300,000 General Fund legislative augmentation for an independent evaluation of the Mental Health Rehabilitation Center (MHRC) model. The Department of Mental Health is already required to complete an evaluation of the MHRC model. In addition, the department has the necessary expertise and sufficient resources to complete the required evaluation. Therefore, this augmentation is unnecessary and would duplicate current efforts.

I am deleting Provision 4 because it directs the Departments of Mental Health and Health Services to establish a long-term care mental health innovation workgroup to develop options and recommendations for improving existing models of community-based long-term care without providing any resources with which to accomplish this task. More importantly, county mental health directors are free to seek input regarding program improvements as needed.

Item 4440-011-0001—For support of State Hospitals, Department of Mental Health. I reduce this item from \$400,789,000 to \$400,066,000 by reducing:

(b) 20.20-Long-Term Care Services-Penal Code and Judicially Committed from \$401,897,000 to \$401,174,000.

I am reducing this item by \$723,000 to adjust for State Hospital population changes. These funds are not needed because the number of State-supported patients is lower than the estimated level. This reduction corrects an error in the level of funding provided for State Hospital population.

Item 4440-101-0001—For local assistance, Department of Mental Health. I reduce this item from \$181,210,000 to \$144,960,000 by reducing:

(a) 10.25 Community Services—Other Treatment from \$829,760,000 to \$793,510,000;

and by deleting Provision 5.

The Budget sent to me included a Mental Health Initiative totaling approximately \$214 million (\$201 million General Fund) of which \$123 million (\$111 million General Fund) was proposed in the May Revision of my budget. I am sustaining \$155 million (\$151 million General Fund) of this amount for new and/or expanded programs which are included in the budget to meet specific over-arching mental health goals. Priority for funding has been given to programs that have proven effective in preventing institutionalization and hospitalization, and in reducing crime and meeting other goals and objectives these programs are designed to achieve. I am sustaining \$155 million for the establishment and expansion of various programs, including: Mentally Ill Offender Crime Reduction Grants (\$50 million in the Board of Corrections); Integrated Services to Homeless Adults (\$35 million); Supportive Housing programs (\$25.1 million); statewide expansion and full funding for the Children's System of Care (\$15.5 million); expansion and enhancement of substance abuse prevention and treatment services to youth and adults (\$13.4 million in the Department of Alcohol and Drug Programs); establishment of local crisis intervention and stabilization assistance services (\$6 million); Caregiver Resource Centers (\$3 million); and dual diagnosis programs for underserved populations (\$2 million).

Including the base budget of approximately \$863 million for these programs, a total of over \$1 billion is provided in the 2000–01 Budget. This represents an overall increase of 19 percent. However, the increases provided are significant and vary by program, as follows: 15 percent overall increase for programs within the Department of Alcohol and Drug Programs, with youth programs receiving a 43 percent increase; a 28 percent increase for programs within the Department of Mental Health; and a 122 percent increase for crime reduction programs within the Board of Corrections. I am sustaining the augmentations described above; I am vetoing \$50 million General Fund as indicated below.

I am deleting the \$2,850,000 legislative augmentation to establish an Early Intervention Program. This new program would provide mental health services for infants and toddlers from birth to age three. Counties are charged with providing mental health services to residents and have been provided funding for these services through Realignment. To the extent new categorical programs are established, the responsibility for funding such programs shifts back to the State. The establishment of new categorical programs and the shift of funding responsibility back to the State for these

categorical programs, circumvents the basic principles underlying Realignment, complicates program operations and administration, and reduces the counties' flexibility and responsibility to prioritize programs and determine appropriate funding levels to best meet the needs of individual local jurisdictions. Further, under my mental health proposal, the Children's System of Care (CSOC) is now fully funded statewide. If counties desire to provide these services to children from birth to age three, these services can be provided through existing Realignment or CSOC funding. Therefore, I am deleting this augmentation.

I am deleting the \$8,000,000 legislative augmentation for Alternative Residential Treatment Models for Adults. Currently, counties are fiscally responsible for clients placed in Institutes for Mental Disease and Mental Health Rehabilitation Centers. Although the Legislature included funding for these pilot projects, implementing alternative residential models would create an expectation of funding for such programs on a statewide basis, likely costing significantly more than the amount provided. Therefore, I am deleting this augmentation.

I am deleting the \$3,000,000 legislative augmentation for Community Treatment Facilities (CTFs). This augmentation would fund, as a State-only cost, a CTF supplemental rate of up to \$2,500 per child per month in addition to the amounts paid monthly per child as determined by the Department of Social Services' rate classification level (RCL) system. The RCL system is used to determine the amount paid to a facility based on numerous factors including basic sustenance costs plus the costs for services provided by the facility such as various therapeutic services.

Potential CTF providers are seeking an additional amount, \$2,500 per child per month, in addition to the RCL payment. Until a CTF is activated and actually serving clients, no basis will exist to ascertain whether the additional payment is necessary to meet the needs of the child. Therefore, I am deleting this augmentation.

I am reducing by \$6,900,000 the \$42,500,000 legislative augmentation for Integrated Services for Homeless Adults. I proposed \$6,900,000 in Substance Abuse and Mental Health Services Administration (SAMHSA) federal block grant funds for this program. The Legislature replaced the federal funds with \$6,900,000 from the General Fund. I am supportive of efforts in this area, but I believe that federal funds should also be used when available for this purpose. Therefore, I am deleting the General Fund augmentation, which replaced the federal funding I proposed, and am directing the Department of Mental Health to submit a Section 28.00 application to request federal funding reduced from other programs to be used for this program. This action conforms to my action taken on the related federal funds in Item 4440-101-0890. I am deleting the \$5,500,000 legislative augmentation for suicide prevention, education, and gatekeeper training. This augmentation would establish a new program to provide local suicide prevention services. Counties are charged with providing mental health services to residents and have been provided funding for these services through Realignment. To the extent new categorical programs are established, the responsibility for funding such programs reverts to the State. The creation of new categorical programs and the shift of funding responsibility back to the State for these categorical programs, circumvents the basic principles underlying Realignment, complicates program operations and administration, and reduces the counties' flexibility and responsibility to prioritize programs and determine appropriate funding levels to best meet the needs of individual local jurisdictions. If counties desire to provide this training, the program can be implemented and supported through existing resources. Therefore, I am deleting this augmentation.

I am deleting the \$10,000,000 legislative augmentation for the Respite Assistance Program. This augmentation would provide resources for local respite assistance services and could constitute a new state-funded entitlement program. Counties are charged with providing mental health services to residents and have been provided funding for these services through Realignment. To the extent new categorical programs are established, the responsibility for funding such programs reverts to the State. The creation of new categorical programs and the shift of funding responsibility back to the State for these categorical programs, circumvents the basic principles underlying Realignment, complicates program operations and administration, and

reduces the counties' flexibility and responsibility to prioritize programs and determine appropriate funding levels to best meet the needs of individual local jurisdictions. If counties desire to provide respite assistance programs, such programs can be implemented and supported through existing resources

I am deleting Provision 5, which would require development of a plan for mental health program quality improvement to conform to action taken in Item 4440-001-0001.

I am sustaining \$30,000 for the Armenian Relief Society psychological outreach program. However, I am sustaining this augmentation on a one-time basis, to fund the program only through June 30, 2001.

Item 4440-101-0890—For local assistance, Department of Mental Health. I reduce this item from \$48,114,000 to \$40,214,000 by reducing:

(a) 10.25-Community Services-Other Treatment from \$44,264,000 to \$36,364,000.

I am deleting the \$4,900,000 legislative augmentation for Client and Family Empowerment Challenge Grants. I proposed to use these Substance Abuse and Mental Health Services Administration (SAMHSA) federal funds to augment integrated services for homeless adults, a program that has proven to be successful and cost-effective. The Legislature, instead, used the federal funds to establish Client and Family Empowerment Challenge Grants, a new program without specific details and goals. This program would fund local services and could create an expectation of establishing a new statewide, State-funded program. Counties are charged with providing mental health services to residents and have been provided funding for these services through Realignment. Counties currently have funding and the authority to create local programs, such as this, at county discretion. Further, under my mental health proposal, the Children's System of Care, which also provides services to children and their families, is fully funded. If counties desire to provide these services, such services can be implemented and supported through existing resources. Therefore, I am deleting this augmentation and setting aside the funds for other purposes, as noted below.

I am also deleting the \$3,000,000 legislative augmentation for the Older Adult Pilot Program. I proposed \$2,015,000 for this purpose based on my assessment of what would be reasonable for a new pilot program, given planning and contracting lead times. I believe the \$2,015,000 I proposed is reasonable; therefore, I am deleting this augmentation and setting aside the funds for other purposes.

I am directing the Department of Mental Health to submit a Section 28.00 application to request that the entire \$7,900,000 in federal funds, made available by the above deletions, be used for integrated services for homeless adults.

Item 4440-102-0001—For local assistance, Department of Mental Health (Proposition 98) for early mental health services. I reduce this item from \$20,000,000 to \$15,000,000 and delete Provision 1.

I am deleting the \$5,000,000 legislative augmentation for the Early Mental Health Initiative. There is currently \$15,000,000 for this program allocated to public elementary schools. While this augmentation would serve to expand the program, this increase would cause a permanent increase in the Proposition 98 base. Therefore, I am deleting the augmentation.

Consistent with the funding reduction, I am also deleting Provision 1, which would have expanded the program to 4th through 6th grade.

Item 4700-101-0001—For local assistance, Department of Community Services and Development. I reduce this item from \$13,450,000 to \$13,000,000 by reducing:

(b) 47-Naturalization Services from \$7,450,000 to \$7,000,000.

I am deleting the \$400,000 legislative augmentation for the Los Angeles County Department of Community Senior Services and the \$50,000 legislative augmentation for the Coastside Opportunity Center in San Mateo County. Both of these programs provide naturalization services to legal immigrants. The department's base budget, however, already includes \$7,000,000 General Fund for assistance to organizations that provide naturalization services. In addition, the California Department of Education budget includes federal funding of \$12.3 million for adult education literacy classes, including English as a Second Language, which provide citizenship and naturalization services for legal immigrants. Lastly, school districts have the flexibility to use a

portion of the \$574 million in Proposition 98 funds available for adult education programs to provide English and citizenship classes, consistent with local needs and priorities.

Item 5100-001-0001—For support of Employment Development Department. I reduce this item from \$30,776,000 to \$30,585,000 and delete Provision 2.

I am reducing this item by \$25,000 to conform to the action I have taken in Item 5100-001-0870 relating to the North American Free Trade Agreement and Trade Adjustment Assistance programs.

I am also reducing this item by \$166,000 and deleting Provision 2 to conform to the action I have taken in Item 5100-001-0870 relating to Operation Youth Educational Services in Los Angeles County.

Item 5100-001-0869—For support of state programs under the Job Training Partnership Act and the Workforce Investment Act, Employment Development Department. I delete Provision 4.

I am deleting Provision 4, which would allocate \$10 million of Workforce Investment Act discretionary funds to local Workforce Investment Boards for summer youth programs. I believe this Provision interferes with the Administration's ability to target funds for needed planning or local employment activities, and it is my intent that the California Workforce Investment Board have maximum input over the use of discretionary Workforce Investment Act funds. Furthermore, since 2000-01 will be the first year under the Workforce Investment Act, I have a heightened concern that it may be premature to establish uses of these discretionary funds until the Board can determine how the funds can best serve the State workforce. Lastly, California will receive \$8.5 million more for California youth programs in 2000-01 under the Workforce Investment Act than it did in 1999-00 under the Job Training Partnership Act.

Item 5100-001-0870—For support of Employment Development Department. I revise this item by reducing:

- (a) 10-Employment and Employment Related Services from \$211,537,000 to \$211,346,000; and
- (b) Amount payable from the General Fund (Item 5100-001-0001) from -\$30,776,000 to -\$30,585,000;

and by revising Provision 3.

I am sustaining \$75,000 of the \$100,000 General Fund legislative augmentation for support of the Employment Development Department to evaluate the North American Free Trade Agreement and Trade Adjustment Assistance programs. The evaluation may be useful to the federal government in improving these programs.

I am, however, deleting \$25,000 of this \$100,000 General Fund augmentation requiring new state initiatives concerning trade-related worker training and job placement. This language is an infringement on the Executive Branch's budget development process and restricts my authority to prepare a budget which reflects my spending priorities within available fiscal resources.

I am also deleting the \$166,000 General Fund legislative augmentation for Operation Youth Educational Services in Los Angeles County because this organization could seek funding from its local Workforce Investment Board. That Board can provide U.S. Department of Labor Welfare-to-Work grants and federal Workforce Investment Act funding for local employment programs such as this.

I am also deleting position authority for two positions added by the Legislature for use in implementing the Caregiver Training Initiative that I proposed. I believe that sufficient salary savings exists within the department's budget so that additional position authority is not needed. Therefore, I am deleting the new position authorizations and sustaining the \$140,000 required to fund two positions elsewhere in the department that are currently vacant and unfunded and which can be transferred to support this program. By taking this action, the legislative augmentation will enhance the success of this Administration initiative without adding new position authority to the department's budget.

I am revising Provision 3 to conform to this action.

"3. The Department shall submit to the Legislature, on or before April 1, 2001, a report that evaluates the state's current North American Free Trade Agreement

and trade assistance programs and that apprises the Legislature of opportunities relative to new strategic partnerships, improving measurement of program outcomes and tracking of program beneficiaries, improving identification and mapping of populations and sectors of the state economy that are impacted by trade, and improving outreach and services to those populations and sectors of the state economy. ~~This report shall also propose new state initiatives that build local capacity for the identification of trade impacted communities; worker training; and on-the-job training; and job placement.~~"

Item 5100-101-0001—For local assistance, Employment Development Department. I reduce this item from \$2,360,000 to \$1,000,000 by reducing:

(1) 67-At-Risk Youth Demonstration Project from \$2,000,000 to \$1,000,000; and by deleting:

(2) 70-Employment Programs (\$360,000).

I am sustaining \$1,000,000 of the \$2,000,000 legislative augmentation for the California Youthbuild Program on a one-time basis only. While I am supportive of efforts in this area, I am sustaining only a portion of this augmentation because the budgets of the Employment Development Department and the California Department of Education provide substantial state and federal funds for youth employment programs. These programs provide training and services for economically disadvantaged youth to prepare them with the skills necessary to obtain unsubsidized employment, to complete secondary or post-secondary education, to gain entrance to military service, or to obtain qualified apprenticeship.

I am deleting the \$250,000 legislative augmentation for the Los Angeles Opportunities Industrialization Center. I believe that this project should continue to be funded at the local, rather than the state, level.

I am also deleting the \$110,000 legislative augmentation for the Sacramento County Blind Jobs Initiative. The Department of Rehabilitation currently offers programs such as the Vocational Rehabilitation Services Program, the Orientation Center for the Blind, and the Business Enterprise Program, which provide funding to enable the visually impaired to take advantage of employment opportunities throughout the state, including Sacramento County. Furthermore, the Department of Rehabilitation is a mandatory participant in federal Workforce Investment Act One-Stop Centers, including a Center in Sacramento, where visually impaired job applicants can receive additional employment services.

Item 5100-102-0001—For local assistance, Employment Development Department. I sustain this item.

I am sustaining the \$2,000,000 legislative augmentation for employment programs for seasonal farm workers. Prior to the expenditure of any of these funds, however, the Director of the Employment Development Department must review all existing or newly available funding sources for employment services programs and all discretionary funding sources and determine whether these funds could be used for this effort. If so, these non-General Fund resources must be used prior to the expenditure of any General Fund resources. The General Fund may only be used after the Health and Human Services Agency demonstrates to the Director of Finance that no other funding is available.

Item 5120-001-0001—For support of California Workforce Investment Board. I delete this item and Provision 1.

I am deleting the \$700,000 legislative augmentation for the performance-based accountability system for California workforce preparation programs. Currently, these costs are reimbursed by participating entities through Interagency Agreements with the Employment Development Department. The \$700,000 General Fund augmentation, in lieu of using Interagency Agreements and reimbursements from participating agencies, creates a new General Fund cost without completing additional tasks. Consequently, I am deleting this augmentation.

I am deleting Provision 1 to conform to this action.

Item 5160-001-0001—For support of Department of Rehabilitation. I reduce this item from \$47,037,000 to \$46,682,000 by reducing:

- (a) 10-Vocational Rehabilitation Services from \$317,135,000 to \$315,469,000; and
- (h) Amount payable from the Federal Trust Fund (Item 5160-001-0890) from $-\$267,370,000$ to $-\$266,059,000$.

I am deleting \$1,666,000 (\$355,000 General Fund and \$1,311,000 Federal Trust Fund) of the \$1,811,000 (\$386,000 General Fund and \$1,425,000 Federal Trust Fund) legislative augmentation in this item for a 20 percent wage pass-through for the Work Activity Program, because the budget already includes the required 4.4 percent statutory rate increase for this program. However, I am sustaining \$145,000 (\$31,000 General Fund and \$114,000 Federal Trust Fund) of the augmentation to provide for an overall 6.0 percent increase.

A conforming reduction is made to Item 5160-101-0001, which contains a local assistance augmentation for this same purpose.

Item 5160-001-0890—For support of Department of Rehabilitation. I reduce this item from \$267,370,000 to \$266,059,000.

I am reducing this item by \$1,311,000 to conform to the action taken in Item 5160-001-0001.

Item 5160-101-0001—For local assistance, Department of Rehabilitation. I reduce this item from \$105,542,000 to \$100,098,000 by reducing:

- (b) 20-Habilitation Services from \$112,955,000 to \$107,422,000;
- (c) 30-Support of Community Facilities from \$13,508,000 to \$12,758,000; and
- (d) Reimbursements from $-\$13,246,000$ to $-\$12,407,000$.

I am deleting \$5,533,000 (\$4,694,000 General Fund and \$839,000 reimbursements) of the \$6,014,000 (\$5,102,000 General Fund and \$912,000 reimbursements) legislative augmentation in this item for a wage pass-through for the Work Activity Program. This conforms to my action in Item 5160-001-0001.

I am also deleting \$750,000 of the \$3,000,000 General Fund legislative augmentation for Independent Living Centers (ILCs) to provide assistive technology services. This augmentation is related to Chapter 493, Statutes of 1999 (AB 873), which I signed with the understanding that it simply added assistive technology services to the list of services that ILCs shall provide to clients when those services are necessary and that assessments would first have to be conducted to determine that necessity. As the ILCs must first assess clients, the entire augmentation to provide services will not be needed during 2000–01. Therefore, I am sustaining \$2,250,000 in one-time funding to allow ILCs to perform these assistive technology assessments of their clients and to begin providing services as they are found necessary, with future funding to be determined following the conclusion of the assessments.

Item 5180-001-0001—For support of Department of Social Services. I reduce this item from \$97,905,000 to \$95,532,000 by reducing:

- (a) 16-Welfare Programs from \$72,486,000 to \$71,316,000;
- (b) 25-Social Services and Licensing from \$140,734,000 to \$139,446,000;
- (h) Amount payable from the Federal Trust Fund (Item 5180-001-0890) from $-\$307,512,000$ to $-\$307,427,000$;

and by revising Provision 7 and by deleting Provision 8.

I am sustaining \$1,000,000 of the \$2,000,000 one-time General Fund legislative augmentation for the Emergency Food Assistance Program for local food bank programs. This will provide one-year funding for the expansion of refrigeration space and the purchase of vehicles and other equipment that would be used directly for the purchase, delivery, or distribution of food.

I am revising provision 7 to conform to this action.

“7. Of the amount appropriated in this item, ~~\$2,000,000~~ \$1,000,000 shall be allocated on a one-time basis to local food bank programs to expand refrigeration space, purchase vehicles, or purchase other equipment that would be directly used for the purchase, delivery, or distribution of food products or for other uses that would allow food banks to increase the amount of food they can receive and distribute. The allocation process for this funding shall be developed by the

Department of Social Services. It is the intent of the Legislature that the department formulate guidelines for allowing food banks to use funds over two fiscal years, under appropriate circumstances. To achieve this, the funds in this provision shall be available for expenditure by the department until June 30, 2002.”

I am deleting the \$1,288,000 General Fund legislative augmentation to provide more frequent licensing visits to family child care homes. I am taking this action because no analysis has been done to determine the need for or impact of increased visits, and therefore this proposal is premature. Furthermore, the Department of Social Services reports it cannot perform these duties without new positions.

I am deleting Provision 8 to conform to this action.

I am deleting the legislative augmentation of \$85,000 General Fund and \$85,000 Federal Trust Fund and one position to provide administrative support and an evaluation of a pilot program that would provide supplemental child care payments to relative and foster care providers to conform to actions taken in Item 5180-101-0001.

Item 5180-001-0890—For support of Department of Social Services. I reduce this item from \$307,512,000 to \$307,427,000.

I am reducing this item to conform to the actions taken in Item 5180-001-0001.

Item 5180-101-0001—For local assistance, Department of Social Services. I reduce this item from \$2,591,719,000 to \$2,588,995,000 by reducing:

- (a) 16.30-CalWORKs from \$5,392,314,000 to \$5,356,898,000;
 - (1) 16.30.010-Assistance from \$3,188,040,000 to \$3,170,624,000;
 - (2) 16.30.020-Services from \$1,085,150,000 to \$1,067,150,000;
- (b) 16.40-Foster Care from \$907,165,000 to \$904,441,000;
- (i) Amount payable from the Federal Trust Fund (Item 5180-101-0890) from -\$3,961,398,000 to -\$3,925,982,000;

I am deleting the \$2,724,000 General Fund legislative augmentation for supplemental child care payments to relative and foster care providers and directing that the Department of Social Services not select sites to implement a pilot program to provide those payments. Foster care providers are paid a monthly rate for the care and supervision of the child placed with them. Given that a portion of the foster care rate is for the purpose of providing daily supervision of the foster child, the proposed child care supplement is duplicative.

I am deleting the \$18,000,000 Federal Trust Fund legislative augmentation to provide a \$50 monthly work expense supplement to wage-based community service employment participants. Providing work expense supplements to this population would reduce their incentive to move from community service employment to non-subsidized employment. In addition, counties currently may use performance incentive funds or their services allocation to pay work specific expenses for wage-based community service employment participants or other CalWORKs recipients if they determine that these reimbursements are needed to assist CalWORKs recipients move from welfare to work. The Budget already includes \$1.0 billion for CalWORKs county performance incentives and employment services.

I am deleting the \$17,416,000 Federal Trust Fund legislative augmentation to exempt the value of one automobile from consideration under the CalWORKs asset limit. This exemption would expand CalWORKs program eligibility and result in additional grant and county administration costs. The Budget already includes \$5.6 billion to provide CalWORKs grants and services in the Department of Social Services and other state agencies.

Item 5180-101-0890—For local assistance, Department of Social Services. I reduce this item from \$3,961,398,000 to \$3,925,982,000.

I am reducing this item to conform to actions taken in Item 5180-101-0001.

Item 5180-151-0001—For local assistance, Department of Social Services. I reduce this item from \$709,678,000 to \$699,776,000 by reducing:

- (a) 25.25-Children’s Services from \$1,667,750,000 to \$1,653,973,000;
 - (1) 25.25.010-Child Welfare Services from \$1,534,146,000 to \$1,523,735,000;
 - (3) 25.25.030-Child Abuse Prevention from \$34,790,000 to \$31,424,000;
- (b) 25.35-Special Programs from \$145,885,000 to \$145,711,000;
 - (2) 25.35.020-Access Assistance for the Deaf from \$5,978,000 to \$5,804,000;

- (c) 25.45-Community Care Licensing from \$19,397,000 to \$19,185,000;
- (f) Amount payable from the Federal Trust Fund (Item 5180-151-0890) from -\$1,057,320,000 to -\$1,053,059,000;

and by revising Provision 7 and by deleting Provision 13.

I am deleting a \$5,700,000 General Fund and \$3,961,000 Federal Trust Fund legislative augmentation to increase the number of social workers, pending a review of the child welfare services budget methodology. I am supportive of efforts in this area and already have included in the Budget \$221.1 million (\$108.6 million General Fund) in augmentations above the level supported by the current workload standards. Given this significant investment above the base program, and as it is unlikely that counties will be able to recruit additional social workers above this funding level, an additional augmentation is unnecessary. The amount of funding I proposed in the May Revision Child Welfare Services Initiative will allow counties statewide to hire an additional 500 social workers.

I am revising Provision 7 to conform to this action.

- “7. Of the amount appropriated in this item, ~~\$135,593,000~~ *\$125,932,000* shall be provided to counties to fund additional child welfare service activities and shall be allocated based on child welfare services caseload and county unit costs. However no county shall receive less than \$100,000. These funds shall be expressly targeted for emergency response, family reunification, family maintenance and permanent placement services and shall be used to supplement, and shall not be used to supplant, child welfare services funds. A county is not required to provide a match of the funds received pursuant to this provision if the county appropriates the required full match for the county’s child welfare services program exclusive of the funds received pursuant to this provision. These funds are available only to counties that have certified that they are fully utilizing the Child Welfare Services/Case Management System (CWS/CMS) or have entered into an agreed upon plan with the State Department of Social Services outlining the steps that will be taken to achieve full utilization. [The] department shall reallocate any funds that counties choose not to accept under this provision, to other counties based on the allocation formula specified in this provision.

The department, in collaboration with the County Welfare Directors Association and representatives from labor groups representing social workers, shall develop the definition of full utilization of the CWS/CMS, the method for measuring full utilization, the process for the state and counties to work together to move counties toward full utilization, and measurements of progress toward full utilization.”

I am deleting the \$450,000 General Fund legislative augmentation for the Grandparent Respite Program pilot. This proposal seeks to establish an ongoing program with funds that are available only on a one-time basis. Further, counties already may fund respite care services either from their child welfare services program or from one of the existing specialized care programs. Therefore, establishing a pilot program for this purpose is unnecessary.

I am deleting the \$3,366,000 General Fund legislative augmentation to expand the Juvenile Crime Prevention Program. If counties wish to start up new program sites, they could undertake this effort using existing base funding such as Comprehensive Youth Services Act funding, as established by Chapter 270, Statutes of 1997. Counties have approximately \$168 million of this funding available for similar purposes. Further, for new program sites that meet the requirements for Temporary Assistance for Needy Families funding, counties collectively have approximately \$1.1 billion in unspent discretionary incentive funding that has been appropriated through 1999-00, and will receive an additional \$250 million in performance incentives in 2000-01.

I am deleting the \$174,000 General Fund augmentation for a three percent cost-of-living adjustment for Access Assistance for the Deaf. This augmentation represents a general three percent program augmentation, rather than a true provider rate increase. In the Budget Act of 1998, the program received a \$2.5 million augmentation to expand

services to all 58 counties for a total program funding level of \$5.8 million. This represented a 75 percent baseline increase over prior year funding levels.

I am deleting the \$212,000 General Fund legislative augmentation to provide more frequent licensing visits to family child care homes and Provision 13, which specifies the use of the funds, to conform to the action taken in Item 5180-001-0001.

I am sustaining a \$200,000 legislative redirection of county Independent Living Program (ILP) funds for support of the current activities of the California Youth Connection (CYC); however, there is no justification to support additional funding. Therefore, I am deleting \$300,000 Federal Trust Fund, which the Legislature redirected for support of an expanded CYC. Further, in consultation with stakeholders, the department currently is developing statewide ILP standards to be followed by county programs. This redirection for CYC expansion would foreclose options for the counties in implementing and/or expanding their programs based on the new standards.

Item 5180-151-0890—For local assistance, Department of Social Services. I reduce this item from \$1,057,320,000 to \$1,053,059,000 and delete Provision 2.

I am reducing this item by \$4,261,000 to conform to the action taken in Item 5180-151-0001.

I am deleting Provision 2, which would have required the Department of Social Services to redirect \$560,000 from county allocations for the Independent Living Program (ILP) to establish a financial assistance program to facilitate the educational goals of former foster youth. I am supportive of efforts in this area and provided \$3.5 million General Fund to establish the Stipends for Emancipated Youth program. This program will provide stipends to ILP youth for additional one-time needs such as assisting with finding affordable housing, college textbooks, employment searches, emergency personal needs, and transportation vouchers. Further, in consultation with stakeholders, the department currently is developing statewide ILP standards to be followed by county programs. This redirection would foreclose options for the counties in implementing and/or expanding their programs based on the new standards.

Item 5240-001-0001—For support of Department of Corrections. I reduce this item from \$3,994,703,000 to \$3,984,093,000 by reducing:

- (a) 21-Institution Program from \$2,980,012,000 to \$2,979,762,000;
- (b) 22-Health Care Services Program from \$585,480,000 to \$585,080,000;
- (c) 31-Community Correctional Program from \$525,856,000 to \$515,896,000;

and by deleting Provisions 11, 12, 13, 14, 15, 17, 18, 19, 21, 23, and 25, and by revising Provision 24.

I am deleting \$400,000 included to contract for a study of the performance of the Department's health care delivery system and associated information technology system needs, to be submitted to the Legislature by March 1, 2001. The Department is currently undertaking various evaluations and studies focused on different aspects of the health care program. This study would potentially overlap with these efforts. Also, it is not clear that a study as comprehensive as proposed could be successfully accomplished within the level of resources provided, potentially undermining the helpfulness of any findings and recommendations.

I am deleting Provision 11 to conform to this action.

I am deleting Provision 12, which prohibits the Department of Corrections from adopting regulations that require individuals to send packages to inmates via the services of third-party vendors. I believe this provision is unduly restrictive. Furthermore, this provision would hinder the Department's ability to make administrative decisions necessary to reduce the flow of drugs and other illegal contraband in mailed packages to prison inmates in an efficient and economical fashion, and may negatively effect the security and safety of inmates and staff.

I am deleting Provision 13, which requires the Department of Corrections to ensure that all posted first and second supervisory positions are fully staffed. I believe this provision may have an adverse affect on the Department's flexibility to manage its personnel and programs.

I am deleting the \$960,000 legislative augmentation to provide funding to increase the daily rate paid for 500 contracted re-entry work furlough beds. The Department of Corrections currently contracts for re-entry work furlough beds with different vendors

and at varied rates that have been determined through a competitive bid process. There is no evidence to indicate that the current funding level is insufficient to attract qualified bidders or that there is a need to increase the daily rate for this 500-bed re-entry work furlough program expansion. Therefore, I believe the legislative augmentation is unnecessary at this time.

I am deleting Provision 14 to conform to this action.

I am deleting Provision 15, which requires the Department of Corrections to notify the Chairperson of the Joint Legislative Budget Committee and both fiscal committees, on a quarterly basis, of any payment over \$100,000 made to an individual or organization to settle a lawsuit or satisfy a legal judgment. I believe this provision is unnecessary because I have already directed state agencies to provide this type of information to the Legislature.

I am deleting Provision 17, which requires the Department of Corrections to revert any unexpended special repair project funds. I believe this provision would unduly impede the flexibility of the Department in managing its facilities in a manner that best protects the safety of staff and inmates.

I am deleting the \$250,000 legislative augmentation for conducting psychological evaluations of correctional officers promoting to supervisory positions. I believe that the benefits of the proposed augmentation do not justify the cost.

I am deleting Provision 18 to conform to this action.

I am deleting Provision 19, which requires the Department of Corrections to report, in consultation with the Department of Health Services, to the Legislature within 60 days of the enactment of the 2000 Budget Act regarding the safety of using the Secure 1000 technology. This provision would also require the Department to suspend its use of the Secure 1000 technology during this 60-day period. Suspending the use of the Secure 1000 technology could allow the passage of contraband into prisons, which could pose a public safety and security risk for visitors, staff, and inmates. I will, however, direct the Department to evaluate the potential impact of the Secure 1000 technology on the health of those exposed to the equipment.

I am deleting the \$1,000,000 legislative augmentation for a Global Positioning System pilot project. While I am supportive of efforts to increase public safety through increased supervision of parolees, the benefits of this technology in enhancing public safety are unknown.

I am deleting Provision 21 to conform to this action.

I am deleting the \$2,200,000 legislative augmentation to provide enhanced services for parolees assisted through the Transitional Case Management Program for mentally disordered offenders. This augmentation represents partial funding for a significantly more costly program that would provide mental health services for the duration of the period the offender is under state parole supervision. The budget I submitted already includes \$2,600,000 to provide up to 90 days of case management and mental health services for mentally ill parolees. After 90 days, case management efforts are transitioned to a long-term case manager in the community. Since appropriate care and treatment efforts for mentally ill parolees are transitioned to community caregivers, this augmentation is unnecessary and duplicative. In addition to the funding noted above, the budget includes \$50,000,000 for Mentally Ill Offender Crime Reduction grants for award to local governments to expand or establish programs that reduce crime and criminal justice costs related to mentally ill offenders.

I am deleting Provision 23 to conform to this action.

I am also deleting \$2,800,000 of the \$4,800,000 legislative augmentation for an expansion of the Preventing Parolee Crime Program. This action will leave an adequate level of funding for parolee services to protect the public's safety and reduce recidivism.

I am revising Provision 24 as follows to conform to this action:

“24. (a) Of the funds appropriated in this item, ~~\$4,400,000~~ \$1,900,000 shall be available to expand the Preventing Parolee Crime Program. For the purpose of reducing recidivism, priority for services provided through these funds shall be given to parolees who have two serious or violent felony convictions.

- (b) Of the funds appropriated in this item, ~~\$400,000~~ \$100,000 shall be available for administration and evaluation of targeting Preventing Parolee Crime Program funds for parolees who have two serious or violent felony convictions. The Department of Corrections shall report to the Legislature, by January 1, 2003 on the effectiveness of this program.”

I am deleting the \$3,000,000 legislative augmentation to increase funding for parole casework services to assist parolees in transitioning back into the community. While I am supportive of such efforts to assist parolees, the Department of Corrections budget already includes sufficient funding to expand parole services in the budget year.

I am deleting Provision 25 to conform to this action.

As part of this budget, I am approving \$10,000,000 in funding for expanding the Department’s basic correctional officer academy from 10 weeks to 16 weeks consistent with the Commission on Correctional Peace Officer Standards and Training report. However, I am directing the Department to prepare a plan outlining how the funds will be used to expand the academy. Specifically, this plan shall identify the resources needed to provide adequate support for the expansion as well as any capital improvements necessary to accommodate additional correctional officer cadets attending the academy. This plan shall be submitted to the Department of Finance for review and approval prior to any expenditure of funds for this purpose.

Item 5240-005-0001—For support of Department of Corrections. I am revising this item by deleting Provision 1.

I am deleting Provision 1, which authorizes the transfer of \$19,582,000 to Item 5240-001-0001, only after the Director of Corrections provides documentation outlining the proposed reductions contained in the Department’s initial administrative restructuring plan. The information being requested represents working documents for use in preparing the Administration’s budget and, as such, is privileged.

Item 5240-102-0001—For local assistance, Department of Corrections. I delete this item and Provision 1.

I am deleting the \$300,000 legislative augmentation provided to Tulare County for the purpose of funding portable inmate housing units. I am vetoing this item to fund higher competing priorities.

I am deleting Provision 1 to conform to this action.

Item 5240-301-0001—For capital outlay, Department of Corrections. I reduce this item from \$98,763,000 to \$98,638,000 by deleting:

(18.5) 61.09.512-CMF, Vacaville: New Medical Exam Facility-preliminary plans and working drawings (\$125,000);
and by deleting Provisions 4 and 5.

I am deleting the \$125,000 legislative augmentation for the New Medical Exam Facility at California Medical Facility, Vacaville. While this project may be meritorious, I am deleting the funding because it is premature. I understand that the department has not yet completed an evaluation of solutions for this facility.

I am deleting Provision 4 of this item, which limits the future cost of construction on the Folsom State Prison Pretreatment system to the current estimated construction cost, because the language is unnecessarily restrictive.

I am also deleting Provision 5 of this item, which restricts the use of Inmate Day Labor on major capital outlay projects because the language is also unnecessarily restrictive. It limits the Administration’s ability to select the fastest or most cost-effective construction delivery method. In addition, I do not support limiting the department’s ability to keep inmates employed in productive jobs.

Item 5430-001-0001—For support of Board of Corrections. I reduce this item from \$2,306,000 to \$2,056,000 by reducing:

(a) 11-Corrections Planning and Programs from \$784,000 to \$534,000;
and by deleting Provision 1.

I am deleting the \$250,000 legislative augmentation for a statewide Global Positioning System pilot project. While I am supportive of efforts to enhance public safety through increased supervision of probationers, the benefits of this technology in improving public safety are unproven.

I am deleting Provision 1 to conform to this action.

Item 5430-103-0001—For local assistance, Board of Corrections. I revise this item by deleting Provision 5.

I am deleting Provision 5, which would require the Board of Corrections to give priority for grant awards to counties that would have received funding, had an additional \$10,000,000 been available, under the Budget Act of 1999. I am deleting this provision because it would unduly impinge upon the ability of the Board of Corrections to award grants for the most meritorious proposals. Deleting this provision will allow the Board of Corrections to award grants for those proposals that have the most beneficial impact upon reducing the involvement of mentally ill offenders in the criminal justice system.

Item 5430-117-0001—For local assistance, Board of Corrections. I delete this item and Provision 1.

I am deleting the \$7,500,000 legislative augmentation to fund the DISARM (Developing Increased Safety through Arms Recovery Management) program, which would provide local assistance funding to local law enforcement agencies to more actively enforce compliance with court-ordered conditions of probation prohibiting the possession of weapons. I am deleting the funds because this is a new and not well-defined program. However, I am supportive of the basic concept. Therefore, I am directing the Board of Corrections to evaluate the effectiveness of similar programs in other states and make recommendations relating to the potential implementation of such a program in California, including the appropriate funding level.

I am deleting Provision 1 to conform to this action.

Item 5430-122-0001—For local assistance, Board of Corrections. I reduce this item from \$1,000,000 to \$200,000.

I am reducing this legislative augmentation for the City of Lodi Police for remodeling a police station by \$800,000. I am reducing this item to fund higher competing priorities.

Item 5430-123-0001—For local assistance, Board of Corrections. I delete this item and Provision 1.

I am deleting the \$1,000,000 legislative augmentation provided to the Galt Police Department to remodel a police station. I am deleting this item to fund higher competing priorities.

I am deleting Provision 1 to conform to this action.

Item 5430-125-0001—For local assistance, Board of Corrections. I reduce this item from \$1,200,000 to \$500,000.

I am reducing this legislative augmentation for the City of Citrus Heights Police Service Center by \$700,000. I am reducing this item to fund higher competing priorities.

Item 5440-002-0001—For support of the Board of Prison Terms. I delete this item and Provision 1.

I am deleting the \$1,250,000 legislative augmentation and Provision 1 that specifies that this funding is only available to provide services for parolees with developmental disabilities, serious mental illnesses, or substance abuse problems. Funding for this purpose is already included within the funding appropriated to the Department of Corrections. This augmentation, consequently, is unnecessary.

I am directing the Youth and Adult Correctional Agency to coordinate efforts between the Board of Prison Terms and the Department of Corrections to ensure that individual parolees identified by the Board as being suitable for treatment or other services, and subsequent to a determination that such parolees do not constitute a likely danger to the public, receive such treatment or services within the financial resources appropriated to the Department of Corrections for such purposes.

Item 5460-001-0001—For support of Department of the Youth Authority. I reduce this item from \$287,088,000 to \$280,099,000 by reducing:

- (a) 20-Institutions and Camps from \$305,671,000 to \$300,182,000;
- (b) 30-Parole Services from \$48,242,000 to \$46,957,000;
- (c) 40-Education Services from \$12,383,000 to \$12,318,000;

(d) 50.01-Administration from \$26,997,000 to \$26,197,000;

(e) 50.02-Distributed Administration from -\$24,783,000 to -\$24,133,000; and by deleting Provisions 4, 5, 6, 7, 8 and 9.

The Legislature augmented this item by \$1,000,000 and 12.0 personnel years to lengthen the basic cadet academy from 10 weeks to 16 weeks, consistent with the Commission on Correctional Peace Officers' Standards and Training report. I believe there is a need for additional training of Youth Authority personnel. However, I am reducing the \$1,000,000 legislative augmentation by \$650,000 and 12.0 personnel years to reflect the actual level of resources required to accomplish the academy expansion by March 1, 2001. I am deleting the \$2,764,000 legislative augmentation and 25.2 personnel years to provide additional mental health, sex offender, and drug treatment services to Youth Authority wards and parolees. The need for the level of services assumed in the augmentation is unclear. In addition, the ongoing costs of the programs as proposed will be significant. I will, however, consider signing legislation that clearly identifies treatment needs, authorizes effective programs scaled to address the actual level of need, and provides the level of resources necessary to fund a more finely-tuned and cost-effective program.

I am deleting Provisions 5, 6, 7, 8, and 9 to conform to this action.

The Legislature augmented this item by \$3,575,000 and 50.2 personnel years to enhance institution and parole staffing levels. I support adequate staffing for these functions. However, the need for these increases is unclear at this time. I am, therefore, deleting this augmentation. I am directing the new Director of the Youth Authority to evaluate the Department's staffing during the course of reviewing its operations and programs.

I am deleting Provision 4 which requires the Youth Authority to develop an analysis of the Ombudsperson Program in a report to be submitted to the Legislature on or before March 1, 2001. Because the Ombudsperson Program will not be implemented until the fiscal year 2000-01, an analysis of program results by March 1, 2001, would be premature.

Item 6110-001-0001—For support of Department of Education. I reduce this item from 47,682,000 to 46,246,000 by reducing:

(a) 10-Instruction from \$54,104,320 to \$52,484,000;

(b) 20-Instructional Support from \$66,935,000 to \$65,599,000;

(c) 30-Special Programs from \$40,493,680 to \$40,427,000;

(i) Amount payable from Federal Trust Fund (Item 6110-001-0890) from -\$107,564,000 to -\$105,977,000;

and by revising Provision 18 and deleting Provision 31.

I am reducing Schedule (a) by \$133,320, Schedule (c) by \$66,680, and three positions to conform to my action to delete the local assistance augmentation for the Migrant Education Even Start Program. The effect of these reductions is to eliminate the legislative augmentation of \$200,000 and three positions to support the expansion of the program.

I am reducing Schedule (b) by \$500,000 to eliminate the legislative augmentation for establishment of a clearinghouse for digital audio and other accessible products and services at the Department of Education, and provide referral services for pupils who are visually impaired. The Superintendent of Public Instruction is already required by statute to make certain materials and information available throughout the State, and to provide specific services to various student populations. This augmentation appears to be for this same purpose, which should be a higher priority for the Superintendent's existing resources than other, more discretionary programs. Additionally, this augmentation would result in pressure on the General Fund in future years to support this activity. I am also deleting Provision 31 to conform to this action.

I am reducing Schedule (b) by \$100,000 and two positions. My action would sustain a \$50,000 augmentation in the Budget Act for the purpose of distributing funding pursuant to the Education Block Grants established in the 2000 Omnibus Education Trailer Bill (SB 1667, Alpert).

I am reducing Schedule (b) by \$496,000 and three positions to eliminate the legislative augmentation for the Department of Education to develop an Environmental

Education Unit. The budget I proposed contains funding from the Environmental License Plate Fund and one position to address environmental education issues at the Department of Education.

I am reducing Schedule (b) by \$75,000 for the \$145,000 in legislative augmentations for charter school workloads in the School Fiscal Services Division to \$70,000. The Legislature approved one position for increased workload due to the augmentation of the Charter School Revolving Loan Fund, and a second position for increased workload regarding charter school apportionments. My budget already includes two new positions for apportionment unit workload increases, including those related to the increased number of charter schools. The workload prescribed for the two additional positions does not justify both augmentations. Therefore, I am sustaining only one additional position, which should be sufficient to address the activities contemplated in both of the augmentations.

I am reducing Schedule (b) for the \$215,000 General Fund legislative augmentation provided for the Department of Education by \$65,000 because the implementation of school district reporting of expulsions and suspensions related to hate crimes would create a state mandate. I am sustaining \$150,000 to contract for training programs to assist school personnel in identifying school violence. As the Tolerance Education Program is not currently established in statute, I am willing to sign legislation to establish the program provided such legislation does not create a reimbursable state mandate. This augmentation, in conjunction with the legislative augmentation of \$2,000,000 for Tolerance Education in Item 6110-485, which I have also sustained, is to be used to reduce hate crimes and increase tolerance of diverse populations.

I am reducing both Schedule (b) and Schedule (i) by \$100,000 to conform to my reduction of federal funding for an expanded evaluation of the Public Schools Accountability Act in Item 6110-001-0890. I am also revising Provision 18 of this item as follows to conform to these actions:

“18. Of the amount appropriated in this item, \$250,000 is provided for the purpose of contracting with an independent consultant for an evaluation of the implementation of the Public Schools Accountability Act, as established by Chapter 3, First Extraordinary Session, Statutes of 1999. ~~This evaluation shall also include an assessment of the following: (1) The extent to which enrollment in alternative schools, as defined in Chapter 3X of the First Extraordinary Session of 1999, has increased since the enactment of the Public Schools Accountability Act; (2) the extent to which any enrollment increases were a result of the act and the schools' attempts to improve their performance by encouraging low-performing pupils to attend alternative schools; and (3) the growth in school achievement in alternative schools as measured by the alternative accountability system, compared to the regular schools these pupils would have otherwise attended. The reporting and delivery deadlines for the evaluation of these questions shall be the same as for the overall evaluation of the Public Schools Accountability Act.~~

I am reducing Schedules (a) and (i) by \$1,487,000 to conform to the actions taken in Item 6110-001-0890.

Item 6110-001-0890—For support of Department of Education. I reduce this item from \$107,564,000 to \$105,977,000 and revising Provision 7.

I am reducing the legislative augmentation of \$1,756,000 and 25 positions by \$1,487,000 and 22 positions. The effect of this action is to approve \$269,000 and 3 positions which, in addition to the \$1,649,000 and 19 positions I previously proposed, provide sufficient additional staff in the Department of Education's Special Education Division to monitor school districts and bring the State into compliance with federal law. This reduction is consistent with justifiable workload received from the department to complete the additional verification reviews required as part of its monitoring activities.

I am revising Provision 7 to reflect two technical revisions. The first corrects the total in this provision from \$4,790,000 to \$4,623,000, and the second deletes the language in subdivision (g). This language for the parental involvement programs

established by Chapter 734 of the Statutes of 1999 was inadvertently maintained in the Budget Bill after the funding was redirected by the Legislature.

I am deleting the \$100,000 legislative augmentation to expand the evaluation of the Public Schools Accountability Act to include the effects of that act on alternative schools. The implementation of the alternative accountability system required by the Public Schools Accountability Act makes a study of this issue irrelevant. I am revising subdivision (i) of Provision 7 to conform to this action, as follows:

“(i) Of the funds appropriated in this item, ~~\$250,000 in prior-year carryover funds shall be available on a one-time basis to the State Department of Education, as follows:~~

- 1) ~~\$100,000 for the purpose of contracting with an independent consultant for an evaluation for the implementation of the Public Schools Accountability Act, as established by Chapter 3 of the First Extraordinary Session of the Statutes of 1999. These funds are to be used in conjunction with the funds referenced in Provision 18 of Item 6110-001-0001.~~
- 2) ~~\$150,000 is~~ for the purpose of providing evaluation reports to the Legislature concerning categorical flexibility pilot projects, pursuant to legislation in the 1999–2000 Regular Session, enacted on or before January 1, 2001.”

Item 6110-105-0001—For local assistance, Department of Education. I revise this item by deleting Provision 5.5.

I am deleting Provision 5.5 as a technical correction to conform with action taken by the budget conference committee, which eliminated funding for equalization and rate increases from the final budget.

Item 6110-115-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$150,089,000 to \$148,741,000 by reducing:

(kkk) 10.10.019.097-Visalia Unified School District from \$2,000,000 to \$1,352,000;

and by deleting:

(jjj) 10.10.019.094-Alameda Unified School District from (\$700,000).

I am reducing this item by \$1,348,000. A deletion of \$700,000 is at the request of the Alameda Unified School District. The district has withdrawn its proposal to participate in the program. The remaining reduction of \$648,000 is a technical adjustment for the Visalia Unified School District to account for the elimination of one-time program costs beginning in 2000–01.

Item 6110-123-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$156,700,000 to \$156,699,000 by reducing:

(b) 20.60.030.032-High Achieving/Improving School Program from \$131,150,000 to \$131,149,000,

and by deleting Provision 3.

I am reducing \$1,000 from this item to reflect savings that will result from my action to delete Provision 3 of this item. The English Language Development test is designed as a diagnostic tool to gauge the progress of pupils in their acquisition of English language skills, and to facilitate their proper placement in instructional programs. Because it is not a comparative measure of academic achievement, the inclusion of this test in the Academic Performance Index would be inappropriate. Further, redesigning and developing this test for the proposed purpose would result in multi-million dollar test development costs, is duplicative of the uses of the Standardized Testing and Reporting (STAR) and SABE2 examinations, and could undermine the results of those exams.

Item 6110-134-0001—For local assistance, Department of Education (Proposition 98). I delete Provision 1.

I am deleting Provision 1 of this Item, which requires the Department of Education to compute alternative Academic Performance Index scores for schools that lack such scores for the purpose of determining their eligibility to receive funds from the Teaching As A Priority Block Grant.

This provision conflicts with existing law, which stipulates that the Superintendent of Public Instruction, with the approval of the State Board of Education, shall develop

a methodology by which to calculate alternative Academic Performance Index scores for all schools that lack such scores, including those with fewer than 100 students.

Item 6110-141-0001—For local assistance, Department of Education (Proposition 98). I delete this item and Provision 1.

I am deleting the \$2,500,000 General Fund legislative augmentation provided in this item for the Migrant Education Even Start Program. This program will remain funded with \$5,000,000 in federal funds. While I believe this program is meritorious, the State should not provide General Fund for the expansion of a federally funded program. Instead, I am setting these funds aside to provide resources for subsequent legislation that will appropriate one-time funds for facilities to support the expansion of general child care and migrant centers.

Item 6110-141-0890—For local assistance, Department of Education. I reduce this item from \$112,448,000 to \$109,448,000 by reducing the legislative augmentation for federal funds carryover to the Migrant Education Mini-Corps Program from \$5,000,000 to \$2,000,000. The remaining \$2,000,000 augmentation, when combined with the funding I provided in my budget, will provide 16 percent more program funding than is provided in the current year.

I am revising Provision 1 as follows to conform to this action:

“1. Of the funds appropriated in this item, ~~\$10,100,000~~ \$7,100,000 is for the California Mini-Corps Program. That amount includes ~~\$5,000,000~~ \$2,000,000 from current year carryover funds, which are to be allocated on a one-time basis.”

Item 6110-151-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$7,269,000 to \$3,469,000.

I am reducing \$3,800,000 of the \$4,000,000 legislative augmentation for this program. AB 1746 in the current legislative session would expand the responsibility of Indian Education Centers to include recovery programs for pupils that have dropped out of comprehensive schools. The Budget Act already includes significant funding for remedial education for all pupils. Doubling the existing funding provided to these Centers in order to enable them to provide the proposed service would result in significant ongoing General Fund pressure in future years. However, this meritorious program warrants a modest expansion.

Item 6110-178-0001—For local assistance, Department of Education (Proposition 98). I delete this item and Provision 1.

I am deleting the \$3,000,000 legislative augmentation and Provision 1 of this item for the Outdoor Science Programs authorized by Chapter 958, Statutes of 1999. When I signed the bill authorizing this program last year, I noted in the signing message that the funding for this program authorized by Chapter 78, Statutes of 1999, was one-time in nature. I also requested districts to present a plan for alternate funding sources for this program; however no plan for alternative funding has been provided.

Item 6110-196-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$1,179,706,000 to \$1,140,205,000 by reducing:

(b) 30.10.020-Child Care Services from \$1,613,182,000 to \$1,573,681,000, and by reducing the following subschedules:

- (1) 30.10.020.001-Special Program, Child Development, General Child Development Programs from \$559,640,000 to \$524,640,000;
- (3) 30.10.020.004-Special Program, Child Development, Migrant Day Care from \$31,280,000 to \$26,780,000;
- (4) 30.10.020.007-Special Program, Child Development, Alternative Payment Program from \$194,253,000 to \$194,252,000;

and by deleting Provision 11(b) and revising Provisions 1(b) and 15.

I am reducing the \$75,000,000 legislative augmentation for general child care provided in Schedule (b) (1) to \$40,000,000 and the \$7,500,000 provided in schedule (b)(3) for migrant day care services to \$3,000,000, for a total reduction of \$39,500,000. I am setting these funds aside, along with \$2.5 million vetoed from item 6110-141-0001, for subsequent legislation to fund one-time child care programs.

I am revising Provision 1(b) and 15 as follows to conform to the reductions in half-year expansions noted above with the intention of funding full-year annualized costs

of \$86 million for these program in the subsequent budget. Together with the other sustained augmentations in this item, including the \$33 million additional rate increase for direct-contracted programs and the \$15 million augmentation noted below, this budget will reflect my objective of sustaining a \$134 million General Fund increase for assisting non-CalWORKS, low income families' access to high quality child care without creating higher ongoing costs in the subsequent budget.

"1. (b) Of the amount appropriated in Schedule (b)(1) of this item, ~~\$75,000,000~~ ~~\$40,000,000~~ is for the purpose of providing half-year expansion of full-day, general child care for children ages 0–five years old."

"15. Of the amount appropriated in Schedule (b)(3) of this item, ~~\$7,500,000~~ ~~\$3,000,000~~ is for the half-year costs of expansion of migrant day care services. ~~The amount must be used in conjunction with the \$2,500,000 for the Migrant Education Even Start (MEES) program appropriated in Item 6110-141-0001. The State Department of Education shall develop a Request for Applications that will combine the requirements of the two programs into a single program that shall be called the Migrant Even Start Child Development Program."~~

I am sustaining the \$15,000,000 legislative augmentation in schedule (b)(11) related to the retention of child care workers in order to make this funding available for subsequent legislation to be negotiated between the Legislature and the Administration that I will be able to sign. I have previously stated my concerns with the introduction of state subsidies into a profession that is subject to local market forces, and with the creation of a costly new state responsibility that would grow over time.

I am deleting Provision 11(b) and reducing schedule (b)4 of this item by \$1,000 to reflect the state savings that would result by not performing the survey of Alternative Payment Providers (APPs) required by this provision. This provision fails to set forth any remedy that would protect the state's fiscal interests in cases where APPs are directing a significant number of children into state contracted centers. The requirement to quantify the extent of duplicated activities is not meaningful; the substantive issue is that the rates paid to both the APP and the state funded center include the cost of each entity providing many of the same services. I would not expect the services to be duplicated. Rather, APPs would receive a windfall of administrative funds in these cases. Absent any requirement to redirect the duplicative administrative funding to increase child care slots, this provision conflicts with my priorities for use of state funds. I am directing my Administration to look more closely at this issue as part of the current child care policy review effort, and I plan to adjust future child care funding as appropriate, based on the findings of the review. In the meantime, I encourage the Department to determine the frequency of occurrence as contemplated by the provision and use its administrative discretion to reduce funding to APPs engaging in this practice to the extent the savings would allow access to additional children. Alternatively, I would support shifting the slots from APP administration to direct contracting so that the state's limited child care funding assures maximum access by needy families.

I am retaining Provision 18 with the understanding that the 25% non-subsidized child rule applies without exception to all Alternative Payment Providers (APPs), including those participating in CalWORKs child care programs, and that the regulations required to be developed by this provision be promulgated on an expedited basis. This rule has not been applied consistently to all programs for which reimbursements are tied to private child care market rates. Absent any obligation to establish rates within the reach of non-subsidized families, the state could be subject to price gouging. In order to assure the state's fiscal interests are not compromised, I expect the State Department of Education to enforce the rule for all APPs and to promulgate the regulations required by Provision 18 as soon as possible, including submission to Department of Finance for certification of fiscal impact, pursuant to the Administrative Procedures Act.

Item 6110-199-0001—For local assistance, Department of Education (Proposition 98). I delete this item and Provision 1.

I am deleting the \$5,000,000 legislative augmentation and Provision 1 of this item for the Beginning Administrator/Beginning Counselor Training Programs. This new

program may be meritorious, and I will consider it in the future. However, I am deleting this item at this time to focus on improving the quality of classroom teachers.

Item 6110-201-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$2,000,000 to \$1,000,000 by reducing:

(a) 30.20-Child Nutrition from \$2,800,000 to 1,800,000, and deleting Provision 2.

I am deleting the \$1,000,000 General Fund legislative augmentation for the provision of start-up grants for the Summer Food Service Program and the After School Snack Program. The funding previously provided for Start-up grants has been underutilized. Further, the Summer Food Service Program is currently eligible for start-up grants. While the After School Snack Program is a worthwhile effort, the need for startup grants and the eligibility criteria should be carefully examined. This issue should be reviewed through the normal budget and legislative processes and considered next year. I am deleting Provision 2 to conform to this action.

Item 6110-228-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$133,287,000 to \$72,087,000 and delete Provision 4.

I am deleting the \$61,200,000 legislative augmentation for the provision of school safety block grants to elementary, middle, and junior high schools. I am concerned about the well being and safety of California children of all ages, and signed legislation last year that requires schools to develop safety plans. This budget includes \$1.8 billion to increase discretionary funding beyond the statutory COLA and \$425 million for block grants; these resources are all available for K–12 school safety purposes based on local school district priorities. Therefore, this augmentation is unnecessary.

I am deleting Provision 4 to conform to this action.

Item 6110-240-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$12,583,000 to \$12,550,000 by reducing:

(c) 20.70-Instructional Support: Assessments from \$1,083,000 to \$1,050,000.

I am deleting the \$33,000 legislative augmentation for a cost-of-living adjustment (COLA) for the International Baccalaureate program. This program provides start-up grants to facilitate the establishment of new International Baccalaureate programs within schools. Providing a COLA for a one-time grant program is inappropriate. In addition, the funding provided for this program has been underutilized; thus, an augmentation for this program appears to be unwarranted.

Item 6110-242-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$125,000 to \$33,000.

I am reducing this legislative augmentation by \$92,000. The Budget Act already provides \$117,000 for student leadership activities through the California Association of Student Councils. The effect of my action is to increase funding for this program in the 2000–01 fiscal year to a total of \$150,000.

Item 6110-485—Reappropriation, (Proposition 98) Department of Education. I revise this item by Item from \$257,135,000 to \$232,835,000 by reducing Schedule (a) of this item by \$3,700,000 and deleting Schedule (p).

I am reducing Schedule (a) by \$3,700,000 for voluntary desegregation claims because the Alameda Unified and Delano Unified School Districts have withdrawn their proposals for program participation in the current-year. I am eliminating Schedule (p) and the reappropriations of \$20,600,000 for Adult Education and Regional Occupational Centers and Programs. The budget provides an increase of \$48.3 million (\$31.3 million for adult education and \$17.0 million for Regional Occupational Centers and Programs) for growth and COLA for these programs, as well as a \$425 million block grant that is available to these programs. Furthermore, adequate justification for the proposal has not been provided, particularly since Adult Education has not historically fully expended its existing budget.

I am revising the Schedule (a) and deleting Schedule (p) to conform to these actions.

“(a) ~~\$ 5,700,000~~ 2,000,000 for transfer to Section A of the State School Fund for reimbursement by the Controller of voluntary desegregation claims from ~~Alameda Unified School District (\$700,000); Delano Unified School District (\$3,000,000); and~~ Visalia Unified School District (\$2,000,000) to provide one-

time funding for 1999–00 costs received pursuant to Sections 42247 and 42249 of the Education Code.”

Item 6120-011-0001—For support of California State Library. I reduce this item from \$18,051,000 to \$17,857,000 by reducing:

(a) 10-State Library Services from \$16,264,000 to \$16,070,000, and by deleting Provision 1.

I am reducing this item by eliminating the legislative augmentations for the California Research Bureau of \$69,000 to perform a study (pursuant to pending legislation) of women in prison who have children, and \$125,000 to provide support to the Joint Committee on the Education Masterplan.

However, I am sustaining the legislative augmentation of \$250,000 for the California Research Bureau for a contract with outside researchers to address public policy issues. Additionally, the budget provides a \$500,000 increase and 6 positions for the bureau, which will enable it to address the highest priority research objectives statewide. These funds could be used for the above proposed activities if deemed a high priority.

Item 6120-140-0001—For local assistance, California State Library. I reduce this item from \$2,005,000 to \$1,005,000 and revising Provision 1.

I am reducing \$1,000,000 of the \$2,005,000 legislative augmentation for local library projects in order to fund higher competing priorities. Additionally, state funding for the Yuba County Library project, the City of Folsom Library site acquisition, the Canyon Country Library Project, and the City of Downey Library expansion project may be eligible for funding from the Library Construction and Renovation Bond Act of 2000 (Proposition 14).

I am revising Provision 1 to conform to this action:

“1. Funds appropriated in this item are for the purpose of funding local assistance projects at local public libraries. These funds are to be allocated on a one-time basis only, as follows:

- (a) ~~Of the funds appropriated in this item, \$200,000 is for the purpose of funding renovation and improvements at Yuba County Library.~~
- (b) Of the funds appropriated in this item, \$69,000 is for the purpose of funding various items at Ventura County Library.
- (c) Of the funds appropriated in this item \$18,000 is for the purpose of funding Spanish language children’s books at Ojai Valley Library.
- (d) Of the funds appropriated in this item, \$50,000 is for the purpose of funding an internet library catalog website at El Segundo Library.
- (e) ~~Of the funds appropriated in this item, \$500,000 is for the purpose of funding library site acquisition for the City of Folsom.~~
- (f) Of the funds appropriated in this item \$15,000 is for the purpose of funding the public library in the City of Covina.
- (g) ~~Of the funds appropriated in this item, \$200,000 is for the purpose of funding the Canyon Country Library Project in Santa Clarita.~~
- (h) Of the funds appropriated in this item, \$18,000 is for the purpose of funding a roof replacement for the Dinuba Library in Tulare County.
- (i) ~~Of the funds appropriated in this item, \$100,000 is for the purpose of funding the City of Downey Library expansion.~~
- (j) Of the funds appropriated in this item \$600,000 is for the purpose of funding three bookmobiles at the Los Angeles County Library.
- (k) Of the funds appropriated in this item \$185,000 is for local grants for local library access programs for telephonic reading systems for deaf and print disabled people.
- (l) Of the funds appropriated in this item, \$50,000 is for publicizing the Fred Korematsu Film Project through the use of a direct outreach and education program.

Item 6120-221-0001—For local assistance, California State Library. I reduce this item from \$72,170,000 to \$56,870,000.

I am deleting the \$15,300,000 legislative augmentation provided for the Public Library Foundation. I am very supportive of funding for local public libraries and see them as a key component to increasing literacy, which is why base funding for the

program increased by 46 percent last year. Moreover, the budget provides increased funding of approximately \$17,700,000 for the California State Library. The total includes \$10,000,000 to increase literacy by local libraries through the English Language and Literacy Intensive Program, \$4,500,000 to support priority local assistance projects (expansions totaling \$2,600,000 for the Transaction Based Reimbursement and Families for Literacy Program(s), and California Newspaper Project), staffing and equipment (totaling \$1,900,000 for California Research Bureau staffing, manuscript handling, modular furniture, and more), and \$3,200,000 for competitive local assistance literacy grants targeted to reach children up to age 5 and their caregivers. Lastly, the voters recently authorized a \$350 million bond for the construction of new public libraries or the renovation of existing public libraries (Proposition 14). These funds will all greatly expand access to quality library services in California.

Item 6360-001-0407—For support of the California Commission on Teacher Credentialing. I reduce this item from \$17,157,395 to \$17,042,665 by reducing:

- (a) 10-Standards for Preparation and Licensing of Teachers from \$17,157,395 to \$17,042,665,

and by deleting Provision 4.

I am deleting the \$114,730 legislative augmentation for two positions to assist with the additional workload associated with reducing from 75 days to 30 days the timeframe in which the Commission must process teacher credential applications and renewals.

I am deleting Provision 4, which requires the Commission to reduce from 75 days the 30 days the timeframe in which teacher credential applications and renewals are processed. I am taking this action because I believe the current 75-day timeframe is sufficient, and because I do not believe that two additional positions will be sufficient to allow the Commission to reduce credential application and renewal processing times to 30 days.

Item 6360-001-0408—For support of the California Commission on Teacher Credentialing. I reduce this item from \$10,164,000 to \$10,159,000 by reducing:

- (a) 10-Standards for Preparation and Licensing of Teachers from \$10,164,000 to \$10,159,000.

I am deleting the \$5,000 legislative augmentation for one new position to compile reports detailing the number and types of teaching credentials issued each year.

These funds are unnecessary, as the additional \$85,000 in proposed funding for this position that was contained in Item 6360-001-0407 was eliminated by the Legislature.

Item 6360-003-0001—For transfer by the Controller to the Test Development and Administration Account (0408). I delete this item and Provision 1.

I am deleting this item, which would provide \$4,000,000 General Fund for the Commission to absorb the cost of not charging applicants to take the California Basic Educational Skills Test. While I appreciate the rationale behind this proposal, I do not believe this represents a sufficiently high priority for the use of General Fund monies among all competing priorities. Additionally, this Budget includes \$1,650,000 General Fund to pay the \$55 cost of a teaching credential for 30,000 first-time teaching credential applicants.

Item 6360-003-0408—For support of the California Commission on Teacher Credentialing. I delete this item and Provision 1.

I am deleting this item to conform to the action taken in 6360-003-0001.

Item 6440-001-0001—For support of University of California. I reduce this item from \$3,054,876,000 to \$3,040,866,000 by reducing:

- (a) Support from \$2,924,026,000 to \$2,910,016,000,
- and revising Provision 40 and deleting Provisions 23, 27, 29, 36, 37, 38, 42, and 43.

I am deleting the \$1,000,000 legislative augmentation for UC San Francisco-Fresno Leukemia research. Although this additional augmentation may be meritorious, I believe the University can utilize other fund sources for this research if it is a high priority. I am deleting Provision 23 to conform to this action.

I am deleting the \$250,000 legislative augmentation to complement UC Riverside's American Indian History Program. Although this additional augmentation may be

meritorious, I am deleting the funding because I believe there are other fund sources UC Riverside could utilize for this purpose if it is a high priority. I am deleting Provision 27 to conform to this action.

I am deleting the \$1,000,000 augmentation for the University to perform an evaluation of the statutory responsibilities of the Resources Agency. I am deleting this augmentation because these funds were restored to the Agency's budget by the Legislature. I am deleting Provision 29 to conform to this action.

I am deleting the \$380,000 legislative augmentation for undergraduate outreach for Latino students at UCLA Medical School. Targeted outreach, of the form proposed here, is currently under review by the California Supreme Court. UC has indicated that it would be inappropriate to implement this program prior to a Supreme Court decision as to whether such programs are legally permissible. I am deleting Provision 36 to conform to this action.

I am deleting the \$380,000 legislative augmentation for the Policy and International Affairs Outreach and Graduate Fellowship Program. Although this additional augmentation may be meritorious, I believe the University can utilize other fund sources for this purpose if it is a high priority. I am deleting Provision 37 to conform to this action.

I am deleting the \$1,000,000 legislative augmentation for the UCLA Ocean Discovery Center. Although this additional augmentation may be meritorious, I believe the University can use other fund sources for this Center if it is a high priority. I am deleting Provision 38 to conform to this action.

I am reducing the \$36,000,000 legislative augmentation for the M.I.N.D. Institute by \$6,000,000. Of the sustained \$30,000,000, \$28,000,000 is one-time funds. I am requesting the University to use \$4,000,000 of this augmentation for the M.I.N.D. Institute to contract with an appropriate organization to continue the research begun by the March of Dimes to identify genetic markers for autism and mental retardation that can lead to diagnosis and prevention of these conditions prior to birth. I am revising Provision 40 to conform to this action.

"40. Of the amount appropriated in Schedule (a), ~~\$40,000,000~~ \$34,000,000 is to fund the Medical Investigation of Neurodevelopmental Disorders (MIND) Institute, including \$28,000,000 in one-time funds."

I am deleting the \$200,000 legislative augmentation for research through the California Policy Research Center. Although this additional augmentation may be meritorious, I believe the University can utilize other fund sources for this research if it is a high priority. I am deleting Provision 42 to conform to this action.

I am reducing the \$22,800,000 legislative augmentation to provide an additional two percent employee compensation pool for non-senate academic employees and other non-faculty employees by \$3,800,000. The sustained \$19,000,000 should be sufficient to increase this pool by approximately 1.5 percent. I am revising Provision 43 to conform to this action.

"43. Of the amount appropriated in Schedule (a), ~~\$22,800,000~~ \$19,000,000 is for the University to provide an additional ≥ 1.5 percent employee compensation pool for nonsenate academic employees and other nonfaculty employees."

Item 6440-301-0001—For capital outlay, University of California. I revise this item by deleting Provision 4.

I am sustaining the \$4,000,000 augmentation for the preliminary plans for the Veterinary Medicine Alterations and Replacement Facility project that was added by the Legislature. The Davis campus has requested this project based on accreditation problems for the veterinary medicine program that are specifically related to deficient facilities. As such, I am directing the Department of Finance to ensure that these funds are used for a project that addresses accreditation requirements and not for other program enhancements.

I am deleting Provision 4, which expresses legislative intent that the Board of Regents of the University of California (UC) accept a proposed gift of 1,100 acres of land for the potential development of a campus at Chula Vista. This language would impose ongoing liability on the University and the State for maintaining and securing this site. In the absence of any established programmatic need for the site, any determination that an additional UC campus is necessary in this area or any other area of

the state, and without the requisite approval of the California Postsecondary Education Commission for a new campus, acceptance of this land would not be appropriate.

Item 6440-301-0574—For capital outlay, University of California. I revise this item by deleting Provision 6.

I am deleting Provision 6, which requires the University of California (UC) to give priority to proposals from developers with labor peace agreements when choosing a developer for the hotel and conference center project at the UC Davis campus. This provision is inappropriately placed in state budget language because this center is not a state-funded project. In addition, this language is unnecessary because UC has resolved the underlying labor issues for the center.

Item 6440-302-0574—For capital outlay, University of California. I revise this item by deleting Provision 7.

I am deleting Provision 7, which prohibits the expenditure of \$15,723,000 in construction funds for the Seismic Replacement Building I project on the Berkeley campus prior to January 1, 2001 unless the University of California (UC) amends a Memorandum of Understanding (MOU) held between UC and the City of Berkeley to include an agreement to minimize community impacts from the project. The decision to not sustain this language has been difficult. While I am supportive of addressing local community concerns related to State construction projects, my primary concern is to ensure the safety of the UC students, faculty, and the public.

Item 6610-001-0001—For support of California State University. I reduce this item from \$2,404,639,000 to \$2,398,139,000 by reducing:

(a) Support from \$3,185,735,000 to \$3,179,235,000, and revising Provision 21 and deleting Provisions 22, 26, and 27.

I am reducing the \$5,000,000 legislative augmentation to fund the CSU Los Angeles Performing Arts Center by \$1,000,000. The sustained \$4,000,000 will provide the state share of this project. Any additional funding needed must be provided by local entities that would benefit from the use of this facility. I am revising Provision 21 to conform to this action.

“21. Of the amount appropriated in Schedule (a), ~~\$5,000,000~~ \$4,000,000 in one-time funds shall be used to fund the CSU Los Angeles Performing Arts Center.”

I am reducing the \$15,000,000 legislative augmentation to increase capacity in various academic programs by \$5,000,000. Although I am very supportive of increasing enrollment in the programs targeted by this augmentation, I believe that it is the responsibility of the California State University to fund the types of activities outlined in the provisional language. I am, therefore, requesting the California State University to use the sustained \$10,000,000 for one-time expenditures, such as instructional equipment, that will enhance the effectiveness and, therefore, the enrollment in these programs. I am deleting Provision 22 to conform to this action.

I am deleting the \$200,000 legislative augmentation for CSU San Jose to plan an Education Collaborative. Although this additional augmentation may be meritorious, I believe the University can redirect resources for this project if it is a high priority. I am deleting Provision 26 to conform to this action.

I am deleting the \$300,000 legislative augmentation to establish a Central American Studies Research Institute at CSU Northridge. Although this additional augmentation may be meritorious, I believe the University can redirect resources for this purpose if it is a high priority. I am deleting Provision 27 to conform to this action.

Item 6610-301-0001—For capital outlay, California State University. I reduce this item from \$27,034,000 to \$22,034,000 by reducing:

(4.1) 06.80.153-San Diego: Otay Mesa Off-Campus Center—Acquisition from \$3,000,000 to \$1,000,000;

(6) 06.98.104-Pomona: Center for Animal and Veterinary Science Education, Phase 1A—Preliminary plans, working drawings, construction and equipment from \$5,000,000 to \$2,000,000.

I am reducing the \$5,000,000 legislative augmentation to \$2,000,000 for Phase 1A of the Center for Animal and Veterinary Science Education at CSU, Pomona. These funds will only be available for expenditure if the CSU Board of Trustee’s approve the

project and a project proposal is submitted to and approved by the Department of Finance. The project proposal submitted to the Department of Finance must identify and demonstrate the programmatic need for the project. The project proposal must include, but not be limited to, annual program enrollment information and full time equivalents served, the deficiencies in current space that preclude program activities, project cost, and scope.

While I am sustaining \$1,000,000 for the Otay Mesa Off-Campus Center acquisition, these funds will only be available for expenditure if both the CSU and the California Community Colleges (CCC) receive approval for the joint off-campus center from the California Postsecondary Education Commission (CPEC) and if a joint off-campus center proposal is approved by the Department of Finance (DOF) following the CPEC approval of a needs study. The proposal submitted to the DOF must identify and demonstrate the programmatic need for the campus center, the annual enrollment and full time equivalents served, the costs of the center both during development and once fully developed, and the full scope and cost of the acquisition and construction proposal for the center. The submittal to DOF must demonstrate that the center will meet the programmatic needs of both segments and additionally substantiate that the space needs for the new center cannot be accommodated at existing campuses in the San Diego area.

Item 6870-001-0001—For support of Board of Governor's of the California Community Colleges. I reduce this item from \$13,207,000 to \$12,451,000 by reducing:

- (b) 20-Special Services and Operations from \$18,050,000 to 17,294,000.

I am deleting the legislative augmentation of \$666,000 and eliminating nine new positions to support the proposed Noncredit Courses (\$136,000), Human Resource Infrastructure Program (\$372,000), and High Cost Programs (\$158,000) to conform to actions taken by the Legislature or me to remove related funding from the Community Colleges' local assistance item.

I am deleting the legislative augmentation of \$90,000 for one new position in the Telecommunication and Technology Infrastructure Program. Although I am supportive of enhancing technology within the community colleges, and the budget provides \$16.3 million for that purpose, the budget also provides an increase of approximately \$1 million for the Chancellor's office to adequately meet increased workload demands.

Item 6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98). I reduce this item from \$2,706,014,000 to \$2,608,731,000 by reducing:

- (a) 10.10.010-Apportionments from \$1,648,654,000 to \$1,603,654,000;
- (b) 10.10.020-Basic Skills, CalWORKs, and Apprenticeships from \$41,606,000 to \$41,342,000;
- (c) 10.10.030-Growth for Apportionments from \$135,871,000 to \$116,263,000;
- (e) 20.10.005-Student Financial Aid Administration from \$7,356,000 to \$7,273,000;
- (f) 20.10.010-Extended Opportunity Program and Services and Special Services from \$86,258,000 to \$85,467,000;
- (g) 20.10.020-Disabled Students from \$76,049,000 to \$75,370,000;
- (h) 20.10.040-Fund for Student Success from \$18,518,000 to \$16,218,000;
- (m) 20.10.070-Matriculation from \$72,066,000 to \$71,308,000;
- (q) 20.20.055-Part-Time Faculty Office Hours from \$7,500,000 to \$2,500,000;

and by deleting

- (ux) 20.30.040-High Cost Programs (\$10,000,000);
- (wx) 20.30.091-Noncredit Courses (\$12,800,000);

and by revising Provisions 2, 3, 8, and 10 and by deleting Provision 19.5.

I am deleting the legislative augmentation of \$12,800,000 in schedule (wx) for noncredit courses. While sequencing noncredit courses and providing additional support for noncredit students may have merit, the budget already includes an increase of over \$10 million for growth and COLA in noncredit programs. Furthermore, the \$155 million augmentation for the Partnership for Excellence provides resources for districts to expand any program deemed to most effectively increase student outcomes.

I am deleting Provision 19.5 and the legislative augmentation of \$10,000,000 in schedule (ux) for High Cost Programs. I am supportive of high-demand programs, including nursing, and the budget includes \$45 million, an increase of \$11 million, for the Economic Development Program. Colleges can use these funds at local discretion to best meet health care and other industry workforce needs.

I am deleting the legislative augmentation of \$45,000,000 in schedule (a) for equalization, as the proposal does not appear to be the most cost-effective means for improving student outcomes. Furthermore, funding equalization as proposed on an FTES and program improvement basis would have an inverse relationship, resulting in limited effectiveness at achieving the intended purpose.

I am revising Provision 2 as follows:

- “2. Of the funds appropriated in Schedule (a), Apportionments, up to \$100,000 is for a maintenance allowance, pursuant to regulations adopted by the board of governors. Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date. ~~\$37,500,000 is to provide equalization of district apportionments on a FTES basis and \$7,500,000 is to provide equalization of district apportionments on a program improvement basis.~~

I am deleting the legislative augmentation of \$2,300,000 in schedule (h) for the Puente Project. My proposed budget included an increase of \$1,000,000, which more than doubles this very worthwhile program and provides sufficient funding to increase access to services at 35 additional colleges.

I am revising Provision 10(c) as follows:

- “(c) Up to ~~\$4,244,000~~ \$1,944,000 is for the Puente Project. \$944,000 continues the 1999–2000 level of funding to support 40 colleges and is available if these funds are matched by \$100,000 of private funds and the participating community colleges and University of California campuses maintain their 1995–96 support level for the Puente Project. \$1,000,000 shall be used to expand the Puente Project to at least an additional 35 colleges. These funds will be subject to the same local match agreement as existing programs. These funds are not required to be allocated on a temporary basis and may be allocated on a permanent basis to support a Puente Project that meets the conditions of the Puente Project contract agreement. All funding shall be allocated directly to participating districts in accordance with their participation agreement.”

I am reducing the \$38,700,000 legislative augmentation for growth in schedules (b), (c), (e), (f), (g) and (m) by \$22,183,000, thereby retaining a total of 3.5% growth in apportionments. Data indicate that funding growth at 3.5% will provide sufficient resources to ensure that students have access to community colleges.

I am revising Provisions 3 and 8 to conform to this action as follows (the revised language also includes a technical correction to strike reference to two augmentations, \$5,400,000 for books and \$2,400,000 for discretionary program expansion, previously proposed by the Legislature, but not included in the enrolled budget bill, for Extended Opportunity Programs and Services):

- “3. Notwithstanding any other provision of law, ~~\$25,017,000~~ \$24,753,000 of the funds appropriated in Schedule (b) shall be for allocation to community college districts in the 2000–01 fiscal year for the purposes of funding FTES in courses in basic skills, including English-as-a-second-language courses and work force preparation courses for newly legalized immigrants, to the extent the total FTES claimed by a district for the 2000–01 fiscal year exceeds the level of total FTES funded for that district in the 2000–01 fiscal year. The Chancellor of the California Community Colleges shall develop criteria for allocating these funds.”
- “8. Of the funds appropriated in Schedule (f), ~~\$82,933,000~~ \$74,461,000 is for Extended Opportunity Programs and Services in accordance with Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of the Education Code. Of this amount \$6 million represents an augmentation and may only be allocated to serve 10,000 additional students over the number served in the 1999–2000 fiscal year. Funds provided in this item for Extended Opportunity

Programs and Services (EOPs) shall be available to students on all campuses within the California Community College system, including those students on new campuses or in new districts. ~~\$11,125,000~~ \$11,006,000 is for funding, at all colleges, the Cooperative Agencies Resources for Education (CARE) program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of the Education Code. The board of governors shall allocate funds on a priority basis and to local programs on the basis of need for student services.”

I am deleting the \$5,000,000 legislative augmentation for the part-time faculty office hours program. The budget contains a \$2,500,000 base budget for this program approved last year. While I am supportive of fair wages and employment conditions for part-time faculty, I am concerned that this augmentation does not contain any assurance of improvements in the quality of instruction or student outcomes. Additionally, I am not supportive of the reduced local match requirement contained in the education trailer bill. Furthermore, any action pertaining to faculty office hours may be premature until the completion of a study of the CCC’s part-time faculty employment, salary, and compensation patterns, as required by Chapter 738/99 (AB 420).

Item 6870-301-0574—For capital outlay, Board of Governors of the California Community Colleges. I reduce this item from \$307,277,000 to \$304,342,000 by deleting:

Long Beach Community College District

Long Beach City College (Liberal Arts College)

(29) 40.25.116-Child Development Center—Construction (\$2,935,000)

I am deleting funding for this project to provide the Chancellor’s Office of the California Community Colleges and the Long Beach Community College District the opportunity to redesign the project in accordance with State guidelines that were developed and implemented shortly after the project had been initiated. Compliance with these guidelines will ensure the completion of a facility that will fully address programmatic needs.

Item 7980-001-0001—For support of Student Aid Commission. I reduce this item from ~~\$10,797,000~~ to \$10,547,000 by reducing:

(a) 15-Financial Aid Grants Program from \$10,843,000 to \$10,593,000.

I am deleting the \$250,000 legislative augmentation for first-year administrative costs of providing financial aid incentives for students to attend public colleges and universities during the summer session. I am deleting this augmentation because there is no indication that the Commission would incur additional workload as a result of students attending summer session.

Item 7980-101-0001—For local assistance, Student Aid Commission. I reduce this item from ~~\$571,216,000~~ to \$519,916,000 by reducing:

Schedule (a) Financial Aid Grants Program from \$580,780,000 to \$529,480,000, and revising Provision 6.

I am deleting the \$11,500,000 legislative augmentation to increase the maximum Cal Grant awards to cover one-half of campus-based fees for recipients attending the California State University and the University of California.

I am reducing the \$45,300,000 legislative augmentation to increase the Cal Grant B subsistence award for all recipients by \$36,000,000. The sustained \$9,300,000 is sufficient to increase this award by approximately ten percent to \$1,548.

I am reducing the \$3,400,000 legislative augmentation to increase the maximum Cal Grant C award for all recipients by \$2,800,000. The sustained \$600,000 is sufficient to increase this award by approximately ten percent to \$2,592. I am also making a technical correction to Provision 6, which incorrectly states that this legislative augmentation applies only to new recipients. The legislative action was to provide the increase to all recipients.

I am reducing the \$1,200,000 legislative augmentation to increase the maximum Cal Grant C book and supply award for all recipients by \$1,000,000. The sustained \$200,000 is sufficient to increase this award by ten percent to \$576.

I am revising Provision 6 to conform to the above actions.

“6. Notwithstanding any other provision of law, of the amount appropriated in Schedule (a), ~~\$11,500,000 shall be used to increase the maximum Cal Grant A, Cal Grant B, Cal Grant C, and Cal Grant T awards to cover approximately one-half of campus-based fees for all recipients attending the California State University and the University of California; \$45,300,000~~ ~~\$9,300,000 shall be used to increase the Cal Grant B subsistence award for all recipients to \$2,322 \$1,548; \$3,400,000~~ ~~\$600,000 shall be used to increase the maximum Cal Grant C award for new recipients to \$3,659~~ ~~\$2,592; and \$1,200,000~~ ~~\$200,000 shall be used to increase the Cal Grant C book and supply award for all recipients to \$840~~ ~~\$576~~. These funds are contingent on the enactment of legislation that becomes effective on before January 1, 2001, revising the program to reflect the level of benefits anticipated by this provision. If legislation is enacted that requires some lesser amount than provided in this provision, the Director of Finance shall determine the appropriate amount to be reverted to the General Fund, and shall certify the amount to the Controller’s office.”

Item 8100-101-0001—For local assistance, Office of Criminal Justice Planning. I reduce this item from \$194,492,000 to \$189,038,000 by reducing:

(6) 50.20.352-Youth Emergency Telephone Referral from \$388,000 to \$338,000,
(22.1)50.30.700-Special Projects-Public Safety, from \$155,999,000 to \$150,595,000;

I am reducing this item by \$50,000 by deleting the legislative augmentation for outreach programs for the California Youth Crisis Line. This program is currently funded by the Office of Criminal Justice Planning, and receives funding for outreach in its funding allocation. Any additional funding for this program should be sought through the normal competitive process.

I am reducing this item by \$1,700,000 by deleting the legislative augmentation for the Child Trauma Reduction Program. SB 2183 is a measure pending in the Legislature that creates this pilot program and contains an appropriation for administration. There is insufficient information to justify an augmentation to the budget for this purpose.

I am reducing this item by \$1,025,000 by deleting the following legislative augmentations in order to fund higher competing priorities:

\$500,000 for a staging area for police services for the City of La Mirada;

\$425,000 for the Orange County District Attorney’s Office Immigrant Outreach Program;

\$100,000 for the City of Anaheim Forensics Laboratory Project.

I am reducing this item by \$100,000 for the legislative augmentation for the Stand-off Chemical Agent Detector from \$600,000 to \$500,000 in order to fund higher competing priorities.

I am reducing this item by \$338,000 by deleting the following legislative augmentations for gang prevention programs. Other funds are currently available within this budget for purposes such as these, including funds that will be made available for the Juvenile Justice Initiative:

\$130,000 for the Orange County Community Services Department: Gang Prevention/Intervention Program;

\$93,000 for the City of Long Beach Civil Injunction Against Violent Street Gangs Program;

\$65,000 for the City of Long Beach Gang Intervention Prevention Program;

\$50,000 for the City of Bellflower’s Alternative to Gangs Program.

I am reducing this item by \$241,000 by deleting the following legislative augmentations to purchase equipment for local law enforcement. I note that the budget includes \$75 million to address one-time local law enforcement equipment needs through grants allocated on a per capita basis:

\$100,000 for a mobile command post for the Ventura Police Department;

\$51,000 for equipment for the Ventura Police Department;

\$50,000 for equipment for the City of Santa Paula Police Department;

\$30,000 for equipment for the City of Bellflower Sheriff Substation; and

\$10,000 for equipment for the Town of Danville Police Bike Patrol.

I am deleting \$2,000,000 for the legislative augmentation for the City of Garden Grove Public Safety Building Upgrades. This is a local responsibility and should be locally funded based on local priorities.

Item 8100-101-0597—For local assistance, Office of Criminal Justice Planning. I reduce this item from \$3,683,000 to \$3,433,000 by reducing:

- (a) 50.30.562-High Technology Theft Apprehension and Prosecution Program from \$3,683,000 to \$3,433,000.

I am reducing the legislative augmentation for the Prosecution of High Technology Crime education grants from \$500,000 to \$250,000 in order to fund higher competing priorities.

I am revising this item to conform with the action taken in Item 8100-112-0001.

Item 8100-112-0001—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund. I reduce this item from \$3,465,000 to \$3,215,000.

I am reducing this legislative augmentation for the Prosecution of High Technology Crime education grants from \$500,000 to \$250,000 in order to fund higher competing priorities.

Item 8140-001-0001—For support of the State Public Defender. I reduce this item from \$11,694,000 to \$11,589,000 by reducing:

- (a) 10-State Public Defender from \$11,694,000 to \$11,589,000;
- and by deleting Provision 2.

I am deleting the \$105,000 legislative augmentation for the State Public Defender to prepare a report and make recommendations by October 1, 2000, on the safeguards that exist in California to ensure that the innocent are not executed, primarily investigating the impact of waiting for appellate counsel, and the amount of funding provided for investigation of cases at the appellate level. There is no evidence to suggest that a problem exists in California related to indigent inmates not receiving proper counsel in capital cases during the appellate and habeas corpus process.

I am deleting Provision 2 to conform to this action.

Item 8260-001-0001—For support of California Arts Council. I reduce this item from \$3,166,000 to \$2,616,000 by reducing:

- (b) 10-Artists in Residence from \$982,595 to \$938,000;
- (c) 20-Organizational Support Grants from \$1,413,025 to \$1,168,000;
- (d) 25-Performing Arts Touring/Presenting Program from \$367,775 to \$350,000;
- (e) 30-Special Initiatives Program from \$123,640 to \$88,000;
- (f) 40-Statewide Projects from \$644,965 to \$538,000, and
- (ix) 70-Cultural Institutions Program from \$350,000 to \$250,000.

To conform with the deletion of the \$7,050,000 legislative augmentation for the expansion of core programs in the local assistance item, I am deleting the \$450,000 legislative augmentation that would have provided administrative support for the expansion of the core programs.

To conform with my action regarding Item 8260-103-0001, I am reducing the amount available for support costs by \$100,000 from \$350,000 to \$250,000.

Item 8260-101-0001—For local assistance, California Arts Council. I reduce this item from \$40,215,000 to \$27,665,000 by reducing:

- (b) 10-Artists in Residence from \$4,404,000 to \$3,705,000;
- (c) 20-Organizational Support Grants from \$19,810,000 to \$10,473,000;
- (d) 25-Performing Arts Touring/Presenting Program from \$1,121,000 to \$842,000;
- (e) 30-Special Initiatives Program from \$1,059,000 to \$500,000;
- (f) 40-Statewide Projects from \$4,352,000 to \$2,676,000;

and revising Provisions 3 and 4.

I am reducing the \$7,500,000 legislative augmentation for the Multicultural Arts Development Program to \$2,000,000. While this program is potentially worthwhile, I believe that \$2,000,000 is adequate at this time for this program.

I am also reducing the amount specified in Provision 4 for administrative costs from \$225,000 to \$100,000 to conform to the grant reduction.

I am revising Provisions 3 and 4 to conform to these actions.

“3. Of the funds appropriated in Schedule (c), ~~\$7,500,000~~ \$2,000,000 is for the Multicultural Arts Development program. These funds shall be for culturally specific organizations or artists who have a demonstrated commitment to cultural art. This funding shall be limited to organizations that have traditionally not received significant grants from the California Arts Council.”

“4. Of the ~~\$7,500,000~~ \$2,000,000 appropriated for the Multicultural Arts Development program, up to ~~\$225,000~~ \$100,000 can be used for state operations for the cost of administering the grants and transferred to Item 8260-001-0001.”

I am also deleting the \$7,050,000 legislative augmentation for the expansion of existing core programs. This amount, when combined with the \$450,000 appropriation in Item 8260-001-0001, would have added \$7,500,000 to the budget. Funding for core programs has increased from approximately \$14,000,000 in 1997–98 to approximately \$20,000,000 in my proposed 2000–01 Budget. Also included in the Budget is \$10,000,000 for the new Arts in Education Program, which provides an approximately 50 percent increase in competitive grant programs. Over the past few years, I have provided a significant increase in arts program funding.

Item 8260-103-0001—For local assistance, California Arts Council. I reduce this item from \$45,795,400 to \$31,235,400 by deleting or reducing allocations for various projects in this item. I am also revising Provisions 5 and 9 to conform with this action.

Although these projects may be meritorious, I am reducing or deleting the funding for them to fund higher competing priorities.

I am revising Provision 5 to conform to this action.

“5. Of the funds appropriated in this item ~~\$40,795,400~~ \$26,235,400 shall be for the following projects:

- (1) City of La Habra: Outreach Program at the Children’s Museum of La Habra ~~410,000~~ 250,000
- (2) ~~Natural History Museum of Los Angeles County 1,000,000~~
- (3) New Conservatory Theatre: Children’s Safe School Arts Project 50,000
- (4) San Francisco Mexican Museum: Construction of a permanent facility 500,000
- (5) National Maritime Museum Association: Maritime Educational Program for Northern California schoolchildren 250,000
- (6) City of San Francisco: DeYoung Museum 4,500,000
- (7) Bayview Opera House: Renovation and structural improvements 400,000
- (8) Filipino American National Heritage Society, Sacramento: Documentary “An Untold Triumph” 25,000
- (9) Kids Write Plays Program 65,000
- (10) Armenian Film Foundation 78,400
- (11) San Mateo and Los Angeles County Offices of Education: Civil Rights Project “Sojourn to the Past” 350,000
- (12) DQ University 300,000
- (13) County of San Luis Obispo: Dan Adobe Rehabilitation Project 200,000
- (14) City of San Luis Obispo: Children’s Museum Expansion Project 200,000
- (15) City of Arroyo Grande: South County Performing Arts Building 400,000
- (16) Port San Luis Marine Institute: Floating Marine Laboratory 150,000
- (17) ~~Hurst Historical Ranch Foundation: Hurst Ranch Historical Foundation Education Program 500,000~~
- (18) City of La Mirada: Performing and Cultural Arts Center ~~400,000~~ 250,000
- (19) Historical Society of West Covina: Heritage House and Heritage Gardens Park 85,000
- (20) Fender Museum Foundation: Fender Museum of the Arts and Music 250,000
- (21) Italian Cultural Society: Italian Cultural Center and Museum ~~1,000,000~~ 300,000
- (22) Elk Grove Historical Society: Old Stage Stop and Hotel Museum Project 100,000

- (23) Galt Area Historical Society: McFarland Living History Ranch Project 100,000
- (24) ~~Santa Clarita International Film Festival: Educational and Cultural Outreach Program 110,000~~
- (25) ~~Edwards Flight Test Museum: Blackbird Park Capitol Outlay Project 100,000~~
- (26) Allied Arts Association: Facility purchase and improvements 250,000
- (27) City of Poway: Kumeyaay Indian Cultural Center 400,000
- (28) City of San Diego: Sikes Adobe State Point of Historic Interest Restoration 350,000
- (29) The Wall Memorial: Completion of memorial to victims of HIV and AIDS 400,000
- (30) Natural History Museum: Border Environment Education Program 1,000,000
- (31) 100th/442nd/MIS WWI Memorial Foundation 500,000
- (32) Jewish Federation Zimmer Museum ~~2,900,000~~ 2,000,000
- (33) Los Angeles Children's Museum ~~4,000,000~~ 2,500,000
- (34) ADL: Stop the Hate 1,000,000
- (35) National Coalition for Redress/Reparations: NCRR Educational Program and Museum Display 50,000
- (36) ~~Hollywood Entertainment Museum: Education Center for Entertainment Arts 1,000,000~~
- (37) Skirball Museum of Tolerance: Completion of Karen and Gary Winnick Family Heritage Hall 2,000,000
- (38) ~~Long Beach Museum of Art 300,000~~
- (39) Redondo Beach Performing Arts Center: Replace lavatory equipment in Performing Arts Center ~~300,000~~ 250,000
- (40) Torrance Cultural Arts Center: Construction of a black-box stage ~~275,000~~ 250,000
- (41) City of Lomita: Expansion of Railroad Museum 250,000
- (42) African American Historical and Cultural Museum of the San Joaquin Valley: Construction and renovation of museum in Central Valley 250,000
- (43) El Pueblo de Los Angeles: Street scape improvements and restoration of historic buildings in Pico and Garnier Blocks ~~4,000,000~~ 2,000,000
- (44) San Francisco Ballet 500,000
- (45) Wajumbe Cultural Institution: \$45,000 for Summer Cultural Arts and Education Camp; \$84,000 for Multimedia and Community Television Lab for equipment 129,000
- (46) ~~City of Lancaster: Relocation of the Antelope Valley African American Museum 500,000~~
- (47) Explorit! Science Center: Capital outlay assistance 200,000
- (48) Fresno Art Museum: Construction of the Sculpture Plaza Park ~~200,000~~ 150,000
- (49) Fresno Museum: Legion of Valor, data base, and related projects 150,000
- (50) Chinese Historical Society of America: Construction of the Chinese American National Museum and Learning Center 200,000
- (51) The Asian Art Museum of San Francisco: Museum renovation 500,000
- (52) City of Inglewood: Annual Inglewood Celebrates the Arts 28,000
- (53) ~~City of Los Angeles: Support for the African American Marketplace 300,000~~
- (54) Pan African Film and Arts Festival ~~300,000~~ 200,000
- (55) City of Santa Rosa: Sonoma County Museum Project 250,000
- (56) Napa County Museum: Museum Expansion 100,000
- (57) Oakland Museum of California: Distribution of materials to high school students 150,000
- (58) ~~Atwater Historical Society: Bloss Home Restorations and Repair 100,000~~
- (59) ~~Miners Foundry Board: Miners Foundry Cultural Center 500,000~~
- (60) Modoc Arts Council: Modoc Amphitheater 200,000

- (61) Nevada County Fair Board: Music in the Mountains Joint Use Facility 350,000
- (62) Tulare County: Tulare County International Agri-Center 750,000
- (63) City of Dana Point: Ocean Education Center 800,000
- (64) City of Oceanside: Historic San Luis Rey Mission Restoration 500,000
- (65) Central Sierra Historical Society: Museum of the Central Sierra development 125,000
- (66) City of Clovis: Clovis Botanical Gardens Museum Educational Program 150,000
- (67) City of Visalia: Arts Visalia Center 50,000
- (68) Youth Science Institute: Youth Science Institute Education Facility expansion 300,000
- (69) Sutter County: Yuba-Sutter local film commission project 40,000
- (70) East Bay Regional Park: Black Diamond Mines Education Center 400,000
- (71) County of San Bernardino: San Bernardino County Museum Mineral Exhibit 50,000
- (72) City of Westminster: Community Theater equipment 250,000
- (73) City of Anaheim: Mother Colony House historical site expansion project 500,000
- (74) Palos Verdes Symphony Orchestra 25,000
- (75) Long Beach Museum of Art 300,000
- (76) Legion of Valor Museum in Fresno: Creation of archival system for the purpose of establishing a permanent database of original citations 150,000
- (77) Latino Museum of History, Art, and Culture 1,000,000”

I am revising Provision 9 to conform with this action.

- “9. Of the funds appropriated in Schedule (ix) of Item 8260-001-0001, \$350,000 \$250,000 shall be used by the California Arts Council to defray its expenses for support and related expenses for performing its responsibilities under this item. The council may enter into an interagency agreement to obtain personnel services relating to the review and approval of capital outlay expenditure plans.”

Item 8320-001-0001—For support of Public Employment Relations Board. I reduce this item from \$5,835,000 to \$4,435,000 by reducing:

- (a) 11-Public Employment Relations from \$5,847,000 to \$4,447,000.

I am deleting the \$1,400,000 legislative augmentation, which would provide resources to expand the Public Employment Relations Board’s jurisdiction to include resolving disputes and enforcing statutory duties and rights of employers and employees for local governments. I do not believe that state oversight of local government collective bargaining is necessary at this time.

Item 8350-001-0001—For support of Department of Industrial Relations. I reduce this item from \$147,385,000 to \$146,385,000 by reducing:

- (6) 40-Prevention of Industrial Injuries and Deaths of California Workers, from \$74,479,930 to \$73,979,930;
- (7) 50-Enforcement and Promulgation of Laws Relating to Wages, Hours, and Conditions of Employment, and Licensing and Adjudication, from \$40,338,850 to \$39,838,850;

and by deleting Provisions 3 and 4.

I am deleting the legislative augmentation of \$500,000 and 7 positions for the enforcement of labor law and regulations related to the janitorial and building maintenance industry. I am also deleting the legislative augmentation of \$500,000 and 7 positions for enforcement of health and safety laws and regulations related to farm laborers. The budget includes \$4.1 million for the Joint Enforcement Strike Force and the Targeted Industries Partnership Program to enforce Labor Code requirements, including those relating to the janitorial and building maintenance industry. Additionally, the budget includes over \$73 million to enforce health and safety requirements in the workplace, including those affecting the agricultural industry. I am also deleting Provisions 3 and 4. Provision 3 would direct \$500,000 of the amount appropriated in this item to the Division of Labor Standards and Enforcement for the purposes of

enforcing labor laws and regulations related to the janitorial and building maintenance industry. Provision 4 would direct \$500,000 of the amount appropriated in this Item to the Division of Occupational Safety and Health for the purposes of enforcing health and safety laws and regulations related to farm laborers. I am deleting these provisions to conform to my previous action to delete funding for these programs.

I am sustaining the \$150,000 legislative augmentation for the Young Worker Health and Safety Network on a one-time basis. I expect that pending legislation establishing a statewide young worker health and safety resource network (AB 1599) will be amended consistent with my action on this issue.

Item 8570-001-0001—For support of Department of Food and Agriculture. I reduce this item from \$71,782,000 to \$64,732,000 by reducing:

(a) 11-Agricultural Plant and Animal, Pest and Disease Prevention from \$78,997,000 to \$71,947,000, and deleting Provisions 4, 5, 6, 7, 8, and 9.

I am deleting the \$3,000,000 legislative augmentation for facility replacement and improvements for the Center for Agroecology and Sustainable Food Systems at the University of California, Santa Cruz. The need targeted by this augmentation has not been identified in the campus's five or ten year infrastructure plan as a priority.

In the overall context of higher education capital outlay needs, the State has limited resources to address all identified needs. Current and future resources should not be allocated on an ad hoc basis, rather, allocated to projects that have been developed in the context of the Administration's overall priorities with regard to appropriate project costs and guidelines, instructional purposes, enrollment related needs, scope standards, and having secured the appropriate programmatic and site review and approvals.

I am deleting Provision 7 to conform to this action.

I am deleting the \$3,750,000 legislative augmentation that would have provided grants to the University of California Small Farm Center (\$750,000), the Center for Biological Control at the University of California, Berkeley (\$1,750,000), the Center for Biological Control at the University of California, Riverside (\$750,000), and the Center for Agroecology and Sustainable Food Systems at the University of California, Santa Cruz (\$500,000). While there may be merit to some of these proposals, there is insufficient information to justify funding at this time.

I am deleting Provisions 4, 5, 6, 8, and 9 to conform to this action.

I am also deleting the \$300,000 legislative augmentation for a report regarding the use of Genetically Modified Organisms (GMOs). It is unclear what would specifically be accomplished with this level of funding.

Item 8570-101-0001—For local assistance, Department of Food and Agriculture. I reduce this item from \$20,590,000 to \$10,590,000 by reducing:

(a) 11-Agricultural Plant and Animal, Pest and Disease Prevention from \$19,015,000 to \$10,515,000;

(b) 31-Assistance to Fairs and County Agricultural Activities from \$2,908,000 to \$1,408,000;

and by deleting Provision 2.

I am deleting the \$8,500,000 legislative augmentation to the County High Risk Pest Exclusion Program. I believe that the \$5,500,000 I proposed, along with additional unclaimed gas taxes that may be available for this purpose pursuant to Chapter 890, Statutes of 1999, and the \$17 million from unclaimed gas taxes for other county agricultural programs, provides a sufficient level of state support for pest exclusion activities, which are largely county responsibilities. I am deleting the \$1,500,000 legislative augmentation and Provision 2, which appropriates funds to the 50th Agriculture Fair District for the new fairgrounds exhibit hall. Although this project may be meritorious, I am deleting this funding to fund higher competing priorities.

Item 8620-001-0001—For support of the Fair Political Practices Commission. I revise this item.

I am sustaining the \$460,000 General Fund legislative augmentation to support the development and implementation of a public education unit which will provide a central location for public access to state and local laws regulating political activities. However, I am reducing the number of personnel years from 4.8 personnel years to 1.8

because I believe there are sufficient vacant positions that can be re-directed to meet the workload demands of this new program.

Item 8940-001-0001—For support of Military Department. I reduce this item from \$28,099,000 to \$27,099,000 by reducing:

- (a) 10-Army National Guard from \$39,294,000 to \$38,294,000.

I am deleting the \$1,000,000 legislative augmentation to fund deferred maintenance projects at armories and other facilities. The California National Guard is emerging into a new force, restructuring its organization for the 21st Century. Under this restructuring, the National Guard has added combat support and combat service support units (non-combat), while reducing the size of and modernizing its combat infantry division. The Military Department is currently preparing a comprehensive plan to address its overall capital outlay and special repairs/deferred maintenance needs, in light of its new organization and mission. Therefore, providing additional resources at this time would be premature.

Item 8965-001-0001—For support of Veterans Home of California, Barstow. I reduce this item from \$12,413,000 to \$12,412,000 by reducing:

- (a) 30-Care of Sick and Disabled Veterans from \$20,903,000 to \$20,902,000, and by deleting Provision 4.

I am reducing this item by \$1,000 and deleting Provision 4, which would require the Department of Veterans Affairs to submit to the Legislature by April 1, 2001, an evaluation of the Behavior Management pilot program at the Barstow Veterans Home. The pilot program is proposed for a trial period of 24 months, yet this language requires a complete evaluation 10 months into the program. While I do not object an evaluation of this program, this language is premature.

Item 9100-102-0001—For local assistance, Tax Relief. I delete this item and Provision 1.

I am deleting the \$1,700,000,000 legislative augmentation as a technical change, since tax relief will be provided through a budget trailer bill rather than the Budget Act.

I am deleting Provision 1 to conform to this action.

Item 9210-104-0001—For local assistance, Local Government Financing. I reduce this item from \$12,150,000 to \$10,800,000 and by revising Provision 1.

“1. The funds appropriated in this item are for the following:

- (a) City of San Diego—Point Loma Fire Station #22, new apparatus bay and remodeling ~~750,000~~ 400,000
 (b) Orange County—Orange County Coroner 10,000,000
 (c) Imperial County—Consolidation of fire department, sheriff’s office and the Heber Utility District 400,000
 (d) ~~City of Belmont—Renovation and rehabilitation of the Belmont police station 1,000,000”~~

I am reducing this item to fund higher competing priorities.

Item 9210-105-0001—For local assistance, Local Government Financing. I reduce this item from \$4,898,167 to \$3,548,167 and by revising Provision 1.

“1. The funds appropriated in this item are for the following:

- (a) City of Santa Ana—Santa Ana Zoo Commissary 40,000
 (b) City of Antioch—Capital improvements 282,167
 (c) City of Rialto—Imaging system 65,000
 (d) San Bernardino County Registrar of Votes—Creation of remote early voting sites 100,000
 (e) Santa Barbara County—Expand ~~Cascade~~ Casa de La Raza Family Service Center 100,000
 (f) Mendocino County—Mobile spay/neuter, disaster preparedness, and pet adoption van 100,000
 (g) Marin County—Construction of a permanent detoxification facility 250,000
 (h) San Joaquin County—Mary Graham Children’s Complex for abused children ~~2,650,000~~ 1,500,000

- (i) City of Downey—Animal shelter renovation for the Southeast Area Animal Control Agency 561,000
- (j) City of Avalon—Purchase of storm water diverters 300,000
- ~~(k) City of Azusa—Fund an economic impact study on traffic change 200,000~~
- (l) City of Santa Clarita—Diapers recycling facility 250,000”

I am reducing this item to fund higher competing priorities. In addition, the funding for the Santa Barbara County: Expand Casa de La Raza Family Service Center project is one-time in nature.

Item 9800-001-0001—For Augmentation for Employee Compensation. I revise this item by deleting Provision 3.

I am deleting Provision 3, which states legislative intent that funds available in this item shall be available to address salary compaction issues within the Department of Corrections. This language is an infringement on the Department of Personnel Administration’s authority to collectively bargain salary issues.

SEC. 3.60—Contribution to Public Employees’ Retirement Benefits. I delete provision (d) of this control section.

Provision (d) of this section would direct the California Public Employees’ Retirement System (CalPERS) to offset the State’s 2000–01 retirement contribution by the amount the State overpaid in 1999–00.

I am deleting this provision since CalPERS already refunded the overpayment to the State.

With the above deletions, revisions and reductions, I hereby approve Assembly Bill 1740.

GRAY DAVIS

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

SECTION 1.00. This act shall be known and may be cited as the “Budget Act of 2000.”

SEC. 1.50. (a) In accordance with Section 13338 of the Government Code, as added by Chapter 1284, Statutes of 1978, and as amended by Chapter 1286, Statutes of 1984, it is the intent of the Legislature that this act utilize a coding scheme compatible with the Governor’s Budget and the records of the State Controller, and provide for the appropriation of federal funds received by the state and deposited in the State Treasury.

(b) Essentially, the format and style are as follows:

(1) Appropriation item numbers have a code which is common to all the state’s fiscal systems. The meaning of this common coded item number is as follows:

2720—Organization Code (this code represents the California Highway Patrol)

001—Reference Code (first appropriation for a particular fund for support of each department)

0044—Fund Code (Motor Vehicle Account, State Transportation Fund)

(2) Appropriation items are organized in organization code order as reflected in the Governor's Budget.

(3) All the appropriation items, reappropriation items, and reversion items, if any, for each department or entity are adjacent to one another.

(4) Federal funds received by the state and deposited in the State Treasury are appropriated in separate items.

(c) The Department of Finance may authorize revisions to the codes used in this act in order to provide compatibility between the codes used in this act and those used in the Governor's Budget and in the records of the State Controller.

(d) Notwithstanding any other provision of this act, the Department of Finance may revise the schedule of any appropriation made in this act where the revision is of a technical nature and is consistent with legislative intent. These revisions may include, but shall not be limited to, the substitution of category for program or program for category limitations, the proper categorization of allocated administration costs and cost recoveries, the distribution of any unallocated amounts within an appropriation and the adjustment of schedules to facilitate departmental accounting operations, including the elimination of categories providing for amounts payable from other items or other appropriations and the distribution of unscheduled amounts to programs or categories. These revisions shall include a certification that the revisions comply with the intent and limitation of expenditures as appropriated by the Legislature.

(e) Notwithstanding any other provision of this act, when the Department of Finance, pursuant to subdivision (d), approves the schedule or revision of any appropriation relating to the elimination of amounts payable, the language authorizing the transfer shall also be eliminated.

SEC. 2.00. (a) The following sums of money and those appropriated by any other sections of this act, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 2000–01 fiscal year beginning July 1, 2000, and ending June 30, 2001. All of these appropriations, unless otherwise provided herein, shall be paid out of the General Fund in the State Treasury.

(b) Appropriations and reappropriations for capital outlay, unless otherwise provided herein, shall be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years, except that appropriations and reappropriations for studies, preliminary plans, working drawings, or minor capital outlay, except as provided herein, shall be available for expenditure only during the 2000–01 fiscal year. In addition, the balance of every appropriation or reappropriation made in this act that contains funding for construction that has not been allocated, through fund transfer or approval to proceed to bid, by the Department

of Finance on or before June 30, 2001, except as provided herein, shall revert as of that date to the fund from which the appropriation was made.

(c) Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purpose only to the extent of the amount therein appropriated, unless otherwise stated herein, or authorized pursuant to Section 11006 of the Government Code.

(d) Appropriations for purposes not otherwise provided for herein that have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby.

LEGISLATIVE/JUDICIAL/EXECUTIVE

Legislative

Item	Amount
0110-001-0001—For support of Senate	76,317,000

Schedule:

(a) 101001-Salaries of Senators.....	4,756,000
(b) 317295-Mileage	10,000
(c) 317292-Expenses.....	1,196,000
(d) 500004-Operating Expenses.....	69,710,000
(e) 317296-Automotive Expenses.....	645,000

Provisions:

1. The funds appropriated in Schedule (d) are for operating expenses of the Senate, including personal services for officers, clerks, and all other employees, and legislative committees thereof composed in whole or in part of Members of the Senate, and for support of joint expenses of the Legislature, to be transferred by the Controller to the Senate Operating Fund.
2. The funds appropriated in Schedule (e) are for operating expenses of the Senate relating to the purchase, maintenance, repair, insurance, and other costs of operating automobiles for the use of Members of the Senate, to be transferred by the Controller to the Senate Operating Fund.
3. The funds appropriated in Schedules (a), (b), (c), and (e) may be transferred to or from the Senate Operating Fund.

Item	Amount
0120-011-0001—For support of Assembly	103,590,000

Schedule:

- (a) 101001-Salaries of Assembly Mem-
bers 9,651,000
- (b) 317295-Mileage 8,000
- (c) 317292-Expenses..... 2,355,000
- (d) 500004-Operating Expenses..... 91,044,000
- (e) 317296-Automotive Expenses..... 532,000

Provisions:

1. The funds appropriated in Schedule (d) are for operating expenses of the Assembly, including personal services for officers, clerks, and all other employees, and legislative committees thereof composed in whole or in part of Members of the Assembly, and for support of joint expenses of the Legislature, to be transferred by the Controller to the Assembly Operating Fund.
2. The funds appropriated in Schedule (e) are for operating expenses of the Assembly relating to the lease, maintenance, repair, insurance, and other costs of operating automobiles for the use of Members of the Assembly, to be transferred by the Controller to the Assembly Operating Fund.
3. The funds appropriated by Schedules (a), (b), (c), and (e) may be transferred to or from the Assembly Operating Fund.

0130-021-0001—For support of Office of the Legislative Analyst.....	0
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Schedule:

- (a) Expenses of the Office of the Leg-
islative Analyst 4,958,000
- (b) Transferred from Item 0110-001-
0001 -2,479,000
- (c) Transferred from Item 0120-011-
0001 -2,479,000

Provisions:

1. The funds appropriated in Schedule (a) are for the expenses of the Office of the Legislative Analyst and of the Joint Legislative Budget Committee for any charges, expenses, or claims either may incur, available without regard to fiscal years, to be paid on certification of the Chairperson of the Joint Legislative Budget Committee.
2. Funds identified in Schedules (b) and (c) may be transferred from the Senate Operating Fund, by

Item	Amount
the Senate Committee on Rules, and the Assembly Operating Fund, by the Assembly Committee on Rules.	
0160-001-0001—For support of Legislative Counsel Bureau.....	71,146,000
Schedule:	
(a) Support	71,277,000
(b) Reimbursements.....	-131,000

Judicial

0250-001-0001—For support of Judiciary	263,054,000
Schedule:	
(a) 10-Supreme Court	34,144,000
(b) 20-Courts of Appeal.....	159,259,000
(c) 30-Judicial Council.....	65,333,000
(d) 50-Habeas Corpus Resource Center	11,002,000
(e) Reimbursements	-2,599,000
(f) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 0250-001-0044).....	-137,000
(g) Amount payable from the Court Interpreters' Fund (Item 0250-001-0327).....	-100,000
(h) Amount payable from the Federal Trust Fund (Item 0250-001-0890).	-3,848,000

Provisions:

1. Notwithstanding Section 26.00 of this act, the funds appropriated or scheduled in this item may be allocated or reallocated among categories by order of the Judicial Council.
2. Of the funds appropriated in this item, \$200,000 is available for reimbursement to the Attorney General, or for hiring outside counsel, for litigation fees and costs, including any judgment, stipulated judgment, offer of judgment or settlement. This amount is for use in connection with employment litigation arising from 1) the actions of appellate courts or trial courts, of appellate court or trial court bench officers, or of appellate court or trial court employees; 2) the actions of the Judicial Council, council members, or council employees or agents; or 3) the actions of the Administrative Office of the Courts or its employees. Either the state or the Judicial Council must be named as a

Item

Amount

defendant or alleged to be the responsible party. Any funds not used for this purpose shall revert to the General Fund.

- 3. Notwithstanding any other provision of law, up to \$5,000,000 appropriated in this item may be transferred to Item 0250-101-0001 by the Controller at the request of the Administrative Office of the Courts, to cover any short-term cash-flow issues that occur. Any funds transferred shall be repaid to this item from Item 0250-101-0001. The Judicial Council shall notify the Department of Finance and the Joint Legislative Budget Committee when any transfer is made pursuant to this provision, and upon repayment of the transfer.
- 4. The funds appropriated by Schedule (d) shall be available for costs associated directly or indirectly with the California Habeas Corpus Resource Center (CHCRC). The CHCRC shall report to the Legislature and the Department of Finance quarterly on expenditures, specifically detailing personal services expenditures, and operating expenses and equipment expenditures.
- 5. Of the funds appropriated in this item, \$5,990,000 is provided to support the establishment of 12 new appellate justices, and \$1,083,000 is provided to fund additional lease expenses in the Second District, Courts of Appeal, and the Fourth District, Courts of Appeal. It is the intent of the Legislature that the \$5,990,000 appropriated for support of the proposed 12 new appellate justices and their staff needs shall be used only for that purpose. Any funds not expended for this purpose shall revert to the General Fund. In the event that legislation authorizing additional appellate court justices is not enacted, the \$1,083,000 appropriated for lease expenses in this item shall be reduced by \$877,000 and the remaining \$206,000 shall be used to make rental payments on the expanded space in the Ronald Reagan State Office Building to accommodate the Settlement Conference Center.

0250-001-0044—For support of Judiciary, for payment to Item 0250-001-0001, payable from the Motor Vehicle Account, State Transportation Fund.....

137,000

Item	Amount
0250-001-0327—For support of Judiciary, for payment to Item 0250-001-0001, payable from the Court Interpreters’ Fund	100,000
0250-001-0890—For support of Judiciary, for payment to Item 0250-001-0001, payable from the Federal Trust Fund.....	3,848,000
0250-003-0001—For support of Judiciary for rental payments on lease revenue bonds.....	1,024,000
Schedule:	
(a) Base Rental and Fees	1,019,000
(b) Insurance	5,000
Provisions:	
1. The funds appropriated in this item shall be made available for costs associated with rental payments on lease revenue bonds for the Courts of Appeal, 4th District, Division 2, in Riverside, California.	
0250-101-0001—For local assistance, Judiciary	12,275,000
Schedule:	
(a) 30.10-Child Support Commissioner Program (AB 1058)	42,263,000
(b) 30.20-California Drug Court Project.....	2,858,000
(c) 30.30-Child Access and Visitation Grant Program	791,000
(d) 30.40-Family Assessment, Intervention, and Resources Grant Program.....	150,000
(e) 30.50-Court Improvement Grant Program.....	700,000
(f) 30.60-Court Appointed Special Advocate (CASA) Program	1,350,000
(g) 30.70-Trial Court Coordination Assistance Grants.....	125,000
(h) 30.80-Federal Grants	675,000
(i) 30.90-Equal Access Fund	9,500,000
(j) 30.95-Family Law Information Centers	300,000
(k) Reimbursements.....	-44,912,000
(l) Amount payable from Federal Trust Fund (Item 0250-101-0890).....	-1,525,000
Provisions:	
1. Notwithstanding any other provision of law, up to \$5,000,000 appropriated in Item 0250-001-0001 may be transferred to Item 0250-101-0001 by the	

Item

Amount

- Controller at the request of the Administrative Office of the Courts, to cover any short-term cash-flow issues that occur. Any funds transferred shall be repaid from this item to Item 0250-001-0001. The Judicial Council shall notify the Department of Finance and the Joint Legislative Budget Committee when any transfer is made pursuant to this provision, and upon repayment of the transfer.
2. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (i) are to be distributed by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 through 6215 of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. This distribution is subject to rules being amended to provide that one-third of the appointments to the commission to oversee this fund shall be made by the Chair of the Judicial Council, pursuant to Judicial Council appointment procedures, consistent with current geographical requirements and current requirements as to the ratio of public and bar members. Also, the chair shall appoint three nonvoting judges, one of whom shall be an appellate justice. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. No more than 5 percent of the Equal Access Fund shall be expended for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to proper litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent with Sections 6216 through 6223 of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 through 6223 of the Business and Professions Code.
 3. Of the amount appropriated in Schedule (b) of this item, \$1,000,000 is for grants to support existing

Item	Amount
<p>drug court programs in Alameda, Butte, Mendocino, Monterey, and San Diego Counties. None of these funds shall be available for adult, postplea drug courts, or for courts that also receive funding from the Department of Alcohol and Drug Programs' Drug Court Partnership pursuant to Chapter 1007 of the Statutes of 1998. Any funds not expended for this specific purpose shall revert to the General Fund. In addition, the Judicial Council shall submit to the Joint Legislative Budget Committee, the Legislature's fiscal committees, and the Department of Finance an annual report on how much money was spent, and on the effectiveness of these drug court programs.</p>	
0250-101-0890—For local assistance of Judiciary, for payment to Item 0250-101-0001, payable from the Federal Trust Fund	1,525,000
0250-301-0001—For capital outlay, Judicial Council.....	6,045,000
Schedule:	
(.5) 90.20.201-Second Appellate District Renovation: Los Angeles—Preliminary plans, working drawings, and construction	873,000
(1) 90.20.301-Third Appellate District Renovation, Sacramento—Preliminary plans, working drawings and construction	451,000
(2) 90.20.401-Fourth Appellate District New Courthouse, Santa Ana—Acquisition and preliminary plans.	3,215,000
(3) 90.20.501-Fifth Appellate District New Courthouse, Fresno—Acquisition and preliminary plans.	1,506,000
0280-001-0001—For support of the Commission on Judicial Performance, Program 10	3,704,000
0390-001-0001—For transfer by the Controller to the Judges' Retirement Fund, for Supreme Court and Appellate Court Justices	1,150,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between Item 0390-001-0001 and Item 0390-101-0001.	

Item	Amount
0390-101-0001—For transfer by the Controller to the Judges’ Retirement Fund for Superior Court and Municipal Court Judges	77,750,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between Item 0390-001-0001 and Item 0390-101-0001.	
0450-101-0932—For local assistance, State Trial Court Funding, payable from Trial Court Trust Fund....	1,988,475,000
Schedule:	
(a) 10-Support for operation of the Trial Courts	1,753,365,000
(b) 25-Compensation of Superior Court Judges	164,375,000
(c) 35-Assigned Judges	16,288,000
(d) 45-Court Interpreters	54,447,000
Provisions:	
1. Notwithstanding Section 26.00 of this act, the funds appropriated or scheduled in this item may be allocated or reallocated among categories by the Judicial Council.	
2. The amount appropriated in Schedule (c) shall be made available for all judicial assignments. Schedule (c) expenditures for necessary chamber staff may not exceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments at the appellate court level.	
3. The funds appropriated in Schedule (b) shall be made available for the payment of workers’ compensation claims for trial court judges.	
4. The funds appropriated in Schedule (d) shall be for payments for services of contractual court interpreters, certified court interpreters employed by the courts, and the following court interpreter coordinators: one each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through 58th classes. Courts in counties with a population of 500,000 or less are encouraged, but not required, to coordinate interpreter services on a regional basis. For the purposes of this provision, “court interpreter coordinators” may be full- or part-time court employees, or those contracted by the court to perform these services.	

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The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system. The Judicial Council shall adopt appropriate rules and procedures for the administration of these funds. The Judicial Council shall report to the Legislature and Director of the Department of Finance annually regarding expenditures from this schedule.

5. Of the amount appropriated in this item, \$43,000,000 shall not be available for allocation to the trial courts except to the extent that civil fee revenues above the \$158,000,000 that is currently projected for 2000–01 are deposited in the Trial Court Trust Fund.
6. Salary increases for trial court judicial officers contained in Schedule (b) of this item shall be provided for each calendar month only to judges of those trial courts that, as of the first day of that calendar month, have unified to the fullest extent permitted by law. In the case of any court that is not unified, the Judicial Council shall make the determination of whether that court is unified to the fullest extent permitted by law.
7. Of the amount appropriated in this item, \$43,000,000 shall be for the costs associated with information technology systems. The Judicial Council may allocate these funds to the courts over three years.
8. There shall be a baseline adjustment to the trial court budget equivalent to the amount that is produced by multiplying the total salaries and benefits of all trial court employees by the average percentage salary and benefit increase for the current fiscal year for organized California State employees. The Judicial Council shall adopt policies, procedures, and guidelines for the trial courts to negotiate increases within the limits of their total budget. The Judicial Council shall work with the Department of Personnel Administration and the court employees unions to develop a long-term plan for salary and benefit increases. Any agreement by the court to increase salaries and benefits in the current year must be able to be funded in subsequent years within the level of the court's

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- current year base budget. Extraordinary salary and benefit adjustments due to unique circumstances, including pay equity adjustments, shall be requested through a budget change proposal through the normal budget process. The Judicial Council shall provide to the Governor and Legislature by December 31, 2000, copies of the adopted policies and procedures, as well as the proposed long-term plan for salary and benefit increases.
9. Funding for new trial court judicial officers and related costs contained in Schedules (a) and (b) of this item shall be provided for each calendar month only to those courts that, as of the first day of that calendar month, have unified to the fullest extent permitted by law. In the case of any court that is not unified, the Judicial Council shall make the determination of whether that court is unified to the fullest extent permitted by law.
 10. Notwithstanding any other provision of law, the alleged obligations of Trinity County to the State of California in the amount of \$195,821 resulting from accounting errors recognized by the Department of Finance, and the \$29,096 not reported as A-87 cost for the first two quarters of fiscal year 1997–98, with respect to Trial Court Funding, are hereby excused in the interest of justice, and the Department of Finance is directed to withdraw its demands in those amounts and to adjust its financial records accordingly.
 11. Notwithstanding any other provision of law, the distribution of fines, fees, forfeitures, and penalties reported by the County of San Bernardino for the 1993–94, 1994–95, and 1995–96 fiscal years shall be deemed to be correct and no further reductions or increases shall be made to the distribution for those fiscal years, except for those amounts owed to other local agencies.
 12. The funds appropriated in Schedule (a) include an augmentation of \$1,175,000 for Court Operations related to Chapter 561 of the Statutes of 1999. It is the intent of the Legislature that these funds only be used for the processing of elder abuse protective orders. Any funds not used for this purpose shall revert to the General Fund.

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13. Of the amount appropriated in this item, \$5,100,000 shall be for the costs associated with new trial court judgeships and related staff. Funds not used for this purpose shall revert to the General Fund.	
0450-111-0001—For transfer by the Controller to the Trial Court Trust Fund	1,101,460,000
0450-112-0001—For transfer by the Controller to the Judicial Administration Efficiency and Modernization Fund	37,322,000
Provisions:	
1. Of the amount appropriated in this item, \$10,000,000 is for the costs associated with case management systems. The Judicial Council may allocate these funds to the courts over three fiscal years.	
0450-112-0556—For local assistance, State Trial Court Funding, payable from the Judicial Administration Efficiency and Modernization Fund.....	37,322,000
0450-490—Reappropriation, local assistance, State Trial Court Funding. \$8,000,000 of the appropriation provided in the following citation is reappropriated for approved technology projects in the smaller trial courts until June 30, 2001.	
(1) Item 0450-112-0556, Budget Act of 1999 (Ch. 50, Stats. 1999)	

Executive

0500-001-0001—For support of Governor and of Governor’s office	5,511,000
Schedule:	
(a) Support	5,436,000
(b) Governor’s Residence (Support)	35,000
(c) Special Contingent Expenses	40,000
Provisions:	
1. The funds appropriated in Schedules (b) and (c) of this item are exempt from the provisions of Sections 925.6, 12410, and 13320 of the Government Code.	
0505-001-0001—For support of the Department of Information Technology	10,520,000
Schedule:	
(a) Support	11,270,000
(b) Reimbursements.....	-750,000

Item	Amount
Provisions:	
2. Of the funds appropriated in this item, \$500,000 shall be used to conduct a study that will research, analyze, and report to the Legislature regarding the growing lack of access to advanced technologies and devices among low-income and minority communities, otherwise known as the “digital divide.” This report shall provide specific initiatives to improve computer and Internet literacy, and access to and benefits from advanced technologies and computer devices in low-income and minority communities. This report shall also survey and examine public and private community-based organizations’ access to information devices and advanced technologies for low-income and minority communities.	
0505-101-0001—For local assistance, Department of Information Technology	190,000
Schedule:	
(a) Sacramento Police Department—	
Racial Profiling Technology	40,000
(b) Plugged In Enterprises	150,000
0510-001-0001—For support of Secretary of State and Consumer Services	873,000
Schedule:	
(a) Support	1,380,000
(b) Reimbursements	-507,000
0520-001-0001—For support of Secretary of Business, Transportation and Housing, for payment to Item 0520-001-0044	206,000
0520-001-0044—For support of Secretary of Business, Transportation and Housing, payable from the Motor Vehicle Account, State Transportation Fund.....	961,000
Schedule:	
(a) 10-Administration of Business, Transportation and Housing Agency	2,300,000
(b) 30-Agency Audits Office	315,000
(c) Reimbursements	-1,448,000
(d) Amount payable from General Fund (Item 0520-001-0001)	-206,000
0530-001-0001—For support of Secretary for California Health and Human Services Agency.....	2,274,000
Schedule:	
(a) 10-Secretary for California Health and Human Services Agency	3,272,000
(b) Reimbursements	-998,000

Item	Amount
Provisions:	
1. Of the amount appropriated in this item, \$500,000 shall be used to conduct a study pursuant to Division 25 (commencing with Section 25000) of the Welfare and Institutions Code, to develop options for achieving universal health care coverage. The Secretary of the California Health and Human Services Agency may utilize an interagency agreement, or conduct a competitive process, for allocating all or any portion of these funds. These funds may be leveraged to obtain additional federal funds, grant moneys or foundation assistance, including in-kind support. It is the intent of the Legislature for the Secretary to utilize recommendations as contained in the report prepared by the Universal Health Care Technical Advisory Committee, dated April 2000, where applicable and deemed appropriate by the Secretary.	
0540-001-0001—For support of Secretary for Resources	11,781,000
Schedule:	
(a) 10-Administration of Resources	
Agency	13,673,000
(b) Reimbursements	-472,000
(bx) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 0540-001-0005).	-180,000
(c) Amount payable from the California Environmental License Plate Fund (Item 0540-001-0140)	-782,000
(d) Amount payable from the Environmental Enhancement and Mitigation Demonstration Program Fund (Item 0540-001-0183)	-120,000
(e) Amount payable from the Federal Trust Fund (Item 0540-001-0890).	-338,000
Provisions:	
1. Of the funds appropriated in this item, \$8,000,000 may be allocated by the Secretary for Resources for the joint restoration, with the U.S. Bureau of Reclamation, of the natural stream channel of the North Fork of the American River to its previous free-flowing condition, in conjunction with the	

Item	Amount
<p>U.S. Bureau of Reclamation’s closure of the Auburn Dam diversion tunnel for the purpose of restoring navigable flows and installation of a permanent, midchannel instream diversion and a pumping station for the Placer County Water Agency. Notwithstanding any other provision of law, these funds shall be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years.</p> <p>2. (a) Of the funds appropriated in this item, \$2,000,000 shall be available for the California Continuing Resource Investment Strategy Project.</p> <p>(b) None of the funds identified in subdivision (a) of this provision may be encumbered or expended prior to approval by the Department of Finance and the Joint Legislative Budget Committee of a plan that articulates the manner in which the project will accomplish the goals of assessing the state’s natural resources and habitat, and developing a long-term set of priorities and targets for future investment in resource protection, habitat acquisition, and preservation.</p> <p>3. It is the intent of the Legislature that the Secretary for Resources ensure that capital projects implemented by any of the departments or other entities within the Resources Agency and funded from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act) or the Costa-Machado Water Act of 2000 employ the services of seasonal agricultural workers to the maximum extent possible.</p>	
0540-001-0005—For support of Secretary for Resources, for payment to Item 0540-001-0001, payable from the Safe Neighborhood, Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	180,000
0540-001-0140—For support of Secretary for Resources, for payment to Item 0540-001-0001, payable from the California Environmental License Plate Fund ...	782,000

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0540-001-0183—For support of Secretary for Resources, for payment to Item 0540-001-0001, payable from the Environmental Enhancement and Mitigation Demonstration Program Fund.....	120,000
0540-001-0546—For support of Secretary of Resources, Program 10-Administration of Resources Agency, payable from the Bay-Delta Ecosystem Restoration Account	51,500,000
Provisions:	
1. The funds appropriated in this item may be allocated for expenditure by the Resources Agency for projects consistent with Section 78684 of the Water Code.	
2. The funds received by other state agencies from this item are exempt from the reporting requirements of Section 28.50 of the Budget Act.	
3. The funds appropriated in this item are available for encumbrance for the purposes of support, local assistance or capital outlay.	
0540-001-0890—For support of Secretary for Resources, for payment to Item 0540-001-0001, payable from the Federal Trust Fund.....	338,000
0540-101-0001—For local assistance, Secretary for Resources.....	4,007,000
Schedule:	
(1) Grants.....	3,147,000
(2) Special Projects (Baldwin Hills)	860,000
(a) Baldwin Hills Conservancy Support ..	(250,000)
(b) Baldwin Hills Conservancy.....	(100,000)
(c) Baldwin Hills Planning Fund.....	(510,000)
Provisions:	
1. The amount appropriated in Schedule 1 of this item \$3,147,000 shall be for the Coastal County and City Offshore Energy Assistance Program as required by Chapter 977 of the Statutes of 1996.	
2. Of the amount appropriated in Schedule (2) of this item \$250,000 shall be for the support of a Baldwin Hills Conservancy. These funds may not be expended unless legislation is enacted in the 1999–2000 Regular Session to create the conservancy.	

Item	Amount
0540-101-0005—For local assistance, Secretary for Resources, payable from the Safe Neighborhood, Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01 and 2001–02 fiscal years.....	41,370,000
0540-101-6015—For local assistance, Secretary for Resources, payable from the River Protection Subaccount.....	25,000,000
Schedule:	
(a) Los Angeles River Parkways	15,000,000
(b) San Gabriel River	5,000,000
(c) San Joaquin River Corridor (Stanislaus).....	5,000,000
0540-102-0005—For local assistance, Secretary for Resources, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years.....	23,850,000
Schedule:	
(1) Grants	(23,850,000)
(a) Commons Beach-Lake Tahoe.....	(2,000,000)
(b) Galt.....	(500,000)
(c) State Historical Point, San Joaquin County in Lockeford.....	(250,000)
(d) Folsom Lake Visitor Center	(2,000,000)
(e) Sonoma County “A Place to Play”	(2,000,000)
(f) San Benito Community Center	(100,000)
(g) San Benito Veterans’ Park	(100,000)
(h) Galt Community Center	(500,000)
(i) Gilroy Community Center	(400,000)
(j) Camp Arroyo in Alameda County.	(2,000,000)
(k) Wildhaven Center in San Bernardino Mountains.....	(1,000,000)

Item	Amount
(l) City of Whittier: Whittier Greenway Trail and Recreation Project.....	(2,000,000)
(m) San Gabriel and Lower Los Angeles River Conservancy: Regional Bicycle and Walk Trail System	(3,000,000)
(n) San Gabriel and Lower Los Angeles River and Mountains Conservancy: Acquisition and development.....	(3,000,000)
(o) San Gabriel and Lower Los Angeles River Conservancy: Wrigley Heights park, creation and bikeway in Long Beach..	(5,000,000)
0540-490—Extension of liquidation period, Secretary for Resources. Notwithstanding any other provision of law, funds appropriated in the following citation shall be available for liquidation until June 30, 2001: 0001—General Fund:	
(1) Item 0540-101-0001—Budget Act of 1997 (Ch. 282, Stats. 1997).	
0550-001-0001—For support of Secretary for Youth and Adult Correctional Agency.....	3,017,000
Schedule:	
(a) 10-Secretary for Youth and Adult Correctional Agency.....	3,275,000
(b) Reimbursements.....	-258,000
Provisions:	
1. Of the amount appropriated in this item, \$2,000,000 shall be allocated to the University of California at San Francisco AIDS Research Institute to conduct an epidemiological investigation of the prevalence and incidence of Hepatitis C in the Department of Corrections and the Depart-	

Item	Amount
<p>ment of the Youth Authority, and to provide treatment for Hepatitis C in the Department of Corrections and the Department of the Youth Authority. The Secretary for Youth and Adult Correctional Agency shall report to the Legislature with findings and recommendations related to this study no later than August 1, 2006. Notwithstanding subdivision (a) of Section 2.00 of this act, \$2,000,000 appropriated in this item shall be available for expenditure until June 30, 2006.</p>	
0552-001-0001—For support of Office of the Inspector General, Program 10.....	10,348,000
Provisions:	
1. Of the funds in this item, \$100,000 shall be available for the Office of the Inspector General to contract with independent social science researchers to study the incidence of violence in prisons and Youth Authority institutions, for the purpose of analyzing the causes and patterns of violence, and making recommendations for violence reduction strategies. The report shall be submitted to the Legislature by January 1, 2002.	
0553-001-0001—For support of the Office of the Inspector General for Veterans Affairs	515,000
Schedule:	
(a) Program 10-Inspector General for Veterans Affairs	605,000
(b) Amount payable from the Veterans' Farm and Home Building Fund of 1943 (Item 0553-001-0592).....	-90,000
0553-001-0592—For support of the Office of the Inspector General for Veterans Affairs, for payment to Item 0553-001-0001, payable from the Veterans' Farm and Home Building Fund of 1943.....	90,000
0555-001-0001—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044.....	4,477,000
Provisions:	
1. Of the funds appropriated in this item, \$182,000 shall be for an environmental justice program and an assistant secretary position for environmental justice. The assistant secretary shall do all of the following:	
(a) Review the activities each board, department, and office within the California Environmental Protection Agency that undertakes to com-	

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<p>ply with Division 13 (commencing with Section 21000) of the Public Resources Code to ensure that those activities take into account and address environmental justice considerations.</p> <p>(b) Review the regulatory activities of each board, department, and office within the agency to ensure that those activities take into account and address environmental justice considerations.</p> <p>(c) Establish a program, in coordination with the assistant secretary for external affairs, to educate and inform the public of the agency’s environmental justice activities and programs. This program shall ensure that information is provided to the public and to affected populations in forms and languages that are understandable, informative, and usable.</p> <p>(d) Coordinate and oversee the environmental justice activities of the agency.</p> <p>(e) Identify shortcomings in the environmental justice activities of boards, departments, or offices in the agency that may impede the achievement of environmental justice.</p> <p>(f) Develop, and coordinate the adoption of, the model environmental justice mission statement required pursuant to Section 72001 of the Public Resources Code.</p>	
0555-001-0014—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Hazardous Waste Control Account	316,000
0555-001-0028—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Unified Program Account ..	700,000
Provisions:	
<p>1. Of the amount appropriated in this item, \$700,000 shall be used for purposes of developing and implementing the geographical information management system required to be established by the Secretary for Environmental Protection. Of the amount appropriated in this item, up to \$150,000 may be expended to develop a feasibility study report for the development and implementation of the geographical information management system. The remaining balance of this appropriation may be expended no sooner than 30 days after the</p>	

Item	Amount
Secretary for Environmental Protection provides the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of each house with the written approval of the feasibility study report by the Department of Finance and the Department of Information Technology. In the event this appropriation is not adequate for the development and startup costs of the geographical information management system, additional funds may be appropriated, subject to availability of funds, in the annual Budget Act. The secretary is hereby granted the authority to promulgate emergency regulations, if necessary, to allow for the use of the Unified Program Account for purposes of this appropriation.	
0555-001-0044—For support of Secretary for Environmental Protection, payable from the Motor Vehicle Account, State Transportation Fund.....	494,000
Schedule:	
(a) 10-Environmental Protection Programs	2,928,000
(b) 20-Special Environmental Programs	(5,424,000)
(1) 20.10-Permit Assistance Centers.....	2,427,000
(2) 20.15-Scientific Peer Review	1,144,000
(3) 20.20-Circuit Prosecutor Project	420,000
(4) 20.25-Information Technology.....	746,000
(5) 20.30-Environmental Enforcement	517,000
(6) 20.45-ISO 14000/Permit Consolidation Zones	170,000
(bx) 20.55-California Border Environmental Education Program	300,000
(c) Reimbursements	-1,723,000
(d) Amount payable from the General Fund (Item 0555-001-0001).....	-4,477,000
(e) Amount payable from the Hazardous Waste Control Account (Item 0555-001-0014)	-316,000
(ex) Amount payable from the Unified Program Account (Item 0555-001-0028).....	-700,000

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(f) Amount payable from the California Used Oil Recycling Fund (Item 0555-001-0100)	-25,000
(g) Amount payable from the Pesticide Regulation Fund (Item 0555-001-0106).....	-195,000
(h) Amount payable from the Waste Discharge Permit Fund (Item 0555-001-0193)	-12,000
(i) Amount payable from the California Tire Recycling Management Fund (Item 0555-001-0226)	-1,000
(j) Amount payable from the Recycling Market Development Revolving Loan Account (Item 0555-001-0281).....	-143,000
(k) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 0555-001-0387)	-381,000
(l) Amount payable from the Underground Storage Tank Cleanup Fund (Item 0555-001-0439).....	-51,000
(m) Amount payable from the State Water Quality Control Fund (Item 0555-001-0679)	-134,000
Provisions:	
1. Notwithstanding subdivisions (b) and (c) of Section 48653 of the Public Resources Code, funds appropriated in this item shall be available for purposes of administration.	
0555-001-0100—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the California Used Oil Recycling Fund.....	25,000
0555-001-0106—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Department of Pesticide Regulation Fund.....	195,000
0555-001-0193—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Waste Discharge Permit Fund	12,000
0555-001-0226—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the California Tire Recycling Management Fund.....	1,000

Item	Amount
0555-001-0281—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Recycling Market Development Revolving Loan Account, Integrated Waste Management Fund.....	143,000
0555-001-0387—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Integrated Waste Management Account, Integrated Waste Management Fund	381,000
0555-001-0439—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Underground Storage Tank Cleanup Fund.....	51,000
0555-001-0679—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the State Water Quality Control Fund	134,000
0558-001-0001—For support of the Office of the Secretary for Education.....	1,248,000
Schedule:	
(a) Secretary for Education	1,248,000
Provisions:	
1. The amount appropriated in this item is intended for support of the Education Agency. The appropriation is an estimate of the funding needs from January 1, 2001, to June 30, 2001, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2001. In the event that legislation creating the agency is not effective on or before January 1, 2001, or the funds are needed prior to January 1, 2001, the unexpended balance of the funds appropriated by this item shall be available for expenditure pursuant to Item 0650-011-0001, as authorized by the Director of Finance.	
0650-001-0001—For support of Office of Planning and Research	4,384,000
Schedule:	
(a) 11-State Planning and Policy Development	5,788,000
(b) 21-California Commission on Improving Life Through Service (CCILTS).....	1,944,000
(c) Reimbursements	-1,355,000

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(d) Amount payable from the Property Acquisition Law Money Account (Item 0650-001-0002)	-504,000
(e) Amount payable from the Federal Trust Fund (Item 0650-001-0890).....	-1,489,000
0650-001-0002—For support of Office of Planning and Research, for payment to Item 0650-001-0001, payable from the Property Acquisition Law Money Account.....	504,000
0650-001-0890—For support of Office of Planning and Research, for payment to Item 0650-001-0001, payable from the Federal Trust Fund.....	1,489,000
0650-011-0001—For support of Office of Planning and Research	6,453,000
Schedule:	
(a) Office of the Secretary for Education.....	6,463,000
(b) Reimbursements.....	-10,000
Provisions:	
1. The funds appropriated in this item are intended for support of the Education Agency. The appropriation is an estimate of the funding needs from July 1, 2000, to December 31, 2000, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2001. After the effective date of such legislation, and upon the determination that all obligations of the agency in the Office of Planning and Research have been met, the unexpended balance of the funds appropriated by this item shall be available for expenditure pursuant to Item 0558-001-0001, as authorized by the Director of Finance.	
2. Of the funds appropriated in this item, \$500,000 is provided for the purpose of contracting for a comprehensive study that will: (1) assess data collection and data collection alternatives for potential additional factors to be included in the Academic Performance Index (API); (2) make recommendations regarding the most cost effective, and most feasible methods for including factors, in addition to test scores, in the API; and (3) upon request, present options to the State Board of Education including the estimated fiscal impact of each new factor, specific processes for capturing the new data, and feasible timeframes for inclusion in the	

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API. To the extent data is found to be already available, the Department of Education shall assist in efforts to ensure such factors can be used beginning with the 2001 API.

These funds shall be used to contract with an independent contractor, selected collaboratively by the Office of the Secretary for Education and the Department of Finance.

- 3. Of the funds appropriated in this item, \$500,000 is provided for expenditure by the Office of the Secretary for Education for the purpose of activities associated with ensuring that every public high school student has access to Advanced Placement (AP) or comparable college-level courses. Funds may be spent to : (1) document the availability of AP or comparable college-level courses, including the number and type of courses offered, for students attending each comprehensive public high school; (2) identify barriers to the expansion of AP or college-level course offerings; (3) identify opportunities to develop programs that school districts can use to ensure that their comprehensive public high schools offer students access to AP or comparable college-level courses; (4) where appropriate, assist schools in identifying resources available to implement a local plan for expanding access to, and availability of, AP or comparable college-level courses; and (5) report findings and results to the Governor and the Legislature.

0650-101-0890—For local assistance, Office of Planning and Research, Program 21-Commission on Improving Life Through Service (CCILTS), payable from the Federal Trust Fund..... 38,300,000
 Provisions:

- 1. The funds appropriated in this item are for local assistance allocations approved by the California Commission on Improving Life Through Service (CCILTS).

0650-111-0001—For local assistance, Office of Planning and Research for the Office of the Secretary for Education (Proposition 98) 10,000,000
 Provisions:

- 1. Legislation to establish the Office of the Secretary for Education will be introduced and, if enacted, would be effective on or before January 1, 2001. After the effective date of such legislation, and

Item	Amount
<p>upon determination that all obligations of the Secretary for Education in the Office of Planning and Research have been met, the unexpended balance of the funds appropriated in this item shall be available for expenditure by the Office of the Secretary for Education as authorized by the Director of Finance.</p> <p>3. Of the funds appropriated in this item, \$10,000,000 shall be allocated by the Office of the Secretary for Education for the Academic Volunteer and Mentor Service Program.</p>	
0690-001-0001—For support of Office of Emergency Services	30,495,000
Schedule:	
(a) 15-Mutual Aid Response	14,454,000
(b) 35-Plans and Preparedness.....	17,437,000
(c) 45-Disaster Assistance	21,702,000
(d) 55.01-Administration and Executive.....	4,817,000
(e) 55.02-Distributed Administration and Executive	-4,817,000
(f) Reimbursements	-2,231,000
(g) Amount payable from the Unified Program Account (Item 0690-001-0028).....	-581,000
(h) Amount payable from the Nuclear Planning Assessment Special Account (Item 0690-001-0029).....	-869,000
(i) Amount payable from the Federal Trust Fund (Item 0690-001-0890).....	-19,417,000
Provisions:	
1. Funds appropriated in this item may be reduced by the Director of Finance, after giving notice to the Chairperson of the Joint Legislative Budget Committee, by the amount of federal funds made available for the purposes of this item in excess of the federal funds scheduled in Item 0690-001-0890.	
2. The Office of Emergency Services shall charge tuition for all training offered through the California Specialized Training Institute.	
3. Upon the approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 0690-101-0890.	

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0690-001-0028—For support of Office of Emergency Services, for payment to Item 0690-001-0001, payable from the Unified Program Account	581,000
0690-001-0029—For support of Office of Emergency Services, for payment to Item 0690-001-0001, payable from the Nuclear Planning Assessment Special Account	869,000
0690-001-0890—For support of Office of Emergency Services, for payment to Item 0690-001-0001, payable from the Federal Trust Fund	19,417,000
Provisions:	
1. Any funds that may become available, in addition to the funds appropriated in this item, for disaster response and recovery may be allocated by the Department of Finance subject to the conditions of Section 28.00 of this act, except that, notwithstanding subdivision (d) of that section, the allocations may be made 30 days or less after notification of the Legislature.	
2. Notwithstanding any other provision of law, the funds appropriated in this item may be expended without regard to the fiscal year in which the application for reimbursement was submitted to the Federal Emergency Management Agency.	
0690-101-0029—For local assistance, Office of Emergency Services, Program 35—Plans and Preparedness, payable from the Nuclear Planning Assessment Special Account.....	2,050,000
0690-101-0890—For local assistance, Office of Emergency Services, payable from the Federal Trust Fund	582,660,000
Schedule:	
(a) 15-Mutual Aid Response	150,000
(b) 35-Plans and Preparedness	4,800,000
(c) 45-Disaster Assistance.....	577,710,000
Provisions:	
1. Any federal funds that may become available in addition to the funds appropriated in this item for Program 45—Disaster Assistance are exempt from Section 28.00 of this act.	
0690-103-0001—For local assistance, Office of Emergency Services.....	7,685,350
Provisions:	
1. The funds appropriated in this item are for various grants for emergency projects or emergency equipment as follows:	

Item	Amount
(a) Hanford Fire Department: 3 automated external defibrillators ...	13,000
(b) City of San Diego: East County Fire Protection District fire truck	169,500
(c) East County Fire Protection District: Wildland Type III fire engine.....	169,850
(d) East County Fire Protection District: Fire rescue equipment.....	500,000
(e) City of South San Francisco: San Mateo County emergency shelter facility.....	500,000
(f) City and County of San Francisco Offices of Emergency Services: Conversion of 911 Building into a community resource computer learning center	700,000
(g) City of Long Beach: Fire safety house and tow vehicle	63,000
(h) City of Signal Hill: Emergency operation center.....	250,000
(i) Walnut Grove Fire District: Fire truck	250,000
(j) Ceres Fire Department: Breathing apparatus.....	40,000
(k) City of Dinuba: Fire safety equipment	30,000
0690-112-0001—For local assistance, Office of Emergency Services, for disaster recovery costs	51,212,000
Provisions:	
1. The funds appropriated in this item are for the state’s share of response and recovery costs for disasters.	
0690-295-0001—For local assistance, Office of Emergency Services, for reimbursement, in accordance with the provision of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	0
Schedule:	
(1) 98.01.103.280-Deaf Teletype Equipment (Ch. 1032, Stats. 1980).....	0
Provisions:	
1. Pursuant to Section 17581 of the Government	

Item	Amount
Code, the mandate identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision is specifically identified by the Legislature for suspension during the 2000–01 fiscal year:	
(a) Deaf Teletype Equipment (Ch. 1032, Stats. 1980).	
0690-301-0001—For capital outlay, Office of Emergency Services	31,438,000
Schedule:	
(1) 80.10.001-Sacramento: OES Headquarters and State Operations Center—Working drawings, construction, and equipment	31,438,000
0690-401—In the event the bonds authorized for the project scheduled in Item 0690-301-0660, Budget Act of 1998 (Ch. 324, Stats. 1998), are not sold, the Office of Emergency Services shall commit a sufficient portion of its support appropriation provided for in this Budget Act to repay any loans from the Pooled Money Investment Account. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until outstanding loans are repaid either through the sale of bonds or from an appropriation.	
0690-495—Reversion, Office of Emergency Services. As of June 30, 2000, the bond authority appropriated by the following items shall revert to the fund of origin for the Headquarters and State Operations Center project:	
0660—Public Building Construction Fund	
Item 0690-301-0660, Budget Act of 1998 (Ch. 324, Stats. 1998)	
(1) 80.10.001—Sacramento OES Headquarters and State Operations Center—working drawings and construction	
Item 0690-301-0660, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(1) 80.10.001—Sacramento OES Headquarters and State Operations Center—Equipment	
0750-001-0001—For support of Office of the Lieutenant Governor	2,571,000
0820-001-0001—For support of Department of Justice..	264,912,000
Schedule:	
(1) 11.01-Directorate-Administration	18,628,000

Item	Amount
(2) 11.02-Distributed Directorate-Administration	-18,628,000
(3) 12.01-Legal Support and Technology	39,571,000
(4) 12.02-Distributed Legal Support and Technology	-39,571,000
(5) 25-Executive Programs	6,703,000
(6) 30-Civil Law	96,330,000
(7) 40-Criminal Law	85,936,000
(8) 45-Public Rights	41,842,000
(9) 50-Law Enforcement.....	128,020,000
(10) 60-Criminal Justice Information Services	146,669,000
(11) 65-Gambling Control	14,573,000
(12) 70-Firearms	7,930,000
(13) Reimbursements.....	-111,654,000
(14) Amount payable from the Attorney General Antitrust Account (Item 0820-001-0012).....	-1,066,000
(15) Amount payable from Hazardous Waste Control Account (Item 0820-001-0014).....	-1,612,000
(16) Amount payable from Firearms Safety Training Fund Special Account (Item 0820-001-0015) ...	-458,000
(17) Amount payable from the Fingerprint Fees Account (Item 0820-001-0017)	-49,475,000
(18) Amount payable from Firearms Safety Account (Item 0820-001-0032)	-355,000
(19) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 0820-001-0044)	-18,771,000
(20) Amount payable from the Department of Justice Sexual Habitual Offender Fund (Item 0820-001-0142)	-2,079,000
(21) Amount payable from the Travel Seller Fund (Item 0820-001-0158)	-926,000
(22) Amount payable from Conservatorship Registry Fund (Item 0820-001-0195)	-49,000

Item	Amount
(23) Amount payable from the Restitution Fund (Item 0820-001-0214)	-65,000
(24) Amount payable from the Sexual Predator Public Information Account (Item 0820-001-0256) ...	-50,000
(24.5) Amount payable from the Indian Gaming Special Distribution Fund (Item 0820-001-0367)	-8,138,000
(25) Amount payable from the False Claims Act Fund (Item 0820-001-0378)	-9,332,000
(26) Amount payable from the Dealers' Record of Sale Special Account (Item 0820-001-0460).....	-8,813,000
(27) Amount payable from the Toxic Substances Control Account (Item 0820-001-0557).....	-1,909,000
(28) Amount payable from the Department of Justice Child Abuse Fund (Item 0820-001-0566).....	-199,000
(29) Amount payable from the Gambling Control Fund (Item 0820-001-0567)	-5,689,000
(30) Amount payable from the Gambling Control Fines and Penalties Account (Item 0820-001-0569)....	-195,000
(31) Amount payable from the Federal Trust Fund (Item 0820-001-0890).....	-40,474,000
(32) Amount payable from the Federal Asset Forfeiture Account, Special Deposit Fund (Item 0820-001-0942)	-1,327,000
(33) Amount payable from the State Asset Forfeiture Account, Special Deposit Fund (Item 0820-011-0942)	-455,000

Provisions:

1. The Attorney General shall submit to the Legislature, the Department of Finance, and the Governor the quarterly and annual reports that he or she submits to the federal government on the activities of the Medi-Cal Fraud Unit.
2. Notwithstanding any other provision of law, the Department of Justice may purchase or lease vehicles of any type or class that, in the judgment of

Item	Amount
<p>the Attorney General or his or her designee, are necessary to the performance of the investigatory and enforcement responsibilities of the Department of Justice, from the funds appropriated for that purpose in this item.</p> <p>3. Notwithstanding Section 28.50 of this act, the Attorney General may augment the reimbursement authority provided in this item by up to an aggregate of 10 percent above the amount approved in this act for the Civil Law Division and the Public Rights Division in cases where the legal representation needs of client agencies are secured by an interagency agreement or letter of commitment and the corresponding expenditure authority has not been provided in this item. The Attorney General shall notify the chairpersons of the budget committees, the Joint Legislative Budget Committee and the Department of Finance within 15 days after the augmentation is made as to the amount and justification of the augmentation, and the program that has been augmented.</p> <p>4. Of the amount appropriated in this item, \$2,136,000 is for the legal defense costs of the state in cases arising from claims of property losses due to floods. Any funds not used for this purpose shall revert to the General Fund.</p> <p>5. Of the funds appropriated in this item, \$581,000 shall be available only for necessary expenditures related to defending the state in the Casmalia superfund lawsuit. Any of these funds not expended for this purpose shall revert to the General Fund.</p> <p>6. Of the funds appropriated in this item, \$237,000 is available for the northern California pilot program for investigating inactive homicide cases. Any funds not used for this purpose shall revert to the General Fund.</p> <p>7. Of the amount appropriated in Schedule (7) of this item, \$1,000,000 from the General Fund and \$3,000,000 from the Federal Trust Fund shall only be available upon the enactment of Assembly Bill 1098 of the 1999–2000 Regular Session.</p>	
0820-001-0012—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Attorney General Antitrust Account	1,066,000
0820-001-0014—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Hazardous Waste Control Account.....	1,612,000

Item	Amount
0820-001-0015—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Firearms Safety Training Fund Special Account.....	458,000
0820-001-0017—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Fingerprint Fees Account, pursuant to subdivision (e) of Section 11105 of the Penal Code.....	49,475,000
0820-001-0032—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Firearms Safety Account	355,000
0820-001-0044—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Motor Vehicle Account, State Transportation Fund	18,771,000
0820-001-0142—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Department of Justice Sexual Habitual Offender Fund	2,079,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
0820-001-0158—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Travel Seller Fund	926,000
0820-001-0195—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Conservatorship Registry Fund.....	49,000
0820-001-0214—For support of Department of Justice, for payment to Item 0820-001-0001, payable from Restitution Fund	65,000
0820-001-0256—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Sexual Predator Public Information Account.....	50,000
0820-001-0367—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Indian Gaming Special Distribution Fund	8,138,000
0820-001-0378—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the False Claims Act Fund.....	9,332,000
0820-001-0460—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Dealers' Record of Sale Special Account	8,813,000
Provisions:	
1. Dealers' Record of Sale fees collected pursuant to	

Item	Amount
the state law for the registration of assault weapons shall not exceed \$20 per registrant.	
0820-001-0557—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Toxics Substances Control Account	1,909,000
0820-001-0566—For support of Department of Justice, for payment to Item 0820-001-0001, payable from Department of Justice Child Abuse Fund.....	199,000
0820-001-0567—For support of Department of Justice, for payment to Item 0820-001-0001, payable from Gambling Control Fund	5,689,000
0820-001-0569—For support of Department of Justice, for payment to Item 0820-001-0001, payable from Gambling Control Fines and Penalties Account	195,000
0820-001-0890—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Federal Trust Fund.....	40,474,000
Provisions:	
1. Of the amount appropriated in this item, \$3,000,000 shall only be available upon the enactment of Assembly Bill 1098 of the 1999–2000 Regular Session.	
0820-001-0942—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Federal Asset Forfeiture Account, Special Deposit Fund	1,327,000
0820-011-0001—For transfer by the Controller to the Indian Gaming Special Distribution Fund.....	(8,138,000)
Provisions:	
1. The amount transferred in this item is a loan to the Indian Gaming Special Distribution Fund. The Department of Justice shall expend these funds to conduct activities pursuant to the tribal-state gaming compacts ratified by Chapter 874 of the Statutes of 1999. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Principal and interest on the loan shall be repaid in full no later than June 30, 2003.	
0820-011-0942—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the State Asset Forfeiture Account, Special Deposit Fund	455,000
0820-101-0001—For local assistance, Department of Justice.....	6,764,000
Schedule:	
(a) 25-Executive Programs.....	2,919,000

Item	Amount
(b) 40-Criminal Law.....	3,845,000
Provisions:	
1. The funds appropriated in Schedule (a) shall be allocated to community-based violence prevention activities related to the California Gang, Crime and Violence Prevention Partnership Program, pursuant to Chapter 885 of the Statutes of 1997.	
2. The funds appropriated in Schedule (b) shall be allocated to district attorneys for vertical prosecution activities related to implementation of the Battered Women Protection Act of 1994, pursuant to Chapter 140 of the Statutes of 1994.	
0820-101-0214—For local assistance, Department of Justice, payable from the Restitution Fund	2,935,000
Schedule:	
(a) 50-Law Enforcement	2,935,000
Provisions:	
1. The funds appropriated in Schedule (a) are for allocation in support of the California Witness Protection Program, pursuant to Chapter 507 of the Statutes of 1997. Any funds not expended for this specific purpose shall revert to the Restitution Fund.	
2. Of the amount appropriated in this item and the amount appropriated in Item 0820-001-0214, the department may expend up to \$150,000 for the administration of the California Witness Protection Program, including the review of appropriate policies and procedures for the submittal and review of claims.	
3. The Bureau of State Audits shall audit the Department of Justice’s claims review process for the California Witness Protection Program to ensure that all criteria for program eligibility are met and shall report annually to the Legislature by January 1 on the results of its audits. The bureau shall also recommend changes to criteria for the program to ensure accountability as part of its annual report to the Legislature.	
0820-101-0460—For local assistance, Department of Justice payable from Dealers’ Record of Sale Special Account	123,000
Schedule:	
(a) 60-Criminal Justice Information Services.....	35,000
(b) 70-Firearms.....	88,000

Item	Amount
0820-101-0641—For local assistance, Department of Justice, payable from the Domestic Violence Restraining Order Reimbursement Fund	1,918,000
Provisions:	
1. The funds appropriated in this item shall be expended to reimburse local law enforcement or other criminal justice agencies pursuant to Chapter 707 of the Statutes of 1998.	
0820-102-0001—For local assistance, Department of Justice	300,000
Provisions:	
1. The funds appropriated in this item are to provide funding for a joint gang bridging project between the Los Angeles County Sheriff and the California State University, Los Angeles.	
0820-111-0001—For transfer by the Controller to the Department of Justice DNA Testing Fund.....	225,000
Provisions:	
1. The amount transferred in this item shall be expended to reimburse counties pursuant to Chapter 696 of the Statutes of 1998.	
0820-111-0255—For local assistance, Department of Justice, payable from the Department of Justice DNA Testing Fund.....	225,000
Provisions:	
1. The funds appropriated in this item shall be expended to reimburse counties pursuant to Chapter 696 of the Statutes of 1998.	
0820-295-0001—For local assistance, Department of Justice, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	11,518,000
Schedule:	
(1) 98.01.139.976-Custody of Minors (Ch. 1399, Stats. 1976)	10,177,000
(2) 98.01.033.790-Stolen Vehicle Notification (Ch. 337, Stats. 1990).....	351,000
(3) 98.01.110.592-Misdemeanors: Booking/Fingerprinting (Ch. 1105, Stats. 1992).....	990,000
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the ap-	

Item

Amount

propriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.

2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

0820-301-0001—For capital outlay, Department of Justice..... 31,716,000

Schedule:

- (.5) 85.60.010-Santa Barbara Replacement Laboratory—Construction.... 5,057,000
- (1) 85.60.020-Santa Rosa Replacement Laboratory—Construction 5,470,000
- (1.5) 85.60.030-Fresno Replacement Laboratory—Construction 11,670,000
- (2) 85.60.060-Redding Replacement Laboratory—Working drawings and construction..... 6,548,000
- (3) 85.60.070-Freedom Replacement Laboratory—Acquisition 2,108,000
- (4) 85.60.080-Parking Lot Improvements 313,000
- (4.5) 85.60.090-Hawkins Data Center: Replace computer room fire suppression system—Preliminary plans and working drawings..... 100,000

Item	Amount
(4.6) 85.60.095-1300 I Street Building Alterations—Preliminary plans, working drawings, construction, and equipment	649,000
(5) Reimbursements.....	-199,000
Provisions:	
1. Notwithstanding any other provision of law, the Department of Justice shall report the findings of a property value and code compliance assessment, conducted by the Department of General Services, to the Chair of the Joint Legislative Budget Committee and the Chairs of the Senate and Assembly Budget Committees 20 days prior to requesting acquisition authority from the Public Works Board for the Freedom Laboratory.	
0820-490—Reappropriation, Department of Justice. Notwithstanding any other provision of law, the balance of funds provided in the following citation is reappropriated on the effective date of this act for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriation, and shall be available for expenditure until June 30, 2000.	
0001—General Fund	
(1) The balance of the \$350,000 appropriated from Item 0820-001-0001, Budget Act of 1997, as reappropriated by Item 0820-490, Budget Act of 1998 and Budget Act of 1999, for the necessary expenditures pursuant to the trial of State ex rel State Lands Commission v. City of Los Angeles in accordance with Provision 4 of Item 0820-001-0001 of the Budget Act of 1997.	
0840-001-0001—For support of State Controller.....	66,445,000
Schedule:	
(a) 100000-Personal Services	70,422,000
(b) 300000-Operating Expenses and Equipment	41,341,000
(c) Less funding provided by State Controller’s Statewide Information Technology Projects (Item 0841-001-0001(a)).....	-8,377,000
(d) Reimbursements.....	-29,197,000
(e) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0840-001-0061).....	-3,029,000

Item	Amount
(f) Amount payable from the Highway Users Tax Account, Transportation Tax Fund (Item 0840-001-0062)...	-836,000
(g) Amount payable from the Local Revenue Fund (Item 0840-001-0330).....	-404,000
(h) Amount payable from the State School Building Lease-Purchase Fund (Item 0840-001-0344).....	-729,000
(i) Amount payable from the Federal Trust Fund (Item 0840-001-0890).	-1,330,000
(j) Amount payable from the State Penalty Fund (Item 0840-001-0903)...	-975,000
(k) Amount payable from nongovernmental cost funds, (Retail Sales Tax Fund) (Item 0840-001-0988)..	-187,000
(l) Amount payable from various special funds (Item 0840-011-0494)...	-42,000
(m) Amount payable from various bond funds (Item 0840-011-0797)	-171,000
(n) Amount payable from various nongovernmental cost funds (Item 0840-011-0988).....	-41,000

Provisions:

1. The appropriation made in this item shall be in lieu of the appropriation in Section 1564 of the Code of Civil Procedure for all costs, expenses, or obligations connected with the administration of the Unclaimed Property Law, with the exception of payment of owners' or holders' claims pursuant to Section 1540, 1542, 1560, or 1561 of the Code of Civil Procedure, or of payment of the costs of compensating contractors for locating and recovering unclaimed property due the state.
2. Of the claims received for reimbursement of court-ordered or voluntary desegregation programs pursuant to Sections 42243.6, 42247, and 42249 of the Education Code, the Controller shall pay only those claims that have been subjected to audit by school districts in accordance with the Controller's procedures manual for conducting audits of education desegregation claims. Furthermore, the Controller shall pay only those past-year actual claims for desegregation program costs that are accompanied by all reports issued by the auditing entity, unless the auditing entity was the Controller.

Item	Amount
<p>3. No less than 0.9 personnel-year in the Audits Division shall be used to audit education desegregation claims.</p> <p>4. The Controller may, with the concurrence of the Director of Finance and the Chairperson of the Joint Legislative Budget Committee, bill affected state departments for activities required by Section 20050 of the State Administrative Manual, relating to the administration of federal pass-through funds.</p> <p style="padding-left: 2em;">No billing may be sent to affected departments sooner than 30 days after the Chairperson of the Joint Legislative Budget Committee has been notified by the Director of Finance that he or she concurs with the amounts specified in the billings.</p> <p>5. (a) Notwithstanding subdivision (b) of Section 1531 of the Code of Civil Procedure, the Controller may publish notice in any manner that the Controller determines reasonable, provided that (1) none of the moneys used for this purpose is redirected from funding for the Controller's audit activities, (2) no photograph is used in the publication of notice, and (3) no elected official's name is used in the publication of notice.</p> <p style="padding-left: 2em;">(b) No funds appropriated in this act may be expended by the Controller to provide general information to the public, other than holders (as defined in subdivision (e) of Section 1501 of the Code of Civil Procedure) of unclaimed property, concerning the unclaimed property program or possible existence of unclaimed property held by the Controller's office, except for informational announcements to the news media, through the exchange of information on electronic bulletin boards, or no more than \$15,000 per year to inform the public about this program in activities already organized by the Controller for other purposes. This restriction does not apply to sending individual notices to property owners (as required in subdivision (d) of Section 1531 of the Code of Civil Procedure).</p> <p>6. The Controller's office shall, through audits of Medi-Cal program and providers, enhance the General Fund resources or reduce the General Fund expenditures in the amount of \$22,100,000,</p>	

Item	Amount
through identification of overpayments, cost avoidance, and other appropriate measures.	
7. Of the moneys appropriated to the Controller in this act, the Controller shall not expend more than \$500,000 to conduct posteligibility fraud audits of the Supplemental Security Income/State Supplementary Payment Program (SSI/SSP).	
8. The Commission on State Mandates shall provide, in applicable parameters and guidelines, as follows:	
(a) If a local agency or school district contracts with an independent contractor for the preparation and submission of reimbursement claims, the costs reimbursable by the state for that purpose shall not exceed the lesser of (1) 10 percent of the amount of the claims prepared and submitted by the independent contractor, or (2) the actual costs that would necessarily have been incurred for that purpose if performed by employees of the local agency or school district.	
(b) The maximum amount of reimbursement provided in subdivision (a) may be exceeded only if the local agency or school district establishes, by appropriate documentation, that the preparation and submission of these claims could not have been accomplished without incurring the additional costs claimed by the local agency or school district.	
9. The funds appropriated to the Controller in this act may not be expended for any performance review or performance audit except pursuant to specific statutory authority. It is the intent of the Legislature that audits conducted by the Controller, or under the direction of the Controller, shall be fiscal audits that focus on claims and disbursements, as provided for in Section 12410 of the Government Code. Any report, audit, analysis, or evaluation issued by the Controller for the 2000–01 fiscal year shall cite the specific statutory or constitutional provision authorizing the preparation and release of the report, audit, analysis, or evaluation.	
10. The Controller shall deliver his or her monthly report on General Fund cash receipts and disbursements within 10 days after the close of each month to the Joint Legislative Budget Commit-	

Item

Amount

tee, the fiscal committees of the Legislature, the Department of Finance, the Treasurer’s office, and the Office of the Legislative Analyst.

11. For purposes of the review and payment of any claim for reimbursement by local government submitted pursuant to Section 54954.4 of the Government Code, the Controller shall use the procedures that were in effect at the time the claim was submitted.

12. Pursuant to Section 1564 (c) of the Code of Civil Procedure, the State Controller shall transfer all money in the Abandoned Property Account in excess of fifty thousand dollars (\$50,000) to the General Fund no less frequently than at the end of each month. This transfer shall include unclaimed Proposition 103 insurance rebate moneys pursuant to Section 1861.01 of the Insurance Code and Section 1523 of the Code of Civil Procedure.

14. The State Controller shall convert payroll warrants and direct deposit advices into self-mailers to ensure the security of confidential information printed on employees’ payroll warrants and direct deposit advices. Of the \$1,001,000 appropriated in this item for that conversion, a one-time appropriation of \$764,000 shall be for equipment acquisition. The remainder shall be used to finance the additional ongoing operating expenses associated with the self-mailers. It is the intent of the Legislature that the conversion be completed expeditiously and steps leading to procurement shall be taken as soon as possible. In no case, shall the conversion be completed later than November 1, 2000.

0840-001-0061—For support of State Controller, for payment to Item 0840-001-0001, payable from the Motor Vehicle Fuel Account, Transportation Tax Fund 3,029,000

0840-001-0062—For support of State Controller, for payment to Item 0840-001-0001, payable from the Highway Users Tax Account, Transportation Tax Fund 836,000

0840-001-0330—For support of State Controller, for payment to Item 0840-001-0001, payable from the Local Revenue Fund..... 404,000

Item	Amount
0840-001-0344—For support of State Controller, for payment to Item 0840-001-0001, payable from the State School Building Lease-Purchase Fund	729,000
0840-001-0890—For support of State Controller, for payment to Item 0840-001-0001, payable from the Federal Trust Fund	1,330,000
0840-001-0903—For support of State Controller, for payment to Item 0840-001-0001, payable from the State Penalty Fund.....	975,000
0840-001-0988—For support of State Controller, for payment to Item 0840-001-0001, payable from Unallocated nongovernmental cost funds (Retail Sales Tax Fund)	187,000
0840-011-0494—For support of State Controller, for payment to Item 0840-001-0001, payable from the unallocated special funds	42,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
0840-011-0797—For support of State Controller, for payment to Item 0840-001-0001, payable from the unallocated bond funds	171,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of the Department of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
0840-011-0988—For support of State Controller, for payment to Item 0840-001-0001, payable from the unallocated nongovernmental cost funds.....	41,000
Provisions:	
1. Notwithstanding any other provision of law, the	

Item	Amount
<p>Director of the Department of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.</p>	
0841-001-0001—For support of State Controller’s State-wide Information Technology Projects.....	7,792,000
(a) 10-Human Resource Management System and Travel Expense Claim Reimbursements System.....	8,377,000
(b) Reimbursements.....	-585,000
0845-001-0001—For support of Department of Insurance	1,137,000
Schedule:	
(a) 30-Tax Collection and Audit.....	1,137,000
0845-001-0217—For support of Department of Insurance, payable from the Insurance Fund	123,590,000
Schedule:	
(a) 10-Regulation of Insurance Companies and Insurance Producers ..	55,355,000
(b) 12-Consumer Protection.....	38,978,000
(c) 20-Fraud Control	29,967,000
(d) 50.01-Administration	16,518,000
(e) 50.02-Distributed Administration ...-	16,518,000
(f) Reimbursements	-710,000
Provisions:	
1. Of the funds appropriated in this item, the Controller shall transfer \$3,137,000 as of July 1, 2000, to the Department of Aging for support of the Health Insurance Counseling and Advocacy Program.	
2. Of the funds appropriated in this item, the Controller shall transfer \$493,000 as of July 1, 2000, to the State and Consumer Services Agency for support of the Office of Insurance Advisor, to provide assistance to the Governor on insurance-related matters.	
3. Of the funds appropriated in this item, an amount not to exceed \$600,000 shall be used solely to cover intervenor compensation costs allowable under subdivision (b) of Section 1861.10 of the Insurance Code.	

Item	Amount
<p>4. Of the amount appropriated in this item, \$3,778,000 is for conducting activities pursuant to Chapter 963 of the Statutes of 1998. It is the intent of the Legislature that the Department of Insurance be reimbursed for the cost associated with the investigation and enforcement actions relating to Holocaust era insurance claims. Accordingly, it is the intent of the Legislature that the Department of Insurance repay the funding specified above to the General Fund and the Insurance Fund from reimbursements received for costs associated with the investigation and enforcement actions relating to Holocaust era insurance claims. Further, it is the intent of the Legislature that reimbursement of state costs shall first be delivered to the Controller to be deposited in the General Fund for the repayment of funds appropriated by Chapter 963 of the Statutes of 1998 and next for repayment of funds transferred from the General Fund as a loan to the Insurance Fund by Item 0845-011-0001 of this act, consistent with Provision 1 of that item.</p> <p>5. The amount identified in Provision 4 for conducting activities pursuant to Chapter 963 of the Statutes of 1998 and Chapter 85 of the Statutes of 1999 includes funding to support the activities of the Holocaust Era Insurance Claims Oversight Committee created pursuant to Chapter 85 of the Statutes of 1999.</p> <p>6. Notwithstanding any other provision of law, the Insurance Commissioner may publish notices relating to Holocaust era insurance claim activities in a manner that the commissioner determines reasonable, provided that (a) none of the moneys for this purpose may be redirected from other budgeted activities, (b), no photograph is used in the publication of the notice, and (c) no elected official's name is used in the publication of notice unless otherwise required by law.</p> <p>7. The Department of Insurance shall evaluate the contract pursuant to which the Health Insurance Plan of California is to be transferred to private operation and shall determine whether the contract calls for activities subject to regulation by the department. The Commissioner of Insurance shall report the results of this evaluation to the chairs and vice-chairs of the Insurance Committees of the Senate and the Assembly.</p>	

Item	Amount
0845-001-0548—For support of Department of Insurance, payable from the Title Insurance Fund	158,000
Schedule:	
(a) 10-Regulation of Insurance Companies and Insurance Producers	158,000
0845-011-0001—For transfer by the Controller to the Insurance Fund	(3,778,000)
Provisions:	
1. The transfer made by this item is a loan to the Insurance Fund for the Department of Insurance to conduct activities pursuant to Chapter 963 of the Statutes of 1998. This loan shall be paid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Principal and interest on the loan shall be paid no later than June 30, 2006.	
2. The funds transferred by this item include funding to support the activities of the Holocaust Era Insurance Claims Oversight Committee created pursuant to Chapter 963 of the Statutes of 1998.	
0845-101-0217—For local assistance, Department of Insurance, Program 20-Fraud Control, payable from the Insurance Fund	32,416,000
0845-490—Reappropriation, Department of Insurance. The balance of the appropriation provided in the following citation is reappropriated for the purposes and subject to the requirements provided for in that appropriation, and shall be available for encumbrance and expenditure until June 30, 2001.	
0217—Insurance Fund	
(1) Item 0845-001-0217, Budget Act of 1999 (Ch. 50, Stats. 1999), 12-Consumer Protection.	
Provisions:	
1. Notwithstanding any other provision of law, the balance of \$4,668,000 appropriated for the Holocaust Era Insurance Claims Project shall be available for encumbrance and expenditure until June 30, 2001.	
0850-001-0562—For support of the California State Lottery Commission, for payment of expenses of the lottery, including all costs incurred in the operation and administration of the lottery, payable from the State Lottery Fund.....	(344,250,000)
Provisions:	
2. Notwithstanding any other provision of law, the California State Lottery Commission shall submit to the Department of Finance, the Joint Legisla-	

Item

Amount

tive Budget Committee, and the budget committees of the Legislature, all of the following:

- (a) In conjunction with submission of the commission’s quarterly financial statements, a report comparing estimated administrative costs to budgeted administrative costs for the 2001–02 fiscal year. The report shall be in sufficient detail that they may be used for legislative review purposes and for sustaining a thorough ongoing review of the expenditures of the California State Lottery Commission. These reports shall include a reporting of the lottery sales revenues and shall detail any administrative funding that is used to supplement the prize pool of any lottery game.
- (b) No later than January 10, 2001, a copy of the proposed administrative budget for the California State Lottery Commission for the 2001–02 fiscal year that is included in the Governor’s Budget.
- (c) No later than June 1, 2001, a copy of the proposed administrative budget and expected sales revenue for the California State Lottery Commission for the 2001–02 fiscal year that is submitted to the California State Lottery Commission’s Budget Committee. This report shall detail any administrative funding that is proposed to be used to supplement the prize pool of any lottery game.
- (d) No later than June 30, 2001, the final 2001–02 budget and revenue projections approved by the California State Lottery Commission. The report shall include any approved revision, and supporting documentation, to the June 1, 2001, proposed budget. The report shall detail any administrative funding that is proposed to be used to supplement the prize pool of any lottery game.

0855-001-0567—For support of California Gambling Control Commission, payable from the Gambling Control Fund.....

Schedule:

576,000

(a) 10-California Gambling Control Commission 576,000

Item	Amount
0855-101-0366—For local assistance, California Gambling Control Commission, payable from the Indian Gaming Revenue Sharing Trust Fund.....	1,000
Provisions:	
1. The funds appropriated in this item are for distribution to noncompact tribes.	
2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for purposes of this item in excess of the amount appropriated in this item. The Director of Finance may not approve any expenditure unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.	
3. As part of any request to augment this item, the California Gambling Control Commission shall provide the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations a report identifying (1) the methodology for determining a noncompact tribe; (2) a list of the noncompact tribes identified based on the commission’s methodology; (3) the methodology for determining the amount of revenue each compact tribe is required to pay into the Indian Gaming Revenue Sharing Trust Fund; (4) a trust fund condition report including the amount of revenue received from each compact tribe; and (5) the amount of funds to be distributed to each noncompact tribe. Upon receiving additional expenditure authority for distributing funds under the trust fund, the commission shall submit that information to the chairpersons of the committees on a quarterly basis concurrent with the distribution of the funds to the noncompact tribes.	
0860-001-0001—For support of State Board of Equalization	192,154,000
Schedule:	
(a) 100000-Personal Services.....	225,999,000
(b) 300000-Operating Expenses and Equipment.....	76,906,000
(c) Reimbursements.....	-85,324,000

Item	Amount
(d) Amount payable from the Breast Cancer Fund (Item 0860-001-0004).....	-107,000
(e) Amount payable from the State Emergency Telephone Number Account (Item 0860-001-0022).....	-673,000
(f) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0860-001-0061)...	-15,973,000
(g) Amount payable from the Occupational Lead Poisoning Prevention Account (Item 0860-001-0070).....	-571,000
(h) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 0860-001-0080).....	-527,000
(i) Amount payable from the Cigarette and Tobacco Products Surtax Fund (Item 0860-001-0230)	-1,342,000
(j) Amount payable from the Oil Spill Prevention and Administration Fund (Item 0860-001-0320).....	-236,000
(k) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 0860-001-0387).	-351,000
(l) Amount payable from the Underground Storage Tank Cleanup Fund (Item 0860-001-0439).....	-1,656,000
(m) Amount payable from the Energy Resources Programs Account (Item 0860-001-0465)	-201,000
(n) Amount payable from the California Children and Families First Trust Fund (Item 0860-001-0623).	-890,000
(o) Amount payable from the Federal Trust Fund (Item 0860-001-0890).	-102,000
(p) Amount payable from the Timber Tax Fund (Item 0860-001-0965)...	-2,798,000

Provisions:

1. It is the intent of the Legislature that all funds appropriated to the Board of Equalization for processing tax returns, auditing, and collecting owed tax amounts, shall be used in a manner consistent with its authorized budget and the documents that were presented to the Legislature for its review in support of that budget. The Board of Equalization shall not reduce expenditures or redirect either

Item	Amount
<p>funding or personnel resources away from direct auditing or collection activities without prior approval of the Director of Finance. The Director shall not approve any such reduction or redirection sooner than 30 days after providing notification to the Joint Legislative Budget Committee. No such position may be transferred from the organizational unit to which it was assigned in the 2000–01 Governor’s Budget and the Salaries and Wages Supplement as revised by legislative actions without the approval of the Department of Finance. Furthermore, the board shall expeditiously fill budgeted positions consistent with the funding provided in this act.</p>	
0860-001-0004—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Breast Cancer Fund	107,000
Provisions:	
1. Notwithstanding Section 30461.6 of the Revenue and Taxation Code, or any other provision of law, sufficient funds to cover the costs of the State Board of Equalization for the collection and enforcement of fees to be deposited in the Breast Cancer Fund shall be retained in the fund, and be available to be appropriated to the board.	
0860-001-0022—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the State Emergency Telephone Number Account.....	673,000
0860-001-0061—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Motor Vehicle Fuel Account, Transportation Tax Fund.....	15,973,000
0860-001-0070—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Occupational Lead Poisoning Prevention Account	571,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified by Section 13332.18 of the Government Code.	
0860-001-0080—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Childhood Lead Poisoning Prevention Fund	527,000

Item	Amount
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified by Section 13332.18 of the Government Code.	
0860-001-0230—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Cigarette and Tobacco Products Surtax Fund	1,342,000
0860-001-0320—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Oil Spill Prevention and Administration Fund	236,000
0860-001-0387—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Integrated Waste Management Account, Integrated Waste Management Fund	351,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified by Section 13332.18 of the Government Code.	
0860-001-0439—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Underground Storage Tank Cleanup Fund	1,656,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
0860-001-0465—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Energy Resources Programs Account	201,000
0860-001-0623—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the California Children and Families First Trust Fund	890,000
0860-001-0890—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Federal Trust Fund	102,000
0860-001-0965—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Timber Tax Fund	2,798,000
0890-001-0001—For support of Secretary of State	21,081,000
Schedule:	
(a) 100000-Personal Services	22,805,000

Item	Amount
(b) 300000-Operating Expenses and Equipment	24,884,000
(c) Special Item of Expense-Election Related Costs.....	9,223,000
(d) Reimbursements.....	-6,337,000
(e) Amount payable from the Secretary of State's Business Fees Fund (Item 0890-001-0228)	-27,185,000
(f) Amount payable from the Business Reinvestment Fund (Item 0890-001-0274)	-2,309,000
Provisions:	
1. Notwithstanding the Governor's Executive Order W-173-1998, the Secretary of State shall no longer serve as the Chief Executive Officer of the California Gold Discovery to Statehood Sesquicentennial Commission (CGDSS). The Secretary of State's staff shall no longer provide support services for the CGDSS. No funds appropriated to the Secretary of State shall be expended for any purposes under Executive Order W-173-1998.	
0890-001-0228—For support of Secretary of State, for payment to Item 0890-001-0001, payable from the Secretary of State's Business Fees Fund.....	27,185,000
Provisions:	
1. Of the amount appropriated in this item, \$6,594,000 in Program 05, for costs to develop and implement a new Records Management System, may not be encumbered or expended until the Department of Information Technology and Department of Finance approve the appropriate project initiation documents (Alternative Procurement Business Justification and/or Feasibility Study Report) prepared in accordance with the State Administrative Manual and Statewide Information Management Manual. The funds shall be made available consistent with the amount approved by the Department of Finance, based upon the approved Feasibility Study Report.	
2. Notwithstanding any other provision of law, the Secretary of State may expend an amount not to exceed \$538,000 of the funds appropriated in this item for the investigation and prosecution of voter fraud in California.	
0890-001-0274—For support of Secretary of State, for payment to Item 0890-001-0001, payable from the Business Reinvestment Fund.....	2,309,000

Item	Amount
Provisions:	
1. Of the amount appropriated in this item, \$1,961,000 in Program 05, for costs to develop and implement a new Records Management System, may not be encumbered or expended until the Department of Information Technology and Department of Finance approve the appropriate project initiation documents (Alternative Procurement Business Justification and/or Feasibility Study Report) prepared in accordance with the State Administrative Manual and Statewide Information Management Manual. The funds shall be made available consistent with the amount approved by the Department of Finance, based upon the approved Feasibility Study Report.	
0890-003-0001—For support of Secretary of State for rental payments on lease revenue bonds	8,413,000
Schedule:	
(a) Base Rental and Fees	9,477,000
(b) Structural Insurance.....	46,000
(c) Reimbursements	-1,110,000
0890-003-0228—For support of Secretary of State for rental payments on lease revenue bonds, payable from the Secretary of State’s Business Fees Fund...	2,654,000
Schedule:	
(a) Base Rental and Fees	2,991,000
(b) Structural Insurance.....	14,000
(c) Reimbursements	-351,000
0890-295-0001—For local assistance, Secretary of State, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	7,853,000
Schedule:	
(1) 98.01.007.778-Absentee ballots (Ch. 77, Stats. 78).....	6,111,000
(2) 98.01.039.188-Brendon Maguire Act (Ch. 391, Stats. 88)	1,000
(3) 98.01.049.479-Handicapped voter access (Ch. 494, Stats. 79)	0
(4) 98.01.070.475-Voter registration procedures (Ch. 704, Stats. 75).....	1,416,000
(5) 98.01.101.381-Local elections (Ch. 1013, Stats. 81)	0

Item	Amount
(6) 98.01.104.285-Election materials (Ch. 1042, Stats. 85).....	0
(7) 98.01.140.176-Voter registration roll purge (Ch. 1401, Stats. 76)....	0
(8) 98.01.142.282-Permanent absent voters (Ch. 1422, Stats. 82).....	325,000
(9) 98.01.160.382-Democratic presi- dential delegates (Ch. 1603, Stats. 82)	0

Provisions:

1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.
3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year:
 - (a) Handicapped voter access (Ch. 494, Stats. 1979).
 - (b) Local elections (Ch. 1013, Stats. 1981).
 - (c) Election materials (Ch. 1042, Stats. 1985).

Item	Amount
(d) Voter registration roll purge (Ch. 1401, Stats. 1976).	
(e) Democratic presidential delegates (Ch. 1603, Stats. 1982, and Ch. 8, Stats. 1988).	
0950-001-0001—For support of State Treasurer	6,702,000
Schedule:	
(a) 100000-Personal Services	14,042,000
(b) 300000-Operating Expenses and Equipment	5,427,000
(c) Reimbursements	-12,593,000
(d) Amount payable from the Local Agency Deposit Security Fund (Item 0950-001-0240)	-174,000
Provisions:	
1. The State Treasurer shall seek to increase the reimbursement rates charged to those departments or programs that receive services from the State Treasurer’s Office’s Item Processing System by an amount sufficient to recover from those departments or programs, over a five-year period, beginning not later than fiscal year 1999–00, their fair share of the \$3.78 million cost of upgrading the system to be Year 2000 compliant. Those departments or programs include, but are not limited to, the Department of Health Services’ Women, Infant and Children Program, and the Employment Development Department’s Unemployment and Disability Insurance Program.	
0950-001-0240—For support of the State Treasurer, for payment to Item 0950-001-0001, payable from the Local Agency Deposit Security Fund	174,000
0950-295-0001—For local assistance, State Treasurer, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or of Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	3,342,000
Schedule:	
(1) 98.01.078.395-Investment Reports—Cities and Counties (Ch. 783/95)	3,342,000
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State	

Item	Amount
<p>Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated by this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.</p> <p>2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.</p>	
<p>0954-001-0001—For support of the Scholarshare Investment Board</p>	1,000,000
<p>Schedule:</p> <p>(a) 20-Governor’s Scholars Program ... 1,000,000</p> <p>Provisions:</p> <p>1. Funds appropriated in this item are for the purpose of administering the Governor’s Scholars Program and the Governor’s Math and Science Scholars Program, established pursuant to legislation enacted during the 1999–2000 Regular Session that becomes operative on or before January 1, 2001.</p>	
<p>0954-001-0564—For support of the Scholarshare Investment Board, payable from the Scholarshare Administrative Fund</p>	934,000
<p>Schedule:</p> <p>(a) 10-Golden State ScholarShare Trust Program..... 934,000</p> <p>Provisions:</p> <p>1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the ScholarShare Investment Board in excess of the amount appropriated not sooner than 30</p>	

Item	Amount
<p>days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.</p>	
<p>0956-001-0171—For support of California Debt and Investment Advisory Commission, payable from the California Debt and Investment Advisory Commission Fund.....</p>	1,694,000
<p>Schedule:</p>	
<p>(a) 10-California Debt and Investment Advisory Commission.....</p>	1,794,000
<p>(b) Reimbursements.....</p>	-100,000
<p>Provisions:</p>	
<p>1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Debt and Investment Advisory Commission in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.</p>	
<p>0959-001-0169—For support of California Debt Limit Allocation Committee, payable from the California Debt Limit Allocation Committee Fund.....</p>	865,000
<p>Schedule:</p>	
<p>(a) 10-Debt Limit Allocation Committee.....</p>	865,000
<p>Provisions:</p>	
<p>1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Debt Limit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.</p>	

Item	Amount
0965-001-0215—For support of California Industrial Development Financing Advisory Commission, payable from the Industrial Development Fund.....	447,000
Schedule:	
(a) 10-Industrial Development Financing Advisory Commission	447,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Industrial Development Financing Advisory Commission in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
0965-001-0297—For support of California Industrial Development Financing Advisory Commission, payable from the Community and Economic Development Fund.....	73,000
Schedule:	
(a) 10-Industrial Development Financing Advisory Commission	73,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Industrial Development Financing Advisory Commission in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
0968-001-0448—For support of California Tax Credit Allocation Committee, payable from the Occupancy Compliance Monitoring Account, Tax Credit Allocation Fee Account.....	986,000
Schedule:	
(a) 10-California Tax Credit Allocation Committee	1,001,000
(b) Reimbursements.....	-15,000
Provisions:	
1. Notwithstanding any other provision of law, the	

Item	Amount
<p>Director of Finance may authorize expenditures for the California Tax Credit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.</p>	
<p>0968-001-0457—For support of California Tax Credit Allocation Committee, payable from the Tax Credit Allocation Fee Account</p>	1,311,000
<p>Schedule:</p>	
<p>(a) 10-California Tax Credit Allocation Committee</p>	1,326,000
<p>(b) Reimbursements</p>	-15,000
<p>Provisions:</p>	
<p>1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Tax Credit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.</p>	
<p>0971-001-0528—For support of California Alternative Energy and Advanced Transportation Financing Authority, payable from the California Alternative Energy Authority Fund</p>	163,000
<p>Schedule:</p>	
<p>(a) 10-California Alternative Energy and Advanced Transportation Financing Authority</p>	163,000
<p>Provisions:</p>	
<p>1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Alternative Energy and Advanced Transportation Financing Authority in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than</p>	

Item	Amount
<p>whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.</p>	
0977-101-0001—For transfer to the California Health Facilities Financing Authority Fund.....	50,000,000
Schedule:	
(a) 20-CHFFA Grant Program	50,000,000
Provisions:	
1. Notwithstanding any other provision of law, this appropriation shall be transferred from the General Fund to the California Health Facilities Financing Authority Fund upon enactment of the 2000 Budget Act for purposes of establishing a grant program within the California Health Facilities Financing Authority to fund the capital outlay needs of community and free clinics. The Authority shall determine criteria for awarding grants and shall report to the Joint Legislative Budget Committee on the total amount of each grant awarded, the recipient of each grant, and the purpose for which each grant was used.	

STATE AND CONSUMER SERVICES

1100-001-0001—For support of California Science Center	12,817,000
Schedule:	
(a) 10-Education	9,814,000
(b) 20-Exposition Park Management ...	2,690,000
(c) 30-California African-American Museum	4,317,000
(d) 40.01-Administration	1,160,000
(e) 40.02-Distributed Administration ...	-1,160,000
(f) Reimbursements	-1,314,000
(g) Amount payable from the Exposition Park Improvement Fund (Item 1100-001-0267).....	-2,690,000
Provisions:	
1. The Director of General Services shall not approve a contract, permit, or lease agreement by the museum (excluding those for museum exhibits) that reduces state revenues or increases state costs by \$25,000 or more unless, not sooner than 30 days prior to giving his or her approval, the director submits in writing to the Chairperson of the Joint Legislative Budget Committee notification of the director’s intent to approve that contract,	

Item	Amount
<p>permit, or lease, or not sooner than such lesser time as the chairperson may in each instance determine. This provision shall have no effect as to those contracts that the legislative fiscal committees have examined as part of the budget process or otherwise.</p> <p>2. The Legislature declares that Exposition Park is a valuable asset of the State of California and that any lease regarding the state-owned real property or improvements, or both, shall provide adequate consideration to the state and optimal use of the park to the citizens of California. Notwithstanding any other provision of law, the Secretary of the State and Consumer Services Agency shall represent the interests of the state in any lease negotiations. No lease shall become effective sooner than 30 days after written notification from the Secretary of the State and Consumer Services Agency to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee.</p>	
1100-001-0267—For support of California Science Center for payment to Item 1100-001-0001, payable from the Exposition Park Improvement Fund	2,690,000
1100-003-0001—For support of the California Science Center for rental payments on lease revenue bonds	2,651,000
Schedule:	
(a) Base rental	2,720,000
(b) Insurance	23,000
(c) Reimbursement	-92,000
1100-301-0001—For capital outlay, California Science Center	3,100,000
Schedule:	
(1) 11.01.000-Science Center Phase II—Preliminary plans	3,100,000
Provisions:	
1. The amount appropriated in this item shall be available for schematic design that shall include the identification of the program, substantiation of project and operating cost models, and development of design documents.	
1100-301-0267—For capital outlay, California Science Center	0

Item	Amount
Schedule:	
(1) 11.04.000-Technology Hall and Hall of Health Remodel—Construction	2,000,000
(2) Reimbursements.....	-2,000,000
Provisions:	
1. Notwithstanding any other provision of law, the California Science Center shall certify the receipt and deposit of reimbursements to the Exposition Park Improvement Fund prior to the Department of Finance authorizing the project identified in Schedule (1) of this item to proceed to bid.	
1100-490—Reappropriation, California Science Center. The balances of the appropriations provided for in the following citations are reappropriated and available for encumbrance for two years for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:	
0001—General Fund	
(1) Item 1100-301-0001, Budget Act of 1998 (Ch. 324, Stats. 1998)	
(2) 11.02.000-Masterplan Parking Facility, Phase I—Working drawings, and construction.	
(2) Item 1100-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(2) 11.00.004-Technology Hall and Hall of Health Remodel—Working drawings and construction.	
0890—Federal Trust Fund	
(1) Item 1100-301-0890, Budget Act of 1998 (Ch. 324, Stats. 1998)	
(1) 11.02.000-Masterplan Parking Facility, Phase I—Working drawings, and construction.	
1111-002-0001—For support of the Department of Consumer Affairs for payment to Item 1111-002-0702..	500,000
1111-002-0069—For support of the Bureau of Barbering and Cosmetology, Department of Consumer Affairs, payable from the State Board of Barbering and Cosmetology Fund	9,400,000
Schedule:	
(a) 22-Bureau of Barbering and Cosmetology	9,457,000
(b) Reimbursements.....	-57,000
Provisions:	
1. The amount appropriated in this item may include	

Item	Amount
revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0166—For support of the Arbitration Certification Program, Department of Consumer Affairs, payable from the Consumer Affairs-Certification Account.....	599,000
Schedule:	
(a) 23-Arbitration Certification Program.....	599,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0208—For support of the Bureau of Hearing Aid Dispensers, Department of Consumer Affairs, payable from the Hearing Aid Dispensers Fund.....	537,000
Schedule:	
(a) 24-Bureau of Hearing Aid Dispensers	546,000
(b) Reimbursements.....	-9,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0239—For support of the Bureau of Security and Investigative Services, Department of Consumer Affairs, payable from the Private Security Services Fund	5,628,000
Schedule:	
(a) 25.10.010-Bureau of Security and Investigative Services, Private Security Services Program	8,082,000
(b) 25.10.020-Distributed Private Security Services.....	-104,000
(c) Reimbursements	-2,350,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0260—For support of the Bureau of Nursing Home Administrators, Department of Consumer Affairs, payable from the Nursing Home Administrator’s State License Examining Board Fund.....	478,000

Item	Amount
Schedule:	
(a) 26-Bureau of Nursing Home Administrators.....	479,000
(b) Reimbursements.....	-1,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0305—For support of the Bureau for Private Postsecondary and Vocational Education, Department of Consumer Affairs, payable from the Private Postsecondary Education Administration Fund.....	5,193,000
Schedule:	
(a) 27.10.010-Bureau for Private Postsecondary and Vocational Education.....	5,383,000
(b) 27.10.020-Distributed Private Postsecondary and Vocational Education.....	-110,000
(c) Reimbursements	-80,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0325—For support of the Bureau for Electronic and Appliance Repair, Department of Consumer Affairs, payable from the Electronic and Appliance Repair Fund.....	1,560,000
Schedule:	
(a) 28-Bureau of Electronic and Appliance Repair.....	1,573,000
(b) Reimbursements.....	-13,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0421—For support of the Bureau of Automotive Repair, Department of Consumer Affairs, payable from the Vehicle Inspection and Repair Fund..	90,597,000
Schedule:	
(a) 31.10.015-Education	775,000
(b) 31.10.025-Smog Quality Assurance and Engineering.....	32,559,000
(c) 31.10.030-Licensing	1,550,000

Item	Amount
(d) 31.10.040-Intake	4,146,000
(e) 31.10.050-Mediation.....	5,640,000
(f) 31.10.060-Enforcement	15,702,000
(g) 31.10.070-Special Projects.....	2,993,000
(h) 31.10.080-Consumer Protection Operations	27,421,000
(i) 31.10.090-Distributed Smog Check.	-71,000
(j) Reimbursements.....	-118,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. The Bureau of Automotive Repair shall revert as of June 30, 2000, any unencumbered balance from Item 1111-002-0421, Budget Act of 1999 (Ch. 50, Stats. 1999), that was budgeted in support of the bureau, but that was budgeted for positions that have generated excess salary savings due to high vacancy rates during the 1999-00 fiscal year.	
3. Of the amount appropriated in this item, \$2,000,000 shall be available for expenditure to fund a contract for public awareness and education regarding the smog check program. These funds may be expended no sooner than 30 days after written notification of the proposed expenditures to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.	
4. Notwithstanding Section 26.00 of this act, the Department of Finance may authorize transfers among and between Schedules (a), (b), (c), (d), (e), (f), (g), and (h) of this item not to exceed 35 percent of the schedule from which funds are transferred. Transfers made by this provision may be authorized not sooner than 30 days after notification in writing of the necessity therefore is provided to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee.	
1111-002-0459—For support of the Telephone Medical Advice Services Program, Department of Consumer Affairs, payable from the Telephone Medical Advice Services Fund.....	522,000

Item	Amount
Schedule:	
(a) 37-Telephone Medical Advice Services Program.....	522,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0582—For support of the Bureau of Automotive Repair, Department of Consumer Affairs, payable from the High Polluter Repair or Removal Account.....	47,020,000
Schedule:	
(a) 31.20.010-Income-Eligible Vehicle Repair	9,970,000
(b) 31.20.020-Test-Only Directed Vehicle Repair	14,202,000
(c) 31.20.030-Vehicle Retirement	15,072,000
(d) 31.20.040-Program Administration.	7,776,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. Notwithstanding Section 26.00, the Department of Finance may authorize transfers among and between Schedules (a), (b), and (c) of this item not to exceed 35 percent of the schedule from which funds are transferred. Transfers made by this provision may be authorized not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee.	
1111-002-0702—For support of Department of Consumer Affairs, payable from the Consumer Affairs Fund, Professions and Vocations Fund.....	0
Schedule:	
(a) 35.10.010-Administrative and Information Services Division	37,300,000
(b) 35.10.015-Communications and Education Division.....	1,319,000
(c) 35.10.020-Consumer Relations and Outreach Division	3,315,000
(d) 35.10.025-Division of Investigation	6,446,000

Item	Amount
(e) 35.20.010-Distributed Administrative and Information Services Division.....	-22,880,000
(f) 35.20.015-Distributed Communications and Education Division.....	-765,000
(g) 35.20.020-Distributed Consumer Relations and Outreach Division ..	-2,815,000
(h) 35.20.025-Distributed Division of Investigation.....	-1,351,000
(i) Amount payable from General Fund (Item 1111-002-0001)	-500,000
(j) Reimbursements	-20,069,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0717—For support of the Cemetery Bureau, Department of Consumer Affairs, payable from the Cemetery Fund, Professions and Vocations Fund....	1,180,000
Schedule:	
(a) 32-Cemetery Bureau.....	1,299,000
(b) Reimbursements.....	-119,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0750—For support of the Funeral Bureau, Department of Consumer Affairs, payable from the State Funeral Directors and Embalmers Fund, Professions and Vocations Fund	1,164,000
Schedule:	
(a) 33-Funeral Bureau.....	1,176,000
(b) Reimbursements.....	-12,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0752—For support of the Bureau of Home Furnishings and Thermal Insulation, Department of Consumer Affairs, payable from the Bureau of Home Furnishings and Thermal Insulation Fund.....	3,199,000
Schedule:	
(a) 34-Bureau of Home Furnishings and Thermal Insulation	3,204,000

Item	Amount
(b) Reimbursements.....	-5,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0769—For support of the Bureau of Security and Investigative Services, Department of Consumer Affairs, payable from the Private Investigator Fund	812,000
Schedule:	
(a) 25.20-Private Investigators Program	862,000
(b) Reimbursements.....	-50,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-002-0890—For support of the Bureau for Private Postsecondary and Vocational Education, Department of Consumer Affairs, payable from the Federal Trust Fund.....	1,130,000
Provisions:	
1. Notwithstanding any other provision of law, the Federal Trust Fund Account of the Bureau for Private Postsecondary and Vocational Education may borrow from the Private Postsecondary and Vocational Education Administration Fund an amount not to exceed a cumulative total of \$500,000 for the purpose of meeting cash-flow needs for the purposes funded in this item due to delays in collecting federal funds. Any loan made pursuant to this provision shall be made only upon approval of the Department of Finance, and only if the bureau demonstrates and certifies that a sufficient surplus exists in the Private Postsecondary and Vocational Education Administration Fund to support the amount of the loan, and that funds will be available from the federal government to repay the loan. All money transferred shall be repaid to the fund as soon as possible, but not later than one year from the date of the loan.	
1111-002-0960—For support of the Bureau for Private Postsecondary and Vocational Education, Department of Consumer Affairs, payable from the Student Tuition Recovery Fund	2,400,000

Item	Amount
Schedule:	
(a) 27.30-Student Tuition Recovery Program.....	2,400,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1111-003-0001—For transfer to the Student Tuition Recovery Fund	2,000,000
Provisions:	
1. The funds appropriated in this item are for transfer by the Controller, upon notification by the Department of Finance, to the Student Tuition Recovery Fund and shall only be available for paying judgments pursuant to the Aguirre v. Hamilton judgment, San Francisco Superior Court Case Number 308354.	
2. Prior to making payments pursuant to the Aguirre v. Hamilton judgment, the Bureau for Private Postsecondary and Vocational Education shall exhaust all reasonable administrative and legal remedies available to it. Any savings associated with these remedies shall revert back to the General Fund by June 30, 2001.	
1111-012-0761—For transfer by the Controller to the Telephone Medical Advice Services Fund	(522,000)
Provisions:	
1. Notwithstanding any other provision of law, a loan of \$522,000 is hereby authorized to support the Department of Consumer Affairs Telephone Medical Advice Services Program. The loan shall be repaid from fees paid by licensees of the program pursuant to Chapter 15 (commencing with Section 4999) of Division 2 of the Business and Professions Code. The Department of Consumer Affairs Telephone Medical Advice Services Program shall repay the loan with interest to the Board of Registered Nursing Fund within five years in four equal installments. Loan payments shall begin no later than 12 months after the loan is disbursed. The rate of interest shall be at the rate earned by moneys invested in the Pooled Money Investment Account.	
1111-101-0001—For local assistance, Department of Consumer Affairs, for contribution to Downey Cemetery District, for construction of a columbarium....	150,000

Item	Amount
1111-102-0001—For local assistance, Bureau of Automotive Repair, Department of Consumer Affairs, for remote sensing smog check.....	2,000,000
1120-001-0704—For support of Board of Accountancy, payable from the Accountancy Fund, Professions and Vocations Fund	9,610,000
Schedule:	
(a) 3-Board of Accountancy	9,814,000
(b) Reimbursements.....	-204,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. It is recognized that the Board of Accountancy is pursuing a significant disciplinary action that could have a fiscal impact beyond the amount appropriated in this item. Notwithstanding the provisions of subdivision (a) of Section 27.00 of this act, the Board of Accountancy is authorized to submit a request for approval to spend at a rate that will require a deficiency appropriation to the Department of Finance for review and submission to the Chairperson of the Joint Legislative Budget Committee, in the event a need for additional resources to complete the discipline proceedings in this particular case is identified.	
1130-001-0706—For support of California Board of Architectural Examiners, payable from the California Board of Architectural Examiners Fund.....	2,907,000
Schedule:	
(a) 6-California Board of Architectural Examiners.....	2,912,000
(b) Reimbursements.....	-5,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1130-001-0757—For support of California Board of Architectural Examiners, Landscape Architect Technical Committee, payable from California Board of Architectural Examiners-Landscape Architects Fund...	635,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
1140-001-0001—For support of State Athletic Commission.....	800,000
Schedule:	
(a) 9-State Athletic Commission.....	984,000
(b) Amount payable from the Boxer’s Pension Account (Item 1140-002-0008).....	-83,000
(c) Amount payable from the Boxer’s Neurological Examinations Account (Item 1140-001-0492).....	-101,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1140-001-0492—For support of State Athletic Commission, for payment to Item 1140-001-0001, payable from the Boxer’s Neurological Examination Account	101,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1140-002-0008—For support of State Athletic Commission, for payment to Item 1140-001-0001, payable from the Boxer’s Pension Account	83,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1170-001-0773—For support of Board of Behavioral Science, payable from the Behavioral Science Examiners Fund, Professions and Vocations Fund.....	4,380,000
Schedule:	
(a) 18-Board of Behavioral Science.....	4,556,000
(b) Reimbursements.....	-176,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	

Item	Amount
1230-001-0093—For support of Contractors’ State License Board, for payment to Item 1230-001-0735, payable from the Construction Management Education Account.....	15,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1230-001-0735—For support of Contractors’ State License Board, payable from the Contractors’ License Fund	45,442,000
Schedule:	
(a) 30-Contractors’ State License Board	45,710,000
(b) Reimbursements.....	-253,000
(c) Amount payable from the Construction Management Education Account (Item 1230-001-0093).....	-15,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. Notwithstanding any other provision of law, the Contractors’ State License Board shall not close a field office without the prior approval of the Director of the Department of Consumer Affairs and shall provide 60 days written notice prior to the closure of any field office to the Secretary for State and Consumer Services, the Director of the Department of Consumer Affairs, the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committees in each house that consider the budget and appropriations. The written notice shall include the reasons for the proposed closure, the estimated cost savings from closing the office, and the impact on service availability to licensees and consumers.	
1260-001-0741—For support of Board of Dental Examiners, payable from the State Dentistry Fund	6,374,000
Schedule:	
(a) 36-Board of Dental Examiners.....	6,503,000
(b) Reimbursements.....	-129,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
1270-001-0380—For support of the Committee on Dental Auxiliaries, payable from the State Dental Auxiliary Fund	1,555,000
Schedule:	
(a) 36.20-Committee on Dental Auxiliaries	1,777,000
(b) Reimbursements	-222,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1340-001-0205—For support of State Board of Registration for Geologists and Geophysicists, Program 51, payable from the Geology and Geophysics Fund	978,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1350-001-0024—For support of State Board of Guide Dogs for the Blind, Program 54, payable from the State Board of Guide Dogs for the Blind Fund.....	152,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1390-001-0175—For support of Medical Board of California, Registered Dispensing Opticians, for payment to Item 1390-001-0758, payable from the Dispensing Opticians Fund	289,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1390-001-0210—For support of Medical Board of California, Outpatient Settings, for payment to Item 1390-001-0758, payable from the Outpatient Setting Fund of the Medical Board of California.....	23,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
1390-001-0758—For support of Medical Board of California, payable from the Contingent Fund of the Medical Board of California	35,964,000
Schedule:	
(a) 63.10.010-Medical Board of California	37,068,000
(b) 63.15-Registered Dispensing Opticians.....	289,000
(c) 63.17-Outpatient Setting	23,000
(e) 63.10.020-Distributed Medical Board of California	-797,000
(f) Reimbursements	-307,000
(g) Amount payable from the Dispensing Opticians Fund (Item 1390-001-0175).....	-289,000
(h) Amount payable from the Outpatient Setting Fund of the Medical Board of California (Item 1390-001-0210).....	-23,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1400-001-0108—For support of Medical Board of California, Acupuncture Board, payable from the Acupuncture Fund	1,868,000
Schedule:	
(a) 63.20-Acupuncture Board	1,891,000
(b) Reimbursements.....	-23,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1420-001-0759—For support of Medical Board of California, Physical Therapy Board of California, payable from the Physical Therapy Fund	1,961,000
Schedule:	
(a) 63.40-Physical Therapy Board of California	2,060,000
(b) Reimbursements.....	-99,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
1430-001-0280—For support of Medical Board of California, Physician Assistant Committee, payable from the Physician Assistant Fund.....	864,000
Schedule:	
(a) 63.50-Physician Assistant Committee	889,000
(b) Reimbursements	-25,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1440-001-0295—For support of California Board of Podiatric Medicine, payable from the Board of Podiatric Medicine Fund	1,044,000
Schedule:	
(a) 63.60-California Board of Podiatric Medicine	1,048,000
(b) Reimbursements	-4,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1450-001-0310—For support of Medical Board of California, Board of Psychology, payable from the Psychology Fund	3,053,000
Schedule:	
(a) 63.70-Board of Psychology.....	3,104,000
(b) Reimbursements.....	-51,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1455-001-0319—For support of Medical Board of California, Respiratory Care Board of California, payable from the Respiratory Care Fund.....	2,564,000
Schedule:	
(a) 63.75-Respiratory Care Board of California	2,630,000
(b) Reimbursements.....	-66,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
1460-001-0376—For support of the Speech-Language Pathology and Audiology Board, payable from the Speech-Language and Audiology Fund	584,000
Schedule:	
(a) 63.80-Speech-Language Pathology and Audiology Board	608,000
(b) Reimbursements	-24,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1480-001-0763—For support of State Board of Optometry, payable from the State Optometry Fund, Professions and Vocations Fund	1,161,000
Schedule:	
(a) 69-State Board of Optometry	1,167,000
(b) Reimbursements	-6,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1490-001-0767—For support of California State Board of Pharmacy, payable from the Pharmacy Board Contingent Fund, Professions and Vocations Fund..	6,457,000
Schedule:	
(a) 72-California State Board of Pharmacy	6,708,000
(b) Reimbursements	-251,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1500-001-0770—For support of Board for Professional Engineers and Land Surveyors, payable from the Professional Engineer and Land Surveyor Fund.....	6,976,000
Schedule:	
(a) 75-Board for Professional Engineers and Land Surveyors	6,992,000
(b) Reimbursements	-16,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
1510-001-0761—For support of Board of Registered Nursing, payable from the Board of Registered Nursing Fund, Professions and Vocations Fund.....	13,147,000
Schedule:	
(a) 78-Board of Registered Nursing.....	13,690,000
(b) Reimbursements.....	-543,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1520-001-0771—For support of Court Reporters Board of California, payable from the Court Reporters' Fund	750,000
Schedule:	
(a) 81-Court Reporters Board of California	768,000
(b) Reimbursements.....	-18,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1530-001-0399—For support of Structural Pest Control Board, for payment to Item 1530-001-0775, payable from the Structural Pest Control Education and Enforcement Fund	275,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1530-001-0775—For support of Structural Pest Control Board, payable from the Structural Pest Control Fund, Professions and Vocations Fund.....	3,168,000
Schedule:	
(a) 84-Structural Pest Control Board ...	3,445,000
(b) Reimbursements.....	-2,000
(c) Amount payable from the Structural Pest Control Education and Enforcement Fund (Item 1530-001-0399).....	-275,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
1560-001-0777—For support of Veterinary Medical Board, payable from the Veterinary Medical Board Contingent Fund.....	1,821,000
Schedule:	
(a) 90.10.010-Veterinary Medical Board	1,847,000
(b) Reimbursements.....	-26,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1590-001-0779—For support of Board of Vocational Nurse and Psychiatric Technician Examiners, payable from the Vocational Nurse Examiners Fund	4,066,000
Schedule:	
(a) 91.10.010-Vocational Nurses Program.....	4,455,000
(b) 91.10.020-Distributed Vocational Nurses	-37,000
(c) Reimbursements	-352,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1600-001-0780—For support of Board of Vocational Nurse and Psychiatric Technician Examiners, payable from the Psychiatric Technicians Account, Vocational Nurse and Psychiatric Technician Examiners Fund.....	1,126,000
Schedule:	
(a) 91-Psychiatric Technician Program.....	1,148,000
(b) Reimbursements.....	-22,000
Provisions:	
1. The funds appropriated in this item are from the moneys deposited pursuant to Section 4547 of the Business and Professions Code.	
2. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
1700-001-0001—For support of Department of Fair Employment and Housing	17,994,000

Item	Amount
Schedule:	
(a) 50-Administration of Civil Rights Law.....	22,116,000
(b) Reimbursements.....	-15,000
(c) Amount payable from the Federal Trust Fund (Item 1700-001-0890).	-4,107,000
Provisions:	
1. Of the funds appropriated in this item, \$150,000 shall be used for the purpose of linking the department to the statewide electronic mail system. The appropriation made by this provision is not available unless and until the department provides to the Director of Finance a proposal that has been reviewed and approved by the Department of Information Technology.	
1700-001-0890—For support of Department of Fair Employment and Housing, for payment to Item 1700-001-0001, payable from the Federal Trust Fund.....	4,107,000
1705-001-0001—For support of the Fair Employment and Housing Commission	1,272,000
Schedule:	
(a) 10-Fair Employment and Housing Commission.....	1,423,000
(b) Reimbursements.....	-151,000
1730-001-0001—For support of Franchise Tax Board ...	369,344,000
Schedule:	
(a) 10-Tax Programs.....	349,569,000
(b) 20-Homeowners and Renters Assistance.....	6,007,000
(c) 30-Political Reform Audit (1,304,000)	0
(d) 40-Child Support Collections.....	23,047,000
(e) 45-Child Support Automation	18,767,000
(f) 50-DMV Collections.....	8,422,000
(g) 60-Court Collections	3,121,000
(h) 70-Contract Work.....	7,889,000
(i) 80.01-Administration.....	22,670,000
(j) 80.02-Distributed Administration	-22,670,000
(k) Reimbursements	-15,244,000
(l) Reimbursements-Child Support Existing/Expanded Collections.....	-10,878,000
(m) Reimbursements-Child Support Automation.....	-9,312,000

Item	Amount
(n) Amount payable from the State Highway Account, State Transportation Fund (Item 1730-001-0042).....	-1,000
(o) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 1730-001-0044)...	-2,926,000
(p) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 1730-001-0064)	-5,495,000
(q) Amount payable from the California Mexican American Veteran's Memorial Beautification and Enhancement Fund (Item 1730-001-0120).....	-4,000
(r) Amount payable from the Emergency Food Assistance Program Fund (Item 1730-001-0122).....	-6,000
(s) Amount payable from the Delinquent Tax Collection Fund (Section 19378 of the Revenue and Taxation Code)	-404,000
(t) Amount payable from the Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account, Fish and Game Preservation Fund (Item 1730-001-0200).....	-13,000
(u) Amount payable from the Court Collection Account (Item 1730-001-0242).....	-3,121,000
(v) Amount payable from the State Children's Trust Fund (Item 1730-001-0803).....	-11,000
(w) Amount payable from the California Alzheimer's Disease and Related Disorders Research Fund (Item 1730-001-0823)	-11,000
(x) Amount payable from the D.A.R.E. California (Drug Abuse Resistance Education) Fund (Item 1730-001-0876).....	-6,000
(y) Amount payable from the California Seniors Special Fund (Item 1730-001-0886)	-4,000

Item	Amount
(z) Amount payable from the Birth Defects Research Fund (Item 1730-001-0919)	-5,000
(aa) Amount payable from the California Breast Cancer Research Fund (Item 1730-001-0945)	-7,000
(bb) Amount payable from the California Peace Officer Memorial Foundation Fund (Item 1730-001-0974)	-5,000
(cc) Amount payable from the California Public School Library Protection Fund (Item 1730-001-0975)...	-11,000
(dd) Amount payable from the Firefighters' Memorial Fund (Item 1730-001-0979)	-7,000
(ee) Amount payable from the California Fund for Senior Citizens (Item 1730-001-0983)	-7,000

Provisions:

1. It is the intent of the Legislature that all funds appropriated to the Franchise Tax Board for processing tax returns, auditing and collecting owed tax amounts, shall be used in a manner consistent with its authorized budget and the documents that were presented to the Legislature for its review in support of that budget. The Franchise Tax Board shall not reduce expenditures or redirect either funding or personnel resources away from direct auditing or collection activities without prior approval of the Director of Finance. The Director shall not approve any such reduction or redirection sooner than 30 days after providing notification to the Joint Legislative Budget Committee. No such position may be transferred from the organizational unit to which it was assigned in the 2000-01 Governor's Budget and the Salaries and Wages Supplement as revised by legislative actions without the approval of the Department of Finance. Furthermore, the Board shall expeditiously fill budgeted positions consistent with the funding provided in this act.
2. It is the intent of the Legislature that the Franchise Tax Board resolve tax controversies, without litigation, on a basis that is fair to both the state and the taxpayer and in a manner that will enhance voluntary compliance and public confidence in the integrity and efficiency of the board.

Item	Amount
3. During the 2000–01 fiscal year, the collection cost recovery fee for purposes of subparagraph (A) of paragraph (1) of subdivision (a) of Section 19254 of the Revenue and Taxation Code shall be \$101, and the filing enforcement cost recovery fee for purposes of subparagraph (A) of paragraph (2) of that subdivision shall be \$69.	
4. During the 2000–01 fiscal year, the collection cost recovery fee for purposes of subparagraph (B) of paragraph (1) of subdivision (a) of Section 19254 of the Revenue and Taxation Code shall be \$150, and the filing enforcement cost recovery fee for purposes of subparagraph (B) of paragraph (2) of that subdivision shall be \$197.	
5. Of the amounts appropriated in this item, the amount provided in Schedule (e) and Schedule (m), Reimbursements—Child Support Automation, are, pursuant to Section 5 of Chapter 479, Statutes of 1999, available for 2000–01 and 2001–02.	
6. It is the intent of the Legislature that the California Child Support Automation Project shall receive the highest commitment and priority of all of the state’s child support automation activities.	
7. It is the intent of the Legislature that the California Arrearage Management Project’s automation solution shall not be a requirement for the California Child Support Automation Project. The Legislature intends that the California Child Support Automation Project shall support all child support collections activities in compliance with federal certification requirements.	
1730-001-0042—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the State Highway Account, State Transportation Fund	1,000
1730-001-0044—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Motor Vehicle Account, State Transportation Fund	2,926,000
1730-001-0064—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund.....	5,495,000

Item	Amount
1730-001-0120—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Mexican American Veteran’s Memorial Beautification and Enhancement Fund.....	4,000
1730-001-0122—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Emergency Food Assistance Program Fund	6,000
1730-001-0200—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Fish and Game Preservation Fund (Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account)	13,000
1730-001-0242—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Court Collection Account.....	3,121,000
1730-001-0803—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the State Children’s Trust Fund.....	11,000
1730-001-0823—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Alzheimer’s Disease and Related Disorders Research Fund	11,000
1730-001-0876—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the D.A.R.E. California (Drug Abuse Resistance Education) Fund	6,000
1730-001-0886—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Seniors Special Fund	4,000
1730-001-0919—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Birth Defects Research Fund.....	5,000
1730-001-0945—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Breast Cancer Research Fund	7,000
1730-001-0974—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Peace Officer Memorial Foundation Fund	5,000
1730-001-0975—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Public School Library Protection Fund...	11,000
1730-001-0979—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Firefighters’ Memorial Fund	7,000

Item	Amount
1730-001-0983—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Fund for Senior Citizens.....	7,000
1730-002-0001—For support of the Franchise Tax Board for rental payments on lease revenue bonds.....	7,247,000
Schedule:	
(a) Central Office—Buildings 1 and 2.	7,361,000
(b) Insurance	64,000
(c) Reimbursements	-178,000
1730-295-0001—For local assistance, Franchise Tax Board, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	0
Schedule:	
(1) 98.01.023.874-Substandard Housing (Ch. 238, Stats. 1974)	0
Provisions:	
1. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year:	
(a) Substandard Housing (Ch. 238, Stats. 1974).	
1730-301-0001—For capital outlay, Franchise Tax Board	126,000
Schedule:	
(1) 90.01.040-Minor Projects	126,000
1760-001-0001—For support of Department of General Services, for payment to Item 1760-001-0666	24,690,000
Provisions:	
1. In addition to the funds appropriated in this item, any amounts received from the sale of the Governor’s Budget and related publications funded from this item are available for expenditure.	
2. Of the funds appropriated in this item, \$250,000 shall be available to the Department of General Services to prepare a report and analysis of the possible closure of the California State Prison at San Quentin, including the disposition of the real property. The analysis shall be prepared with the participation of the County of Marin with respect to planning and land use issues. The department	

Item	Amount
<p>shall coordinate with the Department of Corrections to prepare an analysis of the relocation of the inmates and programs served at the institution. The department shall submit its report to the Legislature no later than June 30, 2001.</p> <p>3. Of the funds appropriated in this item, \$400,000 shall be available to the Department of General Services to conduct a business process review with the aim of streamlining the public school construction approval process. The department shall report its findings to the Legislature no later than April 1, 2001.</p>	
<p>1760-001-0002—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Property Acquisition Law Money Account</p>	2,624,000
<p>1760-001-0003—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Motor Vehicle Parking Facilities Monneys Account.....</p>	3,757,000
<p>1760-001-0006—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Access for Handicapped Account</p>	2,199,000
<p>1760-001-0022—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the State Emergency Telephone Number Account</p>	1,221,000
<p>1760-001-0026—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the State Motor Vehicle Insurance Account Provisions:</p> <p>1. Notwithstanding any other provision of law, Section 16379 of the Government Code shall govern the payment of claims for the purposes of this item.</p>	3,880,000
<p>1760-001-0119—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the 1998 State School Facilities Fund..... Provisions:</p> <p>1. Notwithstanding Item 9840-001-0494, the Director of Finance may authorize the creation of deficiencies pursuant to Section 11006 of the Government Code for the purposes of this item.</p>	902,000
<p>1760-001-0344—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the State School Building Lease-Purchase Fund</p>	9,766,000

Item	Amount
Provisions:	
1. Notwithstanding Item 9840-001-0494, the Director of Finance may authorize the creation of deficiencies pursuant to Section 11006 of the Government Code for the purposes of this item.	
1760-001-0450—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Seismic Gas Valve Certification Fee Account	75,000
1760-001-0465—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Energy Resources Programs Account .	1,334,000
1760-001-0602—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Architecture Revolving Fund	30,547,000
1760-001-0666—For support of Department of General Services, payable from the Service Revolving Fund	401,166,000
Schedule:	
(a) Program support	591,547,000
(b) Distributed services	-14,194,000
(c) Amount payable from the General Fund (Item 1760-001-0001)....	-24,690,000
(d) Amount payable from the General Fund (Item 1760-011-0001).....	-3,407,000
(e) Amount payable from the Property Acquisition Law Money Account (Item 1760-001-0002)	-2,624,000
(f) Amount payable from the Motor Vehicle Parking Facilities Moneys Account (Item 1760-001-0003)....	-3,757,000
(g) Amount payable from the Access for Handicapped Account (Item 1760-001-0006)	-2,199,000
(h) Amount payable from the State Emergency Telephone Number Account (Item 1760-001-0022).....	-1,221,000
(i) Amount payable from the State Motor Vehicle Insurance Account (Item 1760-001-0026)	-3,880,000
(j) Amount payable from the 1998 State School Facilities Fund (Item 1760-001-0119)	-902,000
(k) Amount payable from the State School Building Lease-Purchase Fund (Item 1760-001-0344).....	-9,766,000

Item	Amount
(l) Amount payable from the Seismic Gas Valve Certification Fee Account (Item 1760-001-0450).....	-75,000
(m) Amount payable from the Energy Resources Programs Account (Item 1760-001-0465)	-1,334,000
(n) Amount payable from the Architecture Revolving Fund (Item 1760-001-0602)	-30,547,000
(o) Amount payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 (Item 1760-001-0768)	-726,000
(p) Amount payable from the Petroleum Violation Escrow Account (Item 1760-001-0853).....	-12,366,000
(q) Amount payable from the State School Deferred Maintenance Fund (Item 1760-001-0961).....	-140,000
(r) Amount payable from the Motor Vehicle Parking Facilities Money Account (Item 1760-002-0003).....	-1,103,000
(s) Amount payable from the Service Revolving Fund (Item 1760-002-0666)	-69,833,000
(t) Amount payable from the Service Revolving Fund (Item 1760-003-0666).....	-7,617,000

Provisions:

1. Notwithstanding any other provision of law, revenues from the sale of legislative bills and publications received by the Bill Room shall be deposited in the Service Revolving Fund.
2. Notwithstanding any other provision of law, if the Director of the Department of General Services determines in writing that there is insufficient cash in a special fund under his or her authority to make one or more payments currently due and payable, he or she may order the transfer of moneys to that special fund in the amount necessary to make payment or payments, as a loan from the Service Revolving Fund. That loan shall be subject to all of the following conditions:
 - (a) No loan shall be made that would interfere with the carrying out of the object for which the Service Revolving Fund was created.

Item	Amount
<p>(b) The loan shall be repaid as soon as there is sufficient money in the recipient fund to repay the amount loaned, but no later than 18 months after the date of the loan, except that the loan to the Motor Vehicle Parking Fund shall be repaid no later than five years after the date of the loan. The Department of General Services may impose a parking rate increase as necessary for the repayment of the loan only if the increase is approved by a memorandum of understanding entered into by each collective bargaining unit that represents state employees to be affected by the increase, and the memorandum of understanding is ratified by statute. Any parking rate increase imposed pursuant to this provision shall apply equally to state employees who are affected by the increase whether or not they are represented by a collective bargaining unit. The amount loaned shall not exceed the amount that the fund or program is authorized at the time of the loan to expend during the 2000–01 fiscal year from the recipient fund except as otherwise provided in Provisions 4, 5, and 6 of this item.</p> <p>(c) The terms and conditions of the loan are approved, prior to the transfer of funds, by the Department of Finance pursuant to appropriate fiscal standards.</p> <p>3. Notwithstanding any other provision of law, the Director of the Department of General Services may authorize a loan from the Service Revolving Fund to the Public School Planning, Design and Construction Review Revolving Fund for the purpose of meeting the cash needs of the Structural Safety and Fire and Life Safety Sections in the Division of the State Architect. The loan shall not exceed \$4,000,000. As a condition of the loan, the Division of the State Architect shall reduce its school plan review and inspection staff to a level commensurate with expected workload, and shall maintain that staffing level. This loan shall be repaid as soon as there is sufficient money in the recipient fund to repay the amount loaned, but no later than June 30, 2003. No loan shall be made that would interfere with the carrying out of the</p>	

Item	Amount
<p>objectives for which the Service Revolving Fund was created.</p> <p>4. Notwithstanding Item 9840-001-0988, Item 9840-001-0494, and Section 27.00 of this act, the Director of General Services may augment this item or any of Items 1760-001-0002, 1760-001-0003, 1760-001-0006, 1760-001-0026, and 1760-001-0602, by up to an aggregate of 10 percent in cases where (a) the Legislature has approved funds for a customer for the purchase of services or equipment through the Department of General Services (DGS) and the corresponding expenditure authority has not been provided in this item or (b) a local government entity or the federal government has requested services from the DGS. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process. If the Director of the Department of General Services augments this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0006, 1760-001-0026, or 1760-001-0602 the DGS shall notify the Department of Finance within 30 days after that augmentation is made as to the amount, justification, and the program augmented. Any augmentation made in accordance with this provision shall not result in an increase in any rate charged to other departments for services or the purchase of goods without the prior written consent of the Department of Finance.</p> <p>5. Notwithstanding Item 9840-001-0988, Item 9840-001-0494, and Section 27.00 of this act, if this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0006, 1760-001-0026, or 1760-001-0602, is augmented pursuant to Provision 4 by the maximum allowed under that provision, the Director of Finance may further augment the item or items in cases where (a) the Legislature has approved funds for a customer for the purchase of services or equipment through the DGS and the corresponding expenditure authority has not been provided in these items, or (b) a local government entity or the federal government has requested services from the DGS. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process.</p>	

Item

Amount

6. Notwithstanding Item 9840-001-0988, Item 9840-001-0494, and Section 27.00 of this act, the Director of General Services may augment this item and Items 1760-001-0026 and Item 1760-001-0003 to increase authorized expenditures by the Office of State Printing, the Office of Risk and Insurance Management, the Office of Fleet Administration, the Energy Assessments Section of the Professional Services Branch, and the Office of Public Safety Radio Services. The augmentation shall be for the specific purpose of enabling the Office of State Printing, the Office of Risk and Insurance Management, the Office of Fleet Administration, the Energy Assessments Section of the Professional Services Branch, and the Office of Public Safety Radio Services to provide competitive services to their customers (including local government entities or the federal government) and may be made only if the office has sufficient operating reserves available to fund the augmentation. If the Director of General Services augments either of the items in this provision, the DGS shall notify the Department of Finance within 30 days after that augmentation is made as to the amount, justification, and the office augmented. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process.
7. Any augmentation made pursuant to Provision 4, 5, and 6 of this item shall be reported in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date the augmentation is approved. This notification shall identify the amount of, and justification for, the augmentation, and the program that has been augmented. Copies of the notification shall be provided to the Department of Finance.
8. Notwithstanding any other provision of law, the Director of General Services or his or her designee, in lieu of the Director of Finance, is authorized to carry out the provisions of Section 26.00 of this act as it pertains to category transfers.
9. Notwithstanding any other provision of law, the Director of General Services or his or her designee, in lieu of the Director of Finance, is autho-

Item	Amount
<p> rized to approve Budget Revision, Standard Form 26 subject to a copy being provided to the Department of Finance.</p>	
<p>1760-001-0768—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990</p>	726,000
<p>1760-001-0853—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Petroleum Violation Escrow Account.</p>	12,366,000
<p>1760-001-0961—For support of Department of General Services for payment to Item 1760-001-0666, payable from the State School Deferred Maintenance Fund</p>	140,000
<p>1760-002-0003—For support of Department of General Services, for rental payments on lease revenue bonds, for payment to Item 1760-001-0666, payable from the Motor Vehicle Parking Facilities Moneys Account</p>	1,103,000
<p>Provisions:</p>	
<p>1. The funds appropriated in this item are for the following:</p>	
<p> (a) Base Rental and Fees.....</p>	1,098,000
<p> (b) Insurance.....</p>	5,000
<p>1760-002-0666—For support of Department of General Services, for rental payments on lease revenue bonds, for payment to Item 1760-001-0666, payable from the Service Revolving Fund.....</p>	69,833,000
<p>Provisions:</p>	
<p>1. The funds appropriated in this item are for the following:</p>	
<p> (a) Base rental and fees.....</p>	69,549,000
<p> (1) Capitol Area Development Authority, Sacramento</p>	701,000
<p> (2) State Office Building, Riverside</p>	2,100,000
<p> (3) Department of Justice Building, Sacramento</p>	4,936,000
<p> (4) San Francisco Civic Center Building.....</p>	25,612,000

Item	Amount
(5) Ronald Reagan Building, Los Angeles.....	17,728,000
(6) Elihu M. Harris Building, Oakland	11,517,000
(7) LA Junipero Serra II	4,810,000
(8) State Office Building, San Diego (Suburban) ..	1,645,000
(9) Capitol East End Garage.....	500,000
(b) Insurance.....	413,000
(c) Reimbursements	-129,000
1760-003-0666—For support of Department of General Services, for rental payments on California Environmental Protection Agency Building, for payment to Item 1760-001-0666, payable from the Service Revolving Fund.....	7,617,000
1760-011-0001—For support of Department of General Services, for payment to Item 1760-001-0666	3,407,000
Provisions:	
1. The funds appropriated in this item are for the following:	
(a) Asbestos Abatement.....	1,655,000
(b) Underground Storage Tank Program	1,752,000
2. The funds appropriated in this item may also be used for purposes related to the remediation of toxic sites for which the state is responsible, provided that proposals to transfer funds between these programs or for such other purposes shall be submitted in accordance with Section 26.00 of this act. These proposals shall detail the reasons for the transfer and the impact on the programs for which the transfer is proposed.	
3. The unencumbered balance of any funds transferred from this item into the Architecture Revolving Fund will be reverted at the close of the fiscal year.	
1760-015-0002—For support of Department of General Services, payable from the Property Acquisition Law Money Account	650,000

Item	Amount
1760-101-0022—For local assistance, Department of General Services, for reimbursement of local agencies and service suppliers or communications equipment companies for costs incurred pursuant to Sections 41137, 41137.1, 41138, and 41140 of the Revenue and Taxation Code, payable from the State Emergency Telephone Number Account	94,123,000
1760-301-0001—For capital outlay, Department of General Services.....	19,724,000
Schedule:	
(8.2) 50.25.005-Van Nuys State Office Building, New Roof—Preliminary plans, working drawings, and construction	1,000,000
(8.5) 50.99.051-San Quentin-Neumiller Infirmary: Structural Retrofit-Temporary Trailers—Construction.	1,500,000
(9) 50.99.081-CRC Norco: Administration building 100-occupant relocation—Working drawings and construction	17,224,000
1760-301-0666—For capital outlay, Department of General Services, payable from the Service Revolving Fund	4,331,000
Schedule:	
(2) 50.10.142-Fire and Life Safety and ADA Corrections, Blue Anchor Building, Sacramento—Working drawings and construction.....	1,013,000
(3) 50.10.144-Fire and Life Safety Corrections, Resources Building, Sacramento—Construction	1,585,000
(7) 50.10.152-Bonderson Building Renovation, Sacramento—Preliminary plans and working drawings.....	841,000
(8) 50.25.003-Van Nuys State Office Building-Tenant Improvements—Preliminary plans, working drawings, and construction	892,000
1760-301-0768—For capital outlay, Department of General Services, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990..	25,421,000
Schedule:	
(1) 50.99.029-Program management....	818,000

Item	Amount
(2) 50.99.051-San Quentin-Neumiller Infirmary: Structural Retrofit—Working drawings and construction.....	6,710,000
(3) 50.99.059-Deuel Vocational Institution, Tracy, Wings L and R: Structural Retrofit—Construction	2,132,000
(4) 50.99.077-California Men’s Colony, San Luis Obispo, Buildings B, D, L, and Q: Structural Retrofit—Working drawings and construction	6,508,000
(5) 50.99.078 -San Quentin, Kitchen and dining: Structural Retrofit—Working drawings and construction.....	3,323,000
(6) 50.99.079-San Quentin, Building 22: Structural Retrofit—Preliminary plans and working drawings.....	1,510,000
(7) 50.99.080-Atascadero State Hospital, Kitchen and Dining Rooms 3 and 4, Canteen Dining Rooms 1 and 2: Structural Retrofit—Working drawings and construction.....	818,000
(9) 50.99.082-Veterans’ Home of California, Yountville, Recreation Building: Structural Retrofit—Working drawings and construction.....	2,072,000
(10) 50.99.083-Metropolitan State Hospital, Norwalk, Main Kitchen: Structural Retrofit—Preliminary plans.....	240,000
(11) 50.99.084-Veterans’ Home of California, Yountville, Administration Building: Structural Retrofit—Preliminary plans	65,000
(12) 50.99.085-Metropolitan State Hospital, Norwalk, Laundry Building: Structural Retrofit—Preliminary plans	135,000
(13) 50.99.086-Napa State Hospital, Building 199, Unit 2: Structural Retrofit—Preliminary plans	174,000

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(14) 50.99.087-Sonoma Developmental Center, Eldridge, Porter Administration Building: Structural Retrofit—Preliminary plans.....	174,000
(15) 50.99.088-Salinas Valley State Prison, Soledad, Hospital Wing Q: Structural Retrofit—Preliminary plans.....	174,000
(16) 50.99.089-California Men’s Colony, San Luis Obispo, Building A, Administration: Structural Retrofit—Preliminary plans.....	87,000
(17) 50.99.090-Employment Development Department, Richmond Field Office: Structural Retrofit—Preliminary plans.....	73,000
(18) 50.99.091-Deuel Vocational Institution, Tracy, Hospital Building: Structural Retrofit—Preliminary plans.....	73,000
(19) 50.99.092-California Correctional Institution, Tehachapi, Dormitory E1, E2, E3, E4: Structural Retrofit—Preliminary plans.....	135,000
(20) 50.99.047-Statewide Advance—Preliminary plans.....	200,000
Provisions:	
1. Funds appropriated for projects listed in Schedules 10 through 19 are for development of preliminary plans, and associated cost estimates for these projects. If, during the validation portion, the Risk Level of any of these projects is reduced, the funding for that particular project shall be available for expenditure to develop preliminary plans for the next highest priority Risk Level V or VI buildings identified by the Department and for which funds have not been previously appropriated. If this change in funding occurs, the Department of General Services shall report to the Chair of the Joint Legislative Budget Committee detailing the project or projects reduced in seismic risk level, and the project or projects for which preliminary plans will be developed as well as the risk level of each building.	
1760-301-0853—For capital outlay, Department of General Services, payable from the Petroleum Violation Escrow Account	1,989,000

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Schedule:

- (1) 50.99.200-State Fleet Alternative Fuel Infrastructure, Sacramento, Oakland, Los Angeles—Preliminary plans, working drawings and construction 1,989,000

1760-401—In the event the bonds authorized for the Capital Area Plan project in Chapter 761 of the Statutes of 1997 are not sold, the Department of General Services shall commit a sufficient portion of its support appropriation, as determined by the Department of Finance, which is provided for in this Budget Act to repay any interim financing. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until all interim financing is repaid either through the proceeds from the sale of bonds or from an appropriation.

1760-490—Reappropriation, for capital outlay, Department of General Services. The balance of each of the appropriations provided in the following citations is reappropriated for the purposes provided for in those appropriations, and shall be available for encumbrance and expenditure until June 30, 2001.

0001—General Fund

Item 1760-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999).

- (2) 50.10.144-FLS Corrections, Resources Building, Sacramento—working drawings.

1760-491—Reappropriation, Department of General Services. Notwithstanding any other provision of law, the balance, as of June 30, 2000, of the funds made available pursuant to Item 1760-101-768 of Section 2.00 of the Budget Act of 1994 (Ch. 139, Stats. 1994), Item 1760-101-0768 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998), and Item 1760-101-0768 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) are reappropriated for the projects in the following schedule, and shall be available for expenditure through June 30, 2001.

Schedule:

- (a) 3011-Redwood City, San Mateo—Old Court House..... 268,858
- (b) 3116-Richmond, Contra Costa—City Hall..... 1,149,975
- (c) 3117-Richmond, Contra Costa—Hall of Justice..... 683,613

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(d) 3175-Sonoma, Sonoma-Schell— Vista Fire Station	479,029
(e) 3292-Torrance, Harbor-UCLA Medical Center	777,618
(f) 4005-Monterey, Fire Station/EOC, Carmel	335,768
(g) 4013-Alameda, Fire Station #1, Oakland	60,414
(h) 4018-Alameda, Fire Station #8, Oakland	184,010
(i) 4022-Alameda, Fire Station #21— Oakland	131,880
(j) 4029-Alameda, Oakland Police Ad- ministration Retrofit—Oakland.....	500,000
(k) 4036-Orange, Station #34— Placentia.....	64,049
(l) 4037-Orange, Station #35— Placentia.....	13,622
(m) 4042-Orinda, Contra Costa: Orinda Fire Station #44	57,671
(n) 4127-Bolinas, Marin: Bolinas Fire Station	37,851
(o) 4160-Los Altos, Santa Clara: Se- quoia Fire Station	213,654
(p) 4162-Ventura, ECC/Public Safety Bldg., Oxnard	337,223
(r) 4167-Piru, Ventura Fire Station #28—Generator	29,805
(s) 4168-Fillmore, Ventura Fire Station #27—Generator	28,373
(t) 4170-Camarillo, Ventura Fire Sta- tion #55—Generator.....	29,831
(u) 4179-Ventura, Fire Station #53 Seismic Retrofit, Port Hueneme ...	336,600
(v) 4180-Ventura, Fire Comm. Center, Bldg. #1, Camarillo.....	60,162
(w) 4203-Grover Beach, San Bernar- dino: Grover Beach Police Fa- cility	259,775
(x) 4224-San Leandro, Alameda: Fire Station #2	110,858
(y) 4225-San Leandro, Alameda: Fire Station #3	116,810
(z) 4226-Moraga, Contra Costa, Fire Station #42	62,811

Provisions:

1. It is the intent of the Legislature to not reappro-

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<p>appropriate funding for any of the projects listed above. Instead, the Department of General Services should conduct a new survey to identify new eligible projects for which the unexpended funds as of June 30, 2001, could be used.</p>	
<p>1760-495—Reversion, Department of General Services. As of June 30, 2000, the unencumbered balances of the appropriations provided in the following citations shall revert to the fund of origin.</p>	
<p>0768—Earthquake Safety and Public Buildings Rehabilitation Fund of 1990</p>	
<p>Item 1760-301-0768—Budget Act of 1998 (Ch. 324, Stats. 1998)</p>	
<p>(7) 50.99.051—DSA 4211—Department of Corrections, San Quentin, Neumiller Infirmary: Structural Retrofit—Construction</p>	
<p>(13) 50.99.059—DSA 872 and 876—Department of Corrections, DVI Tracy, Wings L & R: Structural Retrofit—Construction</p>	
<p>Item 1760-301-0768—Budget Act of 1997 (Ch. 282, Stats. 1997)</p>	
<p>(.5) 50.99.081—Department of Corrections, Norco Administration Building 101: Structural Retrofit—Construction</p>	
<p>1880-001-0001—For support of State Personnel Board . Schedule:</p>	8,930,000
<p>(a) 10-Merit System Administration</p>	16,789,000
<p>(b) 40-Local Government Services</p>	1,958,000
<p>(c) 50.01-Administrative Services.....</p>	3,945,000
<p>(d) 50.02-Distributed Administrative Services.....</p>	-3,344,000
<p>(e) Reimbursements</p>	-10,418,000
<p>1900-001-0950—For support of Board of Administration of the Public Employees’ Retirement System, payable from the Public Employees’ Contingency Reserve Fund</p>	9,194,000
<p>Provisions:</p>	
<p>1. The appropriation made in this item is for support of the Board of Administration pursuant to Section 22840 of the Government Code.</p>	
<p>1900-003-0830—For support of Board of Administration of the Public Employees’ Retirement System, payable from the Public Employees’ Retirement Fund . (73,688,000)</p>	
<p>Provisions:</p>	
<p>1. The amount displayed in this item is based on the estimate by the Public Employees’ Retirement System of expenditures for external investment</p>	

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advisers to be made during the 2000–01 fiscal year pursuant to Section 20210 of the Government Code. The Board of Administration of the Public Employees’ Retirement System shall report to the fiscal committees of the Legislature and the Joint Legislative Budget Committee on or before January 10, 2001, regarding any revision of this estimate, including an accounting and explanation of changes, and the amount of, and basis for, investment adviser expenditures proposed for the 2001–02 fiscal year. The Board of Administration of the Public Employees’ Retirement System shall report on or before January 10, 2002, on the final expenditures under this item, including an accounting and explanation of changes from estimates previously reported to the Legislature.

2. Each of the two reports described in Provision 1 also shall include all of the following:
 - (a) A summary and comparison of the externally managed portfolios, the internally managed portfolios, and the total fund. This information shall include the value of the assets, the gross and net returns, the benchmark returns, and the costs, by dollars and basis points, for these portfolios.
 - (b) A description of the actions the Public Employees’ Retirement System will take to ensure that any future expenditures for outside advisers will result in a greater return on investments, including costs for these advisers, than if in-house advisers were used.
 - (c) Separate listings of adviser contracts in effect, and approved, during the 1999–00 and 2000–01 fiscal years, with (1) amounts (total contract and annual basis) for each contract for base fees and performance-based fees, and (2) summary statements of the purposes of each contract.

1900-015-0815—For support of Board of Administration of the Public Employees’ Retirement System, payable from the Judges’ Retirement Fund
 Provisions:

(383,000)

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees’ Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the

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Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:

- (a) No later than January 10, 2001, a copy of the proposed budget for PERS for the 2001–02 fiscal year as included with the Governor’s Budget.
- (b) No later than May 15, 2001, a copy of the proposed budget for PERS for the 2001–02 fiscal year as approved by the Board of Administration.
- (c) The revisions to the proposed budget for PERS for the 2000–01 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the Board of Administration.
- (d) Commencing October 1, 2000, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of Public Employees’ Retirement System expenditures.

1900-015-0820—For support of Board of Administration of the Public Employees’ Retirement System, payable from the Legislators’ Retirement Fund..... Provisions:

(216,000)

- 1. Notwithstanding any other provisions of law, the Board of Administration of the Public Employees’ Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature all of the following:
 - (a) A copy of the proposed budget for the Public Employees’ Retirement System for the 2001–02 fiscal year by January 10, 2001, as included with the Governor’s Budget.
 - (b) A copy of the proposed budget for the Public Employees’ Retirement System for the

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2001–02 fiscal year as approved by the Board of Administration by May 15, 2001.

- (c) The revisions to the proposed budget for the Public Employees’ Retirement System for the 2000–01 fiscal year as recommended by the Public Employees’ Retirement System Finance Committee at least 30 days prior to consideration of those revisions by the Board of Administration.
- (d) Commencing October 1, 2000, all expenditure and performance workload data provided to the Board of Administration, updated on a quarterly basis, shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature. The quarterly update information submitted to the Legislature shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees’ Retirement System.

1900-015-0830—For support of Board of Administration of the Public Employees’ Retirement System, payable from the Public Employees’ Retirement Fund..... (182,136,000)

Provisions:

- 1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees’ Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:
 - (a) A copy of the proposed budget for the Public Employees’ Retirement System for the 2001–02 fiscal year by January 10, 2001, as included with the Governor’s Budget.
 - (b) A copy of the proposed budget for the Public Employees’ Retirement System for the 2001–02 fiscal year as approved by the Board of Administration by May 15, 2001.
 - (c) The revisions to the proposed budget for the Public Employees’ Retirement System for the 2000–01 fiscal year as recommended by the Public Employees’ Retirement System Finance Committee at least 30 days prior to

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<p style="padding-left: 40px;">consideration of those revisions by the Board of Administration.</p> <p>2. Commencing October 1, 2000, all expenditure and performance workload data provided to the Board of Administration, updated on a quarterly basis, shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature. The quarterly update information submitted to the Legislature shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.</p> <p>3. Commencing July 1, 2000, reports on information technology projects that are submitted to the Board of Administration shall be submitted to the Joint Legislative Budget Committee, the fiscal committees of the Legislature, and the Department of Information Technology (DOIT) on an informational basis. The quarterly update information submitted to the DOIT shall be in sufficient detail to be useful for DOIT informational project status reporting purposes.</p>	
<p>1900-015-0884—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement System II Fund... Provisions:</p> <p>1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:</p> <p style="padding-left: 20px;">(a) No later than January 10, 2001, a copy of the proposed budget for PERS for the 2001–02 fiscal year as included with the Governor's Budget.</p> <p style="padding-left: 20px;">(b) No later than May 15, 2001, a copy of the proposed budget for PERS for the 2001–02 fiscal year as approved by the Board of Administration.</p> <p style="padding-left: 20px;">(c) The revisions to the proposed budget for PERS for the 2000–01 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of</p>	<p>(184,000)</p>

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those revisions by the Board of Administration.

- (d) Commencing October 1, 2000, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of Public Employees' Retirement System expenditures.

1900-015-0962—For support of Board of Administration of the Public Employees' Retirement System, payable from the Volunteer Firefighter Length of Service Award Fund

(77,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:
 - (a) A copy of the proposed budget for the Public Employees' Retirement System for the 2001–02 fiscal year by January 10, 2001, as included with the Governor's Budget.
 - (b) A copy of the proposed budget for the Public Employees' Retirement System for the 2001–02 fiscal year as approved by the Board of Administration by May 15, 2001.
 - (c) The revisions to the proposed budget for the Public Employees' Retirement System for the 2000–01 fiscal year recommended by the Public Employees' Retirement System Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.
 - (d) Commencing October 1, 2000, all expenditure and performance workload data provided to the Board of Administration, updated on a quarterly basis, shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature. The quarterly

Item	Amount
<p>update information submitted to the Legislature shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.</p>	
<p>1920-001-0835—For support of State Teachers' Retirement System, payable from the State Teachers' Retirement Fund.....</p>	53,598,000
<p>Schedule:</p>	
<p>(a) 10-Services to Members and Employers</p>	54,000,000
<p>(b) Reimbursements.....</p>	-339,000
<p>(c) Amount payable from the Supplemental Benefit Maintenance Account in the Teachers' Retirement Fund pursuant to Section 22954 of the Education Code.....</p>	-63,000
<p>Provisions:</p>	
<p>1. This item shall not be subject to the requirements of subdivision (b), (c), (d), or (e) of Section 31.00 of this act. Nothing in this provision shall be construed as exempting this item from requirements of the State Civil Service Act or from requirements of laws, rules, and regulations administered by the Department of Personnel Administration.</p>	
<p>2. Commencing July 1, 2000, reports on information technology projects that are submitted to the Teachers' Retirement Board shall be submitted to the Joint Legislative Budget Committee, the fiscal committees of the Legislature, and the Department of Information Technology (DOIT) on an informational basis. The information submitted to DOIT shall be in sufficient detail to be useful for DOIT informational project status reporting purposes.</p>	
<p>1920-002-0835—For support of State Teachers' Retirement System (external investment advisers), payable from the State Teachers' Retirement Fund</p>	(52,600,000)
<p>Provisions:</p>	
<p>1. The amount displayed in this item is for informational purposes only, and is based on the current estimate by the State Teachers' Retirement System (STRS) of expenditures for external investment advisers to be made during the 2000-01 fiscal year pursuant to Section 22353 of the Education Code. The STRS shall report to the fis-</p>	

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cal committees of the Legislature and the Joint Legislative Budget Committee no later than January 10, 2001, regarding any revision of this estimate, including an accounting and explanation of the changes, and regarding the amount of, and basis for, investment adviser expenditures proposed for the 2001–02 fiscal year. The STRS shall report on or before January 10, 2002, on the final expenditures under this item, including an accounting and explanation of changes from estimates previously reported to the Legislature.

2. Each of the two reports described in Provision 1 also shall include all of the following:
 - (a) A summary and comparison of the externally managed portfolios, the internally managed portfolios, and the total fund. This information shall include the value of the assets, the gross and net returns, the benchmark returns, and the costs by dollars and basis points for these portfolios.
 - (b) A description of the actions the State Teachers’ Retirement System will take to ensure that any future expenditures for outside advisers will result in a greater return on investments, including costs for these advisers, than if in-house advisers were used.
 - (c) Separate listings of adviser contracts in effect, and approved, during the 1999–00 and 2000–01 fiscal years, with (1) amounts (total contract and annual basis) for each contract for base fees and performance-based fees, (2) summary statements of the purposes of each contract.

1920-011-0001—For transfer by the Controller to the State Teachers’ Retirement Fund(1,003,271,000)

Schedule:

- (a) Benefits Funding..... (555,542,000)
- (b) Supplemental Benefit Maintenance Account (SBMA) (447,729,000)

Provisions:

1. The estimated amount referenced in Schedule (a) is the state’s contribution required by subdivision (a) of Section 22955 of the Education Code.
2. The estimated amount referenced in Schedule (b) is the state’s contribution required by Section 22954 of the Education Code.

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1920-490—Reappropriation, State Teachers’ Retirement System (STRS). Notwithstanding any other provision of law, up to \$1,501,000 of the balance as of June 30, 2000, of the appropriation identified in the following citation is reappropriated, subject to the limitations set forth in Provision 1, and shall be available for encumbrance and expenditure until June 30, 2001. Any amount of this reappropriation that is not expended in 2000–01 shall be carried over to 2001–02 and is hereby reappropriated. In no event shall the total amounts reappropriated for the 2001–02 Budget exceed three percent of STRS’ 2000–01 appropriation.	

0835—State Teachers’ Retirement Fund

(1) Item 1920-001-0835, Budget Act of 1999 (Ch. 50, Stats. 1999).

Provisions:

1. The funds reappropriated in this item shall be available for expenditure by the State Teachers’ Retirement System for the purposes of meeting unanticipated system costs and promoting better service to the system’s membership. The funds may not be encumbered without advance approval of the State Teachers’ Retirement Board. The board shall report to the Legislature on a quarterly basis throughout the 2000–01 fiscal year on expenditures made pursuant to this item.

BUSINESS, TRANSPORTATION AND HOUSING

2100-001-0081—For support of Department of Alcoholic Beverage Control, payable from Alcohol Beverage Control Fund.....	31,600,000
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Schedule:

- | | |
|---|------------|
| (a) 10.10-Licensing..... | 17,230,000 |
| (b) 10.20-Compliance | 16,107,000 |
| (c) 10.30.010-Administration..... | 2,908,000 |
| (d) 10.30.020-Distributed Administration..... | -2,908,000 |
| (e) Reimbursements | -1,737,000 |

2100-101-0081—For local assistance, Department of Alcoholic Beverage Control, Program 10.20-Compliance, for grants to local law enforcement agencies payable from Alcohol Beverage Control Fund.....	1,500,000
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Provisions:

1. Notwithstanding any other provisions of law, the Department of Alcoholic Beverage Control is au-

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<p>thorized to grant funds to local law enforcement agencies for the purpose of enhancing enforcement of alcoholic beverage control laws in the local jurisdiction.</p> <p>2. Notwithstanding any other provisions of law, at the discretion of the Director, Department of Alcoholic Beverage Control, the department may advance grant funds to local law enforcement agencies.</p> <p>3. Notwithstanding any other provisions of law, at the discretion of the Director, Department of Alcoholic Beverage Control, title to any authorized equipment purchased by the local law enforcement agency pursuant to the grant may be vested in the local law enforcement agency at the conclusion of the grant period.</p>	
2120-001-0117—For support of Alcoholic Beverage Control Appeals Board, Program 10, payable from the Alcoholic Beverage Control Appeals Fund.....	727,000
2150-001-0240—For support of Department of Financial Institutions, for payment to Item 2150-001-0298, payable from the Local Agency Deposit Security Fund	174,000
2150-001-0298—For support of Department of Financial Institutions, payable from the Financial Institutions Fund	16,127,000
Schedule:	
(a) 10-Licensing and Supervision of Banks and Trust Companies.....	14,575,000
(b) 20-Payment Instruments.....	613,000
(bx) 40-Administration of Local Agency Security.....	174,000
(c) 50-Supervision of California Business and Industrial Development Corporations.....	28,000
(d) 60-Credit Unions.....	2,640,000
(e) 70-Savings and Loan.....	116,000
(f) 80-Industrial Loan Companies	954,000
(g) 90.01-Administration.....	3,917,000
(h) 90.02-Distributed Administration...	-3,917,000
(i) Reimbursements	-159,000
(ix) Amount payable from the Local Agency Deposit Security Fund (Item 2150-001-0240).....	-174,000
(j) Amount payable from the Credit Union Fund (Item 2150-001-0299).	-2,640,000

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2150-001-0299—For support of Department of Financial Institutions, for payment to Item 2150-001-0298, payable from the Credit Union Fund.....	2,640,000
2180-001-0067—For support of Department of Corporations, payable from the State Corporations Fund.....	23,827,000
Schedule:	
(a) 10-Investment Program.....	14,700,000
(b) 20-Lender-Fiduciary Program	9,127,000
(c) 50.01-Administration	4,623,000
(d) 50.02-Distributed Administration ...	-4,623,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2180-001-0890—For support of Department of Corporations, payable from the Federal Trust Fund	72,000
Schedule:	
(a) 10-Investment Program.....	72,000
2240-001-0001—For support of Department of Housing and Community Development.....	7,073,000
Schedule:	
(a) 10-Codes and Standards Program... ..	23,770,000
(b) 20-Community Affairs Program.....	13,592,000
(c) 30.01-Housing Policy Development Program.....	2,877,000
(d) 30.02-Distributed Housing Policy Development Program.....	-122,000
(e) 50.01-Administration	8,298,000
(f) 50.02-Distributed Administration	-8,298,000
(g) Reimbursements.....	-437,000
(h) Amount payable from the Mobile-home Park Revolving Fund (Item 2240-001-0245)	-4,030,000
(i) Amount payable from the Mobile-home Park Purchase Fund (Item 2240-001-0530)	-674,000
(j) Amount payable from the Rural Pre-development Loan Fund (Item 2240-001-0635)	-118,000
(k) Amount payable from the Mobile-home-Manufactured Home Revolving Fund (Item 2240-001-0648).....	-17,242,000
(l) Amount payable from the Self-Help Housing Fund (Item 2240-001-0813).....	-768,000

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(m) Amount payable from the Federal Trust Fund (Item 2240-001-0890).....	-5,321,000
(n) Amount payable from the Housing Rehabilitation Loan Fund (Item 2240-001-0929)	-3,047,000
(o) Amount payable from the Rental Housing Construction Fund (Item 2240-001-0938)	-643,000
(p) Amount payable from the Emergency Housing Assistance Fund (Item 2240-001-0985)	-764,000
Provisions:	
1. Of the amount appropriated in this item, \$1,000,000 shall be used to continue oversight over redevelopment agencies and to provide technical assistance, in accordance with the Housing Preservation Plan of the Department of Housing and Community Development.	
2. Of the amount appropriated in this item, \$340,000 shall be used to expand uniform code outreach and technical assistance to local jurisdictions to help strengthen local code enforcement programs.	
3. Of the amount appropriated in this item, \$300,000 shall be used to provide increased technical assistance to local jurisdictions in preparing housing elements in compliance with state law.	
2240-001-0245—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Mobilehome Park Revolving Fund.....	4,030,000
2240-001-0530—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Mobilehome Park Purchase Fund.....	674,000
2240-001-0635—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Rural Predevelopment Loan Fund	118,000
2240-001-0648—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Mobilehome-Manufactured Home Revolving Fund.....	17,242,000
Provisions:	
1. Notwithstanding Section 18077 of the Health and Safety Code, or any other provision of law, the first \$2,388,000 in revenues collected by the De-	

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<p>partment of Housing and Community Development from manufactured home license fees shall be deposited in the Mobilehome-Manufactured Home Revolving Fund, and shall be available to the department for the support, collection, administration, and enforcement of manufactured home license fees.</p> <p>2. Notwithstanding Section 18077.5 of the Health and Safety Code, or any other provision of law, the Department of Housing and Community Development is not required to comply with the reporting requirement of Section 18077.5 of the Health and Safety Code.</p> <p>3. Notwithstanding Provision 1 of Item 2240-011-0001 and Provision 1 of Item 2240-011-0972, Budget Act of 1997 (Ch. 282, Stats. 1997), transfers made to the Mobilehome-Manufactured Home Revolving Fund as loans to that fund shall be repaid over a three-year period with payments beginning during the 1998–99 fiscal year and ending no later than June 30, 2001. The loans shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account.</p>	
<p>2240-001-0813—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Self-Help Housing Fund</p>	768,000
<p>2240-001-0890—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Federal Trust Fund</p>	5,321,000
<p>2240-001-0929—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Housing Rehabilitation Loan Fund</p>	3,047,000
<p>2240-001-0938—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Rental Housing Construction Fund</p>	643,000
<p>2240-001-0985—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Emergency Housing Assistance Fund.....</p>	764,000
<p>2240-013-0474—For support of Department of Housing and Community Development, payable from the Child Care and Development Facilities Loan Guaranty Fund.....</p>	118,000

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2240-014-0472—For support of Department of Housing and Community Development, payable from the Child Care and Development Facilities Direct Loan Fund	567,000
2240-101-0001—For local assistance, Department of Housing and Community Development	5,554,000
Schedule:	
(a) 20-Community Affairs Program	108,154,000
(b) Amount payable from the Federal Trust Fund (Item 2240-101-0890)	-102,600,000
2240-101-0890—For local assistance, Department of Housing and Community Development, for payment to Item 2240-101-0001, payable from the Federal Trust Fund.....	102,600,000
Provisions:	
1. Notwithstanding any other provision of law, federal funds appropriated by this act but not encumbered by June 30 may be expended in the subsequent fiscal year.	
2240-102-0001—For transfer by the Controller to the Special Deposit Fund-Office of Migrant Services (0942)	7,679,000
Provisions:	
1. Of the amount transferred by this item, \$890,000 shall be used to upgrade approximately 46 migrant center playgrounds built before 1994 pursuant to Health and Safety Code Section 115730 (Chapter 712 of the Statutes of 1999). The Department of Housing and Community Development shall seek other resources that may become available for this purpose, and use those in lieu of this appropriation to the greatest extent possible.	
2240-103-0001—For transfer by the Controller to the Self-Help Housing Fund (0813)	102,100,000
Provisions:	
1. Of the amount transferred by this item, \$2,100,000 shall be expended pursuant to paragraph (1) of subdivision (b) of Section 50696 of the Health and Safety Code for group mutual self-help housing for any low-income owner-builder who contributes substantial labor to build his or her principal residence.	
2. Notwithstanding any other provision of law, the department may award technical assistance grants in amounts up to \$200,000.	

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3. Notwithstanding any other provision of law, of the amount transferred by this item, \$50,000,000 shall be used by the department to enable low and very low income households to become or remain homeowners. Except as may be otherwise provided in legislation enacted in the 1999–2000 Regular Session of the Legislature:
 - (a) The department shall provide grants to local public agencies or nonprofit corporations for programs that assist individual households, including programs for first-time homebuyer downpayment assistance, home rehabilitation, home acquisition and rehabilitation, and technical assistance for self-help and shared housing.
 - (b) The department shall provide loans for the purchase of real property, site development, predevelopment, and construction period expenses incurred on development projects consisting of multiple homeownership units, such as single-family subdivisions, and permanent financing for mutual housing and cooperative developments. Upon completion of construction, the department may convert such loans into grants for programs of assistance to individual homeowners.
 - (c) Assistance provided to individual households shall be in the form of deferred payment loans, repayable upon sale or transfer of the homes, when they cease to be owner-occupied, or upon the loan maturity date. All loan repayments shall be used for activities allowed under this provision, in accordance with a reuse plan approved by the department.
 - (d) To be eligible to receive a grant, local public agencies or nonprofit corporations must demonstrate sufficient organizational stability and capacity to carry out the activity for which they are requesting funds, including, where applicable, the capacity to manage a portfolio of individual loans over an extended time period. Capacity may be demonstrated by substantial successful experience performing similar activities, or through other means acceptable to the department. In allocating grant funds, the department shall utilize a competitive application process, using weighted

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- evaluation criteria, including, but not limited to, (i) the extent that the program or project utilizes volunteer or self-help labor, trains youth in construction skills, or involves community participation and (ii) whether the program or project contributes toward community revitalization. To the extent feasible, the application process shall ensure a reasonable geographic distribution of funds.
- (e) For the purposes of this provision, mutual housing and cooperative housing shall be deemed to be forms of homeownership. For these project types, program funds shall be utilized for project development costs only, and the department shall enter into a regulatory agreement limiting occupant incomes, occupancy charges, and share purchase terms for 55 years.
 - (f) The department may use up to 5 percent of the funds appropriated for the purposes of this provision for its costs in administering the program.
 - (g) The department may administer the funds transferred by this item for the purposes of this provision using guidelines that shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Title 2 of the Government Code) for the initial 24 months of program operation.
 - (h) Of the amount transferred by this item, \$10,000,000 shall be used for grants to local public agencies or nonprofit organizations for programs that offer loans or grants to homeowners to rehabilitate, replace or repair their manufactured homes.
4. Of the funds transferred by this item, \$50,000,000 shall be used for implementation of the California Homebuyers Downpayment Assistance program. The department shall enter into an interagency agreement with the California Housing Finance Agency for administration of this program. Except as may be otherwise provided in legislation enacted in the 1999–2000 Regular Session of the Legislature, the California Housing Finance Agency shall administer this program and allocate funds in accordance with that agency’s authority

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as set forth in Part 3 (commencing with Section 50900) of Division 31 of the Health and Safety Code.	
2240-103-0813—For local assistance, Department of Housing and Community Development, payable from the Self-Help Housing Fund	101,550,000
2240-104-0001—For transfer by the Controller to the Farmworker Housing Grant Fund (0927).....	46,500,000
Provisions:	
1. Of the amount transferred by this item, at least \$35,500,000 shall be expended pursuant to Section 50517.5 of the Health and Safety Code.	
2. Of the amount transferred by this item, up to \$3,000,000 may be expended pursuant to Section 50517.5 of the Health and Safety Code to support local, broad-based, cooperative efforts to provide affordable housing to farmworkers utilizing all of the following: (a) affordable, durable housing units that are factory constructed, incorporate design research and meet all state and federal housing standards; (b) the housing is located on a site that is donated or leased for a period of not less than 10 years by a grower or agricultural association and the site permits occupancy by 12 or fewer agricultural employees pursuant to Section 17021.6 of the Health and Safety Code; and (c) the housing is managed by a local housing authority or nonprofit corporation with demonstrated capacity to operate farmworker housing. The department shall determine appropriate per unit cost limits.	
3. Of the amount transferred by this item, up to \$3,000,000 may be expended pursuant to Section 50517.5 of the Health and Safety Code for purchase of new manufactured housing units, used manufactured housing units or park model recreational vehicles, or repair of manufactured housing that will provide affordable housing alternatives for farmworker families facing displacement from existing labor camps, mobilehome parks, or other housing because of the existence of conditions that are a danger to the health and safety of the residents because of overcrowding, lack of adequate infrastructure, or substantial violations of the health and safety standards. Eligible costs shall include improvements to common areas, associated infrastructure, and related facilities. Im-	

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provements and housing funded under this provision must continue to serve farmworker families for not less than 10 years.

- 4. Of the amount transferred by this item, up to \$5,000,000 may be expended pursuant to Section 50517.5 of the Health and Safety Code for a demonstration program to test the viability of linking Farmworker Housing Grant funds to housing developments that also provide health services. Notwithstanding any provision of Chapter 3.2, the department shall award funds from the demonstration program to public entities and non-profit organizations for housing developments that also provide health services for the residents for the developments. The department may issue a separate Notice of Funding Availability for the demonstration program.
- 5. For purposes of Provisions 2, 3, and 4 of this item, the department may waive any requirements of Section 50517.5 of the Health and Safety Code and any regulations promulgated hereunder that are inconsistent with prompt and effective implementation of the programs described in those items and any rule, policy, or standard of general application employed by the department in implementing these items shall not be subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Title 2 of the Government Code. The department shall use funds specified in Provisions 2 and 3 to maximize other local, federal, state, or private funds, and may waive the requirement that the sponsor make a contribution if the department determines the sponsor does not have the capability to make that contribution.

2240-105-0001—For transfer by the Controller to the Emergency Housing and Assistance Fund (0985).... 39,000,000
 Provisions:

- 2. Of the amount transferred by this item, \$14,000,000 shall be distributed pursuant to Chapter 11.5 (commencing with Section 50800) of Part 2 of Division 31 of the Health and Safety Code for operating facilities grants. Operating facilities grants shall not be used to supplant existing emergency shelter or transitional housing funding. Grant assistance shall be used to establish new emergency shelter or transitional housing programs, expand existing facilities in order to in-

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<p>crease the number of homeless persons served, expand existing eligible services, or bring existing facilities up to a level that meets state health and safety standards. Notwithstanding any regulatory provision to the contrary, operating facilities grants shall not exceed \$100,000 nor be less than \$50,000. For counties with an allocation of greater than \$50,000, one grant of less than \$50,000 may be awarded if necessary to fully utilize the county's allocation. For counties with an allocation of up to or equal to \$50,000, up to two grants of less than \$50,000 may be awarded.</p> <p>3. Of the amount transferred by this item, \$25,000,000 shall be distributed in the form of capital development grants for the activities specified in paragraph (2) of subdivision (a) of Section 50803 of the Health and Safety Code. Notwithstanding the provisions of Chapter 11.5 (commencing with Section 50800) of Part 2 of Division 31 of the Health and Safety Code, or any provision of the regulations promulgated thereunder, the Department of Housing and Community Development shall distribute funds appropriated for purposes of this Provision 3 as grants in the form of forgivable deferred loans, subject to all of the following provisions:</p> <p>(a) Funding shall be made available to each project as a loan with a term of 5 years for rehabilitation, 7 years for substantial rehabilitation, or 10 years for acquisition and rehabilitation or new construction. Each deferred loan shall be secured by a deed of trust and promissory note. Repayment of the loan shall be deferred as long as the project is used as an emergency shelter or transitional housing. At the completion of the specified year term, the loan shall be forgiven. However, if a transfer or conveyance of the project property occurs prior to that time that results in the property no longer being used as an emergency shelter or transitional housing, the department shall terminate the grant and require the repayment of the deferred loan in full.</p> <p>(b) Applications for funding shall be made pursuant to department-issued statewide "Notices of Funding Availability" without the need for additional regulations.</p>	

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- (c) The department shall set forth the criteria for evaluating applications in the “Notices of Funding Availability” and shall make deferred loans based on those applications that best meet the criteria.
- (d) The department shall specify in the “Notice of Funding Availability” both maximum and minimum grant amounts that may be varied for urban and nonurban counties.
- (e) Contracts for projects that have not begun construction within the initial 12-month period shall be terminated and the funds reallocated. However, the department may extend this period by a period not exceeding 12 months.
- (f) \$20,000,000 shall be distributed to the urban counties. \$5,000,000 shall be made available to the nonurban counties until one year has elapsed from the date of the initial “Notice of Funding Availability” at which time any uncommitted funds may be allocated to the urban counties.

4. The department may use up to 5 percent of the funds transferred for purposes of Provision 3 for administration of the capital development grants authorized by that provision.

2240-106-0001—For transfer by the Controller to the Rental Housing Construction Fund (0938)..... Provisions:

1,500,000

- 1. The amount transferred by this item shall be utilized for the purposes set forth in Chapter 3.5 (commencing with Section 50530) of Part 2 of Division 31 of the Health and Safety Code that relate to the preservation and acquisition of existing government-assisted rental housing at risk of conversion to market-rate use. Notwithstanding any other provision of law, the following provisions shall apply to loans made with these funds:
 - (a) The Department of Housing and Community Development shall give priority only to applications for housing with matching financing from local redevelopment agencies or federal programs.
 - (b) “Eligible sponsors” means local governmental agencies, nonprofit corporations, including cooperative housing corporations, and limited liability corporations or limited part-

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nerships where all of the general partners are nonprofit mutual or public benefit corporations.

- (c) Loans shall bear interest at the rate of 3 percent per annum.
- (d) If the department determines that the sponsor is unable to preserve and acquire the project, the department may forgive repayment of all or a portion of the outstanding loan balance, including accrued interest, without exercising its rights to seek full compensation from the security for the loan.
- (e) The director of the department may waive any of the regulations adopted in Subchapter 1 (commencing with Section 7000) of Chapter 7 of Division 1 of Title 25 of the California Code of Regulations that he or she determines are inconsistent with the effective implementation of this special loan program, and any additional rule, policy, or standard of general applicability employed by the department shall not be subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Title 2 of the Government Code.

2240-107-0001—For transfer by the Controller to the Housing Rehabilitation Loan Fund (0929)..... 288,000,000

Provisions:

- 1. Of the amount transferred by this item \$263,000,000 shall be utilized for the purposes of the Multifamily Housing Program as set forth in Chapter 6.7 (commencing with Section 50675) of Part 2, Division 31 of the Health and Safety Code. \$19,000,000 of the funds identified in this provision shall be reserved for projects which are at risk of conversion to market rate rents as a result of prepayment of their federally insured or federally held mortgage or termination of their federal subsidy program, as those terms are set forth in paragraphs (4) and (5) of subdivision (a) of Section 65863.10 of the Government Code. In regard to the preservation funds, these may be used for innovative programs that leverage private funding and that result in the preservation of housing units at a relatively low cost per unit. The Legislature encourages the Department of Housing and Com-

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<ul style="list-style-type: none"> community Development to investigate methods of using the funds on a revolving basis. 2. Of the amount transferred by this item, \$25,000,000 shall be utilized for the Downtown Rebound Program, subject to the establishment of that program by legislation enacted during the 1999–2000 Regular Session. 	
<p>2240-109-0001—For local assistance, Department of Housing and Community Development, for transfer by the Controller to the Child Care and Development Facilities Direct Loan Fund (0472).....</p>	16,000,000
<p>Provisions:</p> <ul style="list-style-type: none"> 1. Of the amount transferred by this item, up to \$750,000 may be used for the costs of administering the child care and development facilities loan program. 2. Notwithstanding any other provision of law, the Department of Housing and Community Development may transfer unencumbered funds between the Child Care and Development Facilities Direct Loan Fund (0472) and the Child Care and Development Facilities Loan Guaranty Fund (0474). 3. The Department of Housing and Community Development shall report to the Legislature by March 15, 2001, on the status of the Child Care Facilities Financing Program. The report shall include information regarding the type and number of applications received, the number of loans and guaranties made, the number of child care spaces preserved or created, and the remaining funds available. The report shall also discuss any legal or financial impediments to increased participation in the program from child care providers. 	
<p>2240-112-0001—For transfer by the Controller to the Housing Rehabilitation Loan Fund (0929).....</p>	10,000,000
<p>Provisions:</p> <ul style="list-style-type: none"> 1. Of the funds transferred by this item, \$5,000,000 shall be distributed for collaborative work by a county in partnership with the state and federal governments, two or more councils of governments, and/or two or more subregions within a multicounty council of governments, to mitigate interregional impacts of substantial imbalances of jobs and housing. Except as provided by Article 2.10 (commencing with Section 65891) of Chapter 4 of Division 1 of Title 7 of the Government 	

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Code, as proposed by Assembly Bill 2054 of the 1999–2000 Regular Session, if enacted. These funds shall be (1) used for advancing development of implementation plans and models, including, but not limited to, geographic mapping, targeted policies and incentives, and/or integrated planning approaches connecting housing, transportation, and environmental issues, to promote and accommodate housing development in areas rich in jobs, and job development in areas rich in housing; (2) subject to a local match of not less than 25 percent for each application, which may be satisfied with in-kind contributions; (3) awarded to qualifying applicants that are geographically dispersed within the state to the extent practical, including representation from at least the three largest major metropolitan areas of the state. Up to \$625,000 of the funds transferred by this item shall be made available to a partnership of the Association of Bay Area Governments, the San Joaquin Council of Governments, and the Stanislaus Council of Governments to be used for planning for Alameda, Contra Costa, Santa Clara, San Joaquin, and Stanislaus Counties, and cities therein. The Department of Housing and Community Development shall report to the Legislature on its evaluation of this pilot project by January 1, 2004. Products of each project shall be provided to the department for evaluation and use in development of a statewide inventory. The department may use up to 10 percent of the amount appropriated for the purposes of this provision for coordinating efforts among grantees, developing the inventory, program administration, and evaluation and preparation of the report. Funds transferred by this item for program administration shall be available through June 30, 2004.

2. Notwithstanding any other provision of law, of the amount transferred by this item, \$5,000,000 shall be made available as matching grants to local governments to increase staffing dedicated to building code enforcement efforts.

2240-114-0001—For transfer by the Controller to the Jobs-Housing Balance Improvement Account (3006) 110,000,000
Provisions:

1. Funds are appropriated by this item for the Jobs-Housing Balance Improvement Program if and as

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<p>established by legislation adopted during the 1999–2000 Regular Session.</p> <p>2240-295-0001—For local assistance, Department of Housing and Community Development, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller</p>	850,000
Schedule:	
(1) 98.01.114.380-Regional Housing Needs Assessments (Ch. 1143, Stats. 1980)	850,000
Provisions:	
<p>1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.</p> <p>2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.</p> <p>2240-495—Reversion, Department of Housing and Community Development. As of June 30, 2000, the unencumbered balance of the \$100,000 appropriated in Item 2240-001-0001 of Section 2.00 of the Budget</p>	

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Act of 1999 (Ch. 50, Stats. 1999) for support of the Governor's Housing Task Force shall revert to the General Fund.	
2310-001-0400—For support of Office of Real Estate Appraisers payable from the Real Estate Appraisers Regulation Fund	3,823,000
Schedule:	
(a) 10-Administration of Real Estate Appraisers Program.....	3,898,000
(b) Reimbursements.....	-75,000
2320-001-0317—For support of Department of Real Estate, payable from the Real Estate Commissioner's Fund	28,150,000
Schedule:	
(a) 10-Licensing and Education.....	6,036,000
(b) 20-Enforcement and Recovery	17,867,000
(c) 30-Subdivisions.....	4,997,000
(d) 40.10-Administration.....	4,463,000
(e) 40.20-Distributed Administration ...	-4,463,000
(f) Reimbursements	-750,000
Provisions:	
1. Of the amount appropriated in this item, \$500,000 shall be used only for the purposes of the Real Estate Recovery Account.	
2400-001-0933—For support of Department of Managed Care, payable from the State Managed Care Fund..	36,827,000
Schedule:	
(a) 30-Health Plan Program	36,827,000
(b) 50.01-Administration.....	5,178,000
(c) 50.02-Distributed Administration ...	-5,178,000
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. Notwithstanding any provision of law to the contrary, the additional assessment on health care service plans authorized by subdivision (e) of Section 1356 of the Health and Safety Code to provide the Department of Managed Care with sufficient revenues to support the 2000–2001 fiscal year costs and expenses of that department is an assessment that is separate from and independent of the assessment set forth in subdivision (b) of Section 1356 and, further, shall not be aggregated, for the purposes of limitation or otherwise, with the assessment set forth in subdivision (b) of	

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Section 1356, or be subject to any other limitations imposed on assessments by Section 1356.1. The additional assessment required by subdivision (e) of Section 1356 shall be levied on each plan in accordance with the schedule set forth in subdivision (b) of Section 1356, and shall be paid in its entirety on or before November 3, 2000, or may be paid in two equal installments. The first installment shall be paid on or before November 3, 2000, and the second installment shall be paid on or before March 16, 2001. The additional assessment shall be in an amount sufficient to recover extraordinary expenses incurred in 1999–00 in order to provide sufficient available funds for 2000–01 expenses and restore a prudent reserve.

3. The Department of Managed Care shall work with the stakeholder groups, including representatives of consumer organizations, the health care industry, the Legislature, and other individuals deemed appropriate by the department, to develop and implement a Report Card system.
4. The Department of Managed Care shall provide the fiscal and policy committees of the Legislature with a status update regarding the establishment of the department and implementation of the new reform efforts by no later than August 30, 2000, and March 1, 2001.
5. The Department of Managed Care shall provide the fiscal and policy committees of the Legislature with a comprehensive description and status update regarding the data collection and reporting system to be implemented for the Independent Medical Review Process by no later than December 1, 2000.
6. The Department of Managed Care shall provide the fiscal and policy committees of the Legislature with a status report on the activities completed to meet the requirements of Chapter 529 of the Statutes of 1999, including a revised timetable, by no later than August 1, 2000.

2400-002-0933—For support of Department of Managed Care, for the Office of Patient Advocate, payable from the Managed Care Fund	988,000
2600-001-0042—For support of California Transportation Commission, for payment to Item 2600-001-0046, payable from the State Highway Account, State Transportation Fund	532,000

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2600-001-0046—For support of California Transportation Commission, payable from the Public Transportation Account, State Transportation Fund	1,444,000
Schedule:	
(a) 10-Administration of California Transportation Commission	1,976,000
(b) Amount payable from the State Highway Account, State Transportation Fund (Item 2600-001-0042) .	-532,000
2640-101-0046—For local assistance, Special Transportation Programs, notwithstanding Section 99312 of the Public Utilities Code, for allocation by the Controller, payable from the Public Transportation Account, State Transportation Fund.....	101,001,000
Provisions:	
1. Notwithstanding Sections 99313 and 99314 of the Public Utilities Code, not more than \$67,387 of the amount appropriated by this item shall reimburse the Controller for expenditures for administration of State Transportation Assistance funds.	
2660-001-0001—For support of Department of Transportation.....	140,000
Schedule:	
(a) Hacienda Heights-Soundwalls	15,000
(b) Vincent Thomas Bridge Lighting ...	125,000
2660-001-0041—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Aeronautics Account, State Transportation Fund	2,742,000
2660-001-0042—For support of Department of Transportation, payable from the State Highway Account, State Transportation Fund.....	1,994,470,000
Schedule:	
(a) 10-Aeronautics	3,351,000
(b) 20.10-Highway Transportation— Capital Outlay Support	1,009,550,000
(c) 20.30-Highway Transportation— Local Assistance	31,622,000
(d) 20.40-Highway Transportation— Program Development.....	103,711,000
(e) 20.65-Highway Transportation— Legal	63,092,000
(f) 20.70-Highway Transportation— Operations	143,273,000
(g) 20.80-Highway Transportation— Maintenance	768,282,000
(h) 30-Mass Transportation	93,162,000

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(i) 40-Transportation Planning.....	127,278,000
(j) 50.00-Administration	288,140,000
(k) Reimbursements	-124,408,000
(l) Amount payable from the Aeronautics Account, State Transportation Fund (Item 2660-001-0041).....	-2,742,000
(m) Amount payable from the Bicycle Transportation Account, State Transportation Fund (Item 2660-001-0045).....	-10,000
(n) Amount payable from the Public Transportation Account, State Transportation Fund (Item 2660-001-0046)	-114,990,000
(o) Amount payable from the Federal Trust Fund (Item 2660-001-0890)	-394,841,000

Provisions:

1. For purposes of the funds appropriated in Schedules (b) to (g), inclusive, Program 20—Highway Transportation. Upon approval of the Department of Finance, the Department of Transportation shall notify the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee at least 20 days prior to spending funds to expand activities above budgeted levels or to implement a new activity not identified in this act, including any of those expenditures to be funded through a transfer of money from other expenditure categories or programs, except in the case of emergency work increases caused by snow, storm, or earth movement damage.
2. From funds appropriated in this item, the Department of Transportation may enter into interagency agreements with the Department of the California Highway Patrol to compensate that department for the cost of work performed by patrol officers at or near state highway construction projects so as to reduce the risk of occurrence of serious motor vehicle accidents.
3. (a) Notwithstanding any other provision of law, funds appropriated in this item from the State Highway Account may be reduced and replaced by an equivalent amount of federal funds determined by the department to be available and necessary to comply with Section 8.50 of this act and the most effective

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- management of state transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.
- (b) To the extent that moneys in the State Highway Account are reduced pursuant to this provision, the Department of Transportation may transfer, with the approval of the Business, Transportation and Housing Agency, and upon authorization by the Director of Finance, all or part of the savings to Item 2660-101-0042 or Item 2660-301-0042 for local assistance or capital outlay projects approved by the California Transportation Commission. The Director of Finance shall authorize the transfer not sooner than 30 days after notification in writing to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee.
4. Notwithstanding any other provision of law, funding appropriated in this item may be transferred to Item 2660-005-0042 to pay for any necessary insurance, debt service, and other expenditures for department-owned office buildings in District 4 and District 8. Any transfer will require the prior approval of the Department of Finance.
 5. Notwithstanding any other provision of law, funds appropriated in Schedules (a) to (j), inclusive, in this item may be transferred to Item 2660-002-0608 for increases in equipment service needs, provided that the increase does not increase the overall appropriation authority for the Department of Transportation and no funding appropriated in Schedules (a) to (j), inclusive, is augmented.
 6. Any savings in personal services, resulting from an inability to fill for a full year the proposed new positions in the Department of Transportation for support of the capital outlay program and for support of the local assistance program, shall revert to the appropriate funds on June 30, 2001.

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7. Of the amount appropriated in this item, \$869,000 shall be used for 10 bicycle coordinator positions in the Department of Transportation’s district offices. At least two of these positions shall be established in District 4, and at least two positions shall be established in District 7.	
8. This item includes \$120,671,000 for support of the Traffic Congestion Relief Plan. An appropriate portion of the expenditures in this item shall be reimbursed from the Traffic Congestion Relief Fund, local funds, federal funds, and private sources upon approval of a funding plan for project support work for each project by the California Transportation Commission. The Director of the Department of Transportation shall periodically certify the appropriate amounts to the State Controller, who shall transfer expenditures from this item to the appropriations designated by the Director of Transportation and shall adjust the appropriation balances in this item accordingly.	
2660-001-0045—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Bicycle Transportation Account, State Transportation Fund.....	10,000
2660-001-0046—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Public Transportation Account, State Transportation Fund.....	114,990,000
Provisions:	
1. For Program 30—Mass Transportation. \$63,767,000 appropriated in this item is available for intercity rail.	
2. Notwithstanding any other provision of law, funds appropriated in this item from the Public Transportation Account may be reduced and replaced by an equivalent amount of federal funds determined by the department to be available and necessary to comply with Section 8.50 of this act and the most effective management of state transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.	

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2660-001-0890—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Federal Trust Fund	394,841,000
Provisions:	
1. For Program 20—Highway Transportation. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.	
2. For Program 20—Highway Transportation. Federal funds may be received from any federal source, and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.	
3. Notwithstanding any other provision of law, the Director of Finance may augment this item with additional federal funds in conjunction with an equivalent offsetting reduction in State Highway Account funds in Item 2660-001-0042, pursuant to Provision 3 of that item or Public Transportation Account funds in Item 2660-001-0046, pursuant to Provision 2 of that item.	
2660-002-0608—For support of Department of Transportation, payable from the Equipment Service Fund...	60,242,000
Provisions:	
1. Notwithstanding any other provision of law, funds appropriated in this item may be increased in accordance with Provision 5 of Item 2660-001-0042.	
2660-005-0042—For support of Department of Transportation, for building insurance, debt service, and other costs for department-owned office buildings in District 4 and District 8, payable from the State Highway Account, State Transportation Fund.....	14,552,000
Provisions:	
(1) Notwithstanding any other provision of law, funds provided in Item 2660-001-0042 may be transferred to this item to pay for any necessary insurance, debt service, and other expenditures for the department-owned office buildings in District 4 and District 8. Any transfer shall require the prior approval of the Department of Finance.	
2660-007-0042—For support of Department of Transportation, payable from the State Highway Account, State Transportation Fund	61,521,000

Item	Amount
Schedule:	
(a) 20-Highway Transportation.....	61,503,000
(b) 50-Administration	18,000
Provisions:	
1. The funds appropriated in this item may be expended only to attain compliance with the storm water discharge provisions of the National Pollutant Discharge Elimination System permits as promulgated by the State Water Resources Control Board or regional water quality control boards, or as ordered by the federal courts.	
2. The Department of Transportation shall submit to the Legislature, within 60 days of the State Water Resources Control Board's approval of the Storm Water Management Plan, a fiscal estimate of the annual resource needs for the 13 major activities of the plan. Additionally, the department shall track expenditures in the 2000-01 fiscal year for these activities in order to establish a baseline for future expenditures. Of the \$41,000,000 appropriated in this item to comply with the plan's provisions for management and implementation, any amount unencumbered on June 30, 2001, shall revert to the State Highway Account on June 30, 2001.	
2660-011-0041—For transfer by the Controller from the Aeronautics Account, State Transportation Fund, to the Public Transportation Account, State Transportation Fund, as prescribed by Section 21682.5 of the Public Utilities Code.....	(30,000)
2660-011-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund, to the Toll Bridge Seismic Retrofit Account, State Transportation Fund	(123,388,000)
Provisions:	
1. Notwithstanding any other provision of law, the transfer shall be made upon the request of the Department of Transportation.	
2660-012-0001—For transfer by the Controller to the Abandoned Railroad Account, State Transportation Fund	5,000,000
Provisions:	
1. The money transferred by this item shall be used to acquire abandoned railroad rights-of-way for nonmotorized transportation, including pedestrian and bicycle pathways, exclusively or in combination with rail transportation use, including	

Item	Amount
light rail or freight service. A project shall be eligible for planned use of the rights-of-way for rail use on a continuing basis.	
2660-012-0042—For augmentation for emergencies relating to a state of emergency declared by the Governor, subject to all provisions of Item 9840-001-0001, payable from the State Highway Account	(40,000,000)
Provisions:	
1. No deficiencies shall be authorized by the Director of Finance in any appropriation of money from this item under the provisions of Section 11006 of the Government Code. Required notification to the Legislature of deficiency appropriations pursuant to this item shall include, in addition to all other required information, (a) an estimate of federal funds or other funds that the department may receive for the same purposes as the proposed deficiency appropriation, and (b) explanation of the necessity of the proposed deficiency appropriation given anticipated federal funds or other funds.	
2660-021-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund, to the Public Transportation Account, State Transportation Fund, as prescribed by Section 194 of the Streets and Highways Code	(25,024,000)
2660-022-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund, to the Environmental Enhancement and Mitigation Demonstration Account, State Transportation Fund, as prescribed by Section 164.56 of the Streets and Highways Code	(10,000,000)
2660-031-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund, to the Equipment Service Fund for startup capital to the program.....	21,898,000
Provisions:	
1. Of the amount appropriated in this item, \$10,000,000 is appropriated for startup support costs and \$1,185,000 is appropriated for the purchase of new mobile fleet equipment.	
2660-101-0001—For local assistance, Department of Transportation	77,992,500
Schedule:	
(a) 30-Mass Transportation	72,549,000

Item	Amount
(1) Altamont Com- muter Express: Rolling Stock Ac- quisition and Track Upgrade..	(36,000,000)
(2) Caltrain: Coyote Valley Station ...	(5,000,000)
(3) Vasona Light Rail: Winchester Sta- tion.....	(15,000,000)
(4) Metrolink San Ber- nardino Line Track Upgrade..	(15,000,000)
(5) City of McFarland Bus Stop	(29,000)
(6) Southern California Regional Rail Au- thority	(400,000)
(7) San Bernardino Seismic Retrofit....	(120,000)
(8) San Francisco Muni Nextbus Program..	(300,000)
(9) San Mateo County Transit Shuttles.....	(100,000)
(b) 20-Highway Transportation.....	1,633,500
(1) City of Rio Vista Traffic Signals.....	(150,000)
(2) Hawthorne School District Traffic Signals	(98,000)
(3) Los Angeles County Traffic Intersection.....	(750,000)
(4) San Ramon Valley Fire Department Gravel Emergency Exit Road.....	(35,500)
(5) City of Belmont, Ralston/101 Bike Overpass	(500,000)
(6) City of Isla Vista, Sidewalks.....	(100,000)
(bx) 10-Aeronautics	310,000
(1) Burbank-Glendale- Pasadena Airport Authority.....	(310,000)

Item	Amount
(c) 500010-Special Projects.....	3,500,000
(1) Hydrogen Bus Technology Vali- dation Program.....	(150,000)
(2) City of Cupertino, Mary Avenue Bi- cycle Bridge	(500,000)
(3) City of Roseville, Pedestrian/Bicycle Bridge	(250,000)
(4) City of Lakewood, Pavement Im- provement Proj- ect.....	(700,000)
(5) Watsonville High School, Bridge..	(1,500,000)
(6) Bus Area Rapid Transit District Station Environ- mental Report.....	(400,000)
2660-101-0042—For local assistance, Department of Transportation, payable from the State Highway Ac- count, State Transportation Fund.....	421,224,000
Schedule:	
(a) 20.30-Highway Transportation- Local Assistance	333,229,000
(b) 30-Mass Transportation	83,995,000
(c) 40-Transportation Planning	4,000,000
Provisions:	
1. Funds appropriated in Schedules (a) and (b) shall be available for allocation by the California Transportation Commission in the 2000–01, 2001–02 and 2002–03 fiscal years.	
2. Notwithstanding other provisions of law, funds appropriated within Schedule (a) may be trans- ferred to Schedules (b) and (c); and funds appro- priated within Schedule (b) may be transferred to Schedules (a) and (c); and funds appropriated within Schedule (c) may be transferred to Sched- ules (a) and (b). These transfers shall require the prior approval of the California Transportation Commission and the Department of Finance. These funds shall be available for allocation by the commission in 2000–01, 2001–02 and 2002–03 fiscal years.	
3. Notwithstanding other provisions of law, funds appropriated in Schedule (a) or (b) may be trans-	

Item	Amount
ferred to Item 2660-301-0042. These transfers shall require the prior approval of the California Transportation Commission and the Department of Finance. These transfers shall be available for allocation by the commission in the 2000–01, 2001–02 and 2002–03 fiscal years.	
4. Of the amount appropriated in this item, \$8,000,000 shall be available for a competitive grant program to fund local pedestrian safety and intersection traffic safety control measures pursuant to enabling legislation enacted during the 1999–2000 Regular Session. Implementation of this provision is contingent upon the enactment of that legislation.	
2660-101-0045—For local assistance, Department of Transportation, Program 20—Highway Transportation, payable from the Bicycle Transportation Account, State Transportation Fund	1,500,000
2660-101-0183—For local assistance, Department of Transportation, Program 20—Highway Transportation, payable from the Environmental Enhancement and Mitigation Demonstration Program Fund	10,000,000
2660-101-0890—For local assistance, Department of Transportation, payable from the Federal Trust Fund.....	1,021,663,000
Schedule:	
(a) 20-Highway Transportation.....	926,663,000
(b) 30-Mass Transportation	55,000,000
(c) 40-Transportation Planning	40,000,000
Provisions:	
1. For Program 20—Highway Transportation. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.	
2. For Program 20—Highway Transportation. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.	
3. Notwithstanding other provisions of law, funds appropriated within Schedule (a) may be transferred to Schedules (b) and (c), and funds appropriated within Schedule (b) may be transferred to Schedules (a) and (c). Funds appropriated within Schedules (a) and (b) may be transferred to Item	

Item	Amount
2660-301-0890. These transfers shall require the prior approval of the Department of Finance and the California Transportation Commission. These funds shall be available for allocation by the Commission and shall be available for expenditure in the 2000-01, 2001-02 and 2002-03 fiscal years.	
2660-102-0001—For local assistance, Department of Transportation, pursuant to Section 66540.72 of the Government Code for allocation to the Bay Area Water Transit Authority	12,000,000
Schedule:	
(a) 30-Mass Transportation	12,000,000
Provisions:	
1. Of the amount appropriated in this item, \$6,000,000 shall be available no sooner than 30 days after the Bay Area Water Transit Authority submits a work plan to the appropriate legislative fiscal committees and the Joint Legislative Budget Committee. The work plan shall specify the intended work elements to be accomplished in the budget year, when the work will be initiated and is projected to be completed, and the cost associated with each item of the work.	
2660-102-0890—For local assistance, Department of Transportation, payable from the Federal Trust Fund	2,000,000
Schedule:	
(a) 30-Mass Transportation	2,000,000
2660-103-0046—For local assistance, Department of Transportation, payable from the Public Transportation Account, State Transportation Fund.....	2,000,000
Schedule:	
(a) 30-Mass Transportation	2,000,000
Provisions:	
1. Funds appropriated in this item shall be used to match federal grants from the Job Access/Reserve Commute program for the purchase of vans and buses for the provision of farmworker transportation services.	
2660-105-0046—For local assistance, Department of Transportation, payable from the Public Transportation Account, State Transportation Fund, for water transit operations managed through the Metropolitan Transportation Commission.....	2,363,000
Schedule:	
(a) 30-Mass Transportation	2,363,000

Item	Amount
2660-301-0001—For capital outlay, Department of Transportation	50,005,000
Schedule:	
(a) 30-Mass Transportation	50,000,000
(1) Acquisition of In-tercity Rail Roll- ing Stock	(30,000,000)
(2) San Joaquin Corri- dor: Signals and Double Track	(20,000,000)
(b) 20-Highway Transportation.....	5,000
(3) Sadao Munemori Memorial Freeway Interchange.....	(5,000)
2660-301-0042—For capital outlay, Department of Transportation, payable from the State Highway Ac- count, State Transportation Fund	540,710,000
Schedule:	
(a) 20-Highway Transportation	1,292,518,000
(1) State Highway Operation and Pro- tection Program	(239,190,000)
(2) Regional Improve- ments	(185,240,000)
(3) Interregional Im- provements.....	(98,570,000)
(4) Reimbursements.....	(769,518,000)
(b) 30-Mass Transportation.....	17,710,000
(c) Reimbursements.....	-769,518,000
Provisions:	
1. For Program 20—Highway Transportation. For each capital outlay appropriation, the department shall determine for reversion the difference between the appropriation and the total amount needed for encumbered projects, encumbered rights-of-way, and projects still to be scheduled for encumbrance against the appropriations. On or before December 15, 2000, the department shall submit to the Controller the estimated amounts to be reverted as of June 30, 2000, from the 1997–98, 1998–99 and 1999–00 fiscal year appropriations.	
2. Notwithstanding any other provision of law, amounts scheduled within this item may be transferred to Item 2660-101-0042, Schedules (a) and (b), for local transportation projects pursuant to the allocation of project funds by the California	

Item	Amount
<p>Transportation Commission. These transfers shall require the prior approval of the California Transportation Commission and the Department of Finance. These funds shall be available for allocation during the 2000–01, 2001–02 and 2002–03 fiscal years.</p>	
<p>2660-301-0890—For capital outlay, Department of Transportation, payable from the Federal Trust Fund.....</p>	1,660,250,000
<p>Schedule:</p>	
<p>(a) 20-Highway Transportation</p>	1,656,000,000
<p>(b) 30-Mass Transportation</p>	4,250,000
<p>Provisions:</p>	
<p>1. Provision 1 of Item 2660-301-0042 is also applicable to this item.</p>	
<p>2. For Program 20—Highway Transportation. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.</p>	
<p>3. For Program 20—Highway Transportation. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.</p>	
<p>4. Notwithstanding any other provision of law, amounts scheduled within this item may be transferred to Item 2660-101-0890 Schedules (a) and (b) for local transportation projects pursuant to the allocation of project funds by the California Transportation Commission. These transfers shall require the prior approval of the California Transportation Commission and the Department of Finance. These funds shall be available for allocation during 2000–01, 2001–02, and 2002–03.</p>	
<p>2660-302-0042—For capital outlay, Department of Transportation, for the completion of the Retrofit Soundwall Program, payable from the State Highway Account, State Transportation Fund.....</p>	27,000,000
<p>Schedule:</p>	
<p>(a) 20-Highway Transportation.....</p>	27,000,000
<p>Provisions:</p>	
<p>1. Notwithstanding any other provision of law, amounts appropriated in this item may be transferred to 2660-101-0042, Schedule (a), for delivery of the retrofit projects pursuant to the alloca-</p>	

Item

Amount

tion of project funds by the California Transportation Commission. These transfers shall require the prior approval of the California Transportation Commission and Department of Finance. These funds shall be available for allocation until program completion.

- 2. Up to 20 percent of the funds appropriated in this item may be transferred to Item 2660-301-0042 of this act to enable the California Transportation Commission to allocate supplemental funds to projects within this item. These transfers shall require the prior approval of the California Transportation Commission and Department of Finance.

2660-302-0890—For capital outlay, Department of Transportation, for the completion of the Retrofit Soundwall Program, payable from the Federal Trust Fund 199,000,000

Provisions:

- 1. Notwithstanding any other provision of law, amounts appropriated in this item may be transferred to 2660-101-0890, Schedule (a), for delivery of the retrofit projects pursuant to the allocation of project funds by the California Transportation Commission. These transfers shall require the prior approval of the California Transportation Commission and Department of Finance. These funds shall be available for allocation until program completion.
- 2. Up to 20 percent of the funds appropriated in this item may be transferred to Item 2660-301-0890 of this act to enable the California Transportation Commission to allocate supplemental funds to projects within this item. These transfers shall require the prior approval of the California Transportation Commission and Department of Finance.

2660-311-0042—For capital outlay, Department of Transportation, payable from the State Highway Account, State Transportation Fund 9,715,000

Schedule:

- (1) 20.20.500-Statewide: Studies, pre-planning and budget packages 338,000
- (2) 20.20.510-San Diego Office Building: Replacement—Working drawings 2,974,000

Item	Amount
(3) 20.20.511-Eureka Office Building: Seismic Retrofit—Preliminary plans and working drawings.....	632,000
(4) 20.20.512-Redding District Office Building: Seismic Retrofit—Construction	406,000
(5) 20.20.513-Sacramento Headquarters Office: Seismic Retrofit—Preliminary plans and working drawings.....	1,165,000
(6) 20.20.514-Los Angeles Office Building: Replacement—Preliminary plans.....	4,200,000
Provisions:	
1. For Program 20—Highway Transportation. Up to 20 percent of the funds appropriated in this item may be transferred from Item 2660-301-0042 of this act to enable the California Transportation Commission to allocate supplemental funds to projects within this item. The transfer may be made only with the approval of the commission. Also, the Department of Finance shall be notified of the transfer prior to the commission’s approval of any transfer or allocation of those funds to any project.	
2. Notwithstanding any other provisions of law, the projects identified in Schedules (2) and (6) of this item shall be subject to administrative oversight by the State Public Works Board.	
3. The project identified in Schedule (6) is authorized for construction by the design-build delivery method pursuant to Section 14661 of the Government Code.	
2660-399-0042—For the Department of Transportation, for final cost accounting of projects for which appropriations have expired, for state operations, local assistance, or capital outlay, payable from the State Highway Account, State Transportation Fund. Funds appropriated in this item shall be available for expenditure until June 30, 2001	5,000,000
2660-399-0890—For the Department of Transportation, payable from the Federal Trust Fund, for federal discretionary transportation corridor improvement grants and formula Section 163 grants	25,000,000

Item	Amount
2660-490—Reappropriation, Department of Transportation. \$4,750,000 of the appropriation provided in Item 2660-101-0001, Budget Act of 1999 (Ch. 50, Stats. 1999) is reappropriated for acquiring ferry boats until December 31, 2000. At such time, any unencumbered balances remaining from the \$4,750,000 reappropriated by this item may be transferred to and in augmentation of Item 2660-301-0001, Budget Act of 1999 with the approval of the Department of Finance.	
2660-491—Reappropriation, Department of Transportation. Notwithstanding any other provision of law, the unliquidated encumbrances for the appropriations provided in the following citations, are reappropriated until June 30, 2001. The unencumbered balance shall not be available for encumbrance.	
0042—State Highway Account	
(1) Item 2660-301-042, Budget Act of 1989 (Ch. 93, Stats. 1989)	
(2) Item 2660-101-042, Budget Act of 1990 (Ch. 467, Stats. 1990)	
(3) Item 2660-301-042, Budget Act of 1990 (Ch. 467, Stats. 1990)	
(4) Item 2660-325-042, Budget Act of 1990 (Ch. 467, Stats. 1990)	
(5) Item 2660-101-042, Budget Act of 1991 (Ch. 118, Stats. 1991)	
(6) Item 2660-301-042, Budget Act of 1991 (Ch. 118, Stats. 1991)	
(7) Item 2660-325-042, Budget Act of 1991 (Ch. 118, Stats. 1991)	
(8) Item 2660-125-042, Budget Act of 1992 (Ch. 587, Stats. 1992)	
(9) Item 2660-125-042, Budget Act of 1993 (Ch. 55, Stats. 1993)	
(10) Item 2660-301-042, Budget Act of 1993 (Ch. 55, Stats. 1993)	
(11) Item 2660-325-042, Budget Act of 1993 (Ch. 55, Stats. 1993)	
(12) Item 2660-125-042, Budget Act of 1994 (Ch. 139, Stats. 1994)	
(13) Item 2660-325-0042, Budget Act of 1994 (Ch. 139, Stats. 1994)	
(14) Item 2660-125-042, Budget Act of 1995 (Ch. 303, Stats. 1995)	
(15) Item 2660-101-0042, Budget Act of 1995 (Ch. 303, Stats. 1995)	

Item	Amount
0045—Bicycle Transportation Account	
(1) Item 2660-101-045, Budget Act of 1995 (Ch. 303, Stats. 1995)	
(2) Item 2660-101-0045, Budget Act of 1996 (Ch. 162, Stats. 1996)	
(3) Item 2660-101-0045, Budget Act of 1997, (Ch. 282, Stats. 1997)	
0046—Public Transportation Account	
(1) Item 2660-101-046, Budget Act of 1989 (Ch. 93, Stats. 1989)	
(2) Item 2660-101-046, Budget Act of 1990 (Ch. 467, Stats. 1990)	
(3) Item 2660-101-046, Budget Act of 1991 (Ch. 118, Stats. 1991)	
(4) Item 2660-125-046, Budget Act of 1992 (Ch. 587, Stats. 1992)	
(5) Item 2660-302-046, Budget Act of 1992 (Ch. 587, Stats. 1992)	
(6) Item 2660-125-046, Budget Act of 1993 (Ch. 55, Stats. 1993)	
(7) Item 2660-302-046, Budget Act of 1993 (Ch. 55, Stats. 1993)	
(8) Item 2660-125-046, Budget Act of 1994 (Ch. 139, Stats. 1994)	
(9) Item 2660-302-046, Budget Act of 1994 (Ch. 139, Stats. 1994)	
(10) Item 2660-302-0046, Budget Act of 1995 (Ch. 303, Stats. 1995)	
0056—Seismic Safety Retrofit Account	
(1) Chapter 18, Statutes of 1989	
(2) Item 2660-325-056, Budget Act of 1994 (Ch. 139, Stats. 1994)	
0183—Environmental Enhancement and Mitigation Demonstration Program Fund	
(1) Item 2660-125-183, Budget Act of 1995 (Ch. 303, Stats. 1995)	
(2) Item 2660-125-0183, Budget Act of 1996 (Ch. 162, Stats. 1996)	
(3) Item 2660-125-0183, Budget Act of 1997 (Ch. 282, Stats. 1997)	
0853—Petroleum Violation Escrow Account	
(1) Chapter 186, Statutes of 1986	
(2) Chapter 1427, Statutes of 1988	
(3) Chapter 1434, Statutes of 1988	
(4) Chapter 1648, Statutes of 1990	
(5) Chapter 960, Statutes of 1991	

Item	Amount
(6) Item 2660-101-853, Budget Act of 1992 (Ch. 587, Stats. 1992)	
(7) Chapter 1159, Statutes of 1993	
(8) Chapter 980, Statutes of 1995	
0890—Federal Trust Fund	
(1) Item 2660-101-890, Budget Act of 1990 (Ch. 467, Stats. 1990)	
(2) Item 2660-101-890, Budget Act of 1992 (Ch. 587, Stats. 1992)	
(3) Item 2660-301-890, Program 30, Budget Act of 1992 (Ch. 587, Stats. 1992)	
(4) Item 2660-101-890, Budget Act of 1993 (Ch. 55, Stats. 1993)	
(5) Item 2660-101-890, Budget Act of 1994 (Ch. 139, Stats. 1994)	
2660-492—Reappropriation, Department of Transporta- tion. Notwithstanding any other provision of law, the balance as of June 30, 2000, of the appropriations in the following citations, are appropriated for the pur- poses provided for in those appropriations and shall be available for expenditure until June 30, 2001.	
0042—State Highway Account	
(1) Item 2660-325-0042, Budget Act of 1997 (Ch. 282, Stats. 1997)	
0890—Federal Trust Fund	
(1) 2660-301-0890, Budget Act of 1997 (Ch. 282, Stats. 1997)	
2660-493—Reappropriation, Department of Transporta- tion. Notwithstanding any other provision of law, the appropriations in the following citations are reappro- priated to enable the collection of outstanding fed- eral reimbursements as of the end of June 30, 2000. These appropriations are not available for encum- brance or liquidation and shall revert on June 30, 2001:	
0890—Federal Trust Fund	
(1) Item 2660-001-890, Budget Act of 1987 (Ch. 135, Stats. 1987)	
(2) Item 2660-001-890, Budget Act of 1988 (Ch. 313, Stats. 1988)	
(3) Item 2660-001-890, Budget Act of 1989 (Ch. 93, Stats. 1989)	
(4) Item 2660-001-890, Budget Act of 1990 (Ch. 467, Stats. 1990)	
(5) Item 2660-001-890, Budget Act of 1991 (Ch. 118, Stats. 1991)	

Item	Amount
(6) Item 2660-001-890, Budget Act of 1992 (Ch. 587, Stats. 1992)	
(7) Item 2660-001-890, Budget Act of 1993 (Ch. 55, Stats. 1993)	
(8) Item 2660-001-890, Budget Act of 1994 (Ch. 139, Stats. 1994)	
(9) Item 2660-001-890, Budget Act of 1995 (Ch. 303, Stats. 1995)	
(10) Item 2660-301-890, Budget Act of 1992 (Ch. 587, Stats. 1992)	
2660-494—Reappropriation, Department of Transporta- tion. Notwithstanding any other provision of law, the unencumbered balance of the appropriation provided for in the following citation is reappropriated for the purposes and subject to the limitations, unless oth- erwise specified, provided for in the appropriation: 0042—State Highway Account Item 2660-311-0042, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(3) 20.20.512-Seismic Retrofit, Redding District Office Building—working drawings.	
2660-495—Reversion, Department of Transportation. As of June 30, 2000, the unencumbered balances of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriation was made: 0045—Bicycle Transportation Account	
(1) Item 2660-101-0045, Budget Act of 1987 (Ch. 135, Stats. 1987)	
(2) Item 2660-101-0045, Budget Act of 1988 (Ch. 313, Stats. 1988)	
(3) Item 2660-101-0045, Budget Act of 1989 (Ch. 93, Stats. 1989)	
(4) Item 2660-101-0045, Budget Act of 1990 (Ch. 467, Stats. 1990)	
(5) Item 2660-101-0045, Budget Act of 1991 (Ch. 118, Stats. 1991)	
(6) Item 2660-101-0045, Budget Act of 1992 (Ch. 587, Stats. 1992)	
2665-001-0046—For support of High-Speed Rail Au- thority, payable from the Public Transportation Ac- count, State Transportation Fund.....	1,021,000
2700-001-0044—For support of Office of Traffic Safety, payable from the Motor Vehicle Account, State Transportation Fund.....	360,000
Schedule:	
(a) 10-California Traffic Safety	25,122,000

Item	Amount
(b) Amount payable from the Federal Trust Fund (Item 2700-001-0890).....	-24,762,000
2700-001-0890—For support of Office of Traffic Safety, for payment to Item 2700-001-0044, payable from the Federal Trust Fund, not subject to the provisions of Section 28.00	24,762,000
2700-101-0890—For local assistance, Office of Traffic Safety, payable from the Federal Trust Fund, not subject to the provisions of Section 28.00	17,355,000
2720-001-0001—For transfer by the Controller from the General Fund to the Motor Vehicle Account, State Transportation Fund (0044).....	33,515,000
Provisions:	
1. Of the amount appropriated in this item, \$4,015,000 shall be available for the Department of the California Highway Patrol for costs associated with the protection of the Democratic National Convention that are approved by the Commissioner of the California Highway Patrol, including the purchase of equipment necessary to ensure the safety and security of the convention, lodging and associated travel costs for department personnel, and reimbursement to local agencies that perform additional protection services at the request of the Commissioner.	
2720-001-0042—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the State Highway Account, State Transportation Fund	24,295,000
2720-001-0044—For support of Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund.....	914,917,000
Schedule:	
(a) 10-Traffic Management	878,517,000
(b) 20-Regulation and Inspection	98,812,000
(c) 30-Vehicle Ownership Security	26,871,000
(d) 40.01-Administration.....	138,981,000
(e) 40.02-Distributed Administration	-138,981,000
(f) Reimbursements.....	-52,957,000
(g) Amount payable from the State Highway Account (Item 2720-001-0042).....	-24,295,000
(h) Amount payable from the Motor Carrier Permit Fund (Item 2720-001-0292).....	-1,651,000

Item	Amount
(i) Amount payable from the Motor Carrier Safety Improvement Fund (Item 2720-001-0293)	-1,187,000
(j) Amount payable from the California Motorcyclist Safety Fund (Item 2720-001-0840)	-1,121,000
(k) Amount payable from the Federal Trust Fund (Item 2720-001-0890).....	-5,870,000
(l) Amount payable from the Hazardous Substance Account, Special Deposit Fund (Item 2720-001-0942).....	-200,000
(m) Amount payable from the Asset Forfeiture Account, Special Deposit Fund (Item 2720-011-0942).....	-2,002,000

Provisions:

1. Of the funds appropriated in this item, \$14,500,000 shall be used for the support of approximately 146 motorcycle officers, including equipment and support staff, to improve freeway safety and efficiency in congested areas. The officers shall be deployed in 15 selected operational areas. The operational areas shall be selected, and may be modified as necessary, by the Commissioner of the Highway Patrol, who shall ensure that the areas reflect a geographically diverse group of the state's most congested freeways. The officers shall perform normal freeway patrol activities, but shall be deployed so as to maximize their patrol during normal commute hours. The Department of the California Highway Patrol shall monitor the impact of these additional officers on various safety and efficiency factors, including collision rates, the number of moving violations, average traffic speed, and other factors. The department shall provide an interim report by January 1, 2001, and a final report by January 1, 2002, to the Legislature on the project. The report shall (a) assess the impact of the additional officers on the various safety and efficiency factors and (b) provide recommendations as to whether and how the programs should be continued or expanded.
2. Of the funds appropriated in this item, \$10,400,000 shall be used for the support of ap-

Item	Amount
<p>proximately 123 officers, including equipment, to improve traffic safety, enhance motorist services, and provide additional assistance to allied agencies. The officers shall be deployed on routes in unincorporated areas selected by the Commissioner of the Highway Patrol. The Department of the California Highway Patrol shall monitor the impact of these additional officers on traffic safety, including collision rates, motorist services, response times, allied agency services, and other factors. The department shall provide a report by January 1, 2003, to the Legislature on the project. The report shall (a) assess the impact of the additional officers on the various safety and efficiency factors and (b) provide recommendations as to whether and how the program should be continued or expanded.</p>	
<p>3. The California Highway Patrol shall analyze racial profiling data collected by local law enforcement agencies and compile a report for submission to the Legislature using existing resources.</p>	
<p>2720-001-0292—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Motor Carrier Permit Fund</p>	1,651,000
<p>2720-001-0293—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Motor Carrier Safety Improvement Fund</p>	1,187,000
<p>2720-001-0840—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the California Motorcyclist Safety Fund.....</p>	1,121,000
<p>2720-001-0890—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Federal Trust Fund.....</p>	5,870,000
<p>2720-001-0942—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Hazardous Substance Account, Special Deposit Fund</p>	200,000
<p>2720-003-0044—For support of the Department of the California Highway Patrol for rental payments on lease revenue bonds.....</p>	436,000
<p>Schedule:</p>	
<p>(a) Base Rental and Fees</p>	420,000
<p>(b) Insurance</p>	16,000

Item	Amount
2720-011-0942—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Asset Forfeiture Account, Special Deposit Fund	2,002,000
2720-012-0903—For transfer by the Controller from the State Penalty Fund to the California Motorcyclist Safety Fund (0840).....	(250,000)
2720-021-0044—For Department of the California Highway Patrol, for advance authority for the department to incur automotive equipment purchase obligations in an amount not to exceed \$5,000,000 during the 2000–01 fiscal year, for delivery beginning in the 2001–02 fiscal year, payable from the Motor Vehicle Account, State Transportation Fund.....	(5,000,000)
2720-101-0001—For local assistance, Department of the California Highway Patrol, for grants to local law enforcement agencies for the costs of collecting racial profiling data. Priority for the grants shall be given to local agencies that are currently collecting data and submitting the data to the department.....	5,000,000
2720-301-0044—For capital outlay, Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund.....	7,393,000
Schedule:	
(1) 50.15.115-Willows: Building Alterations—Construction	1,299,000
(2) 50.16.106-Williams: Replacement Facility—Acquisition and preliminary plans.....	818,000
(3) 50.20.200-South Sacramento: Building Alterations—Construction	1,459,000
(4) 50.21.207-South Lake Tahoe: New Facility—Working drawings and construction	2,372,000
(5) 50.69.609-El Cajon: Building Alterations—Construction	1,020,000
(6) 50.73.703-Monterey: New Facility—Working drawings	305,000
(7) 50.90.900-Statewide: Property options and appraisals.....	20,000
(8) 50.90.901-Statewide: Studies, pre-planning and budget packages	100,000

Item	Amount
2720-495—Reversion, Department of the California Highway Patrol. As of June 30, 2000, the unencumbered balance of the appropriation provided in the following citation shall revert to the fund balance of the fund from which the appropriation was made: 0044—Motor Vehicle Account, State Transportation Fund	
(1) Item 2720-301-0044, Budget Act of 1999, 50.21.207-South Lake Tahoe: New Facility—Acquisition	
2740-001-0001—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044	60,000
Provisions:	
1. The funds appropriated in this item are for the Anatomical Donor Designation Program.	
2740-001-0042—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the State Highway Account, State Transportation Fund	39,782,000
2740-001-0044—For support of Department of Motor Vehicles, payable from the Motor Vehicle Account, State Transportation Fund	333,726,000
Schedule:	
(a) 11-Vehicle/Vessel Identification and Compliance	360,355,000
(b) 22-Driver Licensing and Personal Identification	164,771,000
(c) 25-Driver Safety	81,112,000
(d) 32-Occupational Licensing and Investigative Services	34,033,000
(e) 35-New Motor Vehicle Board...	1,606,000
(f) 41.01-Administration	76,652,000
(g) 41.02-Distributed Administration.	-76,652,000
(h) Reimbursements	-11,549,000
(i) Amount payable from the General Fund (Item 2740-001-0001)....	-60,000
(j) Amount payable from the State Highway Account, State Transportation Fund (Item 2740-001-0042).....	-39,782,000
(k) Amount payable from the New Motor Vehicle Board Account (Item 2740-001-0054)	-1,606,000
(l) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 2740-001-0064)	-250,710,000

Item	Amount
(m) Amount payable from Motor Carriers Permit Fund (Item 2740-001-0292).....	-2,658,000
(n) Amount payable from the Harbors and Watercraft Revolving Fund (Item 2740-001-0516)	-1,786,000
Provisions:	
1. Of the amount appropriated in this item, \$985,000 shall be available for Department of Motor Vehicles' (DMV) Enterprise Systems Alternative Procurement no sooner than 30 days after the Legislature receives from the Department of Information Technology (DOIT) a report that thoroughly evaluates DMV's efforts to replace its occupational licensing, vehicle registration, and driver license data base systems. The report shall (a) explain the major factors determined by DOIT to have contributed to DMV's delays in replacing those systems to date, (b) estimate the likely costs and time that will be required for DMV to complete the Enterprise Systems Alternative Procurement, (c) identify all significant risks that DOIT believes DMV may encounter in pursuing its latest strategy to replace its systems, and (d) recommend ways that the Legislature and the executive branch of state government can help ensure DMV's success in completing its replacement effort.	
2. Of the amount appropriated in this item, \$2,334,000 shall be available for the Department of Motor Vehicles' Vehicle Registration Renewal on the Internet Program. Funds for this program shall not be available for payment of credit card discount fees or similar credit card-related charges. The department shall attempt to secure agreement with credit card vendors to waive discount fees and, where these efforts are unsuccessful, shall pass any and all credit card-related costs on to customers with clear disclosure that the customer is paying a convenience fee for the use of the credit card transactions on the Internet.	
2740-001-0054—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the New Motor Vehicle Board Account ..	1,606,000

Item	Amount
2740-001-0064—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund	250,710,000
2740-001-0292—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the Motor Carriers Permit Fund	2,658,000
2740-001-0516—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the Harbors and Watercraft Revolving Fund	1,786,000
Provisions:	
1. The funds appropriated in this item are for undocumented vessel registration and fee collection.	
2740-011-0044—For payment of deficiencies in appropriations for the Department of Motor Vehicles which may be authorized by the Director of Finance, payable from the Motor Vehicle Account, State Transportation Fund.....	(1,000,000)
Provisions:	
1. The Director of Finance shall report allocations from this appropriation in the same manner as required for reporting allocations from Item 9840-001-0494 of this act.	
2740-301-0042—For capital outlay, Department of Motor Vehicles, for payment to Item 2720-301-0044, payable from the State Highway Account, State Transportation Fund.....	1,132,000
2740-301-0044—For capital outlay, Department of Motor Vehicles, payable from the Motor Vehicle Account, State Transportation Fund.....	9,751,000
Schedule:	
(a) 71.03.018-Sacramento Headquarters: 1st Floor Asbestos Removal and Seismic Retrofit—Working drawings and construction	15,508,000
(b) 71.22.010-Statewide: Studies, Preplanning and Budget Packages	100,000
(c) 71.43.010-Stockton: Field Office Replacement—Acquisition and preliminary plans	511,000
(d) 71.46.010-San Ysidro: Field Office Relocation—Acquisition and preliminary plans.....	1,954,000
(e) Amount payable from the State Highway Account, State Transportation Fund (Item 2740-301-0042).	-1,132,000

Item	Amount
(f) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 2740-301-0064).....	-7,190,000
2740-301-0064—For capital outlay, Department of Motor Vehicles, for payment to Item 2740-301-0044, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund.....	7,190,000
2780-001-0683—For support of Stephen P. Teale Data Center, payable from the Stephen P. Teale Data Center Revolving Fund.....	89,212,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Stephen P. Teale Data Center in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
2. Expenditure authority provided in this item to support data center infrastructure projects may not be utilized for items outside the approved project scope. In addition, the data center shall report to the Department of Finance actual expenditures associated with the projects when purchase agreements have been executed.	

TRADE AND COMMERCE

2920-001-0001—For support of Trade and Commerce Agency.....	30,397,000
Schedule:	
(a) 10-Economic Development.....	14,533,000
(b) 20-International Trade and Investment.....	4,941,000
(c) 25-Marketing and Communications.....	1,243,000
(d) 30-Tourism.....	8,071,000
(e) 40-Contracts, Grants, and Loans....	1,185,000
(f) 60-Economic Research and Strategic Initiatives.....	1,867,000
(g) 70.01-Administration.....	4,921,000
(h) 70.02-Distributed Administration ...	-4,921,000
(i) Reimbursements.....	-1,443,000

Item	Amount
Provisions:	
1. From the funds appropriated in this item, an amount not to exceed \$10,000,000 shall be available for the Biomass Program contingent upon the enactment of a statute establishing the program during the 1999–2000 Regular Session.	
2920-001-0123—For support of Trade and Commerce Agency, Program 10, payable from the Rural Economic Development Fund	152,000
2920-001-0145—For support of Trade and Commerce Agency, payable from the Commerce Marketing Fund	106,000
Schedule:	
(a) 10-Economic Development	26,000
(b) 30-Tourism	80,000
2920-001-0218—For support of Trade and Commerce Agency, Program 10, payable from the Rural Development Fund	30,000
2920-001-0440—For support of Trade and Commerce Agency, payable from the Petroleum Underground Storage Tank Financing Account	818,000
Schedule:	
(a) 10-Economic Development	654,000
(b) 40-Contracts, Grants and Loans	164,000
2920-001-0649—For support of Trade and Commerce Agency, payable from the California Infrastructure and Economic Development Bank Fund	2,433,000
Schedule:	
(a) 10-Economic Development	2,345,000
(b) 40-Contracts, Grants and Loans	88,000
2920-001-0801—For support of Trade and Commerce Agency, Program 10—Economic Development, payable from the California Small Business Development Center Fund	246,000
2920-001-0890—For support of Trade and Commerce Agency, Program 10—Economic Development, payable from the Federal Trust Fund	1,117,000
2920-002-0393—For support of Trade and Commerce Agency, payable from the Job Creation Investment Fund	257,000
Schedule:	
(a) 10-Economic Development	205,000
(b) 40-Contracts, Grants, and Loans	52,000
(c) 70.01-Administration	18,000
(d) 70.02-Distributed Administration	-18,000
2920-011-0001—For support of Trade and Commerce Agency	12,692,000

Item	Amount
Schedule:	
(a) For transfer to the Small Business Expansion Fund (0918).....	12,662,000
(b) For transfer to the Rural Development Fund (0218).....	30,000
2920-012-0001—For support of Trade and Commerce Agency, Foreign Trade Offices.....	6,544,000
Schedule:	
(a) Foreign Trade Offices.....	4,877,000
(1) Africa.....	410,000
(2) Germany.....	560,000
(3) Hong Kong.....	835,000
(4) Japan.....	1,046,000
(5) London.....	520,000
(6) Mexico City	1,178,000
(7) Taiwan	328,000
(b) Contract Foreign Trade Offices.....	1,667,000
(1) Calgary.....	149,000
(2) Korea	271,000
(3) Philippines.....	160,000
(4) Shanghai	285,000
(5) India.....	297,000
(6) Singapore	200,000
(7) Buenos Aires	305,000
2920-101-0001—For local assistance, Trade and Commerce Agency.....	44,732,000
Schedule:	
(a) 10.09-Economic Development (Office of Military Base Retention) ...	800,000
(b) 10.30-Economic Development (Strategic Technology Program)....	27,248,000
(c) 10.40-Economic Development (Defense Adjustment Projects).....	13,250,000
(d) 10.50-Economic Development (Small Business Development Centers).....	3,434,000
2920-101-0440—For local assistance, Trade and Commerce Agency, Program 10—Economic Development, payable from the Petroleum Underground Storage Tank Financing Account.....	5,000,000
2920-101-0801—For local assistance, Trade and Commerce Agency, Program 10—Economic Development, payable from the California Small Business Development Center Fund	1,000,000
2920-101-0890—For local assistance, Trade and Commerce Agency, Program 10—Economic Development, payable from the Federal Trust Fund	8,109,000

Item	Amount
2920-111-0001—For transfer from the General Fund to the Film California First Fund (3005).....	15,000,000
2920-491—Reappropriation, Trade and Commerce Agency. Notwithstanding any other provisions of law, as of June 30, 2000, the balance of the appropriations provided in the following citation is reappropriated for the purposes specified and shall be available for expenditure until June 30, 2003. 0001—General Fund (1) Item 2920-101-0001, Schedule (b) 10.40, Budget Act of 1997 (Ch. 282, Stats. 1997) to fund infrastructure development related to the construction of warehouse facilities for retail sales. The unencumbered balance shall be reappropriated and available for expenditure.	

RESOURCES

3110-001-0001—For support of Special Resources Program, Program 30—Sea Grant Program, for grants to public and private higher education for use as a maximum of two-thirds of the local matching share for projects under the National Sea Grant College Program Act, as amended	1,000,000
3110-001-0140—For support of Special Resources Program, Program 30—Sea Grant Program, for a grant to the University of California for support of the Sea Grant Marine Advisory Program, payable from the California Environmental License Plate Fund	102,000
3110-101-0001—For local assistance, Special Resources Program, Program 10—Tahoe Regional Planning Agency.....	2,527,000
3110-101-0140—For local assistance, Special Resources Program, Program 10—Tahoe Regional Planning Agency, payable from the California Environmental License Plate Fund	167,000
3110-101-0516—For local assistance, Special Resources Program, Program 10—Tahoe Regional Planning Agency payable from the Harbors and Watercraft Revolving Fund.....	124,000
Provisions:	
1. Notwithstanding any other provision of law, funds in this item shall be expended to implement motorized watercraft regulations adopted by the Tahoe Regional Planning Agency.	
3125-001-0001—For support of California Tahoe Conservancy.....	3,744,000

Item	Amount
Schedule:	
(a) 10-Tahoe Conservancy.....	4,149,000
(b) Reimbursements.....	-33,000
(bx) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3125-001-0005).	-127,000
(c) Amount payable from Habitat Con- servation Fund (Item 3125-001- 0262).....	-17,000
(d) Amount payable from the Lake Tahoe Conservancy Account (Item 3125-001-0286)	-56,000
(e) Amount payable from the Tahoe Conservancy Fund (Item 3125- 001-0568).....	-172,000
3125-001-0005—For support of California Tahoe Con- servancy, for payment to Item 3125-001-0001, pay- able from the Safe Neighborhood Parks, Clean Wa- ter, Clean Air, and Coastal Protection Bond Fund...	127,000
3125-001-0262—For support of California Tahoe Con- servancy, for payment to Item 3125-001-0001, pay- able from the Habitat Conservation Fund	17,000
3125-001-0286—For support of California Tahoe Con- servancy, for payment to Item 3125-001-0001, pay- able from the Lake Tahoe Conservancy Account	56,000
3125-001-0568—For support of California Tahoe Con- servancy, for payment to Item 3125-001-0001, pay- able from the Tahoe Conservancy Fund.....	172,000
Provisions:	
1. Of this amount, pursuant to Section 66908.3 of the Government Code, the Conservancy shall pay \$40,200 to the County of Placer, and \$2,800 to the County of El Dorado.	
2. Fifty percent (50%) of the amounts pursuant to Provision 1 above shall be used by the Counties of Placer and El Dorado for soil erosion control projects in the Lake Tahoe region, as defined in Section 66905.5 of the Government Code.	
3125-101-0001—For local assistance, California Tahoe Conservancy, Program 10—Tahoe Conservancy, for soil erosion control grants.....	2,000,000
Provisions:	
1. Notwithstanding any other provision of law, this appropriation shall be available for encumbrance until June 30, 2003.	

Item	Amount
3125-101-0140—For local assistance, California Tahoe Conservancy, Program 10—Tahoe Conservancy, for soil erosion control grants, payable from the California Environmental License Plate Fund	1,163,000
Provisions:	
1. Notwithstanding any other provision of law, this appropriation shall be available for encumbrance until June 30, 2003.	
3125-301-0001—For capital outlay, California Tahoe Conservancy	6,085,000
Schedule:	
(1) 50.30.002-Land acquisition and site improvements—public access and recreation pursuant to Title 7.42 (commencing with Section 66905) of the Government Code	3,359,000
(2) 50.30.004-Land acquisition and site improvements—stream environment zones and watershed restorations pursuant to Title 7.42 (commencing with Section 66905) of the Government Code	494,000
(3) 50.30.005-Land acquisition pursuant to Section 66907 of the Government Code	2,476,000
(4) Reimbursements	-244,000
Provisions:	
1. The acquisition of real property or interests with funds appropriated in this item is not subject to the Property Acquisition Law when the value is \$250,000 or less, and, therefore, is not subject to approval by the State Public Works Board.	
2. The amount appropriated in this item is available for expenditure for capital outlay or for local assistance through fiscal year 2002–03. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from review by the State Public Works Board.	
3125-301-0005—For capital outlay, California Tahoe Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	6,354,000

Item	Amount
Schedule:	
(1) 50.30.008-Land acquisition and site improvements—Upper Truckee River Watershed pursuant to Title 7.42 (commencing with Section 66905) of the Government Code ..	6,354,000
Provisions:	
1. The acquisition of real property or interests with funds appropriated in this item is not subject to the Property Acquisition Law when the value is \$250,000 or less, and, therefore, is not subject to approval by the State Public Works Board.	
2. The amount appropriated in this item is available for expenditure for capital outlay or for local assistance. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from review by the State Public Works Board.	
3125-301-0140—For capital outlay, California Tahoe Conservancy, payable from the California Environmental License Plate Fund	3,675,000
Schedule:	
(1) 50.30.003-Acquisition, restoration, and enhancement of habitat	872,000
(2) 50.30.004-Land acquisition and site improvements—stream environment zone and watershed restoration.....	2,803,000
Provisions:	
1. The acquisition of real property or interests with funds appropriated in this item is not subject to the Property Acquisition Law when the value is less than \$250,000 and, therefore, is not subject to Public Works Board approval.	
2. The amount appropriated in this item is available for expenditure for capital outlay or for local assistance through fiscal year 2002–03. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from Public Works Board review.	
3125-301-0262—For capital outlay, California Tahoe Conservancy, payable from the Habitat Conservation Fund	483,000

Item	Amount
Schedule:	
(1) 50.30.003-Acquisition, restoration, and enhancement of habitat.....	483,000
Provisions:	
1. The acquisition of real property or interests with funds appropriated by this item is not subject to the Property Acquisition Law when the value is less than \$250,000 and, therefore, is not subject to Public Works Board approval.	
2. The amount appropriated in this item is available for expenditure for capital outlay or for local assistance through fiscal year 2002-03. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from Public Works Board review.	
3125-301-0286—For capital outlay, California Tahoe Conservancy, payable from the Lake Tahoe Conservancy Account.....	713,000
Schedule:	
(1) 50.30.002-Land acquisition and site improvements—Public access and recreation pursuant to Title 7.42 (commencing with Section 66905) of the Government Code	356,000
(2) 50.30.004-Land acquisition and site improvements—Stream environment zones and watershed restorations pursuant to Title 7.42 (commencing with Section 66905) of the Government Code	357,000
Provisions:	
1. The acquisition of real property or interests with funds appropriated in this item is not subject to the Property Acquisition Law when the value is \$250,000 or less, and, therefore, is not subject to Public Works Board approval.	
2. The amount appropriated in this item is available for expenditure for capital outlay or for local assistance through fiscal year 2002-03. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from Public Works Board review.	

Item	Amount
3340-001-0001—For support of California Conservation Corps	37,071,000
Schedule:	
(a) 10-Training and Work Program.....	44,944,000
(b) 10.55-Administration.....	(8,027,000)
(c) 10.55-Distributed Administration	(-8,027,000)
(cx) Amount payable from the Safe Neighborhood, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3340-001-0005).....	-588,000
(d) Amount payable from the California Environmental License Plate Fund (Item 3340-001-0140).....	-306,000
(e) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3340-001-0235)	-258,000
(f) Amount payable from the Energy Resources Programs Account (Item 3340-001-0465)	-6,225,000
(g) Amount payable from the Federal Trust Fund (Item 3340-001-0890).....	-496,000

Provisions:

1. Notwithstanding Section 14316 of the Public Resources Code, the Department of Finance may make a loan from the General Fund to the California Conservation Corps for the purposes of this item, in the amount of 25 percent of the reimbursements anticipated in the Collins-Dugan Reimbursement Account to be received by the California Conservation Corps from each client agency, not to exceed an aggregate total of \$6,909,000, to meet cash-flow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision shall only be made if the California Conservation Corps has a valid contract or certification signed by the client agency, which demonstrates that sufficient funds will be available to repay the loan. All money so transferred shall be repaid to the General Fund as soon as possible, but not later than one year from the date of the loan. On and after a date 90 days after the end of that year, the Department of Finance shall charge interest to the California Conservation Corps, at

Item	Amount
the rate earned in the Pooled Money Investment Fund, on any portion of the loan that has not been repaid.	
2. Of the funds appropriated in this item, \$2,725,000 shall be available for use by the California Conservation Corps to respond to natural disasters and other emergencies, including the fighting of forest fires. The Director of Finance may adjust this amount to the extent indicated by corrections identified by the director in the reports of the past expenditures of the California Conservation Corps upon which the amounts appropriated by this item are based. The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee at least 30 days prior to making that adjustment.	
3. To the extent that funds in excess of the amount identified in Provision 2 are necessary in order for the California Conservation Corps to respond to one or more emergencies declared by the Governor, the Department of Finance shall transfer, from the funds available pursuant to Section 8690.6 of the Government Code, an amount not to exceed \$1,500,000 as necessary to fund that response. If, after the Department of Finance has transferred funds pursuant to this provision, the California Conservation Corps receives reimbursements or other amounts in payment of its costs of response to one or more declared emergencies, those amounts shall be deposited in the General Fund.	
3340-001-0005—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	588,000
3340-001-0140—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the California Environmental License Plate Fund	306,000
3340-001-0235—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund.....	258,000
3340-001-0465—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Energy Resources Programs Account, General Fund.....	6,225,000

Item	Amount
3340-001-0853—For support of California Conservation Corps, payable from Petroleum Violation Escrow Account	9,737,000
3340-001-0890—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Federal Trust Fund	496,000
3340-101-0005—For local assistance, California Conservation Corps, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	2,412,000
3340-102-0005—For local assistance, California Conservation Corps, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years Schedule:	2,646,000
(a) Grants	2,646,000
(1) Los Angeles Conservation Corps: Good Beginnings Family Opportunity Center	(100,000)
(2) Los Angeles Conservation Corps	(200,000)
(3) Orange County Conservation Corps: Riparian habitat restoration, removal of nonnative plants, and protection of endangered species...	(346,000)
(4) Los Angeles Conservation Corps: Construction and acquisition of youth training center at Baldwin Hills	(2,000,000)
3340-301-0001—For capital outlay, California Conservation Corps.....	1,335,000
Schedule:	
(1) 20.10.145-Camarillo Satellite Relocation/Construction—Preliminary plans.....	526,000

Item	Amount
(3) 20.10.160-Napa Nursery Office/ Classroom Building—Preliminary plans.....	35,000
(4.5) 20.10.120—Elkhorn Slough Fa- cility: Replace Kitchen Facilities— Construction	204,000
(4.6) 20.10.150—Delta Service District Relocation/Construction-Study.....	100,000
(5) 20.10.140-Minor Capital Outlay	470,000
Provisions:	
1. Of the funds appropriated in Schedule (4.6) of this item, \$100,000 shall be used for the Department of General Services to represent the California Conservation Corps in site search/study negotia- tions for the Delta Service District needs with the Multi-Campus Regional Center at the California State University at Stanislaus, Stockton.	
3340-496—Reversion, California Conservation Corps. The unencumbered balance, as of June 30, 2000, of the appropriation provided for in the following cita- tion shall revert to the General Fund:	
0001—General Fund	
(1) Item 3340-301-0001 (1), Budget Act of 1997 (Ch. 282, Stats. 1997).....	87,000
3360-001-0001—For support of Energy Resources Con- servation and Development Commission, for pay- ment to Item 3360-001-0465.....	5,250,000
Provisions:	
1. Of the amount appropriated in this item, \$250,000 shall be used by the Energy Resources Conserva- tion and Development Commission, with assist- ance from relevant state agencies and depart- ments, to conduct a study of biomass for conversion into ethanol, which shall include, but not be limited to, all of the following:	
(a) The economic costs and benefits associated with the development of a biomass-based ethanol production industry in California.	
(b) The impact of consumer fuel costs from an in- state ethanol production industry.	
(c) The impact on consumer fuel costs from im- ports of ethanol from other states.	
(d) The impact on rice straw burning in California.	

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<p>(e) Recommendations on future steps California should consider with regard to renewable fuel production and use in the state.</p>	
<p>3360-001-0044—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Motor Vehicle Account, State Transportation Fund</p>	120,000
<p>3360-001-0314—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Diesel Emission Reduction Fund</p>	417,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure during the 2000–01 and 2001–02 fiscal years. 2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation of encumbrances until June 30, 2006. 3. Notwithstanding any other provision of law, funds appropriated in this item may be used by the Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. When the commission evaluates proposals, a high-point scoring method may be used in lieu of lowest cost. Repayment terms shall be determined by the commission. 	
<p>3360-001-0381—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Public Interest Research, Development and Demonstration Fund</p>	69,491,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure during the 2000–01 and 2001–02 fiscal years. 2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated by this item shall be available for liquidation of encumbrances until June 30, 2006. 3. Notwithstanding any other provision of law, funds appropriated in this item may be used by the Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. When the commission 	

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evaluates proposals, a high-point scoring method may be used in lieu of lowest cost. Repayment terms shall be determined by the commission.	
3360-001-0382—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from Renewable Resource Trust Fund	2,778,000
3360-001-0465—For support of Energy Resources Conservation and Development Commission, payable from the Energy Resources Programs Account	41,173,000
Schedule:	
(a) 10-Regulatory and Planning.....	29,849,000
(b) 20-Energy Resources Conservation.	10,433,000
(c) 30-Development	106,998,000
(d) 40.01-Policy, Management and Administration.....	9,690,000
(e) 40.02-Distributed Policy, Management and Administration	-9,690,000
(f) Reimbursements	-4,486,000
(fx) Amount payable from the General Fund (Item 3360-001-0001).....	-5,250,000
(g) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 3360-001-0044)...	-120,000
(h) Amount payable from the Diesel Emission Reduction Fund (Item 3360-001-0314)	-417,000
(i) Amount payable from the Public Interest Research, Development and Demonstration Fund (Item 3360-001-0381)	-69,491,000
(j) Amount payable from the Renewable Resource Trust Fund (Item 3360-001-0382)	-2,778,000
(k) Amount payable from the Energy Technologies Research Development and Demonstration Account (Item 3360-001-0479)	-724,000
(l) Amount payable from the Local Government Geothermal Resources Revolving Subaccount, GRDA (Item 3360-001-0497).....	-267,000
(m) Amount payable from the Petroleum Violation Escrow Account (Item 3360-001-0853)	-13,394,000

Item	Amount
(n) Amount payable from the Katz Schoolbus Fund (Item 3360-001-0854).....	-223,000
(o) Amount payable from the Federal Trust Fund (Item 3360-001-0890).	-8,957,000
Provisions:	
1. Of the funds appropriated in this item, no more than \$1,000,000 shall be available to the Energy Resources Conservation and Development Commission for grants for solar energy systems pursuant to Section 25619 of the Public Resources Code or for grants for distributed generation systems pursuant to Section 25620.91 of the Public Resources Code.	
3360-001-0479—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Energy Technologies Research, Development and Demonstration Account for the purpose of funding loans, grants and contracts to provide a variety of research projects.....	724,000
Provisions:	
1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure during the 2000–01 and 2001–02 fiscal years.	
2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation of encumbrances until June 30, 2004.	
3. Notwithstanding any other provision of law, funds appropriated in this item may be used by the Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. When the commission evaluates proposals, a high-point scoring method may be used in lieu of lowest cost. Repayment terms shall be determined by the commission.	
3360-001-0497—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Local Government Geothermal Resources Revolving Subaccount, GRDA	267,000
3360-001-0853—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from Petroleum Violation Escrow Account	13,394,000

Item	Amount
Provisions:	
1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure during the 2000–01 and 2001–02 fiscal years.	
2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation of encumbrances until June 30, 2004.	
3. Notwithstanding any other provision of law, funds appropriated in this item may be used by the Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. When the commission evaluates proposals, a high-point scoring method may be used in lieu of lowest cost. Repayment terms shall be determined by the commission.	
4. Of the amount appropriated in this item, \$6,000,000 shall be used to assist public agencies to establish an infrastructure for dispensing low-polluting motor vehicle fuels.	
5. Of the amount appropriated in this item, \$5,000,000 shall be used to provide incentives for the lease or purchase of vehicles that are powered by advanced technologies such as hybrid electric and fuel cell vehicles.	
6. Of the amount appropriated in this item, \$500,000 shall be used for a comprehensive study of the commercial fueling issues associated with hydrogen as a fuel cell vehicle fuel.	
3360-001-0854—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Katz Schoolbus Fund created by Section 17911 of the Education Code	223,000
3360-001-0890—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Federal Trust Fund	8,957,000
3360-101-0001—For local assistance, Energy Resources Conservation and Development Commission	554,000
Provisions:	
1. The funds appropriated in this item are for the following:	
(a) City of Oxnard: Replace air conditioning, heating units at three Housing Authority sites.....	44,000

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<ul style="list-style-type: none"> (b) United Water Conservation District: Replace conventional fleet vehicles with alternative fuel vehicles 	120,000
<ul style="list-style-type: none"> (c) City of Oxnard: Replace 570 incandescent traffic signals with LED lamps 	90,000
<ul style="list-style-type: none"> (d) Ventura County Air Pollution District: Provide incentives for installation of natural gas fueling facilities to participate in the proposed diesel school bus replacement program 	300,000
<p>3360-101-0497—For local assistance, Energy Resources Conservation and Development Commission, pursuant to Section 3822 of the Public Resources Code, payable from the Local Government Geothermal Resources Revolving Subaccount, GRDA.....</p> <p>Schedule:</p> <ul style="list-style-type: none"> (a) 30-Development <p>Provisions:</p> <ul style="list-style-type: none"> 1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure during the 2000–01 and 2001–02 fiscal years. 2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation of encumbrances until June 30, 2004. 	700,000
<p>3360-491—Extension of liquidation period, Energy Resources Conservation and Development Commission. Notwithstanding any other provision of law, funds appropriated in the following citations shall be available for liquidation until June 30, 2002:</p> <p>0465—Energy Resources Programs Account:</p> <ul style="list-style-type: none"> (1) Item 3360-001-0465, Budget Act of 1997 (Ch. 282, Stats. 1997). <p>0853—Petroleum Violation Escrow Account:</p> <ul style="list-style-type: none"> (1) Ch. 980, Stats. 1995: <ul style="list-style-type: none"> (3) The sum of \$500,000 to the City of Chula Vista for hydrogen fuel cell demonstration. (15) The sum of \$400,000 to the Asian Art Museum for HVAC replacement. 	
<p>3360-492—Extension of liquidation period, Energy Resources Conservation and Development Commission. Notwithstanding any other provision of law,</p>	

Item	Amount
<p>funds appropriated in the following citations shall be available for liquidation until June 30, 2003: 0853—Petroleum Violation Escrow Account: (1) Ch. 980, Stats. 1995: (4) The sum of \$100,000 to provide technical assistance for the Farm Energy Loan Program.</p>	
<p>3360-493—Extension of liquidation period, Energy Resources Conservation and Development Commission. Notwithstanding any other provision of law, funds appropriated in the following citations shall be available for liquidation until June 30, 2005: 0381—Public Interest Energy Research Account: (1) Item 3360-001-0381, Budget Act of 1999 (Ch. 50, Stats. 1999).</p>	
<p>3460-001-0001—For support of Colorado River Board of California</p>	223,000
<p>Schedule:</p>	
<p>(a) 10-Protection of California’s Colorado River Rights and Interests</p>	1,121,000
<p>(b) Reimbursements</p>	-880,000
<p>(c) Amount payable from the California Environmental License Plate Fund (Item 3460-001-0140)</p>	-18,000
<p>3460-001-0140—For support of Colorado River Board of California, for payment to Item 3460-001-0001, payable from the California Environmental License Plate Fund.....</p>	18,000
<p>Provisions:</p>	
<p>1. The funds appropriated in this item are for the Salinity Control Forum.</p>	
<p>3480-001-0001—For support of Department of Conservation.....</p>	22,415,000
<p>Schedule:</p>	
<p>(a) 10-Geologic Hazards and Mineral Resources Conservation</p>	27,042,000
<p>(b) 20-Oil, Gas, and Geothermal Resources</p>	12,549,000
<p>(c) 30-Land Resource Protection</p>	3,706,000
<p>(d) 40.01-Administration.....</p>	9,193,000
<p>(e) 40.02-Distributed Administration ...</p>	-9,193,000
<p>(f) 50-Beverage Container Recycling and Litter Reduction Program</p>	29,258,000
<p>(g) Reimbursements</p>	-8,329,000

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(gx) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3480-001-0005).	-502,000
(h) Amount payable from the Surface Mining and Reclamation Account (Item 3480-001-0035)	-2,050,000
(i) Amount payable from the State Highway Account, State Transportation Fund (Item 3480-001-0042).	-12,000
(j) Amount payable from the California Beverage Container Recycling Fund (Item 3480-001-0133).....	-29,183,000
(k) Amount payable from the California Environmental License Plate Fund (Item 3480-001-0140).....	-56,000
(l) Amount payable from the Soil Conservation Fund (Item 3480-001-0141).....	-1,095,000
(m) Amount payable from Hazardous and Idle-Deserted Well Abatement Fund (Section 3206, Public Resources Code)	-80,000
(n) Amount payable from Mine Reclamation Account (Item 3480-001-0336).....	-1,424,000
(o) Amount payable from Seismic Hazards Identification Fund (Item 3480-001-0338)	-1,936,000
(p) Amount payable from the Strong Motion Instrumentation Special Fund (Item 3480-001-0398).....	-3,318,000
(q) Amount payable from the Federal Trust Fund (Item 3480-001-0890).	-1,655,000
(r) Amount payable from the Agriculture and Open Space Mapping Subaccount (Item 3480-001-6004).	-500,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the Department of Conservation may borrow sufficient funds, from special funds that otherwise provide support for the department, to meet cash-flow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the Department of Conservation has a

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- valid contract or certification signed by the client agency, which demonstrates that sufficient funds will be available to repay the loan. All money so transferred shall be repaid to the special fund as soon as possible, but not later than one year from the date of the loan.
2. Of the amount appropriated in this item, \$160,000 shall be available only for expenses directly connected with the convening of a task force by the Department of Conservation to evaluate the Cache Creek Resource Management Plan. Consistent with the provisions of Chapter 869 of the Statutes of 1999, this amount shall not be expended, and the task force shall not be convened, unless and until the State Mining and Geology Board approves the County of Yolo implementing ordinance governing in-channel noncommercial extraction activities.
 3. Of the \$153,000 appropriated in this item for support of the Abandoned Mine Inventory, no funds shall be expended on or after January 1, 2001, unless and until a statute is enacted authorizing the Department of Conservation to remediate, and complete reclamation of, surface mines operated since January 1, 1976, that have been illegally abandoned and that pose a threat to public health and safety or the environment, but for which no reclamation plan is in effect and for which no financial assurances exist.
 4. Of the amount appropriated in Schedule (a) of this item, \$2,661,000 shall be for support of the North Coast Watershed Assessment. These funds may not be expended unless Assembly Bill 717 of the 1999–2000 Regular Session or another statute is enacted, and the Secretary for Resources certifies in writing to the Joint Legislative Budget Committee that the legislation contains, at a minimum, all of the following:
 - (a) Interim prescriptions applicable to commercial timber harvesting and related road building activities that are protective of habitat for coho salmon and steelhead trout listed by the National Marine Fisheries Service pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.).
 - (b) Provisions requiring that any watershed assessment that is prepared by the state or any

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<p>private party to formulate any timber harvesting prescriptions that would be used in lieu of paragraph (a), will include an opportunity for public review and comment, and be conducted using a methodology that does all of the following:</p> <p>(i) Has been subject to public review, and has been peer reviewed and certified as appropriate for use in California by an independent team of qualified and independent scientists.</p> <p>(ii) Includes procedures for identifying limiting factors, including habitat goals and objectives within each watershed.</p> <p>(iii) Will produce recommendations for land use prescriptions and mitigation measures necessary to protect salmonids.</p> <p>(c) Incentives that assist landowners in accomplishing the goals of salmon protection.</p>	
3480-001-0005—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	502,000
3480-001-0035—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Surface Mining and Reclamation Account .	2,050,000
3480-001-0042—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the State Highway Account, State Transportation Fund	12,000
Provisions:	
1. The funds appropriated in this item are for the state's share of costs of the California Institute of Technology seismograph network.	
3480-001-0133—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the California Beverage Container Recycling Fund	29,183,000
3480-001-0140—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the California Environmental License Plate Fund	56,000
3480-001-0141—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Soil Conservation Fund	1,095,000

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3480-001-0336—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Mine Reclamation Account	1,424,000
3480-001-0338—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Seismic Hazards Identification Fund	1,936,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Finance may authorize expenditures from the Seismic Hazard Identification Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his designee, may in each instance determine. When exercising this provision, the department must maintain a minimum 10-percent reserve balance in the Seismic Hazards Identification Fund at all times and not exceed a total program expenditure level of \$2,300,000. This provision may also be used to reduce expenditures below the amount appropriated by this item should revenues be unable to maintain an adequate balance.

3480-001-0398—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Strong Motion Instrumentation Special Fund	3,318,000
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Provisions:

1. Notwithstanding any other provision of law, the Department of Finance may authorize expenditures from the Strong Motion Instrumentation Special Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his designee, may in each instance determine. When exercising this provision, the department must maintain a minimum 10-percent reserve balance in the Strong Motion Instrumentation Special Fund at all times and not exceed a total program expenditure level of \$5,000,000. This provision may also be used to

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<p>reduce expenditures below the amount appropriated by this item should revenues be unable to maintain an adequate balance.</p>	
<p>3480-001-0890—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Federal Trust Fund</p>	1,655,000
<p>3480-001-6004—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Agriculture and Open Space Mapping Sub-account.....</p>	500,000
<p>3480-101-0001—For local assistance, Department of Conservation</p>	3,616,000
<p>Provisions:</p>	
<p>1. (a) Of the funds appropriated in this item, \$1,496,000 shall be used for the California Farmland Conservency Program.</p>	
<p>(b) Notwithstanding any other provision of law, this appropriation shall be available for encumbrance until June 30, 2003.</p>	
<p>(c) Notwithstanding any other provision of law, when the Department of Conservation evaluates proposals, priority shall be given to projects with matching funds.</p>	
<p>2. (a) Of the funds appropriated in this item, \$2,000,000 shall be used for watershed coordinator grants to resource conservation districts. Except as provided in subdivision (c) of this provision and notwithstanding subdivision (a) of Section 2.00 of this act, these funds shall be available for expenditure in both the 2000–01 and 2001–02 fiscal years.</p>	
<p>(b) The Department of Conservation shall develop, adopt, and apply criteria for the evaluation of grant applications and the award of watershed coordinator grants to resource conservation districts. Those criteria shall include, but not be limited to, accountability measures, performance standards, and reporting requirements for grantees.</p>	
<p>(c) None of the funds identified in subdivision (a) of this provision may be encumbered or expended prior to 30 days after the date the Department of Conservation provides written notice to the Chair of the Joint Legislative Budget Committee of the department’s adoption of the criteria described in subdivision (b) of this provision. The notice shall include, but</p>	

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<p>not be limited to, the adopted criteria and a proposed schedule for the awarding of the grants.</p> <p>(d) Priority shall be given to those grant applications that clearly demonstrate a need for a position that will assist in the mission of the resource conservation district. Such positions would include, but not be limited to, watershed coordinators.</p> <p>3. Of the funds appropriated in this item, \$120,000 shall be used for grants to resource conservation districts for the purposes specified in Chapter 994 of the Statutes of 1996 and, notwithstanding any other provision of law, these funds shall be available for encumbrance until June 30, 2003.</p>	
3480-101-0005—For local assistance, Department of Conservation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure in the 2000–01, 2001–02, and 2002–03 fiscal years....	25,000,000
3480-295-0001—For local assistance, Department of Conservation, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	0
Schedule:	
(1) 98.01.113.175-Mineral resources policies (Ch. 1131, Stats. 1975)....	0
Provisions:	
1. Pursuant to Section 17581 of the Government Code, the mandate identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year:	
(a) Mineral resources policies (Ch. 1131, Stats. 1975)	
3540-001-0001—For support of Department of Forestry and Fire Protection	335,288,000
Schedule:	
(a) 100000-Personal services	342,195,000
(b) 300000-Operating expenses and equipment	202,662,000
(c) Reimbursements.....	-119,064,000

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(e) Amount payable from the General Fund (Item 3540-006-0001)....	-55,000,000
(f) Less funding provided by capital outlay	-2,490,000
(fx) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3540-001-0005).	-162,000
(g) Amount payable from the Unified Program Account (Item 3540-001-0028).....	-246,000
(h) Amount payable from the State Fire Marshal Licensing and Certification Fund (Item 3540-001-0102)...	-1,838,000
(i) Amount payable from the California Environmental License Plate Fund (Item 3540-001-0140)	-490,000
(j) Amount payable from the California Fire and Arson Training Fund (Item 3540-001-0198)	-1,422,000
(k) Amount payable from the Hazardous Liquid Pipeline Safety Fund (Item 3540-001-0209)	-2,223,000
(l) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3540-001-0235)	-345,000
(m) Amount payable from the Professional Forester Registration Fund (Item 3540-001-0300)	-172,000
(n) Amount payable from the Federal Trust Fund (Item 3540-001-0890).....	-9,138,000
(o) Amount payable from the Forest Resources Improvement Fund (Item 3540-001-0928).....	-16,953,000
(p) Amount payable from the Timber Tax Fund (Item 3540-001-0965)...	-26,000
Provisions:	
1. Notwithstanding any other provision of law, the Department of Finance may authorize the temporary or permanent redirection of funds from this item for purposes of emergency fire suppression and detection costs and related emergency revegetation costs.	
2. Notwithstanding any other provision of law, the Department of Forestry and Fire Protection is au-	

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thorized to collect up to \$300,000 in reimbursements from nursery sale receipts for State Nursery operations.	
3. Notwithstanding any other provision of law, the Department of Forestry and Fire Protection shall remit as General Fund revenue any nursery sale receipts collected during the period July 1, 2000, to June 30, 2001, inclusive, in excess of the amount needed to reimburse the costs of operating the State Nursery.	
4. Of the funds appropriated in this item, \$220,000 shall be used to reactivate one fire crew at the Delta Conservation Camp to be assigned to conduct fire prevention activities in the Santa Clara Ranger Unit.	
3540-001-0005—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	162,000
3540-001-0028—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Unified Program Account ..	246,000
3540-001-0102—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the State Fire Marshal Licensing and Certification Fund	1,838,000
3540-001-0140—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Environmental License Plate Fund	490,000
3540-001-0198—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Fire and Arson Training Fund.....	1,422,000
3540-001-0209—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Hazardous Liquid Pipeline Safety Fund.....	2,223,000
3540-001-0235—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund.....	345,000
3540-001-0300—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Professional Forester Registration Fund.....	172,000

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3540-001-0890—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Federal Trust Fund	9,138,000
3540-001-0928—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Forest Resources Improvement Fund.....	16,953,000

Provisions:

1. Notwithstanding any other provision of law, \$1,201,000 of the amount appropriated in this item shall be available for forest wildlife habitat assessment, biodiversity, forest and rangeland and research, and forest and range resources assessment programs.
2. Of the amount appropriated in this item, up to \$389,000 shall be used to provide crews from the California Conservation Corps or the Department of Corrections, or both, to the state nurseries if dedicated crews can be made available.
3. Of the amount appropriated in this item, \$1,279,000 shall be for support of the North Coast Watershed Assessment. These funds may not be expended unless Assembly Bill 717 of the 1999–2000 Regular Session or another statute is enacted, and the Secretary for Resources certifies in writing to the Joint Legislative Budget Committee that the legislation contains, at a minimum, all of the following:
 - (a) Interim prescriptions applicable to commercial timber harvesting and related road building activities that are protective of habitat for coho salmon and steelhead trout listed by the National Marine Fisheries Service pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.).
 - (b) Provisions requiring that any watershed assessment that is prepared by the state or any private party to formulate any timber harvesting prescriptions that would be used in lieu of paragraph (a), will include an opportunity for public review and comment, and be conducted using a methodology that does all of the following:
 - (i) Has been subject to public review, and has been peer reviewed and certified as appropriate for use in California by an indepen-

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dent team of qualified and independent scientists.	
(ii) Includes procedures for identifying limiting factors, including habitat goals and objectives within each watershed.	
(iii) Will produce recommendations for land use prescriptions and mitigation measures necessary to protect salmonids.	
(c) Incentives that assist landowners in accomplishing the goals of salmon protection.	
3540-001-0965—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Timber Tax Fund.....	26,000
3540-003-0001—For support of Department of Forestry and Fire Protection, for lease-revenue bonds	1,099,000
Schedule:	
(a) Base rental and fees	1,093,000
(b) Insurance	6,000
3540-006-0001—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001.....	55,000,000
Provisions:	
1. The funds appropriated in this item shall be available for emergency fire suppression and detection costs and related emergency revegetation costs and may be used for these purposes to reimburse the main support appropriation (Item 3540-001-0001) only upon approval by the Department of Finance.	
2. The Director of Forestry and Fire Protection shall furnish quarterly reports on expenditures for emergency fire suppression activities to the Director of Finance, as well as to the chairperson of the committee of each house of the Legislature that considers appropriations and to the Chairperson of the Joint Legislative Budget Committee.	
3540-011-0928—For transfer by the Controller from the Forest Resources Improvement Fund to the General Fund, no more than the amount of nursery sale receipts collected during the period July 1, 2000, through June 30, 2001, for the actual costs of State Nursery operations.....	(300,000)
3540-101-0005—For local assistance, Department of Forestry and Fire Protection, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	1,255,000

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3540-101-0928—For local assistance, Department of Forestry and Fire Protection, payable from the Forest Resources Improvement Fund	2,000,000
Provisions:	
1. Funds appropriated in this item are available for the “Trees for the Millennium” matching grant program for urban tree planting and maintenance projects. Funds made available through this program shall be matched by recipients at a minimum dollar-for-dollar from nonstate sources. Funding may be used for grants to local agencies and private nonprofit entities or as a direct state expenditure, provided that the nonstate match requirement is met.	
2. No funds appropriated in this item shall be used for the department’s administrative costs.	
3540-102-0005—For local assistance, Department of Forestry and Fire Protection, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years	9,308,000
Schedule:	
(a) Grants	9,308,000
(1) City and County of San Francisco: Tree Corps for planting and maintaining trees in San Francisco..... (500,000)	
(2) City and County of San Francisco: Friends of the Urban Forest	
	(500,000)
(3) City of Milpitas: Neighborhood and Streetscape beautification	
	(1,250,000)
(4) City of Los Angeles: Greening along Burbank-Chandler Bikeway, including trees, landscaping, irrigation, and fencing	
	(2,000,000)

Item	Amount
(5) Sacramento County: Mather Urban Forest Tree Planting Project....	(150,000)
(6) Los Angeles County: Fox Field Urban Forestry Project.....	(150,000)
(7) City of Palmdale: Urban Forestry Tree Planting Project.....	(200,000)
(8) City of Victorville: Urban Forestry Planting Project....	(200,000)
(9) City of San Jose: Urban Forestry Planting Project....	(200,000)
(10) City and County of San Francisco: Friends of the Ur- ban Forest for tree planting.....	(500,000)
(11) City of Willows: Tree planting	(25,000)
(12) City of Tehachapi: Tree planting	(300,000)
(13) City of Calexico: Tree planting	(750,000)
(14) County of Stanis- laus: Tree planting.	(887,000)
(15) County of Or- ange: Tree plant- ing.....	(1,000,000)
(16) Merced County: O'Bannion Park in Dos Palos.....	(696,000)
3540-301-0001—For capital outlay, Department of For- estry and Fire Protection.....	20,044,000
Schedule:	
(.5) 30.10.005-Alma Helitack Base— Acquisition	900,000
(5) 30.10.110-Elk Camp Forest Fire Station: Relocate Facility— Preliminary plans.....	77,000

Item	Amount
(7) 30.10.125-Mendocino Ranger Unit Headquarters: Replace Automotive Shop—Construction	1,149,000
(10) 30.20.030-Harts Mill Forest Fire Station: Relocate Facility—Working drawings.....	70,000
(14) 30.20.065-Lassen Lodge Forest Fire Station—Acquisition.....	280,000
(15) 30.20.090-Alder Conservation Camp: Replace Water and Waste-water Systems, Construct Access Road—Working drawings and construction	1,096,000
(16) 30.20.110-Butte Fire Center: Replace Messhall—Working drawings and construction	1,315,000
(17) 30.20.130-Buckhorn Forest Fire Station: Replace Apparatus Building—Acquisition.....	200,000
(19) 30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Working drawings.	614,000
(25) 30.30.135-Paso Robles Air Attack Base: Replace Facility—Construction	2,706,000
(26) 30.30.140-Chino Hills Forest Fire Station: Replace Facility—Working drawings and construction.....	1,202,000
(29) 30.30.155-Campo Forest Fire Station: Replace Facility—Working drawings and construction.....	1,819,000
(30) 30.30.175-Owens Valley Conservation Camp: Construct Facility Upgrades—Preliminary plans and working drawings	264,000
(36) 30.40.090-Antelope Forest Fire Station: Replace Barracks/Messhall—Working drawings and construction	977,000
(37) 30.40.100-Blasingame Forest Fire Station: Replace Facility—Preliminary plans and working drawings.....	150,000

Item	Amount
(38) 30.40.105-Vallecito Conservation Camp: Replace Utilities/Construct Apparatus Building—Working drawings and construction	1,640,000
(39) 30.40.110-Hollister Air Attack Base: Relocate Facility—Preliminary plans and working drawings.....	700,000
(47) 30.40.155-Sierra-South Region Headquarters Facility—Study	75,000
(48) 30.40.180-Squaw Valley Forest Fire Station: Replace Facility—Preliminary plans and working drawings.....	261,000
(49) 30.40.195-Altaville Forest Fire Station: Replace Facility—Preliminary plans and working drawings.....	311,000
(50) 30.80-Minor Capitol Outlay.....	4,238,000
Provisions:	
1. The funds appropriated by Schedules (15) and (50) of this item include funding for construction and preconstruction activities, including, but not limited to, study, environmental documents, preliminary plans, working drawings, equipment, and other costs relating to the design and construction of facilities, to be performed by Department of Forestry and Fire Protection personnel in completion of the projects.	
3540-302-0001—For capital outlay, Department of Forestry and Fire Protection.....	500,000
Schedule:	
(1) 30.10.005-Alma Helitack Base—Land purchase	500,000
3540-490—Reappropriation—Department of Forestry and Fire Protection. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for the appropriations: 0001—General Fund	
(1) Item 3540-301-0001, Budget Act of 1998 (Ch. 324, Stats. 1998), as reappropriated by Item 3540-490, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(20) 30.30.060-Hemet Ryan Air Attack Base: Replace Facility—Working drawings	

Item	Amount
(27) 30.40.020-Batterson Forest Fire Station: Relocate Facility—Working drawings	
(2) Item 3540-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(2) 30.10.030-Bridgeville Forest Fire Station: Relocate Facility—Working drawings	
(4) 30.10.055-Ukiah Air Attack Base: Replace Facility—Working drawings	
(27) 30.30.120-Fenner Canyon Conservation Camp: Construct Vehicle Apparatus, Re- place Office—Working drawings	
(42) 30.40.120-Dew Drop Forest Fire Station: Replace Facility—Working drawings	
(50) 30.80-Minor Capital Outlay, provided that the amount of this reappropriation shall not exceed \$615,000.	
3540-491—Reappropriation, Department of Forestry and Fire Protection. Notwithstanding any other provision of law, the appropriation provided for in the follow- ing citation is reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in that appropriation, and shall be avail- able for expenditure until June 30, 2001: 0001—General Fund	
(1) Item 3540-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
Provisions:	
1. Notwithstanding any other provision of law, \$250,000 is reappropriated for the Computer Aided Dispatch (CAD) system.	
3540-495—Reversion, Department of Forestry and Fire Protection. The unencumbered balances as of June 30, 2000, of the appropriations provided in the fol- lowing citations shall revert to the General Fund.	
(1) Item 3540-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
3540-496—Reversion, Department of Forestry and Fire Protection. The unencumbered balances as of June 30, 2000, of the appropriations provided for in the following citations shall revert to the General Fund: 0001—General Fund	
(1) Item 3540-301-0001(1), Budget Act of 1996, as reappropriated by Item 3540-490(1), Budget Act of 1999 (Ch. 50, Stats. 1999).....	482,000

Item	Amount
(2) Item 3540-301-0001(1), Budget Act of 1998, as reappropriated by Item 3540-490(1), Budget Act of 1999 (Ch. 50, Stats. 1999).....	218,000
3560-001-0001—For support of State Lands Commission.....	11,667,000
Schedule:	
(a) 10-Mineral Resources Management	7,079,000
(b) 20-Land Management.....	8,161,000
(c) 30.01-Executive and Administration.....	2,831,000
(d) 30.02-Distributed Administration ...	-2,831,000
(e) 40-Marine Facilities Management.....	6,341,000
(f) Reimbursements	-3,119,000
(g) Amount payable from the Exotic Species Control Fund (Item 3560-001-0212).....	-901,000
(h) Amount payable from the Oil Spill Prevention and Administration Fund (Item 3560-001-0320).....	-5,894,000
Provisions:	
1. Notwithstanding subdivision (d) of Section 4 of Chapter 138 of the Statutes of 1964, 1st Extraordinary Session, all commission costs for administering Long Beach Tidelands, exclusive of any Attorney General charges, shall be included in revenues deposited into the General Fund pursuant to paragraph (1) of subdivision (a) of Section 6217 of the Public Resources Code.	
2. All costs incurred to manage state school lands shall be deducted from the revenues produced by those lands and deposited into the General Fund pursuant to Section 24412 of the Education Code.	
3560-001-0212—For support of State Lands Commission, for payment to Item 3560-001-0001, payable from the Exotic Species Control Fund.....	901,000
3560-001-0320—For support of State Lands Commission, for payment to Item 3560-001-0001, payable from the Oil Spill Prevention and Administration Fund	5,894,000
Provisions:	
1. Funds appropriated in this item shall not be expended to monitor or inspect marine bunkering operations from barges or any marine lightering operations.	

Item	Amount
3600-001-0001—For support of Department of Fish and Game, for payment to Item 3600-001-0200	88,670,000

Provisions:

1. Of the amount appropriated in this item for the program described in the Department of Fish and Game’s Coastal Salmon and Steelhead Restoration budget change proposal, \$1,000,000 shall be available for expenditure only if the state receives federal funding, not appropriated in the Budget Act of 1999 (Ch. 50, Stats. 1999) or this act, for the Pacific Coastal Salmon Recovery Program. The \$1,000,000 and, notwithstanding Section 28 of this act, any federal funds received, shall not be expended unless and until (1) a statute is enacted authorizing and defining the program and specifying the use of the federal funds, and (2) the department has provided the Chair of the Joint Legislative Budget Committee and the chairs of the fiscal committees of each house with a workload and staffing estimate for administering the program. This restriction shall apply regardless of the state agency, department, or other entity designated to receive the federal funds.
2. Of the amount appropriated in this item, \$1,998,000 shall be for support of the North Coast Watershed Assessment. These funds may not be expended unless Assembly Bill 717 of the 1999–2000 Regular Session or another statute is enacted, and the Secretary for Resources certifies in writing to the Joint Legislative Budget Committee that the legislation contains, at a minimum, all of the following:
 - (a) Interim prescriptions applicable to commercial timber harvesting and related road building activities that are protective of habitat for coho salmon and steelhead trout listed by the National Marine Fisheries Service pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.).
 - (b) Provisions requiring that any watershed assessment that is prepared by the state or any private party to formulate any timber harvesting prescriptions that would be used in lieu of paragraph (a), will include an opportunity for public review and comment, and be con-

Item	Amount
<ul style="list-style-type: none"> ducted using a methodology that does all the following: <ul style="list-style-type: none"> (i) Has been subject to public review, and has been peer reviewed and certified as appropriate for use in California by an independent team of qualified and independent scientists. (ii) Includes procedures for identifying limiting factors, including habitat goals and objectives within each watershed. (iii) Will produce recommendations for land use prescriptions and mitigation measures necessary to protect salmonids. (c) Incentives that assist landowners in accomplishing the goals of salmon protection. 	
3. Of the amount appropriated in this item, \$350,000 shall be for the Department of Fish and Game's Marine Wildlife Veterinary Care and Research Center.	
3600-001-0005—For support of the Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund....	854,000
3600-001-0140—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the California Environmental License Plate Fund	15,320,000
3600-001-0200—For support of Department of Fish and Game payable from the Fish and Game Preservation Fund	79,911,000
Schedule:	
(a) 20-Biodiversity Conservation Program.....	117,144,000
(b) 25-Hunting, Fishing & Public Use.	44,471,000
(c) 30-Management of Department Lands and Facilities	39,513,000
(d) 40-Conservation Education & Enforcement	66,081,000
(e) 50-Spill Prevention and Response ..	23,480,000
(f) 70.01-Administration	34,644,000
(g) 70.02-Distributed Administration ...-	34,644,000
(h) Reimbursements.....-	22,945,000
(i) Amount payable from the General Fund (Item 3600-001-0001).....-	88,670,000

Item	Amount
(ix) Amount payable from Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3600-001-0005).....	-854,000
(j) Amount payable from the California Environmental License Plate Fund (Item 3600-001-0140)	-15,320,000
(k) Amount payable from the Fish and Wildlife Pollution Account (Item 3600-001-0207)	-2,035,000
(l) Amount payable from the California Waterfowl Habitat Preservation Account, Fish and Game Preservation Fund (Item 3600-001-0211)...	-211,000
(m) Amount payable from the Exotic Species Control Fund (Item 3600-001-0212)	-909,000
(n) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3600-001-0235)	-5,097,000
(o) Amount payable from the Oil Spill Prevention and Administration Fund (Item 3600-001-0320).....	-15,446,000
(p) Amount payable from the Environmental Enhancement Fund (Item 3600-001-0322)	-106,000
(q) Amount payable from the Salmon and Steelhead Trout Restoration Account (Item 3600-001-0384).....	-8,000,000
(r) Amount payable from the Central Valley Project Improvement Sub-account (Item 3600-001-0404).....	-8,205,000
(s) Amount payable from the Marine Life and Marine Reserve Management Account (Item 3600-001-0647).....	-2,200,000
(t) Amount payable from the Federal Trust Fund (Item 3600-001-0890).....	-32,781,000
(u) Amount payable from the Renewable Resources Investment Fund (Item 3600-001-0940)	-274,000
(v) Amount payable from the Coastal Watershed Salmon Habitat Sub-account (Item 3600-001-6018).....	-7,725,000

Item	Amount
Provisions:	
1. The funds appropriated in this item may be increased with the approval of, and under the conditions set by, the Department of Finance to meet current obligations proposed to be funded in Schedules (h) and (t). The funds appropriated by this item shall not be increased until the Department of Fish and Game has a valid contract, signed by the client agency, that provides sufficient funds to finance the increased authorization. This increased authorization may not be used to expand services or create new obligations. Reimbursements received under Schedules (h) and (t) shall be used in repayment of any funds used to meet current obligations pursuant to this provision.	
2. Of the funds appropriated by Schedule (h), \$1,500,000 shall be available in accordance with Chapter 851 of the Statutes of 1991.	
3. Of the funds appropriated in this item, \$203,000 is for reimbursement to the State Department of Health Services for shellfish monitoring activities.	
3600-001-0207—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Fish and Wildlife Pollution Account	2,035,000
3600-001-0211—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the California Waterfowl Habitat Preservation Account, Fish and Preservation Fund	211,000
3600-001-0212—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Exotic Species Control Fund.....	909,000
3600-001-0235—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund	5,097,000
3600-001-0320—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Oil Spill Prevention and Administration Fund	15,446,000
3600-001-0322—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Environmental Enhancement Fund	106,000

Item	Amount
3600-001-0384—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Salmon and Steelhead Trout Restoration Account	8,000,000
3600-001-0404—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Central Valley Project Improvement Sub-account	8,205,000
3600-001-0647—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Marine Life and Marine Reserve Management Account	2,200,000
3600-001-0890—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Federal Trust Fund	32,781,000
3600-001-0940—For support of Department of Fish and Game, for payment to Item 3600-001-0200, payable from the Renewable Resources Investment Fund....	274,000
3600-001-6018—For support of Department of Fish and Game, for payment to Item 3600-001-0200 payable from the Coastal Watershed Salmon Habitat Subaccount.....	7,725,000
3600-002-0001—For support of Department of Fish and Game	5,005,000
Schedule:	
(1) 30.01-American with Disabilities Act Projects	2,556,000
(2) 30.02-Deferred Maintenance Projects	2,449,000
Provisions:	
1. The funds appropriated in this item shall be available for encumbrance through the 2001–02 fiscal year.	
3600-011-0001—For support of Department of Fish and Game (reimbursement of free fishing licenses), for transfer to the Fish and Game Preservation Fund....	17,000
3600-101-0001—For local assistance, Department of Fish and Game	14,431,000
Schedule:	
(a) Biodiversity Conservation Program.	12,981,000
(b) Grants.....	1,450,000
(1) County of Orange: East Bluff Slopes Stabilization	(350,000)
(2) Aquarium of the Pacific: Education Exhibits.....	(500,000)

Item

Amount

- (3) Wetlands and Wildlife Care Center of Orange County: Improvements to Animal Hospital..... (600,000)

Provisions:

- 1. No funds may be expended pursuant to this item for the Natural Community Conservation Program, unless the funds are allocated to an approved natural community conservation plan in Orange County or San Diego County, or unless a statute is enacted that establishes scientific and procedural standards for natural community conservation plans.

3600-101-0005—For local assistance, Department of Fish and Game, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years 6,150,000

Schedule:

- (a) Grants 6,150,000
 - (1) City of San Diego: San Diego river restoration—remove exotic species..... (2,000,000)
 - (2) Sacramento County: Renovation project of the American River Parkway (150,000)
 - (3) City of Oceanside: Buena Vista Lagoon Ecological Reserve—Access to important environmental resources, boardwalk construction..... (2,000,000)
 - (4) San Diego County: Buena Vista Lagoon..... (2,000,000)

Item	Amount
3600-101-0207—For local assistance, Department of Fish and Game, Program 50-Spill Prevention and Response, payable from the Fish and Wildlife Pollution Account.....	33,000
3600-101-0320—For local assistance, Department of Fish and Game, Program 50-Spill Prevention and Response, payable from the Oil Spill Prevention and Administration Fund.....	900,000
3600-301-0001—For capital outlay, Department of Fish and Game.....	377,000
Schedule:	
(1) 90.00.001-Schaeffer Fish Barrier Reconstruction—Working drawings.....	66,000
(2) 90.00.002-Mt. Whitney Fish Hatchery Structural Retrofit—Preliminary plans and working drawings.....	311,000
Provisions:	
1. The funds appropriated in Schedule (1) of this item are subject to the oversight of the State Public Works Board and shall not be expended until preliminary plans are approved.	
2. The funds appropriated in Schedules (1) and (2) of this item constitute a General Fund loan to be repaid by the Department of Fish and Game from the Fish and Game Preservation Fund as funding becomes available. This loan shall be repaid without interest pursuant to subdivision (e) of Section 16314 of the Government Code provided the loan is for a period of less than one year. The loan shall be repaid with interest pursuant to subdivision (b) of Section 16314 of the Government Code in the event the loan period exceeds one year.	
3600-301-0005—For capital outlay, Department of Fish and Game, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	605,000
Schedule:	
(1) 90.07.100-Minor Projects.....	605,000
3600-301-0200—For capital outlay, Department of Fish and Game, payable from the Fish and Game Preservation Fund.....	0
Schedule:	
(1) 90.07.100-Minor Projects.....	667,000
(2) Reimbursements-Minor Projects....	-667,000

Item	Amount
Provisions:	
1. Of the amount appropriated in Schedule (1) of this item, \$667,000 shall be used for purposes consistent with the requirements of the Unallocated Account (Cigarette and Tobacco Products Surtax Fund) and the Habitat Conservation Fund.	
2. Of the funds appropriated in Schedule (1) of this item, \$667,000 shall be available in accordance with Chapter 851 of the Statutes of 1991.	
3600-301-0207—For capital outlay, Department of Fish and Game, payable from the Fish and Wildlife Pollution Account	40,000
Schedule:	
(1) 90.07.100-Minor Projects	40,000
3600-301-0890—For capital outlay, Department of Fish and Game, payable from the Federal Trust Fund	93,000
Schedule:	
(1) 90.07.100-Minor Projects	93,000
3600-490—Reappropriation, Department of Fish and Game. Notwithstanding any other provision of law, the balance of the amount appropriated in the following citation is hereby reappropriated to the Department of Fish and Game for the purposes and subject to the limitations, unless otherwise specified, provided for in that appropriation:	
0890—Federal Trust Fund	
(a) Item 3600-301-0890, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(1) 90.07.100-Minor Projects	
(b) Item 3600-301-0890, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(2) Reimbursements-Minor Projects	
3600-491—Reappropriation, Department of Fish and Game. The balance of the appropriation provided in Item 3600-001-0321 of Section 2.00 of the Budget Act of 1996 (Ch. 162, Stats. 1996) is reappropriated for the purpose of constructing Oiled Wildlife Care Network projects in Santa Cruz, Santa Barbara, and San Luis Obispo. The amount of this reappropriation shall not exceed \$420,000.	
3640-001-0001—For support of the Wildlife Conservation Board, payable to Item 3640-001-0447.....	273,000
3640-001-0005—For support of Wildlife Conservation Board, payable to Item 3640-001-0447, from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	420,000

Item	Amount
3640-001-0140—For support of Wildlife Conservation Board, payable to Item 3640-001-0447, from the California Environmental License Plate Fund	240,000
3640-001-0262—For support of Wildlife Conservation Board, payable to Item 3640-001-0447, from the Habitat Conservation Fund.....	328,000
Provisions:	
1. The amount appropriated in this item shall be available to the Wildlife Conservation Board for administrative costs associated with the California Wildlife Protection Act of 1990, and the requirements of the Habitat Conservation Fund.	
3640-001-0447—For support of Wildlife Conservation Board, payable from the Wildlife Restoration Fund. Schedule:	769,000
(a) 10-Wildlife Conservation Board.....	2,030,000
(b) Amount payable from the General Fund (3640-001-0001)	-273,000
(bx) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3640-001-0005).	-420,000
(c) Amount payable from the California Environmental License Plate Fund (Item 3640-001-0140)	-240,000
(d) Amount payable from the Habitat Conservation Fund (Item 3640-001-0262).....	-328,000
Provisions:	
1. (a) Funds appropriated in Items 3640-301-0001, 3640-301-0005, 3640-301-0262, 3640-301-0447, 3640-301-6015, 3640-302-0001, 3640-302-0005, 3640-311-0383, and 3640-312-0001 of this act shall not be used for the board’s support costs to administer these appropriations.	
(b) Of the remaining items appropriated to the board for capital outlay or local assistance programs that are not listed in paragraph (a), the board may allocate an amount not to exceed 1.5 percent of those appropriations to provide for the board’s support costs to administer those appropriations.	
3640-301-0001—For capital outlay, Wildlife Conservation Board	60,000,000

Item		Amount
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Schedule:

- (1) 80.10.055-Natural Communities Conservation Planning Program.... 5,000,000
- (2) 80.10.500-Wetlands Restoration and Acquisition..... 55,000,000

Provisions:

1. The funds appropriated in this item are provided in accordance with the Wildlife Conservation Law of 1947 and, therefore, are not subject to review by the State Public Works Board.
2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance through fiscal year 2002–03.
3. Of the amount appropriated in this item, \$30,000,000 is available for the acquisition of sensitive habitat related to the University of California Merced Grasslands Projects.
4. No funds may be expended pursuant to Schedule (1) of this item for the Natural Community Conservation Program, unless the funds are allocated to approved natural community conservation plans in Orange and San Diego Counties, or unless a statute is enacted that establishes scientific and procedural standards for natural community conservation plans.

3640-301-0005—For capital outlay, Wildlife Conservation Board, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund 216,125,000

Schedule:

- (a) 80.10.600.000-Wildlife Conservation Board Projects 7,250,000
 - (1) French Valley Acquisition 6,000,000
 - (2) Cosumnes River Corridor 500,000
 - (3) Lassen Foothills/Gray Davis Dye Creek Preserve 750,000
- (b) 80.10.610.000-Wildlife Conservation Board Projects (unscheduled) 208,875,000

Provisions:

1. The funds appropriated in this item are provided in accordance with the Wildlife Conservation

Item	Amount
<p>Law of 1947 and, therefore, are not subject to review by the State Public Works Board.</p> <p>2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance through fiscal year 2002–03.</p>	
<p>3640-301-0262—For capital outlay, Wildlife Conservation Board, payable from the Habitat Conservation Fund</p>	20,672,000
<p>Schedule:</p> <p>(1) 80.10.000-Wildlife Conservation Board Projects (Unscheduled)</p>	20,005,000
<p>(2) 80.10.101-Department of Fish and Game-Wetlands.....</p>	667,000
<p>Provisions:</p> <p>1. The funds appropriated in this item, except for funds for the purposes described in Provision 3 of this item, are provided in accordance with the Wildlife Conservation Law of 1947 and, therefore, shall not be subject to Public Works Board review.</p> <p>2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance through fiscal year 2002–03.</p> <p>3. Of the amount appropriated in this item, \$667,000 shall be available to the Department of Fish and Game for minor capital outlay projects, in accordance with Chapter 851, Statutes of 1991.</p>	
<p>3640-301-0447—For capital outlay, Wildlife Conservation Board, payable from the Wildlife Restoration Fund, in lieu of the appropriation made by the Wildlife Conservation Law of 1947.....</p>	100,000
<p>Schedule:</p> <p>(1) 80.10.010-Minor Projects</p>	100,000
<p>Provisions:</p> <p>1. The funds appropriated in this item are provided in accordance with the provisions of the Wildlife Conservation Law of 1947 and, therefore, shall not be subject to Public Works Board review.</p> <p>2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance.</p>	
<p>3640-301-6015—For capital outlay, Wildlife Conservation Board, payable from the River Protection Sub-account.....</p>	14,000,000

Item	Amount
Schedule:	
(a) 80.10.700.000-River Protection Project.....	24,000,000
(1) San Dieguito River Corridor	11,000,000
(2) Cosumnes River Corridor	3,000,000
(3) San Joaquin River Conservancy.....	10,000,000
(b) Reimbursements-San Joaquin River Conservancy	-10,000,000
Provisions:	
1. The funds appropriated in this item are provided in accordance with the Wildlife Conservation Law of 1947 and, therefor, are not subject to review by the State Public Works Board.	
2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance through fiscal year 2002-03.	
3. The amount appropriated in Schedule (b) of this item shall consist of reimbursements from the Department of Water Resources and shall be made available to the San Joaquin River Conservancy.	
3640-302-0001—For capital outlay, Wildlife Conservation Board	54,000,000
Schedule:	
(1) 80.10.060.000-Acquisition and restoration for habitat or open space .	54,000,000
Provisions:	
1. The funds appropriated in this item are provided in accordance with the Wildlife Conservation Law of 1947 and, therefore, are not subject to review by the State Public Works Board.	
2. The funds appropriated in this item are available for expenditure for capital outlay or local assistance through fiscal year 2002-03.	
3. The funds appropriated in this item are available for the purchase of parks and open-space preserves and purchase or restoration of fish and wildlife habitat through the Land Conservation Matching Grants Program. Funding provided through this program requires a minimum dollar-for-dollar match from nonstate sources. Expenditures may be made as grants to governmental	

Item	Amount
agencies and private entities or as direct state expenditures, provided that the nonstate sources match requirement is met.	
3640-302-0005—For capital outlay, Wildlife Conservation Board, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	14,562,000
Schedule:	
(1) 80.10.603.000-San Joaquin River Conservancy—Project and acquisition	14,562,000
Provisions:	
1. The funds appropriated in this item are provided in accordance with the Wildlife Conservation Law of 1947 and, therefore, are not subject to review by the State Public Works Board.	
2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance through fiscal year 2002–03.	
3. The funds appropriated in this item shall be allocated to the San Joaquin River Parkway Conservancy for purposes consistent with the Conservancy’s mission.	
3640-303-0001—For capital outlay, Wildlife Conservation Board	2,600,000
Schedule:	
(a) 80.10.600—Wildlife Conservation Board Projects	2,600,000
(1) City of Laguna Niguel	(600,000)
(2) City of Sacramento: Acquisition of the Sacramento Prairie Vernal Pool Preserve	(400,000)
(3) Puente Hills land-fill: Native habitat preservation	(1,000,000)
(4) Wildlife Treatment Center	(600,000)
Provisions:	
1. The funds appropriated in this item are provided in accordance with the Wildlife Conservation	

Item	Amount
Law of 1947 and, therefore, are not subject to review by the State Public Works Board.	
2. The funds appropriated in this item are available for expenditure for capital outlay or local assistance through fiscal year 2002–03.	
3640-304-0005—For capital outlay, Wildlife Conservation Board, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	130,152,000
Schedule:	
(a) 80.10.600.000-Wildlife Conservation Board Projects.....	130,152,000
(1) Threatened or Endangered Species.....	(82,500,000)
(2) Central Valley Joint Venture: Inland Wetlands Conservation Program.....	(2,000,000)
(3) Inyo County: Riparian habitat conservation program at the Pleasant Valley	(187,000)
(4) Inyo County: Riparian habitat conservation program for Diaz Lake	(205,000)
(5) City of Santa Barbara: Arroyo Burro Las Positas restoration-Restoration, bike trail, bank stabilization.....	(333,000)
(6) Wildlife Conservation Board: Glenwood property, Santa Cruz County	(10,000,000)
(7) Quail Ridge Wilderness Conservancy: Grant to buy open space in Napa-Sonoma.....	(200,000)

Item	Amount
(8) East Bay Regional Park District: So- brante Ridge Wildlife Corridor, Oakland.....	(2,100,000)
(9) Wildlife Conserva- tion Board: Palo- mar Mountain Connection Habi- tat Conservation Project.....	(2,000,000)
(10) Wildlife Conser- vation Board: Triple Creeks Cor- ridor Habitat Con- servation Proj- ect.....	(1,000,000)
(11) Wildlife Conser- vation Board: Kern County HCP for the Leopard Bluntnosed Liz- ard.....	(2,000,000)
(12) Santa Monica Mountains Con- servancy: Acquire lands, watershed, habitat for endan- gered species	(10,000,000)
(13) Los Angeles County: Big Tu- junga Wash Natu- ral Area endan- gered species habitat	(5,000,000)
(14) City of Altadena: Purchase 11 acres of undeveloped wildlife habitat and white alder wood- land in Lower Millard Canyon	(500,000)

Item	Amount
(15) Wildlife Conservation Board: Whitethorn Grove acquisition.....	(700,000)
(16) Sacramento Valley Open Space Conservancy: Purchase and preserve vernal pool plant and animal species in south Sacramento .	(400,000)
(17) City of Glendale: Acquisition of 200 acres of open space in San Rafael Hills and 200 acres of open space in Verdugo Mountains for habitat and recreation.....	(1,000,000)
(18) Wildlife Conservation Board: Funding for acquisition of 100 acres of severely degraded wetlands in the City of Seal Beach	(3,000,000)
(19) Wildlife Conservation Board: Acquisition of conservation easements on Joughin Ranch near Lake Isabella	(600,000)
(20) Wildlife Conservation Board: Acquisition of conservation easements on Thomasson Ranch north of Chico on Tehama and Butte County line.....	(2,000,000)

Item	Amount
(21) Wildlife Conservation Board: Acquisition of conservation easements on the Bonnheim Ranch on the Central Coast near Paso Robles	(2,000,000)
(22) Wildlife Conservation Board: Acquisition of conservation easements on the Payne Ranch in the Coast Range of Colusa County	(300,000)
(23) Wildlife Conservation Board: Acquisition of conservation easements to the Hidden Valley Ranch in Monterey and Fresno Counties	(1,100,000)
(24) El Dorado County: Hickman Ranch land acquisition	(1,000,000)
(25) City of Poway: Blue Sky Ecological Preserve	(27,000)

Provisions:

1. The funds appropriated in this item are provided in accordance with the Wildlife Conservation Law of 1947 and, therefore, are not subject to review by the State Public Works Board.
2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance through the 2002–03 fiscal year.

Item	Amount
3640-311-0383—For transfer by the Controller from the Natural Resources Infrastructure Fund to the Habitat Conservation Fund.....	(8,838,000)
Provisions:	
1. The funds transferred by this item shall be used for purposes consistent with the requirements of the Habitat Conservation Fund.	
2. The amounts transferred by this item may be adjusted to reflect the requirements of Section 2796(a) of the Fish and Game Code.	
3640-312-0001—For transfer by the Controller to the Habitat Conservation Fund (0262).....	11,260,000
3680-001-0516—For support of Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund	14,945,000
Schedule:	
(a) 10-Boating Facilities.....	12,116,000
(b) 20-Boating Operations.....	5,718,000
(c) 30-Beach Erosion Control.....	264,000
(d) 40.01-Administration.....	2,009,000
(e) 40.02-Distributed Administration ...	-2,009,000
(f) Amount payable from the Federal Trust Fund (Item 3680-001-0890).	-3,153,000
Provisions:	
1. Notwithstanding Section 85.2 of the Harbors and Navigation Code, \$264,000 of the funds appropriated in this item shall be expended for support of the Department of Boating and Waterways beach erosion control program.	
2. Of the amount appropriated in this item, \$2,755,000 shall be available for expenditure for the Egeria densa Aquatic Weed Management Program, subject to the approval of the Environmental Impact Reports for various Egeria densa control methods.	
3680-001-0890—For support of Department of Boating and Waterways, for payment to Item 3680-001-0516, payable from the Federal Trust Fund.....	3,153,000
3680-101-0001—For transfer by the Controller from the General Fund to the Public Beach Restoration Fund	10,000,000
Provisions:	
1. Notwithstanding any other provision of law, of the funds appropriated in this item, \$1,000,000 shall be allocated for the Great Highway in the	

Item	Amount
city and county of San Francisco. The remainder of the funds shall be expended for priorities of the Department of Boating and Waterways.	
3680-101-0516—For local assistance, Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund.....	51,821,000
Schedule:	
(a) 10-Boating Facilities.....	45,274,000
(1) Launching Facility Grants	(13,835,000)
(A) Lake Amador	(190,000)
(B) Benicia	(407,000)
(C) Berkeley Marina ...	(290,000)
(D) Black Butte, Buckhorn.....	(150,000)
(E) Black Butte, Eagle Pass.....	(91,000)
(F) Buena Vista Recreation Area	(1,037,000)
(G) Bullards Bar Dark Day	(536,000)
(H) Clearlake Oaks.....	(150,000)
(I) Camanche Reservoir	(860,000)
(J) Diamond Valley Lake	(2,500,000)
(K) Floating Restrooms	(500,000)
(L) Ice House	(41,000)
(M) Lake Kaweah.....	(200,000)
(N) Little Grass Valley.	(355,000)
(O) Loon Lake	(130,000)
(P) Miller Park	(100,000)
(Q) Mission Bay.....	(3,044,000)
(R) Pier 54.....	(1,023,000)
(S) Ramp Repairs/Extensions	(500,000)
(T) Redbud Park	(480,000)
(U) Signs	(50,000)
(V) Lake Success	(706,000)
(W) Tahoe Vista.....	(255,000)
(X) Trinity Lake.....	(120,000)
(Y) Union Valley.....	(20,000)
(Z) Vessel Pumpout.....	(100,000)
(2) Clean Vessel Act Grant Program....	(1,253,000)
(3) Boating Trails	(300,000)

Item	Amount
(4) Public Small Craft Harbor Loans.....	(24,886,000)
(A) Cabrillo Marina.....	(6,000,000)
(B) Diamond Valley Lake	(4,470,000)
(C) Channel Islands..	(3,300,000)
(D) Emergency Loans..	(500,000)
(E) Long Beach-Downtown	(5,816,000)
(F) Planning Loans	(200,000)
(G) Richmond	(1,600,000)
(H) South Beach Harbor.....	(3,000,000)
(5) Private Loans	(5,000,000)
(b) 20-Boating Operations.....	9,375,000
(c) Amount payable from the Abandoned Watercraft Abatement Fund (Item 3680-101-0577).....	-400,000
(d) Amount payable from the Federal Trust Fund (Item 3680-101-0890)..	-2,428,000
Provisions:	
1. Of the funds appropriated in Schedule (b), \$8,100,000 is for boating safety and enforcement programs pursuant to Section 663.7 of the Harbors and Navigation Code.	
2. Of the funds appropriated for the Clean Vessel Act Grant Program in Schedule (a), the Department of Boating and Waterways may transfer funds between the construction and education programs.	
3680-101-0577—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Abandoned Watercraft Abatement Fund	400,000
3680-101-0890—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Federal Trust Fund.....	2,428,000
Provisions:	
1. Of the amount appropriated in this item, \$875,000 shall be for grants to local governments for boating safety and law enforcement, 15 percent of which shall be allocated according to the department’s discretion, and 85 percent of which shall be allocated by the department in accordance with the following priorities:	
First—To local governments that are eligible for state aid because they are spending all their local boating revenue on boating enforcement and	

Item	Amount
<p>safety, but are not receiving sufficient state funds to meet their calculated need as defined in Section 663.7 of the Harbors and Navigation Code.</p> <p>Second—To local governments that are not spending all local boating revenue on boating enforcement and safety, and whose boating revenue does not equal their calculated need. Local assistance shall not exceed the difference between the calculated need and local boating revenue.</p> <p>Third—To local governments whose boating revenue exceeds their need, but who are not spending sufficient local revenue to meet their calculated need.</p> <p>2. Of the amount appropriated in this item, \$1,253,000 shall be available to fund construction and educational programs consistent with the Clean Vessel Act Grant Program.</p>	
3680-101-3001—For local assistance, Department of Boating and Waterways, Program 30-Beach Erosion Control, payable from the Public Beach Restoration Fund	10,000,000
3680-102-0001—For local assistance, Department of Boating and Waterways	580,000
Schedule:	
(1) Grants.....	580,000
(a) Physical oceanic real time system: grant program through Marine Exchange of San Francisco.....	(230,000)
(b) City of Huntington Beach: Reconstruction of Warner Dock.....	(350,000)
3680-301-0516—For capital outlay, Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund	9,307,000
Schedule:	
(1) 50.04.020-Lake Oroville SRA, Spillway: Boat Launching Facility—Construction	2,354,000

Item	Amount
(2) 50.10.010-Millerton Lake SRA, Crows Nest Area: Boat Launching Facility—Construction	1,395,000
(3) 50.19.012-Castaic Lake SRA, Paradise Cove Area: Boat Instruction and Safety Center—Working drawings.....	132,000
(4) 50.24.030-San Luis Reservoir-O’Neill Forebay (Phase 1) (Medeiros Area): Boat Launching Facility—Construction	1,227,000
(5) 50.34.030—Lake Natoma, Nimbus Flat: Boating Instruction and Safety Center—Construction	2,444,000
(6) 50.99.010-Project Planning.....	125,000
(7) 50.99.020-Minor Projects	1,630,000

Provisions:

1. Funds appropriated in Schedule (6) are available for allocation by the Department of Finance to be used to develop design information or cost information for new construction projects for which funds have not been appropriated previously, but which are anticipated to be included in the Governor’s Budget for the 2001–02 or 2002–03 fiscal year.

3680-491—Reappropriation, Department of Boating and Waterways. Notwithstanding any other provision of law, the appropriation provided for in the following citation is reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in that appropriation, and shall be available for expenditure until June 30, 20001:

0516—Harbors and Watercraft Revolving Fund

- (1) Item 3680-101-0516, Budget Act of 1997 (Ch. 282, Stats. 1997)

Provisions:

1. Notwithstanding any other provision of law, \$960,000 is reappropriated for a small craft harbor loan for the County of Santa Cruz.

3680-495—Reversion, Department of Boating and Waterways. The unliquidated balance, as of June 30, 2000, of the appropriations provided in the following

Item	Amount
citation shall revert to the fund balance of the fund from which the appropriation was made:	
0235—Public Resources Account, Cigarette and Tobacco Products Surtax Fund.	
(1) Item 3680-101-235, Budget Act of 1990, for beach erosion control projects funded through a cooperative work agreement.	
(2) Item 3680-101-235(b), Budget Act of 1989, for a Santa Cruz, West Cliff Drive beach erosion control project funded through a cooperative work agreement.	
3720-001-0001—For support of California Coastal Commission.....	11,517,000
Schedule:	
(a) 10-Coastal Management Program...	14,307,000
(b) 20-Coastal Energy Program.....	605,000
(c) 30.01-Administration.....	2,034,000
(d) 30.02-Distributed Administration ...	-1,569,000
(e) Reimbursements.....	-465,000
(f) Amount payable from California Beach and Coastal Enhancement Account (Item 3720-001-0371).....	-372,000
(g) Amount payable from the Federal Trust Fund (Item 3720-001-0890).	-3,023,000
3720-001-0371—For support of California Coastal Commission, for payment to Item 3720-001-0001, payable from the California Beach and Coastal Enhancement Account, California Environmental License Plate Fund.....	372,000
3720-001-0890—For support of California Coastal Commission, for payment to Item 3720-001-0001, payable from the Federal Trust Fund.....	3,023,000
3720-101-0001—For local assistance, California Coastal Commission.....	1,210,000
Schedule:	
(a) 10-Coastal Management Program...	500,000
(b) Grants.....	710,000
(1) City of San Diego:	
Windan'sea Erosion Control Maintenance Plan.....	
	(150,000)

Item	Amount
<ul style="list-style-type: none"> (2) Coastal Conservancy: Coastal Acquisition—Wetlands (160,000) (3) City of Huntington Beach: Beach Maintenance Facility (400,000) 	
3720-101-0371—For local assistance, California Coastal Commission, payable from California Beach and Coastal Enhancement Account, California Environmental License Plate Fund.....	359,000
Schedule:	
(a) 10-Coastal Management Program... 359,000	359,000
3720-295-0001—For local assistance, California Coastal Commission, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	0
Schedule:	
(1) 98.01.133.076-Local coastal plans (Ch. 1330, Stats. 1976)	0
Provisions:	
1. Pursuant to Section 17581 of the Government Code, the mandate identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision is specifically identified by the Legislature for suspension during the 2000–01 fiscal year:	
(a) Local coastal plans (Ch. 1330, Stats. 1976)	
3760-001-0001—For support of State Coastal Conservancy, for payment to Item 3760-001-0565	2,306,000
3760-001-0565—For support of State Coastal Conservancy, payable from the State Coastal Conservancy Fund	2,802,000
Schedule:	
(a) 15—Coastal Resource Development.....	3,299,000
(b) 25—Coastal Resource Enhancement.....	2,047,000

Item	Amount
(c) 90.01—Administration and Support	1,979,000
(d) 90.02—Distributed Administration.....	-1,979,000
(e) Reimbursements	-103,000
(f) Amount payable from the General Fund (Item 3760-001-0001).....	-2,306,000
(g) Amount payable from California Wildlife, Coastal, and Park Land Conservation Fund of 1988 (Item 3760-001-0786)	-27,000
(h) Amount payable from the Federal Trust Fund (Item 3760-001-0890).....	-108,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the State Coastal Conservancy may borrow sufficient funds from the State Coastal Conservancy Fund to meet cash-flow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the State Coastal Conservancy has a valid contract or certification signed by the agency providing the reimbursements, which demonstrates that sufficient funds will be available to repay the loan. All money so transferred shall be repaid to the State Coastal Conservancy Fund as soon as possible, but not later than one year from the date of the loan.
2. Funds appropriated in Items 3760-301-0001, 3760-301-0005, 3760-301-0262, 3760-301-0565, 3760-301-0593, 3760-301-0748, 3760-301-0890, and 3760-301-6015 in this act may not be used for the Conservancy's support costs to administer these appropriations.

Of the remaining items appropriated to the Conservancy for capital outlay or local assistance programs not set forth in this provision, the Conservancy may allocate an amount not to exceed 1.5 percent of those appropriations to provide for the Conservancy's support costs to administer those appropriations.

Item	Amount
3760-001-0786—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the California Wildlife, Coastal and Park Land Conservation Fund of 1988.....	27,000
3760-001-0890—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the Federal Trust Fund	108,000
3760-301-0001—For capital outlay, State Coastal Conservancy.....	48,655,000

Schedule:

- | | |
|---|------------|
| (1) 80.00.020-Public Access..... | 1,500,000 |
| (2) 80.00.021-Southern California Wetlands Recovery Program | 4,675,000 |
| (3) 80.00.022-Wetlands Restoration and Acquisition..... | 32,000,000 |
| (4) 80.00.094-Hamilton Airfield Wetlands Restoration | 13,480,000 |
| (5) 80.97.030-Conservancy Programs .. | 950,000 |
| (6) Reimbursements..... | -950,000 |
| (7) Reimbursements Bel Marin Keys Wetlands Restoration..... | -3,000,000 |

Provisions:

1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition which provides for either of the following:
 - (a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - (b) A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.
2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.
3. Of the funds appropriated in Schedule (3), \$4,000,000 is available for implementation of the wetland enhancement plan at Elkhorn Slough.

Item	Amount
<p>The balance of \$4,000,000 is available to implement the Carmel River Enhancement Plan.</p> <p>4. Of the funds appropriated in Schedule (3) of this item, \$11,000,000 is available for the purchase or restoration of Los Cerritos wetlands. Funding provided for this project requires a minimum dollar-for-dollar match from nonstate sources. Expenditures may be made as grants to nonstate entities or as direct state expenditures, provided that the non-state match requirement is met.</p> <p>5. Of the funds appropriated in Schedule (3) of this item, \$10,000,000 is available for the purchase or restoration of Bel Marin Keys wetlands. Funding provided for this project requires a minimum dollar-for-dollar match from nonstate sources. Expenditures may be made as grants to nonstate entities or as direct state expenditures, provided that the nonstate match requirement is met.</p>	
<p>3760-301-0005—For capital outlay, State Coastal Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund</p>	60,500,000
Schedule:	
(1) 80.00.023-San Francisco Bay Area Conservancy Program	15,000,000
(2) 80.00.024-Salmon Habitat Restoration Program.....	7,500,000
(3) 80.00.026-Santa Monica Bay Restoration Program.....	5,000,000
(4) 80.93.015-Coastal Resource Development	26,000,000
(5) 80.93.025-Coastal Resource Enhancement	10,000,000
(6) Reimbursements.....	-3,000,000
Provisions:	
1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for either of the following:	
(a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.	
(b) A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the	

Item

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lease terms are approved by the Director of General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.

- 2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.
- 3. The funds appropriated in this item shall be expended no sooner than 20 days following the receipt by the Legislature of a report identifying the criteria, priorities, and process by which the Salmon Habitat Restoration Program will allocate the funds provided for in this item.

3760-301-0262—For capital outlay, State Coastal Conservancy, payable from the Habitat Conservation Fund

4,000,000

Schedule:

- (1) 80.93.025-Coastal Resource Enhancement
- (2) Reimbursements.....

4,500,000

–500,000

Provisions:

- 1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for either of the following:
 - a. A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - b. A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.
- 2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance without regard to fiscal year.

3760-301-0565—For capital outlay, State Coastal Conservancy, payable from the State Coastal Conservancy Fund (Violation Remediation Account).....

200,000

Item	Amount
Schedule:	
(1) 80.00.020-Public Access.....	200,000
Provisions:	
1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition which provides for either of the following:	
(a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.	
(b) A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.	
2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.	
3. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the State Coastal Conservancy may borrow sufficient funds from the State Coastal Conservancy Fund to meet cash-flow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the State Coastal Conservancy has a valid contract or certification signed by the agency providing the reimbursements, which demonstrates that sufficient funds will be available to repay the loan. All money so transferred shall be repaid to the State Coastal Conservancy Fund as soon as possible, but not later than one year from the date of the loan.	
3760-301-0593—For capital outlay, State Coastal Conservancy, payable from the Coastal Access Account, State Coastal Conservancy Fund	900,000
Schedule:	
(1) 80.00.020-Public Access.....	900,000
Provisions:	
1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization	

Item

Amount

or local government for property acquisition which provides for either of the following:

- (a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
- (b) A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.

2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.

3760-301-0748—For capital outlay, State Coastal Conservancy, payable from the Fish and Wildlife Habitat Enhancement Fund

2,000,000

Schedule:

(1) 80.00.021-Southern California Wetlands Recovery Program 2,000,000

Provisions:

- 1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for either of the following:
 - (a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the Public Works Board.
 - (b) A state leasehold acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except as specified in paragraph (a), the expenditure of funds for grants to public agencies and nonprofit organizations is exempt from the review of the Public Works Board.
- 2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.

Item	Amount
3760-301-0890—For capital outlay, State Coastal Conservancy, payable from the Federal Trust Fund.....	2,000,000
Schedule:	
(1) 80.97.030-Conservancy Programs ..	2,000,000
Provisions:	
1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for either of the following:	
(a) A reversionary interest to the state, unless the grant contract specified that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the Public Works Board.	
(b) A state leasehold acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except as specified in paragraph (a), the expenditure of funds for grants to public agencies and nonprofit organizations is exempt from the review of the Public Works Board.	
2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.	
3760-301-6015—For capital outlay, State Coastal Conservancy, payable from the River Protection Subaccount.....	21,500,000
Schedule:	
(a) Otay River Valley Regional Park ...	10,000,000
(b) Santa Clara River Parkway.....	9,200,000
(c) Tijuana River Parkway	2,300,000
Provisions:	
1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for either of the following:	
(a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.	
(b) A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of	

Item	Amount
<p>General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.</p> <p>2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.</p>	
<p>3760-302-0001—For capital outlay, State Coastal Conservancy</p>	4,640,000
<p>Schedule:</p> <p>(a) 80.97.030 Conservancy Programs ..</p>	4,640,000
<p>(1) City of San Jose: Coyote-Alamitos Trail</p>	(400,000)
<p>(2) Watts/Willowbrook Boys and Girls Club: Complete construction of club.....</p>	(500,000)
<p>(3) City of Imperial Beach: Repay loan from State Coastal Conservancy for wetlands purchase.</p>	(140,000)
<p>(4) Rural/Coastal: Grants to rural, coastal communities to assist in their efforts to identify sources of river and stream sewage effluent, and to develop plans for the remediation of contamination problems ..</p>	(1,500,000)
<p>(5) Santa Barbara County Project Clean Water: Install and retrofit existing infrastructure with pollutant traps in storm</p>	

Item

Amount

drains, bioswales,
 detention basins,
 vegetative filters,
 and biologically
 based infrastruc-
 ture(2,100,000)

Provisions:

1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for either of the following:
 - (a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - (b) A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.
2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through fiscal year 2002–03.

3760-302-0005—For capital outlay, State Coastal Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund 154,882,000

Schedule:

- (1) 80.00.023-San Francisco Bay Area Conservancy Program 6,160,000
 - (A) San Francisco Bay Conservancy for Marin Open Space District: Bolinas Lagoon Restoration Project (2,000,000)
 - (B) San Francisco Bay Joint Venture: Bay Point restoration project (160,000)

Item	Amount
(C) San Francisco Bay Joint Venture: Martinez Regional Shoreline-marsh restoration.....	(2,000,000)
(D) San Francisco Bay Joint Venture: Lower Walnut Creek restoration- Walnut Creek ...	(1,000,000)
(E) San Francisco Bay Joint Venture: Big Break Regional Shoreline-Oak- ley.....	(1,000,000)
(2) 80.97.030-Conservancy Programs...	148,722,000
(A) City of Monterey for Window on the Bay	(1,000,000)
(B) Ballona Wet- lands.....	(25,000,000)
(C) State Coastal Con- servancy: Acquisi- tion of Lechuza Beach-A high pri- ority for SCC....	(5,000,000)
(D) City of Mountain View: Stevens Creek Trail.....	(550,000)
(E) City of San Jose: Coyote-Alamitos Trail-Planning, de- sign, and environ- mental documenta- tion	(400,000)
(F) Midpeninsula Open Space District: To fund improve- ments to selected trail easements.....	(450,000)
(G) Richardson Bay: Audubon Center- Trail Restoration...	(95,000)

Item	Amount
(H) State Coastal Conservancy: Preservation of open space and park lands in the Bay Area	(12,000,000)
(I) Bay Area Ridge Trail: Bay Area Ridge Trail Council-14 trail-related projects in seven Bay Area counties	(3,480,000)
(J) Programmatic funding of Habitat Projects in the Bay Area: Competitive Grant program for partnership habitat projects in the San Francisco Bay Region.....	(7,500,000)
(K) Muir Heritage Land Trust: Acquire land to link the Carquinez Strait Regional Shoreline Park to Briones Regional Park and the East Bay Municipal Utility District watershed lands.....	(1,500,000)
(L) East Bay Regional Park District: Development of a rustic group camp and trail access for the Round Valley Regional Preserve.....	(130,000)

Item	Amount
(M) East Bay Regional Park District: De- velop a trail con- nection for the Delta de Anza Regional Trail ..	(1,820,000)
(N) East Bay Regional Park District: West Contra Costa Shoreline Trail- Completion of a major section of the San Francisco Bay Trail in West Contra Costa County connecting communities of Richmond, Pinole, Hercules, and Ro- deo	(2,000,000)
(O) East Bay Regional Park District: Briones/Las Tram- pas Trail Corridor- To complete sce- nic trails and wildlife corridors on Lafayette and Burton Ridges...	(1,000,000)
(P) Muir Heritage Trust: Pacheco Marsh, 140 acres (Carquinez Straits), Burton Ridge 27 acres, Lafayette, Gustin 80 acres/Franklin Ridge in Martinez.	(750,000)
(Q) State Coastal Con- servancy: Eco- nomic and envi- ronmental studies of the removal of Rindge Dam on Malibu Creek	(359,000)

Item	Amount
(R) State Coastal Conservancy: Acquisition of Lost Coast Ranch, Henry Barri Trust property and the US Naval Facility located between the Eel and Matole Rivers on the Humboldt County coast.....	(2,000,000)
(S) State Coastal Conservancy: Acquire, restore, and improve scenic habitat and recreational lands along the Mendocino Coast.....	(8,000,000)
(T) Manila Community Services District: Manila Dunes public access and trail	(250,000)
(U) State Coastal Conservancy: Gaviota Coast property and conservation easement acquisition.....	(5,000,000)
(V) Santa Barbara County: Bridle Ridge-conservation easement	(3,000,000)
(W) City of Santa Barbara: Arroyo Burro Estuary restoration-Includes property acquisition, revegetation and restoration	(683,000)
(X) Santa Barbara County: J.J. Hollister Property acquisition of watershed.....	(4,000,000)

Item	Amount
(Y) Santa Barbara County: Elwood Bluffs-Acquisi- tion.....	(5,000,000)
(Z) State Coastal Con- servancy: Tai property, Santa Cruz County-To be cost shared ..	(7,500,000)
(AX) State Coastal Conservancy: Ed- wards property- Santa Cruz County	(3,000,000)
(BX) State Coastal Conservancy: Hat- ton Canyon-Pur- chase from CAL- TRANS	(2,500,000)
(CX) State Coastal Conservancy: Martin Dunes- Monterey County	(250,000)
(DX) City of Nipomo: Guadalupe Nipomo Dunes Preserve.....	(10,000,000)
(EX) Cambria Com- munity Services District: East-West Ranch acquisi- tion.....	(3,500,000)
(FX) County of San Luis Obispo: Pres- ervation of the Monterey Pine Forest in Cambria.....	(3,000,000)
(GX) Solano County: Lynch Canyon ..	(240,000)
(HX) City of San Jose Parks and Recre- ation: Guadalupe River Trail	(1,760,000)

Item	Amount
(IX) Bay Area Ridge Trail Council: Lynch Canyon Resource Management Plan Grant	(240,000)
(JX) Port of San Diego, National City, City of Chula Vista: Sweetwater River Wetland Restoration-removal of riprap and reestablishment of wetland habitat	(5,000,000)
(KX) City of Seal Beach: Sand replenishment at Surfside-Sunset .	(3,700,000)
(LX) City of Huntington Beach: Reconstruct trails and facilities damaged by bluff top erosion	(2,000,000)
(MX) State Coastal Conservancy: Vista Ridge, Virgin Grove, and Vista Ridge Grove acquisition (3V's) ...	(1,250,000)
(NX) City of Fullerton: Laguna Lake Park habitat and fish restoration project	(2,000,000)
(OX) County of Orange: Upper Newport Bay Ecological Reserve-Fish Habitat Protection	(350,000)

Item	Amount
(PX) City of Dana Point: Marine Life Protection Demonstration Project to preserve the Orange County Tidepools	(300,000)
(QX) State Coastal Conservancy: Coastal acquisition-wetlands	(160,000)
(RX) Cachuma RCD and Santa Ynes RCD and SB County Water Agency: Salmonid Habitat Improvement	(750,000)
(SX) Ventura and Casitas Muni Water District: Salmonid fish ladder and fish screen	(750,000)
(TX) Association of Bay Area Governments: San Francisco Bay rail Project.....	(7,500,000)
(UX) Save Mt. Diablo: Clayton Ranch acquisition	(250,000)
(VX) East Bay Regional Park District: Purchase of a conservation easement for Save Mount Diablo	(250,000)
(WX) East Bay Regional Park District: Black Diamond-Historic Mine development. Continue the Development of	

Item

Amount

- this 1880's coal
 and sand mine for
 public tours and
 access..... (500,000)
- (XX) East Bay Re-
 gional Park Dis-
 trict: Tilden:
 merry-go-round
 renovations-Re-
 painting and re-
 newal of this rec-
 ognized historic
 asset..... (200,000)
- (YX) East Bay Re-
 gional Park Dis-
 trict: Temescal-
 Renovation of the
 interior of this his-
 toric building.
 EBRPD is renovat-
 ing the exterior and
 seismically retro-
 fitting the structure
 in anticipation of
 continued public
 use (275,000)
- (ZX) East Bay Re-
 gional Park Dis-
 trict: Black Dia-
 mond-Rose Hill
 Cemetery rehabili-
 tation. Protection
 and preservation of
 this historic cem-
 etery..... (30,000)
- (AY) East Bay Re-
 gional Park Dis-
 trict: Ferry Point-
 Renovation of the
 remaining 620 feet
 of this historic pier
 for public use,
 fishing access, and
 historic interpreta-
 tion (500,000)

Item		Amount
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Provisions:

1. The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for either of the following:
 - (a) A reversionary interest to the state, unless the grant contract specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - (b) A state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy, unless the lease terms are approved by the Director of General Services. Except to the extent above, the expenditures of funds for grants to public agencies and nonprofit organizations shall be exempt from State Public Works Board review.
2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through the 2002–03 fiscal year.

3760-495—Reversion, State Coastal Conservancy. The unencumbered balances as of June 30, 2000, of the appropriation provided for in the following citation shall revert to the Renewable Resources Investment Fund:

0940-Renewable Resources Investment Fund

(1) Item 3760-301-0940 Budget Act of 1999 (Ch. 50, Stats. 1999)		475,000
3780-001-0001—For support of Native American Heritage Commission, Program 10		393,000
3790-001-0001—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392	145,589,000	
3790-001-0005—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund		29,236,000
3790-001-0140—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the California Environmental License Plate Fund		112,000
3790-001-0235—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund		12,735,000

Item	Amount
3790-001-0263—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the Off-Highway Vehicle Trust Fund	15,724,000
3790-001-0392—For support of Department of Parks and Recreation, payable from the State Parks and Recreation Fund	57,192,000
Schedule:	
(a) For support of the Department of Parks and Recreation	277,845,000
(b) Reimbursements	-11,958,000
(c) Less funding provided by capital outlay	-1,494,000
(d) Amount payable from the General Fund (Item 3790-001-0001)	-145,589,000
(dx) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3790-001-0005)	-29,236,000
(e) Amount payable from the California Environmental License Plate Fund (Item 3790-001-0140)	-112,000
(f) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3790-001-0235)	-12,735,000
(g) Amount payable from the Off-Highway Vehicle Trust Fund (Item 3790-001-0263)	-15,724,000
(h) Amount payable from the Winter Recreation Fund (Item 3790-001-0449)	-238,000
(i) Amount payable from the Harbors and Watercraft Revolving Fund (Item 3790-001-0516)	-630,000
(j) Amount payable from the State Urban and Coastal Park Fund (Item 3790-001-0742)	0
(k) Amount payable from the Recreational Trails Fund (Item 3790-001-0858)	-7,000
(l) Amount payable from the Federal Trust Fund (Item 3790-001-0890)	-2,930,000
Provisions:	
1. Of the funds appropriated by this act from the General Fund and special funds, other than the	

Item

Amount

- Off-Highway Vehicle Trust Fund and bond funds, to the Department of Parks and Recreation for local assistance grants to local agencies, the department may allocate an amount not to exceed 1.5 percent of each project's allocation to provide for the department's costs to administer these grants.
2. It is the intent of the Legislature that salaries, wages, operating expenses, and positions associated with implementing specific Department of Parks and Recreation capital outlay projects continue to be funded through capital outlay appropriations, and that these funds and related position authority should also be reflected in the department's state operations budget in the Governor's Budget and Budget Bill with an offsetting payable from the capital outlay appropriations.
 3. Of the funds appropriated in Schedule (a) of this item, \$100,000 shall be available for staffing and restoring the Point Cabrillo Lighthouse. Of the funds appropriated in Schedule (d) of this item, \$337,000 shall be available for staffing and restoring the Point Cabrillo Lighthouse. None of these funds may be expended until the lighthouse is transferred to the Department of Parks and Recreation from the State Coastal Conservancy, in accordance with a written agreement to be developed and accepted by the two agencies.
 4. In evaluating proposals of bidders seeking to provide food and beverage concession services at the Old Town San Diego State Historic Park, the Department of Parks and Recreation shall consider and give considerable weight to the degree of risk of labor strife that might jeopardize the state's financial interest in revenues from the facility, and the plans of proposed concessionaire to eliminate that risk. The department shall make an effort to select bidders that present the least labor-dispute-related financial risk to the state, unless doing so would result in the selection of a bidder whose bid is so significantly inferior to other bids received by the department as to be unfair to the state.
 5. Of the funds appropriated in Schedule (dx) of this item, \$400,000 shall be used for the following projects:

Item	Amount
(a) \$250,000 for oversight and maintenance of the California State Mining and Mineral Museum Association in Mariposa.	
(b) \$150,000 for portable bathroom facilities and staffing at Caspar State Beach.	
3790-001-0449—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the Winter Recreation Fund	238,000
3790-001-0516—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the Harbors and Watercraft Revolving Fund	630,000
3790-001-0742—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the State Urban and Coastal Park Fund	0
3790-001-0858—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the Recreational Trails Fund	7,000
3790-001-0890—For support of Department of Parks and Recreation, for payment to Item 3790-001-0392, payable from the Federal Trust Fund.....	2,930,000
3790-011-0062—For transfer by the Controller to the State Parks and Recreation Fund, as prescribed by Subdivision (a) of Section 2107.7 of the Streets and Highways Code, for expenditure by the Department of Parks and Recreation for maintenance and repair of highways in units of the State Park System, payable from the Highway Users Tax Account, Transportation Tax Fund	(3,400,000)
3790-012-0061—For transfer by the Controller from the Motor Vehicle Fuel Account, Transportation Tax Fund to the State Parks and Recreation Fund	(11,649,000)
Provisions:	
1. Notwithstanding any other provision of law, of the amount that would have transferred to the Harbors and Watercraft Revolving Fund from the Motor Vehicle Fuel Account, Transportation Tax Fund, the amount of this item shall be available for transfer from the Motor Vehicle Fuel Account, Transportation Tax Fund to the State Parks and Recreation Fund.	
3790-101-0001—For local assistance, Department of Parks and Recreation, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years	111,687,094
Schedule:	
(a) Grants.....	111,687,094

Item	Amount
(1) City of Whittier: The Greenway Trail	(2,000,000)
(2) City of Poway: Parking improve- ments for access to Blue Sky Ecologi- cal Preserve.....	(27,000)
(3) City of San Luis Obispo: Bob Jones bike trail	(600,000)
(4) Rio Caledonia Adobe	(500,000)
(5) City of Atascadero: Youth Center	(500,000)
(6) City of Mountain View: Stevens Creek Trail	(550,000)
(7) City of Albany: Eastshore State Park acquisition funds.....	(637,000)
(8) East Bay Regional Park District: East- shore State Park planning	(200,000)
(9) City of Huntington Beach: Replace beach rail at Hun- tington Beach State Park.....	(300,000)
(10) City of Pico Riv- era: Summer Youth Employment and Training Program..	(40,000)
(11) City of Whittier: Parnell Park resto- ration	(250,000)
(12) City of Whittier: Friends Park wad- ing pool	(30,000)
(13) City of Los Ange- les: David Gonzal- es Park and Recre- ation Center.....	(40,000)

Item	Amount
(14) Turlock Community Auditorium: Turlock Auditorium.....	(250,000)
(15) City of Los Banos: Los Banos (PAL) Youth Center	(250,000)
(16) City of Modesto: Virginia Corridor Project.....	(186,000)
(17) City of Winton: Bob Anderson Field of Dreams ...	(110,000)
(18) Anaheim YMCA: After school programs.....	(200,000)
(19) "Taller San Jose" nonprofit: At-risk youth program.....	(100,000)
(20) Boys and Girls Club: Playground equipment	(100,000)
(21) City of Santa Ana: Batting cage at Madison Park	(50,000)
(22) City of Anaheim: Batting cage at Boysen Park.....	(50,000)
(23) City of Anaheim: Playground equipment replacement at Pearson Park.....	(125,000)
(24) T.H.I.N.K. Together: After school learning center for at risk youths	(100,000)
(25) Garden Grove: Renovation and ADA compliance at West Haven, Woodbury, and Pioneer parks.....	(90,000)

Item	Amount
(26) City of Santa Ana: Citizens in Action: Community Tech- nology Center-1st phase.....	(50,000)
(27) City of Lemoore: Construct outdoor public skate park ..	(40,000)
(28) Wasco Recreation and Parks District: Playground reno- vation for three parks	(40,000)
(29) Kings Rehabilita- tion Center: Soccer sports complex	(40,000)
(30) City of Avenal: Sports complex lighting.....	(50,000)
(31) Bakersfield PAL: Construct multi- use playing field...	(50,000)
(32) City of Arvin: De- velop soccer field- Smothermon Park.	(50,000)
(33) West side parks and recreation: Renovate skate es- cape and fitness center	(80,000)
(34) Kettleman City: Kettleman City Community Center	(85,000)
(35) Coalinga-Huron Parks and Recre- ation District: Joint use sports complex	(250,000)
(36) Kings County Sheriffs: Van for Avenal Boxing Club.....	(12,000)
(37) City of Avenal: Bathrooms/ pavilion for Avenal Museum	(25,000)

Item	Amount
(38) City of Downey: Starting blocks for Downey pool to expand the number of children served.	(25,000)
(39) Los Angeles County: Tujunga urban river resto- ration.....	(5,000,000)
(40) City of Santa Paula: Harding Park-lighting and bleachers	(100,000)
(41) City of Carpinte- ria: Build ball- fields.....	(250,000)
(42) City of Ventura: East Ventura Park .	(250,000)
(43) Boys and Girls Club of Ventura: Sports equipment, band instruments ..	(20,000)
(44) City of West Hol- lywood: Veterans' Park	(200,000)
(45) Tarzana Commu- nity Center Foun- dation: Tarzana Community Center	(250,000)
(46) City of Long Beach: Rancho Los Alamitos His- torical Park.....	(150,000)
(47) City of Hermosa Beach: Renovate community center.	(250,000)
(48) City of Manhattan Beach: New play- ground equipment to replace old-Pol- liwog Regional Park	(300,000)
(49) Marjaree Mason Center: General re- pairs and mainte- nance	(250,000)

Item

Amount

- (50) City of Fresno:
Holmes Park play-ground improve-ments (93,000)
- (51) Rotary Playland at
Roeding Park in
Fresno: Repair and
construct new rides
for the park (250,000)
- (52) Southeast Fresno:
Construction costs
for a park located
in Kings Canyon
and Huntington
Avenue areas (447,360)
- (53) City of Reedley:
Second phase of
the Reedley Rail
Trail Parkway (400,000)
- (54) City of Alhambra:
American Legion
#139: Replace the
roof, A/C system,
and flooring..... (60,000)
- (55) City of San Gab-
riel: Expand Asian
Youth Center with
the addition of a
second floor (500,000)
- (56) City of Monterey
Park: New roof for
the Boys and Girls
Club in the City of
Monterey..... (50,000)
- (57) Barrio Action
Youth and Family
Center: Refurbish-
ment of the roof
over the study hall
and counseling
center (250,000)
- (58) East Los Angeles:
Build a community
facility in the City
Terrace neighbor-
hood of East LA
for senior citizens,

Item	Amount
Creative Thinking Program and facility for community meetings and other events.....	(250,000)
(59) El Sereno Youth Center in East LA: Purchase van to transport children to and from the youth center for after school programs	(25,000)
(60) MERCI Inc.: Replacement of kitchen and restroom sinks to meet ADA requirements	(5,000)
(61) City of San Gabriel: La Casa de San Gabriel-Purchase new books and library materials.....	(5,000)
(62) City of Alhambra: Girl Scouts of America-Purchase equipment and uniforms for economically disadvantaged girls	(5,000)
(63) City of Rosemead: The Boys and Girls Club-Upgrade facilities which include new PCs, refurbishing extra curricular room and replacement of athletic equipment	(5,000)
(64) Sacramento Boys and Girls Club.....	(750,000)

Item	Amount
(65) City of Sacramento: Construction of the Sacramento Youth Sports Complex....	(700,000)
(66) City of Sacramento: Bill Bean Jr. Memorial Park.	(500,000)
(67) Del Norte County Historical Society: Battery Point Lighthouse Preservation Project	(25,000)
(68) Pittsburg Historical Society: Restoration of Old Post Dispatch Building.	(250,000)
(69) City of Los Angeles: Chinatown Service Center.....	(100,000)
(70) City of Los Angeles: Vista del Mar.	(200,000)
(71) City of Gardena: First through Sixth Grade After School Program	(150,000)
(72) City of Los Angeles: New gym floor at Vineyard Park...	(100,000)
(73) Los Angeles County: Parking lot lighting and exercise par course repairs at Cheviott Hills Recreation Center	(150,000)
(74) City of Patterson: Patterson Aquatic Facility.....	(300,000)
(75) City of Los Angeles: Skateboard Park-Hanson Dam.	(100,000)
(76) City of San Fernando: Expansion of Las Palmas Park Multipurpose Center	(1,000,000)

Item	Amount
(77) City of Los Angeles: Blythe Street Park Expansion	(1,650,000)
(78) City of San Jose: Guadalupe River Parkway	(240,000)
(79) City of Oakland: Studio One Recreation Center.....	(500,000)
(80) Mission Trails Regional Park Foundation: Mission Trails Regional Park-Equestrian and ranger station	(1,550,000)
(81) City of San Diego: East Clairemont Community Park-Design and construction of a new irrigation system, turf, and security lights.....	(250,000)
(82) City of San Carlos: San Carlos Community Turfing Project.....	(350,000)
(83) City of San Diego: Old Town San Diego marketing plan	(75,000)
(84) City of San Diego: Presidio Park restroom/picnic area.....	(425,000)
(85) City of San Diego: San Diego Maritime Museum	(500,000)
(86) City of San Diego: Serra Mesa Community Park Game Room Renovation.	(100,000)
(87) City of Carson: Del Amo Neighborhood Park	(1,400,000)

Item	Amount
(88) San Francisco Architectural Heritage: Renovation and repairs at Mission Dolores Basilica	(150,000)
(89) City of Vallejo: River Park master plan.....	(150,000)
(90) City of Santa Rosa: "A Place to play"	(500,000)
(91) Lakeport Senior Activity Center: Building purchase for program providing recreational activities for seniors	(100,000)
(92) Greater Vallejo Recreation District: Children's Wonderland	(500,000)
(93) City of Santa Rosa: Construction of 25,000 square feet youth center in Southwest Community Park.....	(500,000)
(94) Mendocino Coast Recreation and Park District: Construction of Phase I of the Ft. Bragg Aquatic Center	(300,000)
(95) Napa County: Napa Boys and Girls Club	(250,000)
(96) Greater Vallejo Recreation District: North Vallejo Community Center expansion	(500,000)
(97) Del Norte County: Youth Community Center and Skateboard Park.....	(100,000)

Item	Amount
(98) City of Bakersfield: Construction of the Greenfield Multipurpose public use facility.....	(1,497,129)
(99) City of Fresno: Acquisition of land for the Bullard Bambino Baseball Facility.....	(1,000,000)
(100) City of Garden Grove: Chapman Sports Complex....	(600,000)
(101) City of Garden Grove: Edgar Park renovation	(95,000)
(102) City of Santa Ana: Jerome Park and Community Center	(500,000)
(103) City of Anaheim: Maxwell Park expansion.....	(510,000)
(104) City of Stanton: Reconstruct and upgrade park and improve park equipment	(250,000)
(105) Santa Ana Recreation Department: Vans to transport underprivileged children.....	(60,000)
(106) City of Buena Park: William Peak Park swimming pool renovation	(220,000)
(107) City of Pico Rivera: Complete restoration of Rio.....	(750,000)
(108) City of Cudahy Park: Replace old playground equipment to meet federal safety standards	(120,000)

Item	Amount
(109) Friends of San Leandro Creek Environmental Education Center and Natural History Museum: Funds for project	(1,500,000)
(110) East Bay Regional Park District: Camp Ohlone in Sunol Regional Wilderness-Improvements.....	(330,000)
(111) Committee of Restoration of Mission San Jose: Fremont seismic retrofit and repairs.....	(1,000,000)
(112) Theatre West repairs.....	(115,000)
(113) Manzanar War Relocation Center restoration	(150,000)
(114) City of Los Angeles: Antes Columbus Club Youth.....	(1,000,000)
(115) Effie Yeaw Nature Center: Rehabilitation and renovation.....	(370,000)
(116) City of Citrus Heights: Upgrade and replace playground equipment.	(60,000)
(117) City of Lemon Grove: City Center Park	(330,000)
(118) City of El Cajon: Kennedy Park-Lighting	(78,000)
(119) City of El Cajon: Kennedy Recreation Center.....	(8,000)

Item	Amount
(120) City of La Mesa: La Mesita/ Parkway Regional Sports Complex....	(655,000)
(121) City of San Di- ego: La Mirada Joint Use Facility/ multipurpose field design	(300,000)
(122) City of Chula Vista: Loma Verde park pool.....	(490,000)
(123) City of San Di- ego: Paradise Community Park ..	(250,000)
(124) City of Lemon Grove: Park up- grade.....	(190,000)
(125) City of San Di- ego: Southcrest Community Park/ Tot lot upgrade.....	(150,000)
(126) County of San Diego: Spring Val- ley Gymnasium and Teen Center/ design and con- struction.....	(350,000)
(127) Twin Hills Youth and Recreation Park, Inc.: Twin Hills Little League Park	(75,000)
(128) City of Oakland: Martin Luther King Center.....	(850,000)
(129) City of La Canada: Rockridge Terrace purchase by City of La Canada Flintridge for open space.....	(450,000)
(130) City of Glendale: Deukmejian Wil- derness Park.....	(300,000)

Item	Amount
(131) County of Santa Clara: Design and construction of the expansion of the Youth Science Institute at Vasona Lake County Park.	(300,000)
(132) County of San Mateo: Renovations and seismic and safety improvements to the Old County Courthouse (home of the San Mateo County Historical Museum).....	(635,000)
(133) Langlely Senior Center in Monterey Park: Expansion of the Langlely Senior Center	(350,000)
(134) City of San Gabriel: Construct San Gabriel skate park.	(300,000)
(135) City of Monterey Park: La Loma Park renovation	(150,000)
(136) City of Pomona: Creation of the Ralph Welch Park.	(200,000)
(137) City of Ontario: Expand the De Anza Community Center	(900,000)
(138) City of Chino: Expansion of the 7th Street Community Theater.....	(350,000)
(139) City of Loma Linda: Little league baseball park	(280,000)

Item	Amount
(140) City of San Bernardino: Refurbish an existing building in order to create a Multicultural Center	(500,000)
(141) City of Chino Hills: Refurbishment of the Sleepy Hollow Community Center	(250,000)
(142) City of Pomona: Renovation of Washington Park Community Center and Pool.....	(300,000)
(143) City of Chino: Villa Park Playground Refurbishment Project.....	(85,000)
(144) City of Daly City: Construction of Mid-Peninsula Boys and Girls Club.....	(1,000,000)
(145) San Mateo County: Funding for Sanchez Adobe site.....	(105,000)
(146) San Mateo County: Replace playground equipment at the Coyote Point Recreation Area.....	(200,000)
(147) City of San Francisco: Restoration of the Tori Gate and Pagoda located in the Japanese Tea Garden (Golden Gate Park).....	(500,000)

Item	Amount
(148) City of Pacifica: Supplement the cost of perma- nently repairing the historic Pacific Pier in Pacifica.....	(650,000)
(149) City of San Jose: Edenvale Garden Park	(150,000)
(150) City of Santa Clara: Restoration of Casa Grande.....	(250,000)
(151) Camarillo Ranch Foundation: Resto- ration, preserva- tion, and mainte- nance of Camarillo Ranch.....	(493,000)
(152) Homeboy Indus- tries: Land acqui- sition and renovation	(100,000)
(153) City of San Le- onardo: Little league field-Cor- vallis school	(100,000)
(154) Lindbergh Park Tot Lot/San Diego: Enhance existing play area to ac- commodate dis- abled access at the Lindbergh Park Tot Lot.....	(160,000)
(155) City of Yucaipa: Community Center/Gym.....	(2,300,000)
(156) City of Artesia: Land Acquisition for A.J. Padelford Park and ADA compliance up- grade.....	(100,000)
(157) City of Artesia: Artesia Teen Cen- ter	(100,000)

Item	Amount
(158) City of Hawaiian Gardens: Build new recreation facility to meet ADA requirements.....	(235,000)
(159) City of Bellflower: Fund YMCA/Teen Center.....	(250,000)
(160) Midpeninsula Open Space District (MPOSD): Fund improvements to selected trail easement transferred to the MPOSD to fund improvements to selected trail easements transferred to the MPOSD by AB 1366	(300,000)
(161) Nihonmachi Little Friends: Renovation of historic building in San Francisco.....	(550,000)
(162) GLBT Society of Northern California: California online archives of manuscripts	(250,000)
(163) Jewish Community Center of San Francisco: Construction	(1,000,000)
(164) San Francisco Neighbors Association: Construction of the San Francisco Neighborhood Resource Community Center	(500,000)

Item	Amount
(165) The Bay Center Coalition: Construction of the Bay Center (Environmental learning resource center)	(1,000,000)
(166) San Francisco Recreation and Park Department: Stabilize and restore the Sunnyside Conservatory.	(300,000)
(167) San Francisco Beautification Fund: Creation of the "Lefty" Gordon Park on Ocean Avenue in San Francisco.....	(300,000)
(168) City of Daly City: Construction of the Bayshore Boys and Girls Club.....	(500,000)
(169) Coleman Advocates for Children and Youth: Construction of the Coleman Children and Youth Community Center.....	(100,000)
(170) San Francisco Recreation and Park Department: Restoration of John Muir Fishing Pier at Lake Merced.....	(400,000)
(171) County of San Mateo: Fitzgerald marine reserve visitor center improvements.....	(250,000)
(172) County of Yolo: New Helvetia Park rehabilitation	(500,000)

Item	Amount
(173) City of Inglewood: Refurbishment of Edward Vincent Park.....	(350,000)
(174) City of San Diego: Picnic Shelter-Clairmont Neighborhood Park	(55,000)
(175) City of San Diego: Ocean Beach Recreation Center-ADA Tot Lot Upgrade.....	(175,000)
(176) City of San Diego: Tecolote Nature Center-room addition.....	(200,000)
(177) City of San Diego: Santa Clara Recreation Center-New recreation center.....	(300,000)
(178) City of St. Helena: St. Helena ballpark.....	(500,000)
(179) City of Eagle Rock: Eagle Rock Community revitalization	(300,000)
(180) City of Monterey Park Cascade Park: Fund rehabilitation	(225,000)
(181) Irwindale Community Center: Repair courtyard and patio.....	(150,000)
(182) San Mateo County: Police Activities League.....	(160,000)
(183) City of Lemon Grove: Recreation Center	(81,000)
(184) City of Redlands: Local park facility	(2,000,000)

Item	Amount
(185) City of Redding: Construct recreation and sports complex.....	(10,000,000)
(186) City of La Palma: Construct new community center	(1,040,000)
(187) City of Los Alamitos: Improvements to the USA Water Polo National Aquatics Center	(490,000)
(188) Boys and Girls Club of Ramona: Construct a gymnasium	(250,000)
(189) City of Santee: Completion of Town Center Community Park.....	(200,000)
(190) Western Center for Archeology and Paleontology: Operation and maintenance costs.....	(1,000,000)
(191) City of Tehachapi: Rebuild Beekay Theater.....	(250,000)
(192) Barstow Parks and Recreation District: Swimming pool for Barstow Parks and Veterans Home	(200,000)
(193) Los Angeles County: Construction of community center in Lake Los Angeles	(3,500,000)
(194) Tehachapi Parks and Recreation District: Development of an aquatic facility.....	(1,200,000)

Item	Amount
(195) Santa Cruz Sheriff's Activity League: Purchase vans used to transport youth to and from sports activities.....	(70,000)
(196) Contra Costa County: Sheriff's Charities, Inc. for the Peace Officer Memorial	(125,000)
(197) Martinez Police Activities League: Purchase computer and a van	(100,000)
(198) Camarillo Ranch Foundation: Preserve, restore, and maintain the Camarillo Ranch.....	(492,605)
(199) City of El Centro: El Centro's Municipal Pool.....	(50,000)
(200) Lassen Park Foundation: Complete construction of interpretive exhibits in open-air pavilions	(100,000)
(201) Marysville Youth and Civic Center: Renovation and replacement of parking, building, and kitchen	(100,000)
(202) San Bernardino County: Downtown Crestline Facade improvement.	(100,000)
(203) Kern County: Boron Chamber of Commerce expansion project	(100,000)

Item	Amount
(204) Jurupa Area Recreation and Park District: Memorial Park Swimming Pool	(100,000)
(205) Black Chamber of Commerce: Radio Station FCC start-up qualifications	(150,000)
(206) Jurupa Area Recreation and Park District: Memorial Park Athletic Field	(170,000)
(207) Jurupa Area Recreation and Park District: Memorial Park Community Center	(175,000)
(208) Inyo County: Pleasant Valley Campground Project.....	(180,000)
(209) Jurupa Area Recreation and Park District: Paramount Park Rehabilitation.....	(180,000)
(210) Martha's Village and Kitchen: Martha's Village facility expansion.....	(200,000)
(211) Inyo County: Diaz Lake Campground Project.....	(200,000)
(212) Sacramento County: Mather Regional Park improvements.....	(200,000)
(213) Los Angeles County United Way: United Way of Greater Los Angeles-Acquisition of facility and improvements.....	(200,000)

Item	Amount
(214) City of Lafayette: Pedestrian bridge..	(250,000)
(215) City of Brentwood: PAL Program Building	(250,000)
(216) Riverside Park and Recreation District: Janet Goeske Senior Center	(300,000)
(217) City of Yucaipa: Dunlap Park site...	(350,000)
(218) City of Norco: Ingalls Regional Esquestrian Park...	(350,000)
(219) City of Highland: Highland Community Park construction.....	(400,000)
(220) City of San Diego: Rancho Bernardo Community Aquatic Center	(500,000)
(221) City of Redlands: Redlands Sports Complex development.....	(1,000,000)
(222) City of Walnut: Community Sports Complex.....	(1,000,000)
(223) City of Yucaipa: Community center/gym.....	(2,000,000)
(224) Tulare County: Auditorium restoration project.....	(200,000)
(225) City of La Mesa: Briarcrest Park.....	(157,000)
(226) City of Oakland: Bertha Port Mini-Park and Willow Park Playgrounds..	(600,000)
(227) Homenetmen, Glendale Chapter: Fund athletic programs.....	(158,000)

Item	Amount
(228) San Diego River in Mission Valley: 1.5 mile bike path parallel to the San Diego River in Mission Valley.....	(400,000)
(229) City of Lake- wood: Mae Boyar Park improve- ments	(750,000)
(230) Western Center for Archeology and Paleontology: Construction	(3,000,000)
(231) West Shores Youth Center: Ex- ercise and equip- ment room con- struction	(50,000)
(232) City of Wood- lake: Community pool facility.....	(100,000)
(233) Boys and Girls Club of Hayward: New facility con- struction	(500,000)
(234) City of Newman: Newman Youth Center-remodel	(100,000)
(235) City of Hanford: Hanford Learning Center	(300,000)
(236) Youth Science Institute: Youth Science Institute, capital outlay, and rehabilitation	(300,000)
(237) City of West Hol- lywood: Multipur- pose facility for youths and seniors	(100,000)
(238) City of Artesia: Artesia Youth Academy for after school enrichment programs for at risk youth.....	(50,000)

Item	Amount
(239) North Tahoe: North Tahoe Youth Center	(200,000)
(240) Santa Barbara Zoological Gar- dens animal con- tact yard and out- reach program	(335,000)
(241) Foothill Citizens for a Community College: Develop- ment of the Sierra Foothills Regional Educational Cen- ter	(1,970,000)
(242) Palace of Fine Arts: Restoration and rehabilitation of structures and landscape.....	(3,000,000)
(243) Los Angeles County: For picnic area and sports field improve- ments at Cheviot Hills.....	(100,000)
(244) Tehachapi Parks and Recreation District: Youth Center-Old Post Office.....	(300,000)
(245) LA Conservation Corps: Ballona Creek Youth Cen- ter	(2,000,000)
(246) City of San Di- ego: Bay Terrace Park Recreation Center	(500,000)
(247) Manila Dune Public Access	(250,000)
(248) City of Hunting- ton Beach: Bonneli Regional Youth Center	(500,000)

Item	Amount
(249) Lakeport Senior Activity Center: Building purchase for program providing recreational activities.....	(100,000)
(250) Monterey Park: Expansion of Langely Senior Center.	(350,000)
(251) Martinez Police Activities League: purchase computer and a van	(100,000)
3790-101-0005—For local assistance, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years.....	64,730,000
Schedule:	
(a) 80.25-Recreational Grants.....	64,730,000
(1) Alliance of Redding Museums: Turtle Bay Museums and the Arboretum on the River	(14,169,000)
(2) California Academy of the Sciences: Capital Improvements	(9,446,000)
(3) Delta Science Center: Marine and Delta Aquatic Education and Interpretive Programs ..	(1,889,000)
(4) Department of Food and Agriculture: California Division of Fairs and Expositions	(4,015,000)
(5) Discovery Science Center in Santa Ana: Capital Improvements.....	(9,446,000)

Item	Amount
(6) East Bay Regional Park District: Completion of Bike Trail in the City of Concord ...	(945,000)
(7) East Bay Regional Park District: Completion of Iron Horse Trail.....	(260,000)
(8) City of Huntington Beach: Storm drain modification to mitigate pollution impact on state beaches	(945,000)
(9) Kern County Mu- seum: Enhance- ment of the two- acre historical exhibit.....	(3,306,000)
(10) City and County of San Francisco: Golden Gate Park.....	(14,169,000)
(11) Western Center Community Foun- dation: Restora- tion, study, and curation of paleon- tological, archaeo- logical, and his- torical resource site protection.....	(4,723,000)
(12) City of Whittier: Completion of bi- cycle and pedes- trian trail systems to major urban public transporta- tion systems	(1,417,000)

Provisions:

1. The funds appropriated in this item shall be available for encumbrance for three years after the date upon which it first became available for encumbrance. Disbursements in liquidation of encumbrances shall be made before or during five years

Item	Amount
<ul style="list-style-type: none"> following the last day the appropriation is available for encumbrance. 2. The funds available in Schedule (4) shall be provided as a grant to the Department of Food and Agriculture in accordance with paragraph (5) of subdivision (d) of Section 5096.339 of the Public Resources Code. 	
<p>3790-101-0262—For local assistance, Department of Parks and Recreation, payable from the Habitat Conservation Fund, to be available for expenditure during the 2000–01, 2001–02 and 2002–03 fiscal years</p>	2,398,000
Schedule:	
(1) 80.25-Recreational Grants	2,398,000
Provisions:	
<ul style="list-style-type: none"> 1. The funds appropriated by this item shall be available only for projects submitted to the Department of Parks and Recreation for consideration during the evaluation process for the Habitat Conservation Fund Program. 2. Notwithstanding Section 16304(c) of the Government Code, funding appropriated in this item shall be subject to the reversion requirements provided in Section 16304.1 of the Government Code. 	
<p>3790-101-0263—For local assistance, Department of Parks and Recreation, payable from the Off-Highway Vehicle Trust Fund, for grants to cities, counties, federal agencies or special districts, as specified in Section 5090.50 of the Public Resources Code, to be available for expenditure during the 2000–01, 2001–02 and 2002–03 fiscal years</p>	13,500,000
Schedule:	
(1) 80.12-OHV Grants	13,500,000
Provisions:	
<ul style="list-style-type: none"> 1. Notwithstanding subdivision (c) of Section 16304 of the Government Code, funding appropriated in this item shall be subject to the reversion requirements provided in Section 16304.1 of the Government Code. 2. At least 30 days prior to the expenditure of any of the funds appropriated in this item, the Department of Parks and Recreation shall provide written notice to the Chairperson of the Joint Legislative Budget Committee of the proposed recipients of the grants to be made from those funds. 	

Item	Amount
3790-101-0858—For local assistance, Department of Parks and Recreation, payable from the Recreational Trails Fund, to be available for expenditure during the 2000–01, 2001–02 and 2002–03 fiscal years.....	4,000,000
Schedule:	
(1) 80.12-OHV Grants	1,200,000
(2) 80.25-Recreational Grants	2,800,000
Provisions:	
1. The funds appropriated in Schedules (1) and (2) shall be available for expenditure for local assistance or capital outlay.	
2. Notwithstanding Section 16304(c) of the Government Code funding appropriated in this item shall be subject to the reversion requirements provided in Section 16304.1 of the Government Code.	
3. Of the funds appropriated, the department may allocate, to the maximum extent allowable under federal law, the amount necessary to provide for the department’s costs to administer these grants.	
4. Grants may be made to non-profit organizations and government entities.	
3790-101-0890—For local assistance, Department of Parks and Recreation, payable from the Federal Trust Fund, to be available for expenditure during the 2000–01, 2001–02 and 2002–03 fiscal years.....	2,375,000
Schedule:	
(1) 80.25-Recreational Grants	2,000,000
(2) 80.30-Historic Preservation Grants.....	375,000
Provisions:	
1. Notwithstanding Section 16304(c) of the Government Code, funding appropriated in this item shall be subject to the reversion requirements provided in Section 16304.1 of the Government Code.	
3790-101-6015—For local assistance, Department of Parks and Recreation, payable from the River Protection Subaccount, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years	1,500,000
Schedule:	
(a) 80.25-Recreational Grants.....	1,500,000
(1) County of Sacramento: American River Parkway.....	(500,000)
(2) City of San Jose: Guadalupe River Parkway	(1,000,000)

Item	Amount
Provisions:	
1. Funds appropriated in this item shall be available for encumbrance for 3 years after the date upon which it first became available for encumbrance. Disbursements in liquidation of encumbrances shall be made before or during 5 years following the last day the appropriation is available for encumbrance.	
3790-102-0005—For local assistance, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 pursuant to the Murray-Hayden Urban Parks and Youth Service Program, to be available for expenditure during the 2000–01, 2001–02 and 2002–03 fiscal years	211,760,000
Schedule:	
(a) 80.25-Recreational Grants.....	211,760,000
(1) Competitive grants (non-project specific)	(80,005,000)
(a) California Heritage Program, State Office of Historic Preservation	(10,000,000)
(b) Riparian habitat acquisition	(10,000,000)
(c) Non-motorized Trails Grants	(2,140,000)
(d) Murray-Hayden Urban Parks and Youth Service Program.....	(50,000,000)
(e) Museums and Wildlife Education Facilities	(7,865,000)
(2) Specific Projects	(18,000,000)
(a) State Beach restoration	(1,000,000)
(b) Dinosaur Archaeological Site	(5,000,000)
(c) Folsom Zoo	(2,000,000)
(d) California Science Center-African-American Museum at Exposition Park.....	(3,000,000)
(e) California Science Center School.....	(7,000,000)

Item	Amount
(3) Local Agencies operating park units.....	(26,400,000)
(a) East Bay Regional Park District: Planning for East Bay Shoreline Project ..	(200,000)
(b) County of San Mateo: Restore the grassland and riparian area of the San Bruno Mountain State and County Park	(200,000)
(c) Kenneth Hahn State Recreation Area, Ballona Creek: Acquisition and enhancement of land for Ballona Creek and surrounding wetlands.....	(350,000)
(d) City of Albany: Albany Landfill-environmental and aquatic habitat restoration, Eastshore State Park.....	(650,000)
(e) County of San Mateo: Construct visitor center at San Bruno Mountain State and County Park	(1,600,000)
(f) Completion of Rim Trail in Kenneth Hahn State Recreation Area: Design landscaping along ridgeline and Five Point Visitor center.....	(2,500,000)
(g) East Bay Regional Park District: Complete the community planning	

Item

Amount

- process, provide design services, and construct public park improvements in the East Bay Shoreline Project.....(7,400,000)
- (h) East Bay Regional Park District: Robert Crown Beach: Lagoon improvement, dredging to prevent further siltation of the lagoon near the Crab Cove area of the State Beach..... (450,000)
- (i) East Bay Regional Park District: Lake Del Valle State Recreation Area: Provide additional recreational vehicle hooks-ups, upgrade the campground electrical system and renovate restrooms at the State Recreation Area (500,000)
- (j) East Bay Regional Park District: Robert Crown Beach: State Park Shoreline renovation at McKay Ave. in Alameda to remove and replace concrete rubble shoreline with rock along public shoreline pathway..... (800,000)
- (k) East Bay Regional Park District: Robert Crown Beach: McKay Street: Paving renovation

Item

Amount

- and improvements to public entry to the State Beach..... (850,000)
- (l) East Bay Regional Park District: Robert Crown Beach: Beach sand replenishment and/or replacement to provide direct water access to the urban communities in the Alameda, Oakland and East Bay area.(3,500,000)
- (m) East Bay Regional Park District: Eastshore State Park: Complete community planning process, provide design services and construct public park improvements (7,400,000)
- (4) Trails (5,085,000)
 - (a) City of Lafayette: Construct a pedestrian bridge from Lafayette Community Center to the Lafayette Community Park (285,000)
 - (b) City of Los Banos: Downtown Revitalization-Rails to Trails(1,800,000)
 - (c) City of Redding: Expansion of bike and walk trail along the Sacramento River(3,000,000)
- (5) Murray-Hayden Grants (50,016,000)
 - (aa) City of Whittier.... (80,000)

Item	Amount
(a) City and County of San Francisco: Coleman Children and Youth Community Center in Excelsior District-capital outlay.....	(150,000)
(b) City and County of San Francisco: Youth Mural Art Project in Bayview-Hunters Point and Youth Stewardship Program	(200,000)
(c) City of Richmond: Richmond Natatorium, to enable seismic retrofit of the Natatorium.....	(400,000)
(d) City of La Puente: Construction of the Youth Learning/Activity Center.....	(400,000)
(e) City of Glendale: South Glendale mini-park development.....	(400,000)
(f) City of Los Angeles: Ed Vincent Park ...	(400,000)
(g) City of San Ysidro: Capital outlay for joint-use community activity park ..	(400,000)
(h) Sacramento Boys and Girls Club: Construction of Boys and Girls Club facility in South Sacramento.	(500,000)
(i) City of Huntington Park: Regional Community Youth Center	(520,000)
(j) City of Los Angeles: Blythe Street Pocket Park	(550,000)

Item	Amount
(k) City of Fontana: Center City park acquisition.....	(750,000)
(l) City of Fresno: Con- struction costs for a park located on Kings Canyon and Huntington Av- enue Areas	(750,000)
(m) City of Los Ange- les: Renovation of Brand Park	(1,000,000)
(n) Boys and Girls Club of Hayward: Construction of 20,000-square-foot facility.....	(1,000,000)
(o) County of Los An- geles: San Pedro Park Improvement and Acquisition.	(1,000,000)
(p) City of Los Ange- les: Juntos Park: outdoor develop- ment at a recently acquired parcel to serve as a new park.....	(1,500,000)
(q) City of Los Ange- les: Community Build Youth Cen- ter	(2,000,000)
(r) City of Fresno: Ac- quisition of the Palm Lakes Golf Course for the op- eration of Fresno Junior Golf serving disadvantaged youth.....	(250,000)
(s) City of Buena Park: Community park enhancements of deteriorated facili- ties.....	(250,000)

Item	Amount
(t) City of Garden Grove: Village Green Park improvements.....	(650,000)
(u) City of Westminster: Youth Activity Center Program Expansions.....	(750,000)
(v) City of La Puente: Youth Learning/Activity Center.....	(750,000)
(w) City of Lancaster: Whit B. Carter Park Development Project.....	(1,000,000)
(x) City of Anaheim: Maxwell Park Expansion Project from 15 to 21 acres.....	(1,100,000)
(y) City of Los Angeles: Soccer Complex.....	(322,000)
(z) City and County of San Francisco: India Basin: Shoreline Park	(400,000)
(ax) City of Oakland: West Oakland Playgrounds.....	(600,000)
(bx) City of Los Angeles: Hansen Dam Bluffs.....	(700,000)
(cx) County of Los Angeles: Ted Watkins Park	(825,000)
(dx) Santa Monica Mountains Conservancy: Compton-Slauson Natural Park	(1,000,000)
(ex) City of Oakland: Sanborn Park	(1,500,000)
(fx) City of Oakland: Union Point Park.....	(1,500,000)

Item	Amount
(gx) City of San Diego: North Chollas Park	(2,000,000)
(hx) City of Maywood: Los Angeles River Parkway	(2,500,000)
(ix) Santa Monica Mountains Conservancy: Arroyo Seco/Confluence Park.....	(5,000,000)
(jx) City of San Diego: Paradise Park Project.....	(34,000)
(kx) City of Lemon Grove: Berry Street Park	(40,000)
(kx1) City of Imperial Beach Sports Park.	(95,000)
(lx) County of San Diego: Lamar Street Park	(225,000)
(mx) City of East Palo Alto: Youth Center	(250,000)
(mx1) City of San Diego: Boys and Girls Clubs of San Diego: Construction of Linda Vista Teen Center.....	(300,000)
(nx) City of Chula Vista: Greg Rogers Park	(300,000)
(ox) City of East Palo Alto: Bell Street Park	(350,000)
(px) City of East Palo Alto: Martin Luther King-Jack Farell Park	(350,000)
(px1) City of Stanton: Stanton Park.....	(500,000)
(qx) City of Huntington Park: Bonelli Regional Youth Center	(400,000)

Item	Amount
(rx) City of Huntington Park: Westside Park	(500,000)
(sx) City of Los Angeles: Tree People Two	(500,000)
(tx) City of San Diego: Bay Terrace School Joint Use Facility	(500,000)
(ux) County of San Diego: Bancroft Park acquisition	(500,000)
(vx) YMCA of San Diego County: Border View expansion	(500,000)
(wx) City of Oakland: Studio Recreational Center in North Oakland	(500,000)
(xx) City of Stockton: Van Buskirk Community Center: gymnasium construction	(750,000)
(yx) City of Fontana: Center City park acquisition	(750,000)
(yx1) Columbia Boys and Girls Club: Renovation of building in Tenderloin for after school programs ...	(850,000)
(zx) Cities of Bell and Cudahy: Bell Elementary Park ...	(1,000,000)
(ay) City of Pico Rivera: Rio Honda Park	(1,000,000)
(by) City of Los Angeles: Blythe Street expansion	(1,000,000)
(cy) City of Baldwin Park: Teen Center	(1,000,000)

Item	Amount
(dy) City of Los Angeles: South Central Sport Center	(1,300,000)
(ey) City of Los Angeles: Antes Columbus Club Youth Center	(1,345,000)
(fy) Los Angeles Conservation Corps: Youth Center	(2,000,000)
(gy) City Of Whittier: Children's wading pool reconstruction at Friends Park to comply with current standards	(80,000)
(6a) Urban and cultural centers, zoos, museums	(17,540,000)
(a) City of Los Angeles: Cabrillo Marine Aquarium	(500,000)
(b) San Joaquin County: Micke Grove Zoo: east end exhibit: compliance with American Zoological Society Standards	(500,000)
(c) City of Long Beach: Aquarium of the Pacific	(1,400,000)
(d) City and County of San Francisco: San Francisco Zoo.....	(1,000,000)
(e) Ararat Eskijian Museum: Project to preserve Armenian history and heritage.....	(25,000)
(f) City of Laguna Hills: Display items of local paleontological importance	(150,000)

Item	Amount
(g) City of Rocklin: Historical Transportation and Granite Industry Museum.....	(200,000)
(h) Central Sierra Historical Society: Museum of the Central Valley.....	(250,000)
(i) City of Morgan Hill: Construction of facilities for wildlife and education	(500,000)
(j) Kern County: Build and equip the San Joaquin Valley Discovery Center in the Kern County Museum in Bakersfield ...	(1,500,000)
(k) Western Center for Archeology and Paleontology: Construction of the Western Center for Arche- ology and Paleon- tology.....	(2,015,000)
(l) Western Center for Archeology and Paleontology: Construction of the Western Center for Arche- ology and Paleon- tology.....	(4,500,000)
(m) Kern County: Build and equip the San Joaquin Valley Discovery Center in the Kern County Museum in Bakersfield ...	(5,000,000)

Item	Amount
(6b) Marine Sanctuary	(500,000)
(n) Wildlife Conserva- tion Board: O'Neill Sea Odys- sey facilities im- provements.....	(500,000)
(6c) Soccer and baseball fields	(13,569,000)
(o) Bakersfield Police Athletic League: Construct multi- use playing field...	(50,000)
(p) Merced High Dug- out Club: Merced High School Base- ball Field Lights...	(175,000)
(q) Coalinga-Huron Parks and Recrea- tion District: Joint use sports complex	(300,000)
(r) Boyle Heights Sports Center: For acquisition of sports fields both soccer and baseball	(300,000)
(s) Bellflower and North Bellflower Little League: Thompson Park, Simms, Caruther Parks, rehabilita- tion, and joint use sports facility.....	(315,000)
(t) American Youth Soccer Association in the City of Downey: Rehabili- tation of play- ground equipment, restore log cabin, and soccer fields in four parks.....	(325,000)
(u) County of San Di- ego: Lighting for joint use soccer and athletic field in the community of Borrego Springs ...	(350,000)

Item	Amount
(v) Turlock Regional Sports Complex Foundation: Purchase and construction of a sports complex, creating 8 to 10 youth soccer fields and two softball diamonds	(1,200,000)
(w) City of Oakley: Little League Operated-Baseball Fields Restrooms Project.....	(100,000)
(x) City of Tulare: Operated by AYSO-Elk Bayou Soccer Complex	(200,000)
(y) King City: King City Community Park (AYSO Operated) Youth Soccer Fields.....	(200,000)
(z) City of San Diego: AYSO Operated-Design and construction of Rancho Bernardo soccer fields	(200,000)
(ax) City of Covina: Development of the Charter Oak Community Sportsplex	(250,000)
(bx) Nevada County: Mulcahy Field Soccer/Baseball Complex operated by Alta Vista Neighborhood Group.....	(300,000)
(cx) City of La Quinta: Design and construction of soccer park	(500,000)

Item	Amount
(dx) City of Redding: Infrastructure im- provements and field improve- ments for historic Tiger Field	(500,000)
(ex) City of Redlands: Redlands Sports Complex design and development including an AYSO operated soccer field.....	(500,000)
(fx) City of Palmdale: PONY League Op- erated-Youth base- ball facility im- provements.....	(500,000)
(gx) City of Lancaster: AYSO Operated- Youth Soccer Or- ganization Head- quarters Building- National Soccer Complex	(500,000)
(hx) City of Tulare: Lighting, concrete picnic tables, and benches for Pros- perity Sports Park.....	(20,000)
(ix) Town of Danville: Installation of syn- thetic playing turf at Diablo Vista Park	(250,000)
(jx) Livermore Area Recreation and Park District: Will- iam J. Payne Sports Park: De- velopment of soc- cer fields	(289,000)
(kx) City of Oakley: Build soccer fields	(325,000)

Item Amount

- (lx) City of Orange:
Soccer field at
Rock Creek Park .. (974,000)
- (mx) City of Lafayette:
Construction of a
multipurpose ball-
field facility (1,030,000)
- (nx) City of Irvine:
Park facility (1,916,000)
- (ox) City of Redlands:
Design and devel-
opment of a major
sports complex.. (2,000,000)
- (7) City Park Specific (645,000)
 - (a) San Francisco Arts
Commission: Re-
store the Portals of
the Past Monument
in Golden Gate
Park (36,000)
 - (b) San Francisco: Res-
toration of the
James A. Garfield
and the Giuseppe
Verde Monuments
in Golden Gate
Park (109,000)
 - (c) City and County of
San Francisco:
Capital improve-
ments to the Na-
tional AIDS Me-
morial Grove in
Golden Gate Park . (500,000)

Provisions:

1. Funds appropriated shall be available for encumbrance for 3 years after the date upon which the appropriated funds first became available for encumbrance. Disbursements in liquidation of encumbrances shall be made before or during 5 years following the last day the appropriation is available for encumbrance.

Item	Amount
3790-103-0005—For local assistance, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years.....	388,000,000
Schedule:	
Grants (per capita)	388,000,000
Provisions:	
1. Distribution of funds to local governments from this item shall be based on population formulas referenced in the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000.	
3790-104-0005—For local assistance, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years.....	200,000,000
Schedule:	
(a) Grants (Roberti-Z’berg-Harris).....	200,000,000
Provisions:	
1. Distribution of funds to local governments from this item shall be based on population formulas referenced in the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000.	
3790-301-0001—For capital outlay, Department of Parks and Recreation.....	9,152,000
Schedule:	
(1) 90.8J.600-Columbia SHP: Knapp Block Rehabilitation—Working drawings	251,000
(2) 90.8D.101-Donner Memorial SP: Replace Restrooms and Water System—Preliminary plans.....	155,000
(3) 90.47.100-Lake Oroville SRA: Sewer System Rehabilitation—Construction	2,001,000
(4) 90.CB.600-Morro Bay SP: Campground and Day Use Rehabilitation—Working drawings.....	260,000
(5) 90.5T.600-Sonoma Coast SB: Trail Rehabilitation and Development—Studies and preliminary plans.....	152,000

Item	Amount
(6) 90.RS.401-Statewide: Acquisition and Prebudget Appraisal Costs— Acquisition	50,000
(7) 90.RS.402-Statewide: Inholding Purchases—State Park System— Acquisition	500,000
(8) 90.9F.605-Sugar Pine Point SP: Rehabilitate Day Use Area— Preliminary plans and working drawings	353,000
(9) 90.8E.101-Tahoe SRA: Truckee River Outlet Parcel Restoration and Rehabilitation—Preliminary plans and working drawings	430,000
(10) 90.KV.101-Los Angeles River Parkway Project: Taylor Yard Acquisition and Development— Acquisition and construction	5,000,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Parks and Recreation may exercise the same authority granted to the Division of the State Architect and the Office of Real Estate and Design Services in the Department of General Services to plan, design, construct, and administer contracts and professional services for Schedules (1), (3), (4), and (5) of this item.
2. Of the funds appropriated in Schedule (8) of this item, \$18,000 for agency-retained items shall be available for expenditure through June 30, 2002.
3. Of the funds appropriated in Schedule (9) of this item, \$26,000 for agency retained items shall be available for expenditure through June 30, 2002.
4. Funds appropriated in Schedule (6) of this item are available for appraisals and other acquisition-related costs associated with real property donations and other acquisitions funded by nonstate sources.
5. To the extent that the Department of Parks and Recreation receives reimbursement from the Lake Oroville Area Public Utility District for prior year operating and maintenance expenses for the sewer system shared with the district and incurred prior to July 1, 2000, those funds shall be remitted to the department for deposit by the Controller in the General Fund, notwithstanding subdivision (b) of Section 5010 of the Public Resources Code.

Item	Amount
3790-301-0005—For capital outlay, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	177,608,000
Schedule:	
(1) 90.BC.101-New Brighton State Beach: Rehabilitate Campground and Day Use—Study and preliminary plans.....	245,000
(2) 90.CG.101-Pfeiffer Big Sur State Park: Park Entrance and Day Use Redevelopment—Study	497,000
(3) 90.CO.101-Henry W. Coe State Park: Day Use Development at Dowdy Ranch—Preliminary plans.	278,000
(4) 90.EC.101-Kenneth Hahn State Recreation Area: Acquisitions and Improvements—Acquisition and construction	32,500,000
(5) 90.EU.120-Bolsa Chica State Beach: Replace Restrooms and Concession Facilities—Preliminary plans, working drawings, and construction	7,943,000
(6) 90.E4.101-Chino Hills State Park: Entrance Road—Study	261,000
(7) 90.E4.102-Chino Hills State Park: Public Use Facilities—Preliminary plans and working drawings.....	337,000
(8) 90.GI.101-Crystal Cove State Park: El Morro Mobilehome Park Conversion—Study and preliminary plans.....	2,118,000
(9) 90.RS.409-Statewide 2000 Bond Opportunity Purchases: State Park System—Acquisition.....	5,000,000
(10) 90.RS.415-Statewide 2000 Bond Redwood Acquisition Program—Acquisition	5,000,000
(11) 90.RS.416-Statewide 2000 Bond Habitat Acquisition Program—Acquisition	10,000,000
(12) 90.RS.602-Statewide Budget Development—Study	500,000
(13) 90.2Y.101-Patrick’s Point State Park: Campground and Day Use Rehabilitation—Preliminary plans.	129,000

Item	Amount
(14) 90.FW.100-Topanga State Park: Topanga Canyon—Acquisition	40,000,000
(15) 90.CO.402-Henry W. Coe State Park: Mount Hamilton— Acquisition	12,000,000
(16) 90.KV.100-Los Angeles River Parkway Project: Acquisition and Development—Acquisition and Construction	40,000,000
(17) 90.EX.102-Malibu Creek State Park: Liberty Canyon— Acquisition	2,500,000
(18) 90.8U.102-Folsom Lake State Recreation Area: Proposed Additions—Acquisition	4,000,000
(19) 90.FO.100-Leo Carrillo State Beach: Proposed Additions— Acquisition	1,300,000
(20) 90.C9.100-Montana de Oro State Park: Irish Hills—Acquisition	13,000,000

Provisions:

1. Notwithstanding any other provision of law, the funding appropriated in Schedule (4) of this item for the Kenneth Hahn State Recreation Area shall be available for expenditure by the Baldwin Hills Conservancy for these purposes if legislation creating the Conservancy as a state agency is chaptered prior to January 1, 2001. Pending authorization of the Conservancy, or, if the Conservancy is not so authorized, the funds shall be expended by the Department of Parks and Recreation for the same purpose. It is the intent of the Legislature that, prior to January 1, 2001, the Department of Parks and Recreation enter into an interagency agreement with the Santa Monica Mountains Conservancy to undertake acquisitions from this schedule. Those acquisitions shall be consistent with paragraph (2) of subdivision (a) of Section 5096.310 of the Public Resources Code and shall be under the control and management of the Department of Parks and Recreation until and unless management responsibility is otherwise specified by subsequent statute. The funds appropriated for this item shall be subject to the oversight of the State Property Acquisition Law and the State Public Works Board pursuant to Sections 13332.11

Item	Amount
and Sections 15850 to 15866, inclusive, of the Government Code.	
2. The funds appropriated by Schedule (12) of this item shall be used to develop design information or cost information for new projects for which funds have not been appropriated previously, but which are anticipated to be included in the Governor’s Budget for the 2001–02 or 2002–03 fiscal year.	
3. The funds appropriated in Schedule (16) of this item for the Los Angeles River Parkway Acquisition and Development project shall not be available for expenditure until the Department of Parks and Recreation has completed the Los Angeles River Parkway Project: Taylor Yard Acquisition and Development project set forth in Schedule (16.5) of this item.	
4. Notwithstanding any other provision of law, the Department of Parks and Recreation may exercise the same authority granted to the Division of the State Architect and the Office of Real Estate and Design Services in the Department of General Services to plan, design, construct, and administer contracts and professional services for the project listed in Schedule (5) of this item.	
3790-301-0140—For capital outlay, Department of Parks and Recreation, payable from the California Environmental License Plate Fund	256,000
Schedule:	
(1) 90.HA.105-Anza-Borrego Desert SP: General Plan—Study	256,000
3790-301-0262—For capital outlay, Department of Parks and Recreation, payable from the Habitat Conservation Fund	2,500,000
Schedule:	
(1) 90.RS.406-Habitat Conservation: Proposed Additions—Acquisition	1,000,000
(2) 90.RS.407-Santa Lucia Mountains: Proposed Additions—Acquisition.....	1,500,000
Provisions:	
1. The funds appropriated in Schedule (1) of this item shall be expended for state park acquisitions located in the Klamath-Siskiyou, Sierra Foothills and Low Coastal Mountain, Southwest Mountain	

Item	Amount
and Valley, and Sierra Nevada Landscape Provinces.	
3790-301-0263—For capital outlay, Department of Parks and Recreation, payable from the Off-Highway Vehicle Trust Fund	13,054,000
Schedule:	
(1) 90.7K.601-Carnegie SVRA: Alameda/Tesla—Working drawings and construction	1,200,000
(3) 90.7K.101-Carnegie SVRA: Mitchell Ravine—Acquisition	9,000,000
(4) 90.7C.101-Oceano Dunes SVRA: Pier Avenue Lots—Study and acquisition	600,000
(5) 90.RS.706-South Cow Mountain Project—Study and acquisition.....	1,400,000
(6) 90.RS.605-Statewide: OHV Budget Package/Schematic Planning—Study.....	30,000
(7) 90.RS.206-Statewide: OHV Minor Capital Outlay—Minor Projects....	424,000
(8) 90.RS.405-Statewide: OHV Opportunity Purchase/Prebudget Appraisal—Acquisition.....	400,000
Provisions:	
1. Funds appropriated in Schedule (6) shall be used to develop design information or cost information for new projects for which funds have not been appropriated previously, but which are anticipated to be included in the Governor’s Budget for the 2001–02 or 2002–03 fiscal year.	
2. To the extent they are expended for acquisitions, the funds appropriated in Schedule (8) shall be available for inholding acquisitions, parcels adjacent to existing state vehicular recreation areas or parcels available through tax default that fall within the department’s five-year plan for program expansion.	
3. Notwithstanding any other provision of law, the Department of Parks and Recreation may exercise the same authority granted to the Division of the State Architect and the Office of Real Estate and Design Services in the Department of General Services to plan, design, construct, and administer contracts and professional services for Schedule (1) of this item.	

Item	Amount
3790-302-0001—For capital outlay, Department of Parks and Recreation.....	2,350,000
Schedule:	
(1) 90.EC.401-Kenneth B. Hahn State Recreation Area: Expansion-Study.	150,000
(2) 90.KX.100-Acquiring and restoring space to house the Office of Historic Preservation.....	2,200,000
Provisions:	
1. The funds appropriated in Schedule (1) of this item are from Schedule (1.25) of Item 3790-302-0001 of the Budget Act of 1999 (Ch. 50, Stats. 1999) to fund additional work on the Master Plan, consistent with the purposes set forth in Chapter 752 of the Statutes of 1999.	
3790-302-0005—For capital outlay, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	141,568,000
Schedule:	
(1) 90.6F.200-Angel Island Immigration Facility.....	15,000,000
(2) 90.E4.200-Chino Hills and Citrus State Historic Park Visitor Center.	2,600,000
(3) 90.RS.200-State Park Playground Upgrades.....	650,000
(4) 90.FK.200-Poppy Reserve.....	250,000
(5) 90.AN.100-Empire Mine.....	2,500,000
(6) 90.8J.100-Colombia State Historic Park.....	250,000
(7) 90.RS.417-Redwood Acquisition....	10,000,000
(8) 90.CO.200-Henry Coe State Park Trails and Access.....	500,000
(9) 90.JH.100-Anderson Marsh State Historic Park: Acquisition of connector: Garner Property.....	800,000
(10) 90.6E.100-Pacifica State Beach: Linda Mar State Beach.....	1,000,000
(11) 90.CG.102-Rancho Ventana, addition to Pfeiffer Big Sur State Park.	1,320,000
(12) 90.GL.100-Verduga Mountains: Restroom, office, contact station, signs, fencing, trails.....	2,000,000
(13) 90.EB.100-San Buenaventura State Beach Improvements.....	2,000,000

Item	Amount
(14) 90.EC.103-Improvements to the 5-mile Ballona Creek Trail and Bikeway: public access, staging areas, landscaping, fencing, lighting, and paving.....	2,100,000
(15) 90.CS.100-Monterey State Beach Acquisition	2,500,000
(16) 90.64.100-East Bay Regional Park District: Complete the community planning process, provide design services, and construct public park improvements in the East Bay Shoreline Project.....	2,600,000
(17) 90.FD.101-Santa Monica Mountains Trust: Leo Carrillo State Beach, acquisition of adjacent property at Nicholas Canyon Ridge, a high priority for State Parks	3,250,000
(18) 90.KY.100-Granite Rock acquisition, Monterey County at Fort Ord Dunes State Park	3,500,000
(19) 90.KV.103-Los Angeles River: smaller Chinatown Yards project, 6 acres adjacent to river and contiguous to Elysian Park.....	3,770,000
(20) 90.6L.100-Tomales Bay State Park for acquisition and easements.....	5,000,000
(21) 90.FU.100-California Citrus State Historic Park: Improvements project	154,000
(22) 90.SN.102-Mount Diablo State Park: Macedo Ranch Interpretive Center	175,000
(23) 90.SN.100-Mount Diablo State Park: Rock City Picnic Area	275,000
(24) 90.HA.106-Anza Borrego Desert State Park: Land acquisition to expand and rehabilitate existing facilities	400,000
(25) 90.8U.104-Folsom Lake SRA: GB Recreational Trails	500,000
(26) 90.SN.403-Mount Diablo State Park: Acquisition to preserve 46 acres of land adjacent to Mount Diablo with red-legged frog habitat..	525,000

Item	Amount
(27) 90.9J.100-Kings Beach State Recreation Area: Facility Improvements Project.....	1,000,000
(28) 90.8U.103-Folsom Lake SRA: Visitor Center Project.....	1,000,000
(29) 90.G1.100-Red Rock Canyon State Park: Trail Rehabilitation Project.....	1,000,000
(30) 90.E4.100-Providence Mountains SRA: Facility Rehabilitation Project.....	1,000,000
(31) 90.3I.100-Shasta SHP: McLaughlin House Visitor Center	1,230,000
(32) 90.FC.100-Salton Sea State Park: Restoration Project.....	1,250,000
(33) 90.CO.102-Acquisition of Conservation Easements on the Silacci Ranch adjacent to Henry W. Coe State Park.....	1,500,000
(34) 90.BF.102-San Juan Bautista SHP: Rehabilitate Castro Brean Adobe..	1,650,000
(35) 90.H6.100-Cuyamaca Rancho State Park: Green Valley Falls Campground Rehabilitation	2,000,000
(36) 90.GG.103-Silverwood Lake SRA: Construct New Visitor Center	2,200,000
(37) 90.3V.100-Bidwell Mansion SHP: Mansion Restoration Project.....	2,255,000
(38) 90.GG.102-Silverwood Lake SRA: Rehabilitate Miller Canyon Day Use Area	2,500,000
(39) 90.E9.100-La Purisima Mission State Historic Park: Visitor Center.	3,000,000
(40) 90.CO.103-Acquisition of Conservation Easements in Santa Clara and Stanislaus Counties adjacent to the Henry W. Coe State Park.....	8,000,000
(41) 90.GY.100-Purchase Headlands Reserve adjacent to Doheny State Beach	18,000,000
(42) 90.FB.103-Pio Pico SHP: Restoration Project to provide vital services and facilities for urban youth	1,500,000
(43) 90.9H.121-Colonel Allensworth SHP restoration.....	8,000,000

Item	Amount
(44) 90.93.100-City of Woodland: Woodland Opera House SHP.....	75,000
(45) 90.68.100-Solano County: Benicia State Recreation Area.....	205,000
(46) 90.68.100-Solano County: Benicia State Recreation Area.....	205,000
(47) 90.CN.100-Monterey SHP: Stevenson House Adobe Repair....	349,000
(48) 90.AI.100-Millerton Lake SRA: Building and Picnic Area Rehabili- tation.....	500,000
(49) 90.BG.100-Fremont Peak SP: Campground Rehabilitation and Restoration	500,000
(50) 90.5N.103-Mt. Diablo State Park: Facilities Rehabilitation.....	2,000,000
(51) 90.GY.100-Coal Canyon acquisi- tion.....	9,000,000
(52) 90.5P.100-San Bruno Mountain State Park-San Bruno Mountain, addition	405,000
(53) 90.G3.100-Antelope Valley Indian Museum: Cultural Artifact Preser- vation Project	500,000
(54) 90.8G.100-Marshall Gold Discov- ery SHP: Gold Discovery Museum	1,625,000
(55) 90.72.102-John Marsh Home	5,000,000
(56) 90.5Y.100-Candlestick Point SRA Volunteer Building	500,000

Provisions:

1. Funds appropriated in this item shall be available for expenditure until June 30, 2003.

3790-401—For the 2000–01 fiscal year, the balance as of July 1, 2000, deposits in, and accruals to the Conservation and Enforcement Services Account in the Off-Highway Vehicle Trust Fund shall be transferred by the State Controller to the Off-Highway Vehicle Trust Fund. All funds transferred pursuant to this item shall be available for expenditure by the Department of Parks and Recreation for purposes of conservation and enforcement activities pursuant to Sections 23 and 25 of Chapter 1027 of the Statutes of 1987 which are authorized for expenditure within Items 3790-001-0263, 3790-101-0263, and 3790-301-0263. The Controller shall make the transfers quarterly or at such intervals as determined neces-

Item	Amount
sary to meet the cash-flow needs of the Off-Highway Vehicle Trust Fund.	
3790-490—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for the appropriations:	
0001—General Fund	
(1) Item 3790-301-0001(1), Budget Act of 1998, (Ch. 324, Stats. 1998) as reappropriated in Item 3790-490(5) Budget Act of 1999.	
(1) 90.CB.600—Morro Bay SP: Campground and Day Use Rehabilitation—Preliminary plans	
(2) Item 3790-301-0001, Budget Act of 1999, (Ch. 50, Stats. 1999)	
(1) 90.CB.600—Morro Bay SP: Campground and Day Use Area Rehabilitation—Preliminary plans	
(7.1) 90.47.100 Lake Oroville SRA: Sewer System Rehabilitation—Working drawings, pursuant to Item 3790-301-0001, Provisions 3 and 4, Budget Act of 1999, (Ch. 50, Stats. 1999).	
(3) Item 3790-302-0001, Budget Act of 1999, (Ch. 50, Stats. 1999)	
(1.1) 90.9H.120 Colonel Allenworth State Historic Park: Restorations—Preliminary plans, working drawings, and construction, provided that the funds shall be available for expenditure until June 30, 2002.	
0263—Off Highway Vehicle Trust Fund	
(1) Item 3790-301-0263(1), Budget Act of 1997 (Ch. 282, Stats. 1997).	
(1) 90.C7.400, Ocotillo Wells SVRA: Eastern Acquisition—Acquisition	
0516—Harbors and Watercraft Revolving Fund	
(1) Item 3790-301-164(1), Budget Act of 1993 (Ch. 55, Stats. 1993), as transferred to the General Fund (Item 3790-801-0001) per Section 16346 of the Government Code, and reappropriated in Item 3790-490, Budget Acts of 1994 (Ch. 139, Stats. 1994), 1995 (Ch. 303, Stats. 1995), 1996 (Ch. 162, Stats. 1996), and 1997 (Ch. 282, Stats. 1997).	

Item	Amount
<p>(1) 90.RS.130 Statewide: Dispatch Centers Program—Equipment, provided that the funds may be used for NORCOM Dispatch Center as reflected in the revised estimate of February 28, 1995.</p>	
<p>3790-491—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of the law, the unliquidated encumbrance for the appropriation provided in the following citation is reappropriated for liquidation until June 30, 2001. The unencumbered balance shall not be available for encumbrance.</p>	
<p>0001—General Fund</p>	
<p>(183) Item 3790-101-0001, Budget Act of 1999 (Ch. 50, Stats. 1999), City of Westminster: Little Saigon Cultural Heritage Museum.....</p>	(125,000)
<p>0156—California Heritage Fund</p>	
<p>(1) Item 3790-101-156, Budget Act of 1995, provided that these funds shall be used for the Economic Development Corporation of Mariposa project and provided that, notwithstanding Section 16304(c) of the Government Code, funding reappropriated by this item shall be subject to the reversion requirements provided in Section 16304.1 of the Government Code.</p>	
<p>0786—California Wildlife, Coastal and Park Land Conservation Fund of 1988</p>	
<p>(1) Item 3790-111-786, Budget Act of 1995, for transfer to the California Heritage Fund, from the California Wildlife, Coastal, and Park Land Conservation Fund of 1988 for the Department of Parks and Recreation.</p>	
<p>3810-001-0140—For support of Santa Monica Mountains Conservancy, payable from the California Environmental License Plate Fund</p>	629,000
<p>Schedule:</p>	
<p>(a) 10-Santa Monica Mountains Conservancy</p>	629,000
<p>Provisions:</p>	
<p>1. Notwithstanding Article 4 (commencing with Section 11040) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, the Attorney General shall continue to provide legal services to the Santa Monica Mountains Conservancy consistent with the manner in which the Attorney General provides legal services to state agencies that</p>	

Item	Amount
are funded by appropriations made from the General Fund.	
2. (a) The Santa Monica Mountains Conservancy shall not encumber state appropriated funds for the purchase or acquisition of real property directly or through any public agency intermediary, including the State Public Works Board, that requires the payment of interest costs, or late fees or penalties, unless the conservancy certifies all of the following: (1) that the purchase is necessary to implement an acquisition identified in the high-priority category of the work program submitted annually to the Legislature pursuant to Section 33208 of the Public Resources Code, or amendments made thereto, (2) that the purchase agreement does not involve interest payments or terms in excess of those that the State Public Works Board may enter into pursuant to Section 15854.1 of the Government Code, and (3) that the purchase agreement does not commit the state to future appropriations.	
(b) The Santa Monica Mountains Conservancy shall report periodically to the Legislature, but no less frequently than twice yearly, concerning the status of any purchases certified as required in (a) and the amount of state funds thus far encumbered for interest, penalties, or other principal surcharges.	
3810-301-0001—Capital Outlay, Santa Monica Mountains Conservancy.....	250,000
Schedule:	
(1) 20.10.140-Capital outlay and grants	250,000
Provisions:	
1. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance through the 2002–03 fiscal year.	
2. Of the amount appropriated in this item, \$250,000 is to restore and improve an undeveloped site in Arroyo Seco Canyon owned by the city of South Pasadena.	
3810-301-0005—For capital outlay, Santa Monica Mountains Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Fund.....	17,500,000

Item	Amount
Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated in this item are available for encumbrance for either capital outlay or local assistance through the 2002–03 fiscal year.	
3810-301-0941—For capital outlay, Santa Monica Mountains Conservancy, payable from the Santa Monica Mountains Conservancy Fund.....	0
(1) 50.20.001-Capital Outlay acquisitions	50,000
(2) Reimbursements.....	–50,000
Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated by this item are available for encumbrance for either capital outlay or local assistance through the 2002–03 fiscal year.	
3810-301-6015—For capital outlay, Santa Monica Mountains Conservancy, payable from the River Protection Subaccount.....	5,000,000
Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated in this item are available for encumbrance for either capital outlay or local assistance through the 2002–03 fiscal year.	
3810-302-0005—For capital outlay, Santa Monica Mountains Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	1,500,000
Schedule:	
(1) 20.10.140-Capital outlay and grants	1,500,000
(a) Santa Monica Mountains Conservancy: Whitney Canyon: For improvements and public access	(1,500,000)
Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated in this item are available for encumbrance for either capital outlay or local assistance through the 2002–03 fiscal year.	
3820-001-0001—For support of San Francisco Bay Conservation and Development Commission	4,967,000
Schedule:	
(a) 10-Bay Conservation and Development.....	5,676,000
(b) Reimbursements.....	–633,000

Item	Amount
(d) Amount payable from the Federal Trust Fund (Item 3820-001-0890).	-76,000
3820-001-0890—For support of San Francisco Bay Conservation and Development Commission, for payment to Item 3820-001-0001, payable from the Federal Trust Fund.....	76,000
3825-001-0140—For support of San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, payable from the California Environmental License Plate Fund.....	243,000
Schedule:	
(a) 10-San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy	243,000
Provisions:	
1. Acquisitions and enhancements administered pursuant to this item shall not be undertaken if they would require increased state funds for management purposes.	
3830-001-0140—For support of San Joaquin River Conservancy, payable from the California Environmental License Plate Fund	221,000
Schedule:	
(a) 10-San Joaquin River Conservancy.	221,000
Provisions:	
1. Acquisitions and enhancements administered pursuant to this item shall not be undertaken if they would require increased state funds for management purposes.	
3840-001-0140—For support of Delta Protection Commission, payable from the California Environmental License Plate Fund	155,000
3840-001-0516—For support of Delta Protection Commission, payable from the Harbors and Watercraft Revolving Fund.....	184,000
3850-001-0140—For support of Coachella Valley Mountains Conservancy, payable from the California Environmental License Plate Fund	105,000
Schedule:	
(a) 10-Coachella Valley Mountains Conservancy	252,000
(b) Reimbursements.....	-112,000
(c) Amount payable from the Coachella Valley Mountains Conservancy Fund (Item 3850-001-0296).....	-35,000

Item	Amount
Provisions:	
1. Acquisitions and enhancements administered pursuant to this item shall not be undertaken if they would require increased state funds for management purposes.	
3850-001-0296—For support of Coachella Valley Mountains Conservancy, for payment to Item 3850-001-0140, payable from the Coachella Valley Mountains Conservancy Fund	35,000
3850-301-0005—For capital outlay, Coachella Valley Mountains Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	4,854,000
Schedule:	
(1) Coachella Valley Mountains Acquisition and Enhancement Projects and Costs.....	10,000,000
(2) Reimbursements.....	-5,146,000
3860-001-0001—For support of Department of Water Resources.....	194,860,000
Schedule:	
(a) 10-Continuing Formulation of the California Water Plan.....	67,279,000
(ax) 15-CalFed Bay-Delta Program	157,565,000
(b) 20-Implementation of the State Water Resources Development System.....	3,065,000
(c) 30-Public Safety and Prevention of Damage	40,718,000
(d) 40-Services	4,869,000
(e) 50.01-Management and Administration.....	50,459,000
(f) 50.02-Distributed Management and Administration.....	-50,459,000
(f1) Less funding provided from Item 3860-301-0001.....	-206,000
(f2) Less funding provided from Item 3860-301-6008.....	-1,295,000
(f3) Less funding provided from Item 3860-301-6010.....	-400,000
(g) Reimbursements.....	-10,825,000
(h) Amount payable from the California Environmental License Plate Fund (Item 3860-001-0140).....	-762,000
(i) Amount payable from the Central Valley Project Improvement Subaccount (Item 3860-001-0404).....	-4,344,000

Item	Amount
(j) Amount payable from the Delta Levee Rehabilitation Subaccount (Item 3860-001-0409)	-4,231,000
(k) Amount payable from the Feasibility Projects Subaccount (Item 3860-001-0445)	-2,865,000
(l) Amount payable from the Water Conservation and Groundwater Recharge Subaccount (Item 3860-001-0446).....	-317,000
(m) Amount payable from the Energy Resources Programs Account (Item 3860-001-0465).....	-1,683,000
(n) Amount payable from the Local Projects Subaccount (Item 3860-001-0543)	-234,000
(o) Amount payable from the Sacramento Valley Water Management and Habitat Protection Subaccount (Item 3860-001-0544)	-270,000
(p) Amount payable from the 1984 State Clean Water Bond Fund (Item 3860-001-0740).....	-2,000
(q) Amount payable from the 1986 Water Conservation and Water Quality Bond Fund (Item 3860-001-0744)..	-137,000
(r) Amount payable from the 1988 Water Conservation Fund (Item 3860-001-0790).....	-195,000
(s) Amount payable from the Federal Trust Fund (Item 3860-001-0890) ..	-30,210,000
(t) Amount payable from the Renewable Resources Investment Fund (Item 3860-001-0940)	-657,000
(u) Amount payable from the Floodplain Mapping Subaccount (Item 3860-001-6003)	-2,725,000
(v) Amount payable from the Flood Protection Corridor Subaccount (Item 3860-001-6005)	-1,762,000
(w) Amount payable from the Urban Stream Restoration Subaccount (Item 3860-001-6007)	-447,000
(y) Amount payable from the Yuba Feather Flood Protection Subaccount (Item 3860-001-6010).....	-978,000

Item	Amount
(z) Amount payable from the Arroyo Pasajero Watershed Subaccount (Item 3860-001-6011)	-50,000
(z1) Amount payable from the Water and Watershed Education Subaccount (Item 3860-001-6014)	-2,850,000
(z2) Amount payable from the River Protection Subaccount (Item 3860-001-6015)	-10,000,000
(z3) Amount payable from the Water Conservation Account (Item 3860-001-6023)	-1,191,000
Provisions:	
1. The amounts appropriated in Items 3860-001-0001 to 3860-001-0940, inclusive, shall be transferred to the Water Resources Revolving Fund (0691) for direct expenditure in such amounts as the Department of Finance may authorize, including cooperative work with other agencies.	
2. Of the amount appropriated in this item, \$20 million shall be available for Integrated Storage Investigations pursuant to the following schedule:	
(a) North of Delta off-stream storage	8,100,000
(b) Surface and groundwater conjunctive use	4,800,000
(c) In-Delta and south of Delta storage	3,000,000
(d) Onstream storage enlargement	1,700,000
(e) Fish barrier removal	1,500,000
(f) Comprehensive storage strategy	600,000
(g) Hydropower facilities reoperation	300,000
3. Notwithstanding Section 26.00 of this act, the Director of Finance may, pursuant to a request by the Department of Water Resources, authorize a transfer of an amount available for expenditure from one scheduled element to one or more of the other scheduled elements. Any transfer may be authorized pursuant to this provision not sooner than 30 days after notification in writing of the transfer is provided to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the	

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Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. The notification to the Legislature shall provide the reason for the transfer. If any storage construction should proceed, beneficiaries shall be required to reimburse all prior planning expenditures from the General Fund.

4. It is the intent of the Legislature that the Department of Water Resources, in cooperation with the Secretary of the Resources Agency, the United States Secretary of the Interior and the CALFED organization, prepare a crosscut budget for CALFED for display in the Governor's Budget for the 2001–02 fiscal year and annually thereafter. The display, which shall be for informational purposes only, shall include a comprehensive, project-level crosscut budget, covering prior-year actuals, current-year estimates and budget-year proposals, which identify, by responsible agency, all expenditures within the state and federal governments used to achieve the objectives identified within the CALFED program (including, but not limited to, ecosystem restoration, water quality, water conservation, water recycling, water transfers, levees, watershed management, storage, conveyance, and monitoring) whether or not those expenditures are integrated in the planning and financial allocation process used by CALFED.
5. Of the amount appropriated in Schedule (a) of this item, \$382,000 shall be for support of the North Coast Watershed Assessment. These funds may not be expended unless Assembly Bill 717 of the 1999–2000 Regular Session or another statute is enacted, and the Secretary for Resources certifies in writing to the Joint Legislative Budget Committee that the legislation contains, at a minimum, all of the following:
 - (a) Interim prescriptions applicable to commercial timber harvesting and related road building activities that are protective of habitat for coho salmon and steelhead trout listed by the National Marine Fisheries Service pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.).

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- (b) Provisions requiring that any watershed assessment that is prepared by the state or any private party to formulate any timber harvesting prescriptions that would be used in lieu of paragraph (a), will include an opportunity for public review and comment, and be conducted using a methodology that does all of the following:
 - (i) Has been subject to public review, and has been peer reviewed and certified as appropriate for use in California by an independent team of qualified and independent scientists.
 - (ii) Includes procedures for identifying limiting factors, including habitat goals and objectives within each watershed.
 - (iii) Will produce recommendations for land use prescriptions and mitigation measures necessary to protect salmonids.
- (c) Incentives that assist landowners in accomplishing the goals of salmon protection.
- 6. Notwithstanding any other provision of law, Water Code Section 161 shall not apply to adoption or revision of regulations, guidelines, or criteria to implement the Costa-Machado Water Act of 2000 (Division 26 of the Water Code commencing with Section 79000).
- 7. (a) Notwithstanding any other provision of law, but subject to the provisions in subdivision (d), the California Department of Water Resources shall, not later than December 31, 2000, sign a settlement agreement with the California Independent System Operator (CAISO) in connection with the proceeding in Docket No. ER00-2019-000, filed at the Federal Energy Regulatory Commission (FERC) on March 31, 2000, concerning the Transmission Access Charge (Proceeding). Such settlement shall be contingent upon the successful renegotiations of existing transmission contracts with Pacific Gas and Electric Company and Southern California Edison Company. The settlement shall include the following terms:
 - (1) The department will transfer effective control of its existing and future transmission rights to the CAISO.

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<ul style="list-style-type: none"> (2) The department will make appropriate conversions of its existing and future transmission rights under existing contracts. (3) The department will make timely, appropriate revisions to its scheduling protocols to conform with the CAISO's scheduling protocols. 	
<ul style="list-style-type: none"> (b) The department shall not sign the settlement agreement unless: <ul style="list-style-type: none"> (1) The settlement includes an award of Firm Transmission Rights commensurate with the priority, amount, and term of the department's contractual transmission entitlements, as well as congestion revenues associated with such firm transmission rights. (2) The settlement includes a reasonable provision for mitigating potential staffing requirements associated with meeting transmission rate accounting and revenue requirements. (3) The settlement includes a "hold harmless" provision that protects the department from incurring cost increases due to transmission access charge and grid management charge payments. (4) There has been a resolution by FERC of the department's filing regarding time-sensitive transmission rates. (c) Subject to the provisions of subdivision (d), the CAISO and the department shall ensure that nothing in the Transmission Control Agreement or the CAISO tariff shall impair the department's obligation to provide any revenues from the sale of its Firm Transmission Rights or revenues from or costs of congestion payments as credits, debits, or refunds to state water project contractors in accordance with the terms of the state water supply contracts. Any state water contractor receiving a credit or refund under the terms of this section shall in turn credit or refund the full amount received to its water purchasers according to the formulas used in their respective contractual relationships. 	

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(d) No requirement in this section may impair any contracts the department has entered into for the sale, delivery, or use of water or power, or for other services and facilities, made available by the State Water Resources Development System with public or private corporations, entities, or individuals.	
(e) Effective immediately, the department shall initiate the process to allow it to provide the CAISO through the department’s Energy Management System, telemetered visibility of all of its generating units and dispatchable load.	
(f) The department, the Electricity Oversight Board, and the Public Utilities Commission shall enter into a memorandum of understanding to coordinate efforts regarding filings in connection with CAISO-instituted Federal Energy Regulatory Commission proceedings.	
8. Of the amount appropriated in this item, \$125,000,000 shall be for implementation of the anticipated CALFED Record of Decision, and shall not be expended unless and until a statute is enacted certifying that the projects or purposes for which the funds are expended are consistent with an EIS/EIR certified by the state lead agency as required by Division 13 (commencing with Section 21000) of the Public Resources Code.	
3860-001-0140—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the California Environmental License Plate Fund.....	762,000
3860-001-0404—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Central Valley Project Improvement Subaccount.....	4,344,000
3860-001-0409—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Delta Levee Rehabilitation Subaccount.....	4,231,000
3860-001-0445—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Feasibility Projects Subaccount.....	2,865,000
3860-001-0446—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Water Conservation and Groundwater Recharge Subaccount.....	317,000

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3860-001-0465—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Energy Resources Programs Account .	1,683,000
3860-001-0543—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Local Projects Subaccount.....	234,000
3860-001-0544—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Sacramento Valley Water Management and Habitat Protection Subaccount.....	270,000
3860-001-0740—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the 1984 State Clean Water Bond Fund..	2,000
3860-001-0744—For support of the Department of Water Resources, for payment to Item 3860-001-0001, payable from the 1986 Water Conservation and Water Quality Bond Fund.....	137,000
3860-001-0790—For support of the Department of Water Resources, for payment to Item 3860-001-0001, payable from the 1988 Water Conservation Fund.....	195,000
3860-001-0890—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Federal Trust Fund	30,210,000
3860-001-0940—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Renewable Resources Investment Fund	657,000
3860-001-6003—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Floodplain Mapping Subaccount.....	2,725,000
3860-001-6005—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Flood Protection Corridor Subaccount	1,762,000
3860-001-6007—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Urban Stream Restoration Subaccount	447,000
3860-001-6010—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Yuba Feather Flood Protection Subaccount.....	978,000
3860-001-6011—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Arroyo Pasajero Watershed Subaccount.....	50,000

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3860-001-6014—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Water and Watershed Education Subaccount.....	2,850,000
3860-001-6015—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the River Protection Subaccount.....	10,000,000
3860-001-6023—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Water Conservation Account.....	1,191,000
3860-101-0001—For local assistance, Department of Water Resources	79,360,000

Schedule:

- (a) 15.10-CalFed Bay-Delta Program .. 10,000,000
- (b) Flood Control Subventions 68,000,000
- (c) Grants..... 1,360,000
 - (1) City of Whittier:
 - Flomar Drainage Project..... (460,000)
 - (2) City of Mendota-Complete water improvement project..... (650,000)
 - (3) Yolo County: Community of Esparto-Flood control improvements..... (250,000)

Provisions:

1. Of the amount appropriated in this item, \$10 million shall be available for allocation to public water agencies located in the delta export service area to match available federal funds to implement water management and water transfer programs to mitigate water shortages and water quality impacts. These activities shall include acquiring water options to stabilize south of the delta water supplies.
2. Of the amount appropriated in this item, \$10,000,000 shall be for CALFED Local Assistance to the Delta Export Area, and shall not be expended unless and until a statute is enacted certifying that the projects or purposes for which the funds are expended are consistent with an environmental impact statement or an environmental impact report certified by the state lead agency as required

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by Division 13 (commencing with Section 21000) of the Public Resources Code.	
3860-101-0409—For local assistance, Department of Water Resources, payable from the Delta Levee Rehabilitation Subaccount.....	26,000,000
3860-101-0446—For local assistance, Department of Water Resources, payable from the Water Conservation and Groundwater Recharge Subaccount.....	14,000,000
3860-101-0543—For local assistance, Department of Water Resources, payable from the Local Projects Subaccount.....	10,000,000
3860-101-0544—For local assistance, Department of Water Resources, payable from the Sacramento Valley Water Management and Habitat Protection Subaccount.....	7,879,000
3860-101-0740—For local assistance, Department of Water Resources, Program 10.29—Conservation Loans, payable from the 1984 State Clean Water Bond Fund.....	120,000
3860-101-0744—For local assistance, Department of Water Resources, Program 10.29—Conservation Loans, payable from the 1986 Water Conservation and Water Quality Bond Fund.....	2,500,000
3860-101-0790—For local assistance, Department of Water Resources, Program 10.29—Conservation Loans, payable from the 1988 Water Conservation Fund.....	8,500,000
3860-101-6005—For local assistance, Department of Water Resources, payable from the Flood Protection Corridor Subaccount.....	35,688,000
Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years.	
3860-101-6006—For local assistance, Department of Water Resources, payable from the Flood Control Subventions Subaccount.....	42,750,000
Provisions:	
1. Of the amount appropriated for the Flood Control Subventions Program and available for disbursement to Fresno Metropolitan Flood Control District for Redbank and Fancher Creek, an amount not to exceed \$300,000 shall be used for the Blackstone/Shaw pipeline/construction right-of-way.	

Item	Amount
3860-101-6007—For local assistance, Department of Water Resources, payable from the Urban Stream Restoration Subaccount.....	2,000,000
3860-101-6009—For local assistance, Department of Water Resources, payable from the San Lorenzo River Flood Control Subaccount	1,900,000
3860-101-6010—For local assistance, Department of Water Resources, payable from the Yuba Feather Flood Protection Subaccount.....	5,600,000
Provisions:	
1. Of the amount appropriated in this item, up to \$3,000,000 may be allocated to the Yuba County Water Agency to be used for feasibility studies and environmental studies. The approval of the funding for those feasibility studies and environmental studies shall not constitute approval of any related project.	
3860-101-6014—For local assistance, Department of Water Resources, payable from the Water and Watershed Education Subaccount.....	1,900,000
3860-101-6015—For local assistance, Department of Water Resources, payable from the River Protection Subaccount.....	7,500,000
3860-101-6023—For local assistance, Department of Water Resources, payable from the Water Conservation Account.....	40,000,000
3860-101-6025—For local assistance, Department of Water Resources, payable from the Conjunctive Use Subaccount.....	9,500,000
3860-101-6027—For local assistance, Department of Water Resources, payable from the Interim Water Supply and Water Quality Infrastructure and Management Subaccount	161,544,000
3860-301-0001—For capital outlay, Department of Water Resources.....	11,463,000
Schedule:	
(1) 30.95.010-Sacramento Riverbank Protection Project.....	2,500,000
(2) 30.95.030-Merced County Streams.....	500,000
(3) 30.95.202-Sacramento/San Joaquin River Basins Comprehensive Study.....	1,450,000
(3.1) Yuba River Basin Project.....	6,533,000
(4) 30.95.299-Sacramento and San Joaquin River Basins-Early Implementation Projects, Feasibility Study.....	1,250,000

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(5) 30.95.302-Sutter Basin Feasibility Study.....	1,000,000
(6) 30.95.303-Tuolumne River Flood Control Project-Feasibility Study ..	1,200,000
(7) 30.95.306-West Stanislaus Feasibility Study.....	650,000
(7.5) 30.95.309-American River Long-Term Flood Protection Study.....	350,000
(8) Reimbursements-Sacramento and San Joaquin River Basins-Early Implementation Projects, Feasibility Study.....	-625,000
(9) Reimbursements-Sutter Basin Feasibility Study	-500,000
(10) Reimbursements-Tuolumne River Flood Control Project-Feasibility Study.....	-600,000
(11) Reimbursements-West Stanislaus Feasibility Study	-325,000
(12) Reimbursements-Yuba River Basin Project	-1,920,000

Provisions:

1. The funds appropriated by this item may be expended for the acquisition of land, easements, and rights-of-way, including, but not limited to, borrow pits, spoil areas, and easements for levees, clearing, flood control works, and flowage, and for appraisals, surveys, and engineering studies necessary for the completion or operation of the projects in the Sacramento and San Joaquin watersheds as authorized by Section 8617.1 and Chapters 1 (commencing with Section 12570), 2 (commencing with Section 12639), 3 (commencing with Section 12800), 3.5 (commencing with Section 12840), and 4 (commencing with Section 12850) of Part 6 of Division 6 of the Water Code.
2. The amounts appropriated in this item are also for advances to the federal government or payments to the federal government or others for incidental construction or reconstruction items that are an obligation of the state in connection with the completion or operation of the projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, powerlines, communication lines, pipelines, irrigation works, and other structures

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and facilities and for appraisals, surveys, and engineering studies incidental thereto.	
3. The funds appropriated in this item include funding for preliminary plans, working drawings, construction supervision, contract administration, and other work activities to be performed by Department of Water Resources personnel in completion of the projects.	
4. Notwithstanding Section 26.00 of this act, funds may be transferred, with the approval of the Department of Finance, between projects specified in this item and other Department of Water Resources major capital outlay projects with an active appropriation. The Director of Finance shall notify, in writing, the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, within 30 days, or such lesser time as the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may determine, prior to any transfer.	
3860-301-0413—For capital outlay, Department of Water Resources, payable from the South Delta Barriers Subaccount.....	1,000,000
Schedule:	
(1) 10.95.015 South Delta Barriers Program.....	1,000,000
3860-301-6008—For capital outlay, Department of Water Resources, payable from the State Capital Protection Subaccount.....	20,000,000
Schedule:	
(1) American River Flood Control Project Phase I: Commons Elements	9,895,000
(2) Magpie Creek Small Flood Control Project.....	2,063,000
(3) American River Flood Control Project—Natomas Features.....	2,840,000
(4) South Sacramento County Streams.....	9,967,000
(5) Folsom Dam Modifications Project.....	2,100,000
(6) Reimbursements.....	-6,865,000
3860-301-6010—For capital outlay, Department of Water Resources, payable from the Yuba Feather Flood Protection Subaccount.....	2,500,000
Schedule:	
(1) Colusa Basin Watershed Flood Protection Program	2,500,000

Item	Amount
3860-490—Reappropriation, Department of Water Resources. The balance of the amounts appropriated in the following citations are hereby reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations, and shall be available for expenditure until June 30, 2001.	
0001—General Fund	
Item 3860-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(7) 30.95.286-Middle Creek Restoration Feasibility Study	
(8) 30.95.290-Hamilton City Feasibility Study	
(9) 30.95.295-Tehama Feasibility Study	
As reappropriated by Item 3860-491, Budget Act of 1998 (Ch. 324, Stats. 1998)	
(8) 30.95.250-Yuba River Preconstruction Engineering and Design Work—Preliminary plans and working drawings	
Item 3860-301-0001, Budget Act of 1997 (Ch. 282, Stats. 1997)	
(4) 30.95.215-Lower Sacramento Area Levee Reconstruction Project	
(5) 30.95.220-Upper Sacramento Area Levee Reconstruction Project	
Chapter 2 of the Statutes of 1997-Sacramento River PL 84-99/San Joaquin River PL 84-99 Flood Damage Repair Funds 30.95.111	
Chapter 5 of the Statutes of 1997	
(e) 30.95.085-Cache Creek Settling Basin	
(g) 30.95.155-Mid-Valley Area Levee Reconstruction Project	
(h) 30.90.065-Mallot Road Bridge Construction	

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

3900-001-0001—For support of State Air Resources Board, for payment to Item 3900-001-0044.....	124,517,000
Provisions:	
2. Of the amount appropriated in this item, \$900,000 shall be used to evaluate indoor air quality in portable classrooms.	
3900-001-0044—For support of State Air Resources Board, payable from the Motor Vehicle Account, State Transportation Fund	58,380,000
Schedule:	
(a) 15-Mobile Source.....	177,503,000

Item	Amount
(b) 25-Stationary Source	47,169,000
(c) 30.01-Program Direction and Support	9,942,000
(d) 30.02-Distributed Program Direction and Support	-9,942,000
(e) Reimbursements	-5,301,000
(f) Amount payable from the General Fund (Item 3900-001-0001)....	-124,517,000
(g) Amount payable from the Air Pollution Control Fund (Item 3900-001-0115)	-9,655,000
(h) Amount payable from the Vehicle Inspection and Repair Fund (Item 3900-001-0421)	-9,955,000
(i) Amount payable from the Air Toxics Inventory and Assessment Account (Item 3900-001-0434)	-1,298,000
(j) Amount payable from the High Polluter Repair or Removal Account (Item 3900-001-0582)	-105,000
(k) Amount payable from the Petroleum Violation Escrow Account (Item 3900-001-0853)	-5,000,000
(l) Amount payable from the Federal Trust Fund (Item 3900-001-0890).-	10,461,000
3900-001-0115—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Air Pollution Control Fund	9,655,000
3900-001-0421—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Vehicle Inspection and Repair Fund	9,955,000
3900-001-0434—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Air Toxics Inventory and Assessment Account.....	1,298,000
3900-001-0582—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the High Polluter Repair or Removal Account	105,000
3900-001-0853—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Petroleum Violation Escrow Account	5,000,000
Provisions:	
1. Of the amount appropriated in this item, \$5,000,000 shall be used to assist local transit agencies in the purchase of fuel cell buses and	

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shall be available for expenditure through June 30, 2002.	
3900-001-0890—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Federal Trust Fund	10,461,000
3900-101-0044—For local assistance, State Air Resources Board, for assistance to counties in the operation of local air pollution control districts, payable from the Motor Vehicle Account, State Transportation Fund	15,111,000
Schedule:	
(a) 35-Subvention	15,111,000
Provisions:	
1. Of the funds appropriated in this item, \$7,600,000 shall only be expended for enforcement and compliance activities carried out by local air pollution control districts. It is the intent of the Legislature that these funds shall not be used to reduce the fees paid by permittees to the local districts.	
3900-301-0115-For capital outlay, State Air Resources Board, payable from the Air Pollution Control Fund Schedule:	271,000
(1) 40.10.001-Haagen-Smit Laboratory Breezeway Renovation-Preliminary plans and working drawings	271,000
3910-001-0001—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387	1,188,000
Provisions:	
1. Of the amount appropriated in this item, \$977,000 shall be used by the California Integrated Waste Management Board exclusively for the remediation costs described in the State Board of Control Claims No. G503311, for full satisfaction and release of that claim.	
3910-001-0005—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	255,000
3910-001-0100—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the California Used Oil Recycling Fund	4,058,000
Provisions:	
1. Notwithstanding subdivision (d) of Section 48653 of the Public Resources Code, the aggregate of	

Item	Amount
appropriations from the California Used Oil Recycling Fund may exceed \$3,000,000 during the 2000–01 fiscal year.	
3910-001-0226—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the California Tire Recycling Management Fund.....	4,737,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. Notwithstanding Section 42889 of the Public Resources Code, expenditures for administration of the Tire Recycling Program may exceed the limits set forth in subdivisions (a) and (b) of Section 42889 of the Public Resources Code.	
3910-001-0281—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Recycling Market Development Revolving Loan Account, Integrated Waste Management Fund.....	6,565,000
3910-001-0386—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Solid Waste Disposal Site Cleanup Trust Fund	442,000
Provisions:	
1. Notwithstanding Section 48020 of the Public Resources Code, expenditures for administration of the Solid Waste Cleanup Trust Fund Program may exceed the limits set forth in subdivision (c) of Section 48020 of the Public Resources Code.	
3910-001-0387—For support of California Integrated Waste Management Board, payable from the Integrated Waste Management Account, Integrated Waste Management Fund.....	37,771,000
Schedule:	
(a) 11-Waste Reduction and Management.....	64,285,000
(b) 30.01-Administration.....	8,662,000
(c) 30.02-Distributed Administration ...	-8,662,000
(d) Reimbursements.....	-670,000
(e) Amount payable from General Fund (Item 3910-001-0001)	-1,188,000

Item	Amount
(ex) Amount payable from Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3910-001-0005).....	-255,000
(f) Amount payable from California Used Oil Recycling Fund (Item 3910-001-0100)	-4,058,000
(g) Amount payable from California Used Oil Recycling Fund (paragraph (4) of subdivision (a) of Section 48653 of the Public Resources Code)	-4,521,000
(h) Amount payable from California Used Oil Recycling Fund (paragraph (1) of subdivision (a) of Section 48653 of the Public Resources Code)	-2,336,000
(i) Amount payable from California Used Oil Recycling Fund (Section 48656 of the Public Resources Code)	-164,000
(j) Amount payable from California Tire Recycling Management Fund (Item 3910-001-0226)	-4,737,000
(k) Amount payable from Recycling Market Development Revolving Loan Account, Integrated Waste Management Fund (Item 3910-001-0281)	-6,565,000
(l) Amount payable from Solid Waste Disposal Site Cleanup Trust Fund (Item 3910-001-0386)	-442,000
(m) Amount payable from the Farm and Ranch Solid Waste Cleanup and Abatement Account (Item 3910-001-0558)	-1,022,000
(n) Amount payable from Federal Trust Fund (Item 3910-001-0890).....	-556,000
Provisions:	
1. Notwithstanding subdivision (h) of Section 42023.1 of the Public Resources Code, the California Integrated Waste Management Board may offset the costs of administering the revolving loan program for Recycling Market Development Zones with funds appropriated in this item.	
2. The amount appropriated in this item includes revenues derived from the assessment of fines and	

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penalties imposed as specified in Section 13332.18 of the Government Code.	
3910-001-0558—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Farm and Ranch Solid Waste Cleanup and Abatement Account.....	1,022,000
Provisions:	
1. Notwithstanding Section 48100 of the Public Resources Code, expenditures for administration of the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program may exceed the limits set forth in paragraph (3)(A) of subdivision (c) of Section 48100 of the Public Resources Code.	
3910-001-0890—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Federal Trust Fund	556,000
3910-003-0100—For transfer by the Controller, upon notification by the board, of an amount not to exceed the appropriation in this item, from the California Used Oil Recycling Fund to the Farm and Ranch Solid Waste Cleanup and Abatement Account pursuant to paragraph (2)(A) of subdivision (c) of Section 48100 of the Public Resources Code.....	(333,000)
3910-003-0226—For transfer by the Controller, upon notification by the board, of an amount not to exceed the appropriation in this item, from the California Tire Recycling Management Fund to the Farm and Ranch Solid Waste Cleanup and Abatement Account pursuant to paragraph (2)(A) of subdivision (c) of Section 48100 of the Public Resources Code.....	(333,000)
3910-004-0387—For transfer by the Controller from the Integrated Waste Management Account, Integrated Waste Management Fund to the Solid Waste Disposal Site Cleanup Trust Fund pursuant to paragraph (1) of subdivision (c) of Section 48027 of the Public Resources Code.....	(5,000,000)
3910-005-0387—For transfer by the Controller, upon notification by the board, of an amount not to exceed the appropriation in this item, from the Integrated Waste Management Account, Integrated Waste Management Fund to the Farm and Ranch Solid Waste Cleanup and Abatement Account pursuant to paragraph (2)(A) of subdivision (c) of Section 48100 of the Public Resources Code.....	(334,000)
3910-101-0001—For local assistance, California Integrated Waste Management Board	520,000

Item	Amount
Schedule:	
(a) 11-Waste Reduction and Management.....	520,000
(1) City of Garden Grove: Eastgate Park surface renovation to comply with ADA	(30,000)
(2) City of Garden Grove: Atlantis Park surface renovation to comply with ADA	(30,000)
(3) City of Anaheim: Peter Marshall Park equipment replacement surface upgrade to comply with ADA	(125,000)
(4) Santiago Elementary School PTA playground equipment.....	(80,000)
(5) City of La Mesa: Highwood Park playground design and equipment.....	(100,000)
(6) City of La Mesa: MacArthur Park playground equipment.....	(55,000)
(7) National City: Kimball Park baseball fields.....	(100,000)
3910-101-0005—For local assistance, California Integrated Waste Management Board, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	10,635,000
Schedule:	
(1) 11-Waste Reduction and Management.....	10,635,000
(a) Grants	(2,558,000)
(b) Special Projects..	(8,077,000)

Item	Amount
(1) County of Yolo, Town of Clarks- burg: Restore and rehabilitate a play- ground.....	(125,000)
(2) City of San Diego: Ocean Beach Rec- reation Center Tot Lot upgrade for ADA compliance..	(175,000)
(3) City of Glendale: Public parks ADA compliance.....	(200,000)
(4) City of San Fran- cisco: Playground upgrades to meet ADA standards	(500,000)
(5) County of Plumas: Play area for youth and ADA compli- ance	(150,000)
(6) City of El Centro: City Parks play- ground equipment enhancements	(125,000)
(7) City of Orange: Re- placement of tot lots and ADA com- pliance	(75,000)
(8) Fair Oaks Recre- ation and Park Dis- trict: Bannister Park ADA compli- ance and improve- ments	(50,000)
(9) City of Willows: Play equipment pathway from re- cycled materials and ADA compli- ance	(20,000)
(10) County of Tuol- umne: Patterson field play area for kids.....	(25,000)

Item	Amount
(11) City of Anaheim: Play equipment replacement at Peter Marshall, Pearson, Boysen, and Rio Vista Parks	(230,000)
(12) City of Covina: Replace playground equipment and ADA compliance	(100,000)
(13) Fulton-El Camino Recreation and Park District: District playground improvements and ADA compliance..	(50,000)
(14) Elk Grove Community Services Center: Clarence Frank Baker Park playground equipment and ADA compliance	(50,000)
(15) Cordova Recreation and Park District: Play structure replacements and ground surface improvements at Larchmont-Rossmoor, Lincoln Village, Hensley and Rosswood Parks ...	(50,000)
(16) Fulton-El Camino Recreation and Park District: Improvements to area playgrounds and ADA compliance..	(50,000)
(17) Elk Grove Community Services District: King Park Tot Lot improvements and ADA compliance	(50,000)

Item	Amount
(18) Elk Grove Community Services District: Johnson Park Tot Lot improvements and ADA compliance..	(50,000)
(19) Elk Grove Community Services District: Caterino Park Tot Lot and hardscape improvements.....	(75,000)
(20) City of Palmdale: Replacement of playground equipment at Courson, Manzanita and Pelona Vista Parks.	(100,000)
(21) City of Santa Ana: Sand Point Park—Refurbish playground equipment	(50,000)
(22) City of Santa Ana: Santa Anita Park—Renovation and purchase playground equipment	(75,000)
(23) City of Santa Ana: Morrison Park equipment replacement.....	(50,000)
(24) National City: Installation of ADA approved playground for Kimball Park	(50,000)
(25) East Bay Regional Park District: Camp Ohloine ADA improvements	(600,000)
(26) City of Stockton: City park playground facility upgrade to meet current state requirements.....	(300,000)

Item	Amount
(27) Manhattan Beach: Polliwog Regional Park—New play- ground equipment	(300,000)
(28) City of Reedley: Mueller Park— Repairs to dam- aged playground...	(20,000)
(29) City of Fresno: Roeding Regional Park playground improvements.....	(75,000)
(30) City of Tulare: Cecil Berkeley ac- tivity center— construction of play structure.....	(20,000)
(31) City of Lakeport: Westside Commu- nity Park—Phase I improvements.....	(250,000)
(32) City of Watson- ville: Playground upgrades and reha- bilitation.....	(500,000)
(33) City of Salinas: Playground up- grades and reha- bilitation.....	(500,000)
(34) City of Ceres: Playground up- grades	(887,000)
(35) City of Fresno: Tree planting	(150,000)
(36) City of San Ber- nardino: New chil- drens' park con- struction.....	(750,000)
(37) City of San Ber- nardino: Purchase new equipment for children's tot lots throughout city and install a new tot lot.....	(310,000)

Item	Amount
(38) City of Escondido: Construction of a regional, universal accessible play- ground in Kit Car- son Park.....	(250,000)
(39) City of Tulare: Construction of a play structure adja- cent to the Cecil Berkeley Activity Center	(20,000)
(40) Kern County: Bring Wofford Heights up to ADA standards	(60,000)
(41) Kern County: Bring Mountain Mesa up to ADA standards	(60,000)
(42) Kern County: Bring Scodie Parks up to ADA stan- dards	(60,000)
(43) Livermore Area Recreation and Park District: Karl Wente Neighbor- hood Park— Renovation of playground equip- ment	(120,000)
(44) Livermore Area Recreation and Park District: Maitland Henry Neighborhood Park—Renovation of playground equipment	(110,000)

Item	Amount
(45) Livermore Area Recreation and Park District: Watenburger Neighborhood Park—Renovation of playground equipment.....	(60,000)
(46) Livermore Area Recreation and Park District: Ravenswood Neighborhood Park—Renovation of playground equipment	(100,000)
(47) Livermore Area Recreation and Park District: Summit Neighborhood Park—Renovation of playground equipment	(100,000)
3910-101-0226—For local assistance, California Integrated Waste Management Board, payable from the California Tire Recycling Management Fund.....	500,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
3910-101-0387—For local assistance, California Integrated Waste Management Board, payable from the Integrated Waste Management Account, Integrated Waste Management Fund.....	4,500,000
Provisions:	
1. Notwithstanding any other provision of law, the total amount of grants made by the board pursuant to Section 47200 of the Public Resources Code shall not exceed \$3,000,000.	
3910-101-0890—For local assistance, California Integrated Waste Management Board, payable from the Federal Trust Fund	1,500,000
3930-001-0001—For support of Department of Pesticide Regulation.....	19,441,000

Item	Amount
Schedule:	
(a) 12-Registration and Health Evaluation.....	15,318,000
(b) 17-Enforcement, Environmental Monitoring and Data Management.....	36,963,000
(c) 20.10-Executive and Administrative Services.....	5,233,000
(d) 20.20-Distributed Executive and Administrative Services.....	-5,233,000
(e) Reimbursements.....	-419,000
(f) Amount payable from the Department of Pesticide Regulation Fund (Item 3930-001-0106).....	-27,868,000
(g) Amount payable from the California Environmental License Plate Fund (Item 3930-001-0140).....	-492,000
(h) Amount payable from the Food Safety Account (Item 3930-001-0224).....	-2,026,000
(i) Amount payable from the Federal Trust Fund (Item 3930-001-0890).....	-2,035,000
Provisions:	
1. Of the amount appropriated in this item, \$182,000 shall be used to assist school districts to implement integrated pest management.	
2. Of the amount appropriated in this item, \$2,000,000 shall be allocated by the Department of Pesticide Regulation to the University of California Sustainable Agriculture Research and Education Program for competitive grants to support sustainable agriculture research, including, but not limited to, research, outreach, and demonstration projects related to alternatives to methyl bromide.	
3. Of the amount appropriated in this item, \$1,500,000 shall be allocated by the Department of Pesticide Regulation to the University of California Sustainable Agriculture Research and Education Program for Biologically Integrated Farming Systems demonstration projects.	
4. Of the amount appropriated in this item, \$1,500,000 shall be allocated by the Department of Pesticide Regulation to the University of California Sustainable Agriculture Research and Education Program for information exchange among,	

Item	Amount
and outreach to, agricultural producers regarding successful sustainable agricultural practices.	
5. Of the amount appropriated in this item, \$200,000 shall be allocated by the Department of Pesticide Regulation to the University of California Sustainable Agriculture Research and Education Program for flock management research to determine appropriate methods of containing the expanding crow roost influx into urban areas adjacent to agricultural activities. This program is to be conducted on a pilot basis in Yuba City. This research will be utilized by federal agencies to implement a national program of flock management.	
6. The allocations made pursuant to provisions 2, 3, 4, and 5 shall be implemented by contract between the Department of Pesticide Regulation and the University of California. The contract shall include provisions to ensure that the department can adequately oversee the use of the funds and the results of the projects supported by those funds. The department shall provide fiscal oversight and shall allocate all program funds received, except that the department may retain no more than 2 percent of the contracted amount for purposes of implementing this provision.	
7. Of the amount appropriated in this item, \$500,000 shall be for biological assessment and physical habitat studies in the San Joaquin River watershed and the San Joaquin/Sacramento River Delta, for the development of total maximum daily loads for pesticides in those waterbodies.	
3930-001-0106—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0001, payable from the Department of Pesticide Regulation Fund	27,868,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. Of the amount appropriated in this item, \$426,000 shall be used to assist school districts to implement integrated pest management.	
3930-001-0140—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0001, payable from the California Environmental License Plate Fund.....	492,000

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3930-001-0224—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0001, payable from the Food Safety Account.....	2,026,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
3930-001-0890—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0001, payable from the Federal Trust Fund.....	2,035,000
3930-003-0106—For transfer by the Controller from the Department of Pesticide Regulation Fund to the Food Safety Account pursuant to Section 12846.5 of the Food and Agricultural Code	(1,838,000)
3930-101-0001—For local assistance, Department of Pesticide Regulation	2,449,000
Schedule:	
(a) 17-Enforcement, Environmental Monitoring and Data Management.....	13,121,000
(b) Amount payable from the Department of Pesticide Regulation Fund (Item 3930-101-0106)	-466,000
(c) Amount payable from the Department of Pesticide Regulation Fund (Section 12844 of the Food and Agricultural Code)	-10,206,000
3930-101-0106—For local assistance, Department of Pesticide Regulation, for payment to Item 3930-101-0001, payable from the Department of Pesticide Regulation Fund	466,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
3930-295-0001—For local assistance, Department of Pesticide Regulation, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller.....	225,000

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Schedule:	
(1) 98.01.120.089-Pesticide Use Re-ports (Ch. 1200, Stats. 89)	225,000
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.	
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.	
3940-001-0001—For support of State Water Resources Control Board.....	103,347,000
Schedule:	
(a) 10-Water Quality	405,339,000
(b) 20-Water Rights	12,413,000
(c) 30.01-Administration	18,201,000
(d) 30.02-Distributed Administration ...	-18,201,000
(e) Reimbursements	-9,912,000
(f) Amount payable from the Unified Program Account (Item 3940-001-0028).....	-621,000
(g) Amount payable from the Waste Discharge Permit Fund (Item 3940-001-0193)	-15,457,000

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(h) Amount payable from the Exotic Species Control Fund (Item 3940-001-0212)	-238,000
(i) Amount payable from the Environmental Protection Trust Fund (Item 3940-001-0225)	-1,647,000
(j) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3940-001-0235)	-1,993,000
(l) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 3940-001-0387)	-6,037,000
(m) Amount payable from the State Revolving Fund Loan Subaccount (Item 3940-001-0417)	-481,000
(n) Amount payable from the Small Communities Grant Subaccount (Item 3940-001-0418)	-753,000
(o) Amount payable from the Water Recycling Subaccount (Item 3940-001-0419)	-144,000
(p) Amount payable from the Drainage Management Subaccount (Item 3940-001-0422)	-74,000
(q) Amount payable from the Delta Tributary Watershed Subaccount (Item 3940-001-0423)	-220,000
(r) Amount payable from the Seawater Intrusion Control Subaccount (Item 3940-001-0424)	-36,000
(s) Amount payable from the Underground Storage Tank Tester Account (Item 3940-001-0436)	-54,000
(t) Amount payable from the Underground Storage Tank Cleanup Fund (Item 3940-001-0439)	-241,381,000
(u) Amount payable from the Underground Storage Tank Fund (Item 3940-001-0475)	-707,000
(v) Amount payable from the Harbors and Watercraft Revolving Fund (Item 3940-001-0516)	-208,000
(w) Amount payable from the 1984 State Clean Water Bond Fund (Item 3940-001-0740)	-305,000

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(x) Amount payable from the Federal Trust Fund (Item 3940-001-0890).....	-31,151,000
(y) Amount payable from the Special Deposit Fund (Item 3940-001-0942).....	-608,000
(z) Amount payable from the Watershed Protection Subaccount (Item 3940-001-6013)	-321,000
(aa) Amount payable from the Santa Ana River Watershed Subaccount (Item 3940-001-6016)	-1,212,000
(bb) Amount payable from the Lake Elsinore and San Jacinto Watershed Subaccount (Item 3940-001-6017).....	-76,000
(cc) Amount payable from the Nonpoint Source Pollution Control Subaccount (Item 3940-001-6019).....	-354,000
(dd) Amount payable from the State Revolving Fund Loan Subaccount (Item 3940-001-6020)	-81,000
(ee) Amount payable from the Wastewater Construction Grant Subaccount (Item 3940-001-6021).....	-21,000
(ff) Amount payable from the Coastal Nonpoint Source Control (Item 3940-001-6022)	-313,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the State Water Resources Control Board may borrow sufficient funds, from special funds that otherwise provide support for the Board, for cash purposes. Any such loans are to be repaid with interest at the rate earned in the Pooled Money Investment Account.
2. Of the amount appropriated in this item, \$272,000 shall be used to review applications for a hydroelectric project license for compliance with the federal Clean Water Act. Any fees received from applicants shall be used to reduce expenditures from the General Fund.
3. Of the amount appropriated in this item, \$150,000 shall be used to assist the State Water Resources Control Board in carrying out the existing comprehensive coastal water resources monitoring

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- and assessment program for fish and shellfish and to carry out the reassessment of the commercial fish closure off Palos Verdes Shelf.
4. Of the amount appropriated in Schedule (a) of this item, \$581,000 shall be for support of the North Coast Watershed Assessment. These funds may not be expended unless Assembly Bill 717 of the 1999–2000 Regular Session or another statute is enacted, and the Secretary for Resources certifies in writing to the Joint Legislative Budget Committee that the legislation contains, at a minimum, all of the following:
 - (a) Interim prescriptions applicable to commercial timber harvesting and related road building activities that are protective of habitat for coho salmon and steelhead trout listed by the National Marine Fisheries Service pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.).
 - (b) Provisions requiring that any watershed assessment that is prepared by the state or any private party to formulate any timber harvesting prescriptions that would be used in lieu of paragraph (a), will include an opportunity for public review and comment, and be conducted using a methodology that does all of the following:
 - (i) Has been subject to public review, and has been peer reviewed and certified as appropriate for use in California by an independent team of qualified and independent scientists.
 - (ii) Includes procedures for identifying limiting factors, including habitat goals and objectives within each watershed.
 - (iii) Will produce recommendations for land use prescriptions and mitigation measures necessary to protect salmonids.
 - (c) Incentives that assist landowners in accomplishing the goals of salmon protection.
 5. By November 30, 2000, the State Board shall prepare and make publicly available a report on the state's efforts to comply with the federal Clean Water Act, Section 303(d). The report shall include:
 - (a) A process which outlines how the State Board and regional boards shall implement their To-

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tal Maximum Daily Load (TMDL) requirements consistent with Section 303(d) and, where applicable, Division VII of the Water Code and other relevant state and federal laws. This process shall be included in the state's continuing planning process required by Section 303(e).

- (b) A description of the formal actions taken to date by the State Board and regional boards to implement federal Clean Water Act Section 303(d), including the number of TMDLs adopted, the process and criteria used to develop TMDLs and the watersheds for which TMDLs have been adopted.
- (c) A description of the process the State Board and regional boards use for taking formal actions pursuant to the requirements of the federal Clean Water Act, Section 303(d), including actions related to criteria for prioritizing work.
- (d) A description of the activities the State Board and regional boards have undertaken to involve the public in their efforts to implement the requirements of the federal Clean Water Act Section 303(d).
- (e) Consistent with Section 13191 of the Water Code, the anticipated schedule for water quality control plan amendments the State Board and regional boards will undertake to implement the federal Clean Water Act, Section 303(d).

To the extent interest is expressed by the public, and resources are available, each regional board shall establish for each watershed where a water body is listed as impaired, an Advisory Committee consisting of the public and interested stakeholders who wish to be involved in the process of adoption and implementation of the corrective actions necessary to eliminate the impairment.

Not later than December 31, 2000, each regional board shall post to its website all the water bodies listed as impaired for the region as approved by the United States Environmental Protection Agency, including common name, location, and cause of the listing and the regional boards' best estimate of the expected completion date for each respective TMDL.

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<p>It is not the intention of these provisions to delay substantive TMDL work.</p>	
3940-001-0028—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Unified Program Account.....	621,000
<p>Provisions:</p>	
<p>1. It is intended that the total funding provided in this item and Item 3940-001-0475 be maintained in 2000–01 for the state underground storage tank regulatory activities. In the event that revenues for the Unified Program Account are insufficient to support the appropriation in this item because of delays in shifting programmatic responsibilities to certified unified program agencies, this item may be reduced and a corresponding increase may be made to Item 3940-001-0475, upon approval of the Department of Finance.</p>	
<p>Any funding adjustments to this item or to Item 3940-001-0475 which would result in a total expenditure authorization exceeding the cumulative appropriation amount of these two items remain subject to the provisions of Section 27.00.</p>	
3940-001-0193—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Waste Discharge Permit Fund.....	15,457,000
3940-001-0212—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Exotic Species Control Fund.....	238,000
3940-001-0225—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Environmental Protection Trust Fund	1,647,000
3940-001-0235—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund.....	1,993,000
3940-001-0387—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Integrated Waste Management Account, Integrated Waste Management Fund.....	6,037,000
3940-001-0417—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the State Revolving Fund Loan Sub-account.....	481,000

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3940-001-0418—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Small Communities Grant Subaccount.....	753,000
3940-001-0419—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Water Recycling Subaccount	144,000
3940-001-0422—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Drainage Management Subaccount.....	74,000
3940-001-0423—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Delta Tributary Watershed Subaccount.....	220,000
3940-001-0424—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Seawater Intrusion Control Subaccount.....	36,000
3940-001-0436—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Underground Storage Tank Tester Account	54,000
3940-001-0439—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Underground Storage Tank Cleanup Fund.....	241,381,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
3940-001-0475—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Underground Storage Tank Fund	707,000
Provisions:	
1. Pursuant to subdivision (b) of Section 25287 of the Health and Safety Code, the surcharge to be included in the fee paid to a local agency by each person who submits an application for a permit to operate an underground storage tank shall be \$56 per tank, during the 2000–01 fiscal year. This surcharge shall be transmitted to the State Water Resources Control Board and deposited in the Underground Storage Tank Fund.	

Item	Amount
3940-001-0516—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Harbors and Watercraft Revolving Fund	208,000
3940-001-0740—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the 1984 State Clean Water Bond Fund	305,000
3940-001-0890—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Federal Trust Fund.....	31,151,000
3940-001-0942—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Special Deposit Fund.....	608,000
3940-001-6013—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Watershed Protection Subaccount.	321,000
3940-001-6016—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Santa Ana River Watershed Sub-account.....	1,212,000
3940-001-6017—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Lake Elsinore and San Jacinto Watershed Subaccount	76,000
3940-001-6019—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Nonpoint Source Pollution Control Subaccount.....	354,000
3940-001-6020—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the State Revolving Fund Loan Sub-account.....	81,000
3940-001-6021—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Wastewater Construction Subaccount.....	21,000
3940-001-6022—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Nonpoint Source Control Subaccount.....	313,000
3940-011-0740—For transfer by the Controller from the 1984 State Clean Water Bond Fund to the State Water Pollution Control Revolving Fund.....	1,212,000
3940-101-0001—For local assistance, State Water Resources Control Board	27,155,000

Item	Amount
Schedule:	
(1) 10-Water Quality	25,500,000
(1.5) Special projects.....	27,155,000
(a) San Diego: Rose and Tecolote Creek water quality im- provement	(5,000,000)
(b) County of Orange: Urban runoff ac- tion plan.....	(4,750,000)
(c) Yucaipa: Water re- cycling projects development and implementation....	(4,000,000)
(d) City of Long Beach: Storm wa- ter separators	(3,500,000)
(e) County of Siskiyou: McCloud Sewer System replace- ment project	(2,000,000)
(f) County of Santa Barbara: Onsite sewage disposal incentives and equipment	(2,000,000)
(g) Orange County: Tap rate water quality laboratory establishment.....	(1,240,000)
(h) Los Osos Commu- nity Services Dis- trict: Regional Sewer System.....	(1,000,000)
(i) City of Redondo Beach: Litter Trash Mitigation Project.	(750,000)
(j) City of Torrance: Torrance Beach water quality pol- lution removal units: construction and installation	(700,000)
(k) County of San Ma- teo: Storm water pollutants	(340,000)

Item	Amount
(l) City of Oakland: Arroyo Viejo Watershed	(320,000)
(m) City of Manhattan Beach: Continuous deflective separation units installation	(300,000)
(n) City of Santa Rosa: Santa Rosa Creek restoration	(250,000)
(o) County of Amador: Newton Copper Mine Passivation Technology Pilot Project.....	(250,000)
(p) Tomales Bay: Water quality study.....	(250,000)
(q) City of Los Angeles Department of Water and Power: Pa-coima Community-based Watershed Management Plan	(200,000)
(r) City of Seal Beach: Boardwalk and Flood Protection Wall Improvement Project.....	(200,000)
(s) City of Carmel: Pollution separators ...	(105,000)
(2) Amount payable from the Small Communities Grant Subaccount (Item 3940-101-0418).....	-15,000,000
(3) Amount payable from the Water Recycling Subaccount (Item 3940-101-0419)	-25,000,000
(4) Amount payable from the Watershed Protection Subaccount (Item 3940-101-6013).....	-20,000,000
(5) Amount payable from Santa Ana River Watershed Subaccount (Item 3940-101-6016).....	-133,000,000

Item	Amount
(6) Amount payable from the Lake Elsinore and San Jacinto Watershed Subaccount (Item 3940-101-6017).....	-8,000,000
(7) Amount payable from the Nonpoint Source Pollution Control Subaccount (Item 3940-101-6019) ...	-10,000,000
(8) Amount payable from the State Revolving Fund Loan Subaccount (Item 3940-101-6020).....	-6,500,000
(9) Amount payable from the Wastewater Construction Subaccount (Item 3940-101-6021).....	-30,000,000
(10) Amount payable from the Coastal Nonpoint Source Control Subaccount (Item 3940-101-6022) ...	-10,000,000
3940-101-0418—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Small Communities Grant Subaccount	15,000,000
3940-101-0419—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Water Recycling Subaccount.....	25,000,000
3940-101-0744—For local assistance, State Water Resources Control Board, payable from the 1986 Water Conservation and Water Quality Bond Fund.....	10,000,000
3940-101-6013—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Watershed Protection Subaccount.....	20,000,000
3940-101-6016—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from Santa Ana River Watershed Subaccount.....	133,000,000
3940-101-6017—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Lake Elsinore and San Jacinto Watershed Subaccount.....	8,000,000
3940-101-6019—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Nonpoint Source Pollution Control Subaccount	10,000,000
3940-101-6020—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the State Revolving Fund Loan Subaccount	6,500,000

Item	Amount
3940-101-6021—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Wastewater Construction Subaccount.....	30,000,000
3940-101-6022—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Coastal Nonpoint Source Control Subaccount.....	10,000,000
3960-001-0001—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014.....	41,864,000
Provisions:	
1. The Director of the Department of Toxic Substances Control may expend from this item: (a) \$16,706,000 for the following activities at the Stringfellow Federal Superfund site: (1) operation and maintenance of pretreatment plants to treat contaminated groundwater extracted from the site, (2) site maintenance and groundwater monitoring, and (3) implementation of work to stabilize the site, and (b) \$13,115,000 for the operation of the Illegal Drug Laboratory Removal Program.	
2. Notwithstanding Section 2.00 of this act, the funds appropriated for removal and remedial action at the Stringfellow Federal Superfund site shall be available for encumbrance for three fiscal years subsequent to the fiscal year in which the funds are appropriated, and disbursements in liquidation of encumbrances shall be pursuant to Section 16304.1 of the Government Code.	
3. Of the amount appropriated in this item, \$2,803,000 shall be used for state oversight costs, including cost recovery, and \$1,000,000 for removal or remedial actions at open and closing military bases. The expenditure of these funds shall not relieve the federal government of the responsibility to pay for all state oversight costs. The department shall take all steps necessary to recover these costs from the federal government including, but not limited to, filing civil actions authorized by state and federal law.	
4. Of the amount appropriated in this item, \$750,000 shall be used for the purposes of emergency response activity pursuant to Section 25354 of the Health and Safety Code, in lieu of the appropriation made pursuant to that section.	

Item	Amount
3960-001-0014—For support of Department of Toxic Substances Control, payable from the Hazardous Waste Control Account	35,107,000
Schedule:	
(a) 12-Site Mitigation	76,522,000
(b) 13-Hazardous Waste Management..	43,159,000
(c) 15-Statewide Support.....	3,945,000
(d) 19.01-Administration.....	27,328,000
(e) 19.02-Distributed Administration ...	-27,328,000
(f) 20-Science, Pollution Prevention and Technology.....	12,713,000
(g) Reimbursements.....	-7,725,000
(h) Amount payable from General Fund (Item 3960-001-0001)	-41,864,000
(i) Amount payable from California Used Oil Recycling Fund (Item 3960-001-0100)	-299,000
(j) Amount payable from Toxic Substances Control Account (Item 3960-001-0557)	-29,258,000
(k) Amount payable from Federal Trust Fund (Item 3960-001-0890).....	-22,086,000
Provisions:	
1. Notwithstanding any other provisions of law, upon approval and order of the Director of Finance, the Department of Toxic Substances Control may borrow sufficient funds from special funds that otherwise provide support for the department for cash purposes. Any such loans are to be repaid with interest at the rate earned by the Pooled Money Investment Account.	
2. Notwithstanding any other provisions of law, upon request of the Director of the Department of Toxic Substances Control, and approval of the Department of Finance, the Controller shall increase the appropriation in this item in an amount necessary to pay the Board of Equalization any additional costs the board may incur to make refunds required by Chapter 737 of the Statutes of 1998, provided sufficient funds are available for such purposes and the board provides workload information that justifies the increase.	
3960-001-0018—For support of Department of Toxic Substances Control, payable from the Site Remediation Account.....	2,850,000
Provisions:	
1. The amount appropriated in this item includes	

Item	Amount
revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. The Director of the Department of Toxic Substances Control shall report, in writing, not later than 90 days after the end of the fiscal year to the Chairperson of the Joint Legislative Budget Committee, the chairperson of the legislative fiscal committees that act on the department's budget, the Chairperson of the Environmental Safety and Toxic Materials Committee of the Assembly, and the Chairperson of the Environmental Quality Committee of the Senate actions taken under this provision.	
3. Notwithstanding Section 2.00 of the Budget Act, this appropriation shall be available in accordance with the provisions of Section 25330.2 of the Health and Safety Code.	
3960-001-0100—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the California Used Oil Recycling Fund.....	299,000
3960-001-0456—For support of Department of Toxic Substances Control, payable from the Expedited Site Remediation Trust Fund.....	460,000
Provisions:	
1. Notwithstanding any other provisions of law, upon request of the Department of Toxic Substances Control, and approval by the Department of Finance, the Controller shall augment the appropriation in this item to pay costs associated with orphan shares at sites selected for the Expedited Site Remediation Pilot Program from any uncommitted funds in the Expedited Site Remediation Trust Fund.	
2. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
3960-001-0557—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Toxic Substances Control Account	29,258,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and	

Item	Amount
penalties imposed as specified in Section 13332.18 of the Government Code.	
3960-001-0890—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Federal Trust Fund	22,086,000
3960-011-0001—For transfer by the Controller to the Cleanup Loans and Environmental Assistance to Neighborhoods Account.....	85,000,000
3960-011-0557—For transfer by the Controller from the Toxic Substances Control Account to the Expedited Site Remediation Trust Fund.....	(424,000)
Provisions:	
1. Notwithstanding any other provisions of law, upon request of the Department of Toxic Substances Control, the Controller shall transfer funds from the Toxic Substances Control Account to the Expedited Site Remediation Trust Fund, pursuant to Chapter 6.85 (commencing with Section 25396) of Division 20 of the Health and Safety Code. The amount of the funds transferred shall not exceed the proceeds of fines and penalties deposited in the Toxic Substances Control Account in the 2000–01 fiscal year, exclusive of the fines and penalties transferred to the Hazardous Substance Account pursuant to Section 25192 of the Health and Safety Code for expenditure in accordance with Section 25385.9 of the Health and Safety Code.	
2. The amount specified in this item is an estimate of the funds available from the proceeds of fines and penalties described in Provision 1, and does not represent a limit on the funds that may be transferred.	
3. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
3960-012-0001—For transfer by the Controller to the Toxic Substances Control Account	4,800,000
3960-012-0557—For transfer by the Controller from the Toxic Substances Control Account to the Expedited Site Remediation Trust Fund.....	(2,850,000)
3960-013-0001—For transfer by the Controller to the Superfund Bond Trust Fund (0826).....	3,050,000

Item	Amount
3960-490—Reappropriation, Department of Toxic Substances Control. Notwithstanding any other provision of law, the appropriations provided in the following citations are reappropriated for the purposes specified and shall be available for expenditure as provided below:	
0001—General Fund	
(1) Item 3960-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
Provisions:	
1. Notwithstanding any other provision of law, up to \$200,000 of the \$550,000 appropriated for the enhancement of the CalSites data base shall be available for encumbrance and expenditure until June 30, 2001.	
0014—Hazardous Waste Control Account	
(1) Item 3960-001-0014, Budget Act of 1998 (Ch. 324, Stats. 1998), as reappropriated in Item 3960-490, Budget Act of 1999 (Ch. 50, Stats. 1999)	
Provisions:	
1. Notwithstanding any other provision of law, up to \$902,000 is reappropriated for development of a new hazardous waste manifest tracking system within the Department of Toxic Substances Control.	
0018—Site Remediation Account	
(1) Item 3960-001-0018, Budget Act of 1998 (Ch. 324, Stats. 1998)	
Provisions:	
1. Notwithstanding any other provision of law, \$4,887,000 is reappropriated for direct site cleanup activities.	
2. Notwithstanding Section 2.00 of this act, the \$4,887,000 referenced in Provision 1 shall be available for encumbrance until June 30, 2004, and disbursements in liquidation of encumbrances shall be pursuant to Section 16304.1 of the Government Code.	
0710—Hazardous Substance Cleanup Fund	
(1) Item 3960-013-0710, Budget Act of 1996 (Ch. 162, Stats. 1996)	
Provisions:	
1. Notwithstanding any other provision of law, \$315,048 is reappropriated for the purposes of, and in augmentation of, Schedules (a) and (b) of Section 7 of Chapter 1439 of the Statutes of 1985.	

Item	Amount
3980-001-0001—For support of Office of Environmental Health Hazard Assessment.....	12,877,000
Schedule:	
(a) 10-Health Risk Assessment.....	17,163,000
(b) Reimbursements.....	-3,493,000
(c) Amount payable from the California Environmental License Plate Fund (Item 3980-001-0140)	-793,000
Provisions:	
1. Of the amount appropriated in this item, \$843,000 shall be used to evaluate cancer risks to children from exposure to toxic chemicals, and to develop school site risk assessment guidelines.	
3980-001-0140—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the California Environmental License Plate Fund	793,000
3980-490—Reappropriation, Office of Environmental Health Hazard Assessment. Notwithstanding any other provision of law, \$200,000 of the balance of the funds appropriated in Item 3980-001-0001 of the Budget Act of 1999 (Ch. 50, Stats. 1999) is hereby reappropriated for the purpose of evaluating the health risks of gasoline mixtures, and shall be available for expenditure until June 30, 2001.	

HEALTH AND HUMAN SERVICES

4100-001-0890—For support of the State Council on Developmental Disabilities, payable from the Federal Trust Fund.....	5,577,000
Schedule:	
(a) 10-State Council Planning and Operations.....	1,151,000
(b) 20-Community Program Development.....	1,318,000
(c) 30-Allocation to Area Boards	3,108,000
Provisions:	
1. In the event federal funds from the Basic State Grant to the State Council on Developmental Disabilities are available to the council in an amount exceeding the amounts appropriated in this item, the additional funds shall be used only for the following purposes, unless the funds are specifically designated by federal law for other purposes:	
(a) To augment the allocation to the Program Development Fund.	

Item	Amount
<ul style="list-style-type: none"> (b) To fund the costs of salary and benefit increases approved by the Legislature that exceed the Budget Act appropriation. (c) To fund the implementation of any portion of the state plan as approved by the council. 	
4110-001-0001—For support of Area Boards on Developmental Disabilities	140,000
Schedule:	
(a) 10-Area Board Services.....	7,725,000
(b) Reimbursements.....	-7,585,000
Provisions:	
1. Of the General Fund appropriated in Schedule (a), \$140,000 shall be used to contract with the Department of Finance to develop a cost allocation plan for each of 13 Area Boards and the organization of Area Boards. Any unexpended funds from this provision shall revert to the General Fund.	
4120-001-0001—For support of Emergency Medical Services Authority	1,906,000
Schedule:	
(a) 10-Emergency Medical Services Authority	4,026,000
(b) Amount payable from the Emergency Medical Services Training Program Approval Fund (Item 4120-001-0194)	-200,000
(c) Amount payable from the Emergency Medical Services Personnel Fund (Item 4120-001-0312).....	-798,000
(d) Amount payable from the Federal Trust Fund (Item 4120-001-0890)..	-1,122,000
4120-001-0194—For support of Emergency Medical Services Authority, for payment to Item 4120-001-0001, payable from the Emergency Medical Services Training Program Approval Fund.....	200,000
4120-001-0312—For support of Emergency Medical Services Authority, for payment to Item 4120-001-0001, payable from the Emergency Medical Services Personnel Fund.....	798,000
4120-001-0890—For support of Emergency Medical Services Authority, for payment to Item 4120-001-0001, payable from the Federal Trust Fund	1,122,000
4120-101-0001—For local assistance, Emergency Medical Services Authority, Program 10, grants to local agencies	9,707,000

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Provisions:

1. The General Fund support for poison control centers shall augment, but not replace, local expenditures for existing poison control center services. These funds shall be used primarily to increase services to underserved counties and populations and for poison prevention and information services. The Director of the Emergency Medical Services Authority may contract with eligible poison control centers for the distribution of these funds.
2. Upon the request of the Director of the Emergency Medical Services Authority, and subject to the approval of the Department of Health Services, the California Medical Assistance Commission, and the Department of Finance, moneys appropriated in this item may be transferred to the Emergency Services and Supplemental Payments Fund for expenditure as provided in Item 4260-101-0693 for local assistance for the purposes specified in that item.
3. The Emergency Medical Services Authority shall use the following guidelines in administering state-funded grants to local agencies: (a) funding eligibility shall be limited to rural multicounty regions that demonstrate a heavy use of the emergency medical services system by nonresidents, (b) local agencies shall provide matching funds of at least \$1 for each dollar of state funds received, (c) state funding shall be used to provide only essential minimum services necessary to operate the system, as defined by the authority, (d) no region shall receive both federal and state funds in the same fiscal year for the same purpose, and (e) the Emergency Medical Services Authority shall monitor the use of the funds by recipients to assure that these funds are used in an appropriate manner.
4. Each region shall be eligible to receive up to one-half of the total cost of a minimal system for that region, as defined by the Emergency Medical Services Authority. However, the authority may reallocate unclaimed funds among regions.
5. Notwithstanding Provision 3(b), each region with a population of 300,000 or less as of June 30, 2000, shall receive the full amount for which it is eligible if it provides a cash match of \$0.41 per

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capita or more. Failure to provide local cash contributions at the specified level shall result in a proportional reduction in state funding.

- 6. The Emergency Medical Services Authority shall seek a federal fund match through the California Medical Assistance Commission for any portion of the General Fund appropriation in this item to the extent permitted under Section 14085.6 of the Welfare and Institutions Code.

4120-101-0890—For local assistance, Emergency Medical Services Authority, Program 10, payable from the Federal Trust Fund		2,084,000
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4130-001-0632—For support of Health and Human Services Agency Data Center, payable from the California Health and Human Services Agency Data Center Revolving Fund.....		286,786,000
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Schedule:

(bx) 25-Operations.....142,942,000

(c) 30-Systems Management Services..143,844,000

Provisions:

- 1.5. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for unanticipated workload resulting from services provided to client departments or as appropriated in a client department’s budget for the Health and Human Services Agency Data Center in excess of the amount appropriated no sooner than 30 days after providing notification in writing to the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.
- 2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 11755 of the Government Code.
- 3. Notwithstanding any other provision of law, the Health and Human Services Agency Data Center shall submit a Feasibility Study Report or equivalent federal planning document to the Department of Finance for review and approval prior to award of the systems implementation contract for each welfare automation consortium.
- 4. Expenditure authority provided in this item to support data center infrastructure projects may

Item	Amount
<p>only be utilized for items outside the approved scope of those projects if these changes are supported by documentation prepared and processed in accordance with the state's established administrative and legislative reporting requirements. Changes in project scope must receive approval using the established administrative and legislative reporting requirements.</p> <p>5. It is the intent of the Legislature to continue funding those activities necessary for the implementation of the Electronic Benefits Transfer project. Notwithstanding Sections 27.00 and 28.00 of this act, upon request of the Health and Human Services Agency Data Center, the Department of Finance may augment the amount available for expenditure in this item to pay costs associated with the Electronic Benefits Transfer project not sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees and the appropriate subcommittees in each house that consider the budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. The funds appropriated by this provision shall be made available consistent with the amount approved by the Department of Finance based on its review of the special project report.</p> <p>6. It is the intent of the Legislature that the Health and Human Services Agency Data Center use the lowest cost financing option possible, consistent with state and federal policies for cost reimbursement, to purchase and install the electrical generators and related building modifications approved for the 2000–01 fiscal year.</p> <p>7. Of the amount appropriated in this item, \$14,461,000 for the Child Welfare Services/Case Management System shall not be encumbered or expended until the Department of Information Technology reviews and approves the special project report. Funds shall be made available consistent with the amounts approved by the Department of Finance based on the approved special project report. At the time that it approves the ex-</p>	

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penditure, the Department of Finance shall provide written notification to the chairperson of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.

- 8. The Health and Human Services Agency Data Center (HHSDC) shall, in collaboration with key stakeholders of the Statewide Automated Welfare System (SAWS), including the County Welfare Directors Association, develop a plan for providing additional state oversight of the SAWS consortia systems in order to optimize successful project implementation and mitigate project risk. Of the amount appropriated in this item \$1,120,000 for state oversight of the consortia projects shall be available for expenditure 30 days after legislative notification by the Department of Finance of the receipt of an HHSDC State Oversight Activities Plan that incorporates input from the key state and county stakeholders.

4140-001-0001—For support of Office of Statewide Health Planning and Development	851,000
Schedule:	
(a) 10-Health and Policy Analysis	4,481,000
(b) 30-Health Professions Development (Family Physician Training)	3,358,000
(c) 42-Facilities Development	22,253,000
(d) 45-Cal Mortgage Loan Insurance...	5,597,000
(e) 60-Healthcare Information	11,274,000
(f) 80.01-Administration	9,695,000
(g) 80.02-Distributed Administration ...	-9,257,000
(h) Reimbursements	-5,222,000
(i) Amount payable from the Hospital Building Fund (Item 4140-001-0121)	-20,391,000
(j) Amount payable from the California Health Data and Planning Fund (Item 4140-001-0143)	-14,970,000
(k) Amount payable from the Registered Nurse Education Fund (Item 4140-001-0181)	-763,000
(l) Amount payable from the Federal Trust Fund (Item 4140-001-0890)	-500,000
(m) Amount payable from the Health Facilities Construction Loan Insurance Fund (Section 129200, Health and Safety Code)	-4,262,000

Item	Amount
(n) Amount payable from the Health Professions Education Fund (Section 128355, Health and Safety Code)	-442,000
4140-001-0121—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Hospital Building Fund	20,391,000
4140-001-0143—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the California Health Data and Planning Fund	15,308,000
4140-001-0181—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Registered Nurse Education Fund	763,000
4140-001-0890—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Federal Trust Fund	500,000
4140-101-0001—For local assistance, Office of Statewide Health Planning and Development	9,535,000
Schedule:	
(a) 10-Health Policy and Analysis	3,000,000
(b) 30-Health Professions Development (Family Physician Training)	7,935,000
(c) Reimbursements	-400,000
(d) Amount payable from the Federal Trust Fund (Item 4140-101-0890).....	-1,000,000

Provisions:

1. Notwithstanding subdivision (a) of Section 2.00 of this act, or any other provision of law, the funds appropriated in this item for contracts with accredited medical schools or programs that train primary care physicians' assistants or primary care nurse practitioners, as well as contracts with hospitals or other health care delivery systems located in California, that meet the standards of the Health Manpower Policy Commission established pursuant to Article 1 (commencing with Section 128200) of Chapter 4 of Part 3 of Division 107 of the Health and Safety Code, shall continue to be available for the 2001-02, 2002-03, and 2003-04 fiscal years.
2. Of the amount appropriated in this item, \$500,000 shall be used to contract with a primary care phy-

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- sician assistant program for the purpose of developing and implementing a training curriculum for international medical graduates. The curriculum shall be developed in collaboration with community-based organizations representing international medical graduates and shall include a special prematriculation component designed to address academic remediation and language proficiency needs of international medical graduates. The primary care physician assistant program contracting under this provision shall agree to establish at least 10 new training slots to be filled with international medical graduates who have participated in the prematriculation program. The contracting program shall work, in collaboration with community-based organizations representing international medical graduates, to identify candidates for these training slots.
3. Of the amount appropriated in this item, \$300,000 shall be used to provide 10 scholarships, in the amount of \$30,000 each, to students enrolled in primary care physician assistant programs and who commit to serve as primary care physician assistants in medically underserved areas for a minimum of four years. Five of the scholarships shall be awarded to international medical graduates participating in the program pursuant to Provision 2.
 4. Of the funds appropriated in this item, \$500,000 shall be used to provide a state match for the National Health Service Corps State Loan Repayment Program for health care professionals providing full-time primary care services in health professional shortage areas in the state.
 5. Of the funds appropriated in Provision 4, up to \$75,000 may be transferred to Item 4140-001-0001 upon the approval of the Department of Finance, for use by the Office of Statewide Health Planning and Development for program support to conduct outreach activities in identifying recipients and those local sites that are least able to provide the local match for purposes of participating in the National Health Services Corps State Loan Repayment Program, and to establish a process for granting state matching dollars.

Item	Amount
4140-101-0890—For local assistance, Office of State-wide Health Planning and Development, for payment to Item 4140-101-0001, payable from the Federal Trust Fund.....	1,000,000
4140-111-0236—For local assistance, Office of State-wide Health Planning and Development, Program 10, Health Policy and Analysis, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund	1,047,000
4170-001-0001—For support of Department of Aging... Schedule:	8,052,090
(a) 10-Nutrition	3,635,000
(b) 20-Senior Community Employment Service	460,000
(c) 30-Supportive Services and Centers	6,312,000
(d) 40-Special Projects.....	6,325,090
(e) 50.01-Administration	6,944,000
(f) 50.02-Distributed Administration....	-6,944,000
(g) Reimbursements.....	-3,060,000
(h) Amount payable from the State HICAP Fund (Item 4170-001- 0289).....	-190,000
(i) Amount payable from the Federal Trust Fund (Item 4170-001-0890)..	-5,430,000
Provisions:	
1. The Department of Aging, through its Planning and Policy Unit, shall coordinate with the Health and Human Services Agency and Long-Term Care Council concerning all issues of mutual interest. The unit shall submit annual reports to the Director of Aging that include outcomes, such as recommending statutory or regulatory changes, budget proposals, administrative changes, or planning and program development forecasts regarding comprehensive aging policy issues across departments and programs. The department shall provide copies of the reports to the fiscal and policy committees of the Legislature annually by February 1.	
2. The California Department of Aging shall coordinate with the State Department of Health Services and the State Department of Mental Health in implementing the Senior Wellness and Prevention Media Campaign, in order to eliminate duplication of effort.	
3. Of the funds appropriated in this item, \$1,000,000 shall be used to establish a Housing Information	

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and Support Center to serve seniors and persons with disabilities. The Department of Aging shall coordinate with existing programs in the implementation of the center.

- 4. Of the funds appropriated in this item, up to \$375,000 shall be used to contract for an evaluation of the programs funded through the Long-Term Care Innovation Grants Program funded by this act. At a minimum, the evaluation shall assess the effectiveness of the grantees at enabling program participants to remain in their homes rather than enter long-term care facilities, with an emphasis on the programs' ability to provide a good quality of life outside of an institutionalized setting. The department shall provide copies of the report to the fiscal and policy committees of the Legislature by March 1, 2002. In addition, \$375,000 shall be used to fund technical assistance, distribution of information, and support of regional conferences to assist in proposal and grant planning and information sharing about effective grant programs.

4170-001-0289—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the State HICAP Fund 190,000

4170-001-0890—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the Federal Trust Fund..... 5,430,000

Provisions:

- 1. The Department of Finance may authorize the transfer of funds between this item and Item 4170-101-0890 no sooner than 30 days after written notification to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee may determine. The notification shall include: (1) the amount of the proposed transfer; (2) an identification of the purposes for which the funds will be used; (3) documentation that the proposed activities must be carried out in the current year and that no other funds are available for their support; and (4) the impact of any transfer on the level of services.

4170-101-0001—For local assistance, Department of Aging 66,352,000

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Schedule:	
(a) 10-Nutrition	69,393,000
(b) 20-Senior Community Employment Service	7,881,000
(c) 30-Supportive Services and Centers	59,192,000
(d) 40-Special Projects	34,140,000
(e) Reimbursements	-2,864,000
(f) Amount payable from the State HICAP Fund (Item 4170-101- 0289).....	-1,418,000
(g) Amount payable from the Federal Trust Fund (Item 4170-101- 0890).....	-99,972,000
Provisions:	
1. Notwithstanding Section 26.00 of this act, the Department of Finance, upon notification by the California Department of Aging, may authorize transfers between Program 10—Nutrition and Program 30—Supportive Services and Centers in response to budget revisions submitted by the Area Agencies on Aging.	
2. Of the funds appropriated in Schedule (c) of this item, \$14,250,000 shall be available for expenditure until June 30, 2002, for long-term care innovation grants.	
3. Of the funds appropriated in this item, \$176,000 shall be used for planning or development grants for expansion of the Adult Day Health Care Program, and shall be available for expenditure until June 30, 2003.	
4. Funds appropriated in this item for the linkages program shall be used for expansion of the program which does not preclude establishing new sites.	
5. Funds appropriated in this item for expansion of the Information and Assistance Program shall not be used to supplant or replace local or other funds which Area Agencies on Aging are currently authorized to transfer elsewhere.	
6. An Area Agency on Aging shall not qualify for community-based service program expansions funded for any program from which they have transferred funds as permitted by subdivision (e) of Section 9535 of the Welfare and Institutions Code.	

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7. To the extent the United States enacts a minimum wage equal to or greater than that of California, state funding provided in this item for the Senior Community Service Employment Program shall revert to the General Fund.
8. Funds appropriated in this item for expansion of the Adult Day Health Care Program shall be available for expenditure until June 30, 2003.
9. Funds appropriated in this item for startup activities for expansion of the Multipurpose Senior Services Program shall be available for expenditure until June 30, 2002.
10. Of the funds appropriated in this item for expansion of the Ombudsman Program, \$280,000 shall be allocated for local administration to area agencies on aging, and \$1,658,140 shall be used towards moving each Long-Term Care Ombudsman office from its service ratio determined by the Department of Aging down to the desired ratio of one certified ombudsman for every 2,000 long-term care beds. Of the funds appropriated in this item, \$865,000 shall be allocated to all Long-Term Care Ombudsman offices to increase base allocations to \$60,000 per fiscal year, except for an area where there are less than 10 facilities and less than 500 beds, which shall not receive a base allocation less than \$36,000.
11. Funds appropriated in this item for long-term care innovation grants shall be awarded by the Department of Aging, in consultation with the Long-Term Care Coordinating Council. Grants shall be awarded through a competitive request-for-proposal process. Requests for proposals shall be disseminated by October 1, 2000, and grantees shall be selected by January 31, 2001. The funds shall be made available to grantees within 30 days of selection. Proposals shall be solicited in the following target areas: \$1,150,000 for long-term care community-based partnership building and planning, in grants from \$50,000 to \$100,000; \$7,500,000, in grants from \$1,000,000 to \$3,000,000, for innovative coordination and collaboration, including data sharing and information technology designed to maximize the ability of consumers to remain in the most enriching, least restrictive community-based setting for as long as they desire;

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\$5,600,000, in grants from \$500,000 to \$2,000,000, to provide access to appropriate community-based services for special populations, particularly those populations that are traditionally underserved. If an insufficient number of proposals is qualified for selection in any target area, the department, in consultation with the Long-Term Care Coordinating Council, shall issue a new request for proposals and may modify the target areas or grant size. Grants may not supplant baseline funding for existing programs. All grants funded shall include an evaluation component. The Department of Aging, in consultation with the Long-Term Care Coordinating Council, shall, to the extent possible, identify savings to the General Fund that accrue from programs funded under the last two categories in this provision, and shall consider mechanisms by which those savings can be invested in the communities from which they accrued to further the goals of the project.

12. Of the funds appropriated in this item, \$4,105,000 shall be used to expand the Linkages Program, \$2,803,000 shall be used to expand the Ombudsman Program, \$781,000 shall be used to expand the Foster Grandparent Program, \$781,000 shall be used to expand the Senior Companion Program, \$579,000 shall be used to expand the Home-Delivered Meals Program, and \$781,000 shall be used to expand the Information and Assistance Program. Included in this funding are administrative costs for participating Area Agencies on Aging.

4170-101-0289—For local assistance Department of Aging, for payment to Item 4170-101-0001, payable from the State HICAP Fund..... 1,418,000

Provisions:

1. Of the funds appropriated in this item for the Health Insurance Counseling and Advocacy Program (HICAP), the funds attributable to an increase in the health care service plan fee pursuant to Section 9757.5 of the Welfare Institutions Code from \$0.70 to \$1, plus the matched funds from the Insurance Fund shall be allocated as follows: (a) \$75,000 to the Department of Aging for administration; (b) an amount equal to \$0.01 of the fee shall be allocated to the Department of Aging as

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reserves; and (c) the balance of the funds shall be allocated for local HICAP services and administration as follows: (A) a portion of the remainder shall be allocated so that all HICAP sites receive at least a base of \$130,000 including this augmentation, ongoing state HICAP funding, the federal State Health Insurance and Assistance Program (SHIP) base funding, the federal enhancement funding and the federal Medi-care+Choice supplemental funding, but not including Area Agency on Aging (AAA) administrative funds; (B) the excess shall be allocated on a population basis to HICAPs above the \$130,000 base; and (C) 10 percent over the amount provided to any local HICAP shall be allocated to each Area Agency on Aging. HICAPs shall receive the greater of the \$130,000 allocation pursuant to (c)(A) or the population allocation pursuant to (c)(B). The Department of Aging shall have the authority to withhold funds as necessary until the amount of the federal allocation is determined sufficiently to make the allocations as specified above.

4170-101-0890—For local assistance, Department of Aging, for payment to Item 4170-101-0001, payable from the Federal Trust Fund 99,972,000

Provisions:

1. Provision 1 of Item 4170-001-0890 is also applicable to this item.
2. Notwithstanding subdivision (d) of Section 28.00 of this act, the Department of Finance, upon notification by the California Department of Aging, may authorize augmentations in this item for budget revisions submitted by Area Agencies on Aging and approved by the Department of Aging for estimated entitlements of per-meal reimbursements from the U.S. Department of Agriculture and for funds allocated to Area Agencies on Aging for federal Title III one-time-only allocations.
3. Notwithstanding Section 26.00 of this act, the Department of Finance, upon notification by the Department of Aging, may authorize transfers between Program 10—Nutrition and Program 30—Supportive Services and Centers in response to budget revisions submitted by the Area Agencies on Aging.

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4170-490—Reappropriation, Department of Aging. Notwithstanding any other provision of law, as of June 30, 2000, the appropriation provided in the following citation is reappropriated for the purposes specified and shall be available for expenditure until June 30, 2001.	
0001—General Fund	
(1) Item 4170-101-0001, Budget Act of 1998 (Ch. 324, Stats. 1998), Schedule (c), for Supportive Services and Centers. The balance of the \$300,000 made available for construction of the building shell and related site work for the Acacia Adult Day Services Center in Garden Grove.	
4180-001-0001—For support of Commission on Aging.	235,000
4180-001-0983—For support of Commission on Aging, payable from the California Fund for Senior Citizens	216,000
Provisions:	
1. Funds appropriated in this item from the California Fund for Senior Citizens shall be allocated by the Commission on Aging for the purposes specified in Section 18723 of the Revenue and Taxation Code.	
2. Pursuant to Section 18723 of the Revenue and Taxation Code, the balance of this item as well as the balance of prior year appropriations from the California Fund for Senior Citizens may be carried over and expended in any following fiscal year.	
3. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures from the California Fund for Senior Citizens for the Commission on Aging in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee.	
4180-002-0886—For support of Commission on Aging, payable from the California Seniors Special Fund	79,000
Provisions:	
1. Pursuant to Section 18773 of the Revenue and Taxation Code, the balance of this item as well as the balance of prior year appropriations from the California Seniors Special Fund may be carried over and expended in any following fiscal year.	

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2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures from the California Seniors Special Fund for the Commission on Aging in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
4180-002-0890—For support of Commission on Aging, payable from the Federal Trust Fund.....	291,000
4180-101-0001—For support of Commission on Aging.	30,000
4200-001-0001—For support of Department of Alcohol and Drug Programs.....	4,944,000
Schedule:	
(a) 15-Alcohol and Other Drug Services Program.....	30,365,000
(b) 30.01-State Administration	8,640,000
(c) 30.02-State Administration—distributed.....	-8,640,000
(d) Reimbursements.....	-3,872,000
(e) Amount payable from Driving-Under-the-Influence Program Licensing Trust Fund (Item 4200-001-0139).....	-1,735,000
(f) Amount payable from Narcotic Treatment Program Licensing Trust Fund (Item 4200-001-0243).	-1,096,000
(g) Amount payable from Audit Repayment Trust Fund (Item 4200-001-0816).....	-67,000
(h) Amount payable from the Federal Trust Fund (Item 4200-001-0890).....	-18,651,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4200-101-0001.	
2. The department shall implement a fee reduction schedule based on the amount of the unencumbered balance in Item 4200-001-0139 taking into account the need to maintain a prudent reserve.	
3. It is the intent of the Legislature that substance abuse treatment services funded through the Department of Alcohol and Drug Programs work	

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with state and local agencies to integrate job training and retention services into their programs to the maximum extent possible.	
4200-001-0139—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Driving-Under-the-Influence Program Licensing Trust Fund	1,735,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Driving-Under-the-Influence Program Licensing Trust Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
4200-001-0243—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Narcotic Treatment Program Licensing Trust Fund	1,096,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Narcotic Treatment Program Licensing Trust Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
4200-001-0816—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Audit Repayment Trust Fund	67,000
4200-001-0890—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Federal Trust Fund	18,651,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4200-101-0890.	

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4200-011-0816—For transfer from the Audit Repayment Trust Fund to the General Fund.	
Provisions:	
1. For support of the Department of Alcohol and Drug Programs, the amount of the unencumbered balance exceeding \$20,000 in the Audit Repayment Trust Fund as of June 30, 2001, shall be transferred to the General Fund.	
4200-101-0001—For local assistance, Department of Alcohol and Drug Programs	63,428,000
Schedule:	
(a) 15-Alcohol and Other Drug Services Program	384,893,000
(b) Reimbursements	-13,466,000
(c) Amount payable from the Federal Trust Fund (Item 4200-101-0890)	-307,855,000
(d) Amount payable from Resident-Run Housing Revolving Fund (Item 4200-101-0977).....	-144,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer funds as are necessary between this item and Item 4200-001-0001.	
2. Upon approval of the Department of Finance, one or more short-term loans not to exceed a cumulative total of \$59,745,000 may be made available from the General Fund when there is a delay in the allocation of federal Substance Abuse Prevention and Treatment (SAPT) Block Grant funds to California. The loans shall be repaid, with interest calculated pursuant to subdivision (a) of Section 16314 of the Government Code, upon receipt of the federal SAPT Block Grant.	
3. Of the funds appropriated in this item, \$10,000,000 shall be used to expand substance abuse treatment services for adolescents. Up to \$4,300,000 of this allocation shall be used to fully fund the Adolescent Treatment Program begun under Chapter 866 of the Statutes of 1998. The remaining funds shall be allocated to the counties using the standard allocation methodology and shall be used to serve adolescents, with a focus on populations served by other categorical programs, such as foster care. Where appropriate, these funds may be used to enable the participation of county alcohol and other drug programs in col-	

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laborative multidisciplinary efforts at the state and local levels. The department shall report to the Legislature by July 1, 2002, on the outcomes of the effort to expand treatment services, with recommendations on the resources that would be required to undertake additional evaluations or program audits.

- 4. Of the funds appropriated in this item, \$10,000,000 shall be allocated to counties based on the standard allocation methodology for use in expanding treatment services for adults, with a focus on adult populations served by other categorical programs.
- 5. Of the funds appropriated in this item, \$850,000 shall be used to fund Technical Assistance Contracts in order to increase the availability of treatment services and increase access to treatment, prevention, and recovery services for historically underserved populations. These funds shall be awarded to the nine organizations currently under contract to the department for the delivery of technical assistance services for a term not to exceed that of their existing contracts, including renewal options as specified in the Request for Proposals. Upon expiration of these contracts including specified optional renewals, the Department of Alcohol and Drug Programs shall award these funds on a competitive basis to nonprofit organizations. These funds shall not be used to supplant existing federal funds targeted to the Technical Assistance Contracts.

4200-101-0890—For local assistance, Department of Alcohol and Drug Programs, for payment to Item 4200-101-0001, payable from the Federal Trust Fund..... 307,855,000
 Provisions:

- 1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4200-001-0890.
- 2. Of the amount appropriated in this item, and to the extent permissible under federal statutes and regulations and Chapter 3.3 (commencing with Section 11758.20) of Part 1 of Division 10.5 of the Health and Safety Code, the State Department of Alcohol and Drug Programs shall direct counties to expend up to \$20,935,000 of the one-time federal funds carryover for the provision of prevention and treatment services for youth. For pur-

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poses of this provision, “youth” means persons under 21 years of age.	
4200-101-0977—For local assistance, Department of Alcohol and Drug Programs, for payment to Item 4200-101-0001, payable from the Resident-Run Housing Revolving Fund.....	144,000
Provisions:	
1. To the extent that moneys available in the Resident-Run Housing Revolving Fund are less than the amount appropriated by this item, this appropriation shall be limited to that lesser amount.	
2. Notwithstanding any other provision of law, if revenues and loan repayments to the Resident-Run Housing Revolving Fund are sufficient to create additional allocation workload, the Director of Finance may authorize expenditures for the Department of Alcohol and Drug Programs in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
4200-102-0001—For local assistance, Department of Alcohol and Drug Programs, for perinatal substance abuse treatment programs (Drug Medi-Cal).....	4,024,000
Schedule:	
(a) 15-Alcohol and Other Drug Services Program.....	7,599,000
(b) Reimbursements.....	-3,575,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer funds as are necessary between this item and Item 4200-001-0001 for support costs associated with the perinatal substance abuse treatment programs.	
2. The funds appropriated by this item, exclusive of funds allocated to alcohol and drug-free living programs and transitional living programs, are available to provide funding for the state’s share of expenditures for perinatal substance abuse services provided to persons eligible for Medi-Cal.	
3. Provisions 2 and 3 of Item 4200-103-0001 also apply to this item.	

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4. Notwithstanding Sections 26.00, 28.00 and 28.50 of this act, the Director of Finance shall authorize the transfer of funds to this item from Item 4200-103-0001 as necessary to maintain the funding level for the perinatal substance abuse treatment program at a minimum level of twenty-five million dollars (\$25,000,000).	
4200-103-0001—For local assistance, Department of Alcohol and Drug Programs, Drug Medi-Cal Services	40,696,000
Schedule:	
(a) 15-Alcohol and other Drug Services	
Program.....	86,540,000
(b) Reimbursements.....	-45,844,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer funds as are necessary between this item and Item 4200-001-0001.	
2. The funds appropriated in this item are available to provide funding for the state’s share of expenditures for substance abuse services provided to persons eligible for Medi-Cal.	
3. Notwithstanding subdivision (a) of Section 2.00 and Section 26.00 of this act, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-102-0001 so that the funds appropriated in either item may be used to pay the state and federal share of prior fiscal years’ allowable Medi-Cal costs that exceed the amount encumbered in prior fiscal years. The Director of Finance shall notify the Legislature within 10 days after authorizing a transfer pursuant to this provision unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.	
4. Notwithstanding any other provision of law, both the federal and nonfederal shares of any money recovered for previously paid Drug Medi-Cal program services provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code are hereby appropriated and shall be expended as soon as practicable for Drug Medi-Cal program services, as defined in the Welfare and Institutions Code.	

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5. Notwithstanding Sections 26.00, 28.00, and 28.50 of this act, the Director of Finance shall authorize the transfer of funds from this item to Items 4200-102-0001 and 4200-104-0001, as necessary to maintain the funding level for the perinatal substance abuse treatment program at a minimum level of \$25,000,000.	
4200-104-0001—For local assistance, Department of Alcohol and Drug Programs, for perinatal substance abuse treatment programs	26,135,000
Schedule:	
(a) 15-Alcohol and Other Drug Services Program.....	26,135,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer funds as are necessary between this item and Item 4200-001-0001 for support costs associated with the perinatal substance abuse treatment programs.	
2. Of the funds appropriated in this item, \$6,100,000 shall be used to fund existing residential perinatal treatment programs that were begun through federal Center for Substance Abuse Treatment grants but whose grants have since expired. For counties in which there is such a provider, the Department of Alcohol and Drug Programs shall include language in those counties' allocation letters that indicates the amount of the allocation designated for the provider during the fiscal year.	
4200-490—Reappropriation, Department of Alcohol and Drug Programs. Notwithstanding any other provision of law, the balances of the following appropriations are reappropriated for the purposes provided for in those appropriations. Of the amounts reappropriated pursuant to this item, up to \$1,400,000 shall be allocated to counties for costs incurred in connection with serving residents of other counties. The funds reappropriated by this item shall be available for encumbrance and expenditure until June 30, 2001:	
0001—General Fund	
(a) Item 4200-101-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(b) Item 4200-102-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	

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4220-001-0001—For support of Child Development Policy Advisory Committee appointed pursuant to Section 8286 of the Education Code	491,000
Schedule:	
(a) 10-Child Development Policy Advisory Committee	936,000
(b) Reimbursements.....	-445,000
4260-001-0001—For support of Department of Health Services	260,472,000
Schedule:	
(1) 10-Public and Environmental Health	306,172,000
(2) 20-Health Care Services.....	466,633,320
(3) 30.01-Departmental Administration	35,769,000
(4) 30.02-Departmental Administration Distributed	-33,744,000
(5) Reimbursements	-28,739,000
(6) Amount payable from the Breast Cancer Research Account (Item 4260-001-0007).....	-1,624,000
(7) Amount payable from the Breast Cancer Control Account (Item 4260-001-0009)	-7,823,000
(8) Amount payable from the Nuclear Planning Assessment Special Account (Item 4260-001-0029).....	-487,000
(9) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 4260-001-0044)...	-836,000
(10) Amount payable from the Sale of Tobacco to Minors Control Account (Item 4260-001-0066).....	-2,117,000
(11) Amount payable from the Occupational Lead Poisoning Prevention Account (Item 4260-001-0070).....	-2,968,000
(12) Amount payable from the Medical Waste Management Fund (Item 4260-001-0074)	-911,000
(13) Amount payable from the Radiation Control Fund (Item 4260-001-0075).....	-17,612,000
(14) Amount payable from the Tissue Bank License Fund (Item 4260-001-0076).....	-163,000

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(15) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 4260-001-0080).....	-5,495,000
(16) Amount payable from the Export Document Program Fund (Item 4260-001-0082)	-141,000
(17) Amount payable from the Clinical Laboratory Improvement Fund (Item 4260-001-0098)	-5,897,000
(18) Amount payable from the Health Statistics Special Fund (Item 4260-001-0099)	-12,354,000
(19) Amount payable from the Wine Safety Fund (Item 4260-001-0116).	-55,000
(20) Amount payable from the Water Device Certification Special Account (Item 4260-001-0129).....	-100,000
(21) Amount payable from the Food Safety Fund (Item 4260-001-0177).....	-3,911,000
(22) Amount payable from the Environmental Laboratory Improvement Fund (Item 4260-001-0179).....	-2,920,000
(23) Amount payable from the Genetic Disease Testing Fund (Item 4260-001-0203)	-61,445,000
(25) Amount payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0231)	-6,704,000
(26) Amount payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0232)	-276,000
(28) Amount payable from the Research Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0234)	-4,948,000
(28.1) Amount payable from Unallocated Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0236)	-2,696,000
(28.2) Amount payable from Drinking Water Operator Certification Special Account (Item 4260-001-0247).....	-1,233,000

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(29) Amount payable from the Infant Botulism Treatment and Prevention Fund (Item 4260-001-0272)...	-1,300,000
(30) Amount payable from the Safe Drinking Water Account (Item 4260-001-0306)	-8,124,000
(31) Amount payable from the Registered Environmental Health Specialist Fund (Item 4260-001-0335).....	-168,000
(32) Amount payable from the Mosquitoborne Disease Surveillance Account (Item 4260-001-0478).....	-35,000
(33) Amount payable from Cancer Research Fund (Item 4260-001-0589).....	-24,957,000
(34) Amount payable from the Drinking Water Treatment and Research Fund (Item 4260-001-0622).....	-531,000
(35) Amount payable from the Administration Account (Item 4260-001-0625).....	-3,468,000
(36) Amount payable from the Water System Reliability Account (Item 4260-001-0626)	-1,446,000
(37) Amount payable from the Source Protection Account (Item 4260-001-0627)	-2,710,000
(38) Amount payable from the Small System Technical Assistance Account (Item 4260-001-0628).....	-1,663,000
(39) Amount payable from the Domestic Violence Training and Education Fund (Item 4260-001-0642)...	-716,000
(40) Amount payable from the Emergency Services and Supplemental Payments Fund (Item 4260-001-0693).....	-122,000
(41) Amount payable from the California Alzheimer's and Related Disorders Research Fund (Item 4260-001-0823).....	-253,000
(42) Amount payable from the Medical Inpatient Payment Adjustment Fund (Item 4260-001-0834).....	-699,000

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(43) Amount payable from the Federal Trust Fund (Item 4260-001-0890)	-296,294,320
(44) Amount payable from the Local Health Capital Expenditure Account, County Health Services Fund (Item 4260-001-0900).....	-17,000
(45) Amount payable from the Birth Defects Research Fund (Item 4260-001-0919)	-400,000

Provisions:

1. Of the total amount of reimbursements in this item, \$6,178,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00 of this act, the State Department of Health Services shall report any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.
2. Except as otherwise prohibited by law, the department shall promulgate emergency regulations to adjust the public health fees set by regulation to an amount, such that if the new fees were effective throughout the 2000–01 fiscal year, the estimated revenues would be sufficient to offset at least 95 percent of the approved program level intended to be supported by those fees.
3. Effective July 1, 2000, the annual fee for a general acute care hospital, acute psychiatric hospital, special hospital, general acute care rehabilitation hospital and chemical dependency recovery hospital shall be \$79.62 per bed. Effective July 1, 2000, the annual fee for a skilled nursing facility, intermediate care facility, or intermediate care facility for the developmentally disabled is \$189.48 per bed.

The fees of the State Department of Health Services that are subject to the annual fee adjustment pursuant to subdivision (a) of Section 100445 of the Health and Safety Code shall be increased by 2.30 percent, effective July 1, 2000.

The General Fund fees of the State Department of Health Services (DHS) that are subject to the annual fee adjustment pursuant to subdivision (a) of Section 100425 of the Health and Safety Code shall be increased by 2.08%. The special fund fees of DHS that are subject to the annual fee adjustment pursuant to subdivision (a) of Section

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<p>100425 of the Health and Safety Code may be increased by 2.08% only if the fund condition statements project fund reserves to be less than 10% and the revenues projected for FY 2000–01 are less than the appropriation contained in this act.</p>	
<p>4. The Department of Health Services may spend up to \$631,000 appropriated in this item to augment Lead-Related Construction Program regulatory activities. The amount spent shall be entirely supported by revenue collections above 1999–00 fee receipts.</p>	
<p>5. Of the amount appropriated in this item, the Department of Health Services may spend up to \$8,000,000 for awards to nursing facilities serving high proportions of Medi-Cal patients with high quality of care. Nursing facilities receiving such awards shall, to the extent permitted by law, pass the awards on to exemplary direct caregiver employees in the form of bonuses.</p>	
<p>6. Provision 5 of Item 4260-111-0001 also applies to this item.</p>	
<p>7. Of the amount appropriated in this item, up to \$250,000 shall be used by the Department of Health Services to execute an interagency agreement or contract for the planning and development of a scientific protocol for the study of the effect of diet on the disease management of Multiple Sclerosis.</p>	
<p>8. The Department of Health Services shall review all of the California Children’s Services Program materials and application procedures to ensure that they are family-centered and easy to understand. In completing this activity, the department may seek the participation and assistance of advocacy organizations, family resource centers, or other entities as appropriate.</p>	
<p>9. The Department of Health Services may establish an advisory group consisting of various stakeholders, including families, court representatives, medical service providers, and others as deemed appropriate, to advise the department on the development and revision of program procedures and standards regarding the California Children’s Services Program.</p>	
<p>10. Pursuant to Section 27.00 of the Budget Act, and upon approval by the Department of Finance, the Department of Health Services may request an</p>	

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<p>augmentation to this item to fund additional staff, in the event that it is determined by the Department of Finance that additional staff is needed for the distinct purpose of combating fraud and abuse in the Medi-Cal program, including provider enrollment.</p>	
4260-001-0007—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Breast Cancer Research Account	1,624,000
4260-001-0009—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Breast Cancer Control Account.....	7,823,000
4260-001-0029—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Nuclear Planning Assessment Special Account	487,000
4260-001-0044—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Motor Vehicle Account, State Transportation Fund.....	836,000
4260-001-0066—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Sale of Tobacco to Minors Control Account.....	2,117,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.	
4260-001-0070—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Occupational Lead Poisoning Prevention Account.....	2,968,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
4260-001-0074—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Medical Waste Management Fund	911,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.	

Item	Amount
4260-001-0075—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Radiation Control Fund	17,612,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.	
4260-001-0076—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Tissue Bank License Fund	163,000
4260-001-0080—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Childhood Lead Poisoning Prevention Fund	5,495,000
4260-001-0082—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Export Document Program Fund	141,000
4260-001-0098—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Clinical Laboratory Improvement Fund	5,897,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
2. Notwithstanding any other provision of law, the Department of Health Services shall not impose fees on clinical laboratories that were not subject to state fees prior to January 1, 1996, until exemption from the federal Clinical Laboratory Improvement Amendments (CLIA; P.L. 100-578) of 1988 is granted. Expenditures for the Clinical Laboratory Program shall not exceed amounts collected in clinical laboratory fees plus federal grant funds provided by the Health Care Financing Administration to support this program. Since the date of exemption from CLIA is unknown, the Department of Finance may adjust the amounts provided for this program by this item and from federal funds pursuant to the provisions of Sections 27.00 and 28.00 of this act.	
4260-001-0099—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Health Statistics Special Fund.....	12,354,000

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4260-001-0116—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Wine Safety Fund	55,000
4260-001-0129—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Water Device Certification Special Account.....	100,000
4260-001-0177—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Food Safety Fund.....	3,911,000
4260-001-0179—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Environmental Laboratory Improvement Fund.....	2,920,000
4260-001-0203—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Genetic Disease Testing Fund.....	61,445,000
4260-001-0231—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund	6,704,000
4260-001-0232—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund	276,000
4260-001-0233—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund	0
4260-001-0234—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund.....	4,948,000
Provisions:	
1. Of the funds appropriated in this item, \$500,000 shall be available for cancer research studies, and \$500,000 shall be available for cancer registry data collection.	
4260-001-0236—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund.....	2,696,000
4260-001-0247—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Drinking Water Operator Certification Special Account.....	1,233,000

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4260-001-0272—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Infant Botulism Treatment and Prevention Fund	1,300,000
4260-001-0306—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Safe Drinking Water Account	8,124,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
4260-001-0335—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Registered Environmental Health Specialist Fund	168,000
4260-001-0478—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Mosquitoborne Disease Surveillance Account	35,000
4260-001-0589—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Cancer Research Fund.....	24,957,000
4260-001-0622—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Drinking Water Treatment and Research Fund.....	531,000
4260-001-0625—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Administration Account, Safe Drinking Water State Revolving Loan Fund.....	3,468,000
4260-001-0626—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Water System Reliability Account, Safe Drinking Water State Revolving Loan Fund....	1,446,000
4260-001-0627—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Source Protection Account, Safe Drinking Water State Revolving Loan Fund	2,710,000
4260-001-0628—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Small System Technical Assistance Account, Safe Drinking Water State Revolving Loan Fund	1,663,000

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4260-001-0642—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Domestic Violence Training and Education Fund	716,000
4260-001-0693—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Emergency Services and Supplemental Payments Fund	122,000
Provisions:	
1. To the extent that moneys available in the Emergency Services and Supplemental Payments Fund are less than the amount appropriated in this item, this appropriation shall be limited to that lesser amount.	
2. Notwithstanding any other provision of law, if revenues to the Emergency Services and Supplemental Payments Fund are sufficient to create additional allocation workload, the Director of Finance may authorize expenditures for the Department of Health Services in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
3. Funds appropriated by this item and augmentations authorized pursuant to Provision 2 may be transferred by executive order approved by the Director of Finance from the Department of Health Services to the California Medical Assistance Commission if revenues to the Emergency Services and Supplemental Payments Fund are sufficient to create allocation workload for that commission.	
4260-001-0823—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the California Alzheimer’s and Related Disorders Research Fund	253,000
4260-001-0834—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Medi-Cal Inpatient Payment Adjustment Fund	699,000

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4260-001-0890—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Federal Trust Fund	296,294,320
Provisions:	
1. The limitations and conditions applicable to Item 4260-001-0001 also apply to this item if appropriate.	
2. Of the funds appropriated in this item, \$49,037,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00 of this act, the State Department of Health Services shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.	
4260-001-0900—For support of Department of Health Services, in lieu of the amounts that otherwise would be appropriated in the Local Health Capital Expenditure Account of the County Health Services Fund pursuant to Chapter 1351, Statutes of 1980, for payment to Item 4260-001-0001, payable from the Local Health Capital Expenditure Account, County Health Services Fund.....	17,000
4260-001-0919—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Birth Defects Research Fund	400,000
4260-002-0001—For transfer by the Controller to the Cancer Research Fund	25,000,000
4260-002-0942—For support of Department of Health Services, payable from the Health Facilities Citation Penalties Account, Special Deposit Fund.....	1,000,000
4260-003-0001—For support of Department of Health Services, for rental payments on lease revenue bonds (Richmond Laboratory).....	1,243,000
Schedule:	
(a) Base rental and fees	1,217,000
(b) Insurance	26,000
4260-003-0942—For support of Department of Health Services, payable from the Federal Citation Penalties Account, Special Deposit Fund	2,217,000
Provisions:	
1. Of the amount appropriated in this item, the Department of Health Services may spend up to \$2,000,000 for awards to nursing facilities serving high proportions of Medi-Cal patients with high quality of care. Nursing facilities receiving such awards shall, to the extent permitted by law,	

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pass the awards on to exemplary direct caregiver employees in the form of bonuses.	
4260-007-0890—For support of Department of Health Services, payable from the Federal Trust Fund	18,859,000
Provisions:	
1. Notwithstanding Section 28.00 of this act, adjustments may be made to align the federal funds for legislative actions and other technical adjustments affecting the recipient department’s appropriation authority.	
4260-011-0001—For transfer by the Controller to the Infant Botulism Fund (0272).....	0
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may approve a General Fund loan of up to \$1,233,000 to support the development of Botulism Immune Globulin. The loan shall be repaid from fees collected for providing Botulism Immune Globulin to patients of infant botulism or other forms of botulism. The Department of Health Services shall repay the loan with interest to the General Fund over the five years subsequent to the licensure of Botulism Immune Globulin by the United States Food and Drug Administration. The rate of interest shall be at the rate earned by moneys invested in the Pooled Money Investment Account.	
4260-101-0001—For local assistance, Department of Health Services, Medical Assistance Program, payable from the Health Care Deposit Fund (912) after transfer from the General Fund	9,236,793,000
Schedule:	
(a) 20.10.030-Benefits (Medical Care and Services).....	21,004,224,000
(b) 20.10.010-Eligibility (County Administration).....	1,223,185,000
(c) 20.10.020-Fiscal Intermediary Management.....	229,374,000
(d) Prior Fiscal Year Reconciliation.....	0
(e) Amount payable from the Federal Trust Fund (Item 4260-101-0890)	-13,213,096,000
(f) Amount payable from Federal Trust Fund (Item 4260-103-0890)....	-6,894,000
Provisions:	
1. The aggregate principal amount of disproportionate share hospital general obligation debt that may	

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- be issued in the 2000–01 fiscal year pursuant to subparagraph (A) of paragraph (2) of subdivision (f) of Section 14085.5 of the Welfare and Institutions Code shall be \$0.
2. Notwithstanding any other provision of law, both the federal and nonfederal shares of any money recovered for previously paid health care services, provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code, are hereby appropriated and shall be expended as soon as practicable for medical care and services as defined in the Welfare and Institutions Code.
 3. Notwithstanding any other provision of law, accounts receivable for recoveries as described in Provision 2 above shall have no effect upon the positive balance of the General Fund or the Health Care Deposit Fund. Notwithstanding any other provision of law, money recovered as described in this item that is required to be transferred from the Health Care Deposit Fund to the General Fund shall be credited by the Controller to the General Fund without regard to the appropriation from which it was drawn.
 4. Without regard to fiscal year, the General Fund shall make one or more loans available not to exceed a cumulative total of \$45,000,000 to be transferred as needed to the Health Care Deposit Fund to meet cash needs. The loans are subject to the repayment provisions of Section 16351 of the Government Code. Any additional loan requirement in excess of \$45,000,000 shall be processed in the manner prescribed by Section 16351 of the Government Code.
 5. Notwithstanding any other provision of law, the Director of Health Services may give public notice relative to proposing or amending any rule or regulation that could result in increased costs in the Medi-Cal program only after approval by the Department of Finance; and any rule or regulation adopted by the Director of Health Services and any communication that revises the Medi-Cal program shall be effective only from and after the date upon which it is approved by the Department of Finance.
 6. Of the funds appropriated in this item, up to \$50,000 may be allocated for attorneys' fees

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- awarded pursuant to state or federal law without prior notification to the Legislature. Individual settlements authorized under this language shall not exceed \$5,000. The semiannual estimates of Medi-Cal expenditures due to the Legislature in January and May shall reflect attorney fees paid 15 or more days prior to the transmittal of the estimate.
7. Change orders to the medical or the dental fiscal intermediary contract for amounts exceeding a total cost of \$250,000 shall be approved by the Director of Finance not sooner than 30 days after written notification of the change order is provided to the chairpersons of the fiscal and policy committees in each house and to the Chairperson of the Joint Legislative Budget Committee or not sooner than such lesser time as the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may designate. If there are changes or potential changes in federal funding, the Department of Finance shall provide timely written notification of the changes to the chairperson of the fiscal committee in each house and the Chairperson of the Joint Legislative Budget Committee. The semiannual estimates of Medical expenditures due to the Legislature in January and May may constitute the notification required by this provision.
 8. Recoveries of advances made to counties in prior years pursuant to Section 14153 of the Welfare and Institutions Code are reappropriated to the Health Care Deposit Fund for reimbursement of those counties where allowable costs exceeded the amounts advanced. Recoveries in excess of the amounts required to fully reimburse allowable costs shall be transferred to the General Fund. When a projected deficiency exists in the Medical Assistance Program, these funds, subject to notification to the Chairperson of the Joint Legislative Budget Committee, are appropriated and shall be expended as soon as practicable for the state's share of payments for medical care and services, county administration, and fiscal intermediary services.
 9. The Department of Finance may transfer funds representing all or any portion of any estimated savings that are a result of improvements in

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the Medi-Cal claims processing procedures from the Medi-Cal services budget or the support budget of the State Department of Health Services (Item 4260-001-0001) to the fiscal intermediary budget item for purposes of making improvements to the Medi-Cal claims system.

10. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001 for the state's share of expenditures for developmental services provided to persons eligible for Medi-Cal.
11. Notwithstanding subdivision (a) of Section 2.00 and Section 26.00 of this act, the Department of Finance may authorize transfer of expenditure authority between Schedule (a), (b), or (c) and Schedule (d). Schedule (d) may be used for the liquidation of prior years' excess obligations of Item 4260-101-0001.

The Director of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

12. Notwithstanding any other provision of law, of the total funds appropriated for community-based outreach contracts to enroll eligible children under the Medi-Cal and Healthy Families programs, an amount of up to \$2,000,000 over the fiscal year is available to successful contractors, as determined by the State Department of Health Services, as an advanced payment for the nonfederal share of the contract award. The State Department of Health Services shall determine the most effective means for making the advanced payments and ensuring that contractors meet any specified criteria.
13. Upon the request of the State Department of Health Services, and subject to approval of the California Medical Assistance Commission and the Department of Finance, \$2,950,000 of the amount appropriated in this item may be transferred to the Emergency Services and Supplemental Payments Fund for allocation to the Children's Hospitals. It is the intent of the Legislature that this be a two-year project.

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14. Upon the request of the State Department of Health Services, and subject to approval of the California Medical Assistance Commission and the Department of Finance, \$12,000,000 of the amount appropriated in this item shall be transferred to the Emergency Services and Supplemental Payments Fund for allocation to the Children's Hospitals.
 15. The State Department of Health Services shall by June 30, 2001, put into effect a simplified appeals system for appealing emergency physician, emergency department, and on-call physician claim denials pertaining to the Medi-Cal program. In designing the simplified appeals system, the department shall ensure that appealing is timely and cost-effective, given the many claims that are of small dollar amounts.
 16. The State Department of Health Services shall conduct an evaluation of the Transitional Inpatient Program as directed in Section 14132.22 of the Welfare and Institutions Code, including its effect on quality of patient care, staffing standards, and related data components.
 17. The California Medical Assistance Commission is authorized to renegotiate managed care contract rates on an annual basis. That renegotiation shall take into account any action taken by the Legislature affecting Medi-Cal payment rates.
 18. The State Department of Health Services shall, for the period January 1, 2001, to June 30, 2001, inclusive, use a rate-setting methodology for distinct-part nursing facilities that sets rates based on the median costs of all distinct-part nursing facilities, weighted by Medi-Cal days. This shall replace the current rate-setting methodology that sets rates based on the median costs of only those distinct-part nursing facilities with a Medi-Cal census of 20 percent or greater.
 19. The State Department of Health Services shall use a single application for Medi-Cal and Health Families and shall use a single point-of-entry contractor to ensure that applications are sent to the appropriate program.
- 4260-101-0693—Notwithstanding any other provision of law, moneys available in the Emergency Services and Supplemental Payments Fund, after the appro-

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priation made by Item 4260-001-0693 of this act, are appropriated to the Department of Health Services for expenditure for local assistance for the purposes specified in Section 14085.6 of the Welfare and Institutions Code.	
4260-101-0890—For local assistance, Department of Health Services, for payment to Item 4260-101-0001, payable from the Federal Trust Fund.....	13,213,096,000
Provisions:	
1. Any of the provisions in Item 4260-101-0001 that are relevant to this item also apply to this item.	
4260-102-0001—For local assistance, Department of Health Services, Program 20.10.030-Benefits (Medical Care and Services), for supplemental reimbursement for debt service pursuant to Section 14085.5 of the Welfare and Institutions Code.....	57,267,000
4260-102-0890—For local assistance, Department of Health Services, Program 20.10.030—Benefits (Medical Care and Services), payable from Federal Trust Fund, for supplemental reimbursement for debt service pursuant to Section 14085.5 of the Welfare and Institutions Code	60,470,000
4260-103-0890—For local assistance, for refugee services, Department of Health Services, for payment to Item 4260-101-0001, payable from the Federal Trust Fund	6,894,000
Provisions:	
1. Any of the provisions in Item 4260-101-0001 that are relevant to this item also apply to this item.	
4260-111-0001—For local assistance, Department of Health Services.....	498,973,000
Schedule:	
(1) 10.10.010-Vital Records Improvement Project	1,031,000
(2) 10.20.010-Environmental Management.....	960,000
(3) 10.20.040-Drinking Water.....	6,468,000
(4) 10.30.030-Childhood Lead Poisoning Prevention	8,500,000
(5) 10.30.040-Chronic Diseases.....	139,486,000
(6) 10.30.050-Communicable Disease Control	67,984,000
(7) 10.30.060-AIDS	252,537,000
(8) 20.30-County Health Services.....	130,399,000
(9) 20.40-Primary Care and Family Health	1,480,882,000
(10) Reimbursements.....	-305,955,000

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(11) Amount payable from the Breast Cancer Control Account (Item 4260-111-0009).....	-18,365,000
(12) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 4260-111-0080).....	-12,000,000
(13) Amount payable from the Health Statistics Special Fund (Item 4260-111-0099)	-300,000
(14) Amount payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0231).....	-79,835,000
(15) Amount payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0232)	-79,680,000
(16) Amount payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0233).....	-9,166,000
(17) Amount payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0236)	-67,517,000
(18) Amount payable from the Child Health and Safety Fund (Item 4260-111-0279).....	-491,000
(19) Amount payable from the Drinking Water Treatment and Research Fund (Item 4260-111-0622).....	-4,453,000
(20) Amount payable from the Water System Reliability Account, Safe Drinking Water State Revolving Loan Fund (Item 4260-111-0626) .	-1,702,000
(21) Amount payable from the Source Protection Account, Safe Drinking Water State Revolving Loan Fund (Item 4260-111-0627).....	-250,000
(22) Amount payable from the Federal Trust Fund (Item 4260-111-0890)	-1,009,560,000

Provisions:

1. Of the total amount of reimbursements in this item, \$15,942,000 shall be available for administration, research and training projects. Notwithstanding Section 28.00 of this act, the Department

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- of Health Services shall report under that section, any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.
2. Program 10.30.060-AIDS:
The Office of AIDS in the State Department of Health Services, in allocating and processing contracts and grants, shall comply with the same requirements that are established for contracts and grants for other public health programs. The contracts or grants administered by the Office of AIDS shall be exempt from the Public Contract Code and shall be exempt from approval by the Department of Finance and the Department of General Services prior to their execution.
 3. Program 20.40-Primary Care and Family Health:
 - (a) Notwithstanding Section 28.00 of this act, the Department of Finance, upon request of the State Department of Health Services, may authorize and approve a budget revision to augment Schedule (9) Primary Care and Family Health, WIC Rebates and Recoveries, in this item for any additional rebate moneys or recoveries that become available for the Special Supplemental Food Program for Women, Infants, and Children (WIC) during this fiscal year.
 - (b) Counties may retain 50 percent of total enrollment and assessment fees that are collected by the counties for the CCS program. Fifty percent of the enrollment and assessment fee for each county shall be offset from the state's match for that county.
 4. Nonfederal funds appropriated in this item and Item 4260-001-0001 which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
 5. Using \$20,000,000 in available one-time federal funds (reimbursements from the Department of Social Services), the funds appropriated in Schedule (5) of Item 4260-001-0001 (\$519,000) and Schedule (10) of Item 4260-111-0001

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(\$19,481,000) are for expenditure in the 2000–01 fiscal year to continue the Community Challenge Grant Program, initially established by Chapter 197, Statutes of 1996.

- 6. In awarding grants for the Community Challenge Grant Program, the State Department of Health Services shall use criteria to encourage projects based on research and tested program designs, similar to the guidelines used in the California Department of Education’s Teen Pregnancy Prevention Grant Program. It is not the intent of the Legislature to preclude the selection of innovative programs designed to test new approaches or strategies, as long as these program designs do not conflict with the available research.
- 7. It is the intent of the Legislature to fully fund Section 101230 of the Health and Safety Code to provide funding for local health jurisdictions to administer communicable disease control and community and public health surveillance activities.
- 8. Of the amount appropriated in this item, \$500,000 shall be used for the Marin County Health and Human Services Department for purposes of community-based breast cancer research in Marin County. Data from the research shall be compiled and analyzed by the county and the University of California, Berkeley and shall be available for replication and use on a statewide basis.
- 9. Of the amount appropriated in this item, \$600,000 is appropriated for the local public health hepatitis A immunization programs.
- 10. The State Department of Health Services shall inform the Legislature by no later than August 1, 2000, on the status of the anti-tobacco Media Campaign and its marketing components, including ethnic media approaches. The information shall, at a minimum, provide a general schedule of what is planned for the fiscal year, specify what media components to date are pending approval, and which have been released for airing and distribution.

4260-111-0009—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Breast Cancer Control Account

18,365,000

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4260-111-0080—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Childhood Lead Poisoning Prevention Fund	12,000,000
4260-111-0099—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Health Statistics Special Fund	300,000
4260-111-0231—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund	79,835,000
4260-111-0232—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund	79,680,000
4260-111-0233—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund	9,166,000
4260-111-0236—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund	67,517,000
4260-111-0279—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Child Health and Safety Fund	491,000
4260-111-0622—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Drinking Water Treatment and Research Fund	4,453,000
4260-111-0626—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Water System Reliability Account, Safe Drinking Water State Revolving Loan Fund	1,702,000
4260-111-0627—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Source Protection Account, Safe Drinking Water State Revolving Loan Fund....	250,000
4260-111-0890—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Federal Trust Fund.....	1,009,560,000

Provisions:

1. Of the funds appropriated in this item, \$57,207,000 shall be available for administration,

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research, and training projects. Notwithstanding the provisions of Section 28.00 of this act, the State Department of Health Services shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.	
4260-112-0001—For local assistance, Department of Health Services, for implementation of the Healthy Families Program (Public Health)	1,036,000
Schedule:	
(a) 20.40—Primary Care and Family Health	4,678,000
(b) Amount payable from the Federal Trust Fund (Item 4260-112-0890).....	-3,642,000
4260-112-0890—For local assistance, Department of Health Services, for payment to Item 4260-112-0001, payable from the Federal Trust Fund	3,642,000
4260-113-0001—For local assistance, Department of Health Services, for the Healthy Families Program (Medi-Cal)	3,166,000
Schedule:	
(a) 20.10.010-Eligibility (County Administration)	9,345,000
(b) 20.10.020-Fiscal Intermediary Management	348,000
(c) 20.10.030-Benefits (Medical Care and Services)	7,214,000
(d) Amount payable from the Federal Trust Fund (Item 4260-113-0890).....	-13,741,000
4260-113-0890—For local assistance, Department of Health Services, for payment to Item 4260-113-0001, payable from the Federal Trust Fund	13,741,000
4260-114-0942—For local assistance, Department of Health Services, payable from the Women, Infants, and Children Vendor Fines and Penalties Account, Special Deposit Fund.....	100,000
4260-115-0890—For transfer by the Controller from the Federal Trust Fund to the Safe Drinking Water State Revolving Loan Fund	164,000,000
4260-116-0890—For transfer by the Controller to various federal funds	(11,224,000)
Provisions:	
1. Of the amount appropriated by this item, \$11,224,000 will be transferred as follows:	
(a) Transfer \$3,459,000 to Administration Ac-	

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count, Safe Drinking Water State Revolving Loan Fund	
(b) Transfer \$3,148,000 to Water System Reliability Account, Safe Drinking Water State Revolving Loan Fund	
(c) Transfer \$1,663,000 to Small System Technical Assistance Account, Safe Drinking Water State Revolving Loan Fund	
(d) Transfer \$2,954,000 to Source Protection Account, Safe Drinking Water State Revolving Loan Fund	
4260-117-0001—For transfer by the Controller from the General Fund to the Human Leukocyte Antigen Testing Fund (1002)	1,500,000
4260-117-1002—For local assistance, Department of Health Services, payable from the Human Leukocyte Antigen Testing Fund	1,500,000
4260-295-0001—For local assistance, Department of Health Services, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	7,226,000
Schedule:	
(1) 98.01.026.891-SIDS Contacts by Local Health Officers (Ch. 268, Stats. 1991)	325,000
(2) 98.01.045.374-SIDS Notices (Ch. 453, Stats. 1974).....	35,000
(3) 98.01.091.692-Pacific Beach Safety (Ch. 916, Stats. 1992)	71,000
(4) 98.01.095.589-SIDS Autopsies (Ch. 955, Stats. 1989)	1,869,000
(5) 98.01.108.888-AIDS Search Warrants (Ch. 1088, Stats. 1988).....	899,000
(6) 98.01.116.381-Medi-Cal Beneficiary Death Notices (Ch. 102, Stats. 1981 and Ch. 1163, Stats. 1981).....	100,000
(7) 98.01.159.788-Inmates AIDS Testing (Ch. 1597, Stats. 1988)	1,241,000
(8) 98.01.160.390-Perinatal services for alcohol/drug exposed infants (Ch. 1603, Stats. 1990)	2,686,000

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Provisions:

1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

4260-301-0001—For capital outlay, Department of Health Services..... 5,879,000
 Schedule:

- (1) 94.50.010-Southern California Laboratory: Fire and Life Safety Renovation—Construction..... 4,034,000
- (2) 94.60.050-Richmond Laboratory Campus: Phase III Office Building—Preliminary plans..... 1,845,000

4260-402—In the event the bonds authorized for the Capital Area Plan project in Chapter 761, Statutes 1997 are not sold, the Department of Health Services shall commit a sufficient portion of its support appropriation, as determined by the Department of Finance, which is provided for in this Budget Act to repay any interim financing. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until all interim financing is re-

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paid either through the proceeds from the sale of bonds or from an appropriation.	
4260-495—Reversion, Department of Health Services. As of June 30, 2000, the unencumbered balances of the appropriations provided in the following citations shall revert to the health Education Account, Cigarette and Tobacco Products Surtax Fund.	
0231-Health Education Account, Cigarette and Tobacco Products Surtax Fund	
(1) Section 27(b)(5), Chapter 278, Statutes of 1991-Tobacco Oversight Committee	
(2) Section 28(b)(5), Chapter 278, Statutes of 1991-Tobacco Oversight Committee	
(3) Section 29(b)(5), Chapter 278, Statutes of 1991-Tobacco Oversight Committee	
(4) Section 29(b)(2), Chapter 278, Statutes of 1991-Health Education Media Campaign	
(5) Section 27(b)(6), Chapter 278, Statutes of 1991-Local Lead Agencies	
(6) Section 10(a)(5)(A), Chapter 1331, Statutes of 1989-Competitive Grants	
(7) Section 27(b)(4), Chapter 278, Statutes of 1991-Competitive Grants	
(8) Section 28(b)(4), Chapter 278, Statutes of 1991-Competitive Grants	
(9) Section 29(b)(4), Chapter 278, Statutes of 1991-Competitive Grants	
4270-001-0001—For support, California Medical Assistance Commission	1,257,000
Schedule:	
(a) 10-California Medical Assistance Commission.....	2,512,000
(b) Reimbursements.....	-1,255,000
4280-001-0001—For support of Managed Risk Medical Insurance Board	1,531,000
Schedule:	
(a) 40-Healthy Families Program	1,628,000
(b) Reimbursements.....	-97,000
4280-001-0309—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-001-0313, payable from the Perinatal Insurance Fund....	818,000
Provisions:	
1. Provision 1 of Item 4280-001-0313 also applies to this item.	
4280-001-0313—For support of Managed Risk Medical Insurance Board, payable from the Major Risk Medical Insurance Fund	819,000

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Schedule:	
(a) 10-Major Risk Medical Insurance Program.....	819,000
(b) 20-Access for Infants and Mothers Program.....	818,000
(d) Amount payable from the Perinatal Insurance Fund, (Item 4280-001-0309).....	-818,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Managed Risk Medical Insurance Board in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.	
4280-001-0890—For support of Managed Risk Medical Insurance Board, payable from Federal Trust Fund, for Program 40, Healthy Families Program	2,378,000
4280-101-0001—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program	138,556,000
Schedule:	
(a) 20-Access for Infants and Mothers Program.....	1,430,000
(b) 40-Healthy Families Program	137,126,000
Provisions:	
1. It is the intent of the Legislature for the Healthy Families Program to be fully funded to provide health care services for all enrolled children. In the event that funds appropriated in this act are not sufficient to provide for increased caseload, the Managed Risk Medical Insurance Board, upon the approval of the Department of Finance, shall submit a request for deficiency to the Legislature.	
4280-101-0890—For local assistance, Managed Risk Medical Insurance Board, payable from the Federal Trust Fund, for the Healthy Families Program.....	243,751,000
Schedule:	
(a) 20-Access for Infants and Mothers.....	2,770,000
(b) 40-Healthy Families Program	240,981,000

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4280-102-0001—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program administrative contracts.....	17,035,000
Schedule:	
(a) 40-Healthy Families Program	22,994,000
(b) Reimbursements.....	-5,959,000
4280-102-0890—For local assistance, Managed Risk Medical Insurance Board, for Program 40, Healthy Families Program administrative contracts.....	18,241,000
4280-111-0232—For transfer by the Controller from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program	(24,300,000)
4280-111-0233—For transfer by the Controller from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program	(13,313,000)
4280-111-0236—For transfer by the Controller from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program	(9,381,000)
4280-112-0232—For transfer by the Controller from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program	(6,393,000)
4280-112-0233—For transfer by the Controller from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program	(3,607,000)
4280-112-0236—For transfer by the Controller upon notification from the Department of Finance from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program	(10,000,000)
Provisions:	
1. It is the intent of the Legislature, in appropriating \$10,000,000 from the Unallocated Account of Proposition 99 for the Major Risk Medical Insurance Program, to provide one time support to sustain enrollment levels in the Major Risk Medical Insurance Program and to provide persons on the waiting list for that program the opportunity to en-	

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roll. The Managed Risk Medical Insurance Board shall report to the fiscal and policy committees of the Legislature by March 1, 2001, on options for continued financing of any enrollments financed through this provision.	
4300-001-0001—For support of Department of Developmental Services	27,827,000
Schedule:	
(a) 10-Community Services Program...	16,960,000
(b) 20-Developmental Centers Program	15,447,000
(c) 35.01-Administration	22,250,000
(d) 35.02-Distributed Administration ...	-22,250,000
(e) Reimbursements	-2,516,000
(f) Amount payable from the Developmental Disabilities Program Development Fund (Item 4300-001-0172)	-247,000
(g) Amount payable from the Federal Trust Fund (Item 4300-001-0890)..	-1,817,000
4300-001-0172—For support of Department of Developmental Services, for payment to Item 4300-001-0001, payable from the Developmental Disabilities Program Development Fund.....	247,000
4300-001-0890—For support of Department of Developmental Services, for payment to Item 4300-001-0001, payable from the Federal Trust Fund	1,817,000
Provisions:	
1. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4300-101-0890 in order to effectively administer the Early Intervention Program (Part C of the Individuals with Disabilities Education Act).	
4300-003-0001—For support of Department of Developmental Services, for Developmental Centers.....	127,168,000
Schedule:	
(a) 20-Developmental Centers Program	624,553,000
(b) Reimbursements	-496,256,000
(c) Amount payable from the California State Lottery Education Fund (Item 4300-003-0814)	-389,000
(d) Amount payable from the Federal Trust Fund (Item 4300-003-0890).....	-740,000
Provisions:	
1. The General Fund shall make a loan available to the State Department of Developmental Services	

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<p>not to exceed a cumulative total of \$80,000,000. The loan funds will be transferred to this item as needed to meet cash-flow needs due to delays in collecting reimbursements from the Health Care Deposit Fund, and subject to the repayment provisions of Section 16351 of the Government Code.</p> <ol style="list-style-type: none"> 2. Of the amount appropriated in Schedule (a), \$869,000 is provided for payment of energy service contracts as required in connection with issuance of Public Works Board Energy Efficiency Revenue Bonds (State Pool Program), Series 1986 A. 3. To the extent that the State Department of Developmental Services is eligible to receive additional Title XIX Medi-Cal reimbursements as a result of population increases in the developmental centers, the department is authorized to expend those reimbursements for the care of the additional clients upon approval of the Director of Finance. 4. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001. Within 10 working days after approval of a transfer as authorized by this provision, the Department of Finance shall notify the chairperson of the fiscal committee of each house of the Legislature of the transfer, including the amount transferred, how the amount was determined, and how the amount will be utilized. 5. It is the intent of the Legislature that the janitorial contracts currently in effect at the Department of Developmental Services' five developmental centers be terminated and rebid to include health benefits for the contract janitorial workers. To ensure no disruption in services, the existing contracts shall remain in effect until the new contracts are in place. <p style="margin-left: 2em;">Of the amount appropriated in this item, \$2,000,000 shall be used to provide health benefits to janitorial workers contracted by the State Department of Developmental Services for the developmental centers.</p> 6. The Mitigated Negative Declaration approved by the State Department of Developmental Services 	

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- on February 9, 1999, for the project authorized pursuant to Schedule 1.6 of Item 4300-301-0001 of the Budget Act of 1998 (Ch. 324, Stats. 1998) and known as the "Facility and Security Improvements to Accommodate New Forensic and Specialized Behavior Programs at Lanterman Developmental Center in Pomona, CA" is hereby rescinded.
7. Forensic individuals will not be permitted at Lanterman Developmental Center.
 8. The number of severe behavior individuals at Lanterman Developmental Center (LDC) shall not exceed 128, provided, however, that (a) only severe behavior individuals with a Community risk Grade of "1A" or "1B" will be admitted to, or housed at, LDC, and (b) no severe behavior individual will be admitted to, or housed at, LDC who has, at any time, been accused of or charged with the commission of a violent felony offense.
 9. The State Department of Developmental Services shall provide the Legislature with a status update by March 1, 2001, on the forensic population of consumers residing in the developmental centers. This status update shall, at a minimum, include a three-year projection of the population, the installation of security arrangements at each developmental center to date, a description of any special training provided to employees, a description of any special incidents regarding this population, a description of any training programs provided to this population, and a listing of the referring courts and number of consumers from the previous year.
 10. The State Department of Development of Developmental Services (DDS) shall notify the chairperson of each fiscal committee and policy committee of each house of the Legislature of specific outcomes resulting from citations and the results of annual surveys conducted by the State Department of Health Services, as well as findings of any other government agency authorized to conduct investigations or surveys of state developmental centers. DDS shall forward the notifications, including a copy of the specific findings, to the chairpersons of the respective committees within 10 working days of its receipt of these findings. DDS also shall forward these

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findings, within three working days of submission, to the appropriate investigating agency. In addition, DDS shall provide notification to the above-mentioned committee chairs, within three working days, of its receipt of information concerning any investigation initiated by the United States Department of Justice and the private non-profit corporation designated by the Governor pursuant to Division 4.7 (commencing with Section 4900) of the Welfare and Institutions Code or concerning any findings or recommendations resulting from any these investigations.

11. The total number of high-risk Developmental Center residents at Porterville Developmental Center shall not exceed 256, which is the capacity of buildings 13–18 (currently located behind fencing) at the Porterville Development Center, until Phase II and Phase III security improvement projects are complete. In addition, the requisite ratio of security personnel to resident populations shall be achieved and maintained before the number of high-risk residents are increased above 256 at the Porterville Developmental Center. Upon completion of Phase II and Phase III Security improvement projects, the State Department of Developmental Services shall certify in writing that the requirements of this provision have been met, and this certification shall be provided to the Legislative Analyst, the fiscal and appropriate policy committees of the Legislature, the legislative representatives of the region, and the Community Advisory Board Representatives of the Porterville Developmental Center before the number of high-risk Developmental Center residents may be increased.
12. Notwithstanding the limitations of Section 27.00 on deficiency expenditures, the State Department of Developmental Services may request and the Department of Finance may approve a deficiency appropriation pursuant to Section 11006 of the Government Code, following notice in compliance with subdivision (b) of Section 27.00, in augmentation of this item for special repairs necessary to preserve the health and safety of persons residing in Developmental Centers.

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4300-003-0814—For support of Department of Developmental Services, for payment to Item 4300-003-0001, payable from the California State Lottery Education Fund	389,000
Provisions:	
1. All funds received pursuant to Proposition 37 that are allocable to the Department of Developmental Services pursuant to Section 8880.5 of the Government Code, and that are in excess of the amount appropriated in this item, are hereby appropriated in augmentation of this item. These additional funds may be expended only upon written approval of the Director of Finance.	
4300-003-0890—For support of Department of Developmental Services, for payment to Item 4300-003-0001, payable from the Federal Trust Fund	740,000
4300-004-0001—For support of Department of Developmental Services (Proposition 98), for Developmental Centers	14,086,000
Schedule:	
(a) 20-Developmental Centers Program.....	20,022,000
(1) 20.17-AB 1202	
Contracts	7,311,000
(2) 20.66-Medi-Cal	
Eligible Education	
Services	12,711,000
(b) Reimbursements	-5,936,000
Provisions:	
1. Of the amount appropriated in this item, \$5,480,000 is to be used to provide the General Fund match for Medi-Cal Eligible Education Services.	
4300-101-0001—For local assistance, Department of Developmental Services, for Regional Centers	999,955,000
Schedule:	
(a) 10.10.010-Operations	353,577,000
(b) 10.10.020-Purchase of	
Services	1,523,639,000
(c) 10.10.060-Early Intervention Programs.....	20,080,000
(d) 10.20.010-Program Development...	1,426,000
(e) 10.70 Habilitation Services	12,236,000
(f) Reimbursements	-856,393,000

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| (g) | Amount payable from Developmental Disabilities Program Development Fund (Item 4300-101-0172)..... | | -2,700,000 |
| (h) | Amount payable from Developmental Disabilities Services Account (Item 4300-101-0496) | | -3,800,000 |
| (i) | Amount payable from Federal Trust Fund (Item 4300-101-0890).... | | -48,110,000 |

Provisions:

1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-003-0001. The Director of Finance may authorize the transfer of funds between this item and Item 4260-101-0001 for the state’s share of expenditures for developmental services provided to persons eligible under the California Medical Assistance Program.
2. A loan shall be made available from the General Fund to the State Department of Developmental Services not to exceed a cumulative total of \$160,000,000. The loan funds shall be transferred to this item as needed to meet cash-flow needs due to delays in collecting reimbursements from the Health Care Deposit Fund, and are subject to the repayment provisions of Section 16351 of the Government Code.
3. Upon order of the Director of Finance, in order to meet client services needs, the Controller shall transfer the General Fund share of budgeted client costs as necessary between this item and Items 5160-001-0001 and 5160-101-0001 to provide for the transfer of clients between the Department of Developmental Services and the Department of Rehabilitation resulting from program closures. The amount transferred shall be based on the amount budgeted per client by each department for the remainder of the fiscal year.
4. Upon order of the Director of Finance, the Controller shall transfer funds as are necessary between this item and Item 5160-001-0001 to provide for the transportation costs to and from work activity programs of clients who are receiving vocational rehabilitation services through the Vocational Rehabilitation/Work Activity Program (VR/WAP) Transition Program.

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5. The rate increase provided in Item 4300-101-0001 shall be used to increase salaries and benefits of direct support professionals in respite programs, community based day programs, and other day programs providing similar services under a miscellaneous service code. The department shall distribute the rate increase using a methodology which will ensure that it is used for the intended purpose. The methodology shall be developed in consultation with appropriate stakeholders and shall:	
(1) Be based on information provided by service providers on actual salaries and wages paid to current staff.	
(2) Provide for flexibility for the providers to distribute their allocation among wages, benefits, and levels of staff.	
(3) Ensure accountability by requiring regional centers to verify that the funds were distributed as intended. Verification may be accomplished by sampling and shall be done within budgeted resources.	
4300-101-0172—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Program Development Fund	2,700,000
Provisions:	
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Department of Developmental Services in excess of the amount appropriated no sooner than 30 days after notification in writing of the chairperson of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.	
4300-101-0496—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Services Account.....	3,800,000
4300-101-0890—For local assistance, Department of Developmental Services, for Regional Centers, for payment to Item 4300-101-0001, payable from Federal Trust Fund.....	48,110,000
Provisions:	
1. Upon order of the Director of Finance, the Con-	

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<p>troller shall transfer such funds as are necessary between this item and Item 4300-001-0890 in order to effectively administer the Early Intervention Program (Part C of the Individuals with Disabilities Education Act).</p> <p>4300-295-0001—For local assistance, Department of Developmental Services, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller.....</p>	486,000
Schedule:	
(1) 98.01.064.480-Judicial Proceedings (Ch. 644, Stats. 1980)	87,000
(2) 98.01.069.475-Attorney Fees (Ch. 694, Stats. 1975)	189,000
(3) 98.01.125.380-MR Representation (Ch. 1253, Stats. 1980)	107,000
(4) 98.01.130.480-Conservatorship (Ch. 1304, Stats. 1980)	103,000
(5) 98.01.135.776-Guardianship/ Conservatorship filings (Ch. 1357, Stats. 1976)	0
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.	
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may	

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<p>be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.</p> <p>3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year:</p> <p>(a) Guardianship/Conservatorship filings, (Ch. 1357, Stats. 1976)</p>	
<p>4300-490—Reappropriation, Department of Developmental Services. Notwithstanding any other provision of law, as of June 30, 2000, the balances of the appropriations provided in the following citations are reappropriated for the purposes specified and shall be available for expenditure until June 30, 2001, unless otherwise stated.</p> <p>0001—General Fund</p> <p>(1) Item 4300-101-0001 (a) 10.10.010 and (b) 10.10.020, Budget Act of 1999 (Ch. 50, Stats. 1999) for regional centers. One-half of the savings generated by regional centers operating under performance-based contracts shall be reappropriated for one-time expenditures that are approved by the Department of Developmental Services.</p> <p>(2) Item 4300-101-0001 (a) 10.10.010 and (b) 10.10.020, Budget Act of 1999 (Ch. 50, Stats. 1999) for statewide training and testing. The balance of the interagency agreement between the State Department of Developmental Services and the State Department of Education, Regional Occupational Center Programs Unit shall be reappropriated and available for expenditure.</p> <p>(3) Item 4300-101-0001 (a) 10.10.020, Budget Act of 1999 (Ch. 50, Stats. 1999) for Self Determination Pilot Projects. This balance shall be reappropriated and available for expenditure until January 1, 2002.</p> <p>(4) Item 4300-101-0001 (a) 10.10.010 and (b) 10.10.020, Budget Act of 1999 (Ch. 50, Stats. 1999) for the Life Quality Assessment inter-</p>	

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agency agreement with the Organization of Area Boards on Developmental Disabilities.	
Provisions:	
1. Of the amount reappropriated in this item, \$125,000 shall be made available for an advocacy training program for persons with developmental disabilities and their families.	
2. Of the amount reappropriated in this item, \$4,000,000 is hereby transferred to, and in augmentation of, Item 4260-001-0001 of the Budget Act of 2000, for use by the State Department of Health Services for the California Birth Defects Monitoring Program to investigate causes of autism, cerebral palsy, and mental retardation.	
4300-491—Reappropriation, State Department of Developmental Services. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:	
0001—General Fund	
(1) Item 4300-301-0001, Budget Act of 1998 (Ch. 324, Stats. 1998), as reappropriated by Item 4300-491, Budget Act of 1999 (Ch. 50, Stats. 1999):	
(a) Schedule (2) 55.50.330—Porterville: Air Condition Main Kitchen—working drawings	
(b) Schedule (3.5) 55.50.350—Porterville—Security Improvements Phase II—Construction	
(2) Item 4300-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999):	
(a) Schedule (1) 55.15.130—Agnews: Fire & Life Safety Upgrades—Working drawings and construction	
(b) Schedule (2) 55.50.330—Porterville: Air Condition Main Kitchen—Construction	
(c) Schedule (4) 55.50.350—Porterville: Security Improvements Phase II—Construction	
(d) Schedule (5) 55.50.360—Porterville: Security Improvements Phase III—Working drawings and construction	
4440-001-0001—For support of Department of Mental Health	31,943,000
Schedule:	
(a) 10-Community Services.....	34,465,000

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(b) 20-Long-Term Care Services	11,372,000
(c) 35.01-Departmental Administration ..	16,949,000
(d) 35.02-Distributed Departmental Administration	-16,949,000
(e) Reimbursements	-11,039,000
(f) Amount payable from the Restitu- tion Fund (Item 4440-001-0214)...	-739,000
(g) Amount payable from the Trau- matic Brain Injury Fund (Item 4440-001-0311).....	-77,000
(h) Amount payable from the Federal Trust Fund (Item 4440-001-0890).	-2,039,000

Provisions:

1. Upon order of the Director of Finance, and following 30-day notification to the Joint Legislative Budget Committee, the Controller shall transfer between this item and Item 4440-016-0001 those funds that are necessary for direct community services, as well as administrative and ancillary services related to the provision of direct services.
2. Of the funds appropriated for support of the Sexually Violent Predator program, any funds in excess of the amount needed for the program shall revert to the General Fund unless the expenditure of those funds is approved by the Department of Finance. Approval of the Department of Finance may not be effective sooner than 30 days after notification to the Joint Legislative Budget Committee.
3. The State Department of Mental Health, in conjunction with the Department of Corrections (CDC) and the Board of Prison Terms, shall report to the Department of Finance by July 1, 2000, on criteria and statutory changes that should be made to ensure that CDC referrals of potentially mentally disordered offenders are made using criteria that more closely align with certifiable status.
4. The State Department of Mental Health shall establish a Long-Term Care Mental Health Innovation Work Group with representation from stakeholders whose purpose is to develop options and recommendations on improving existing models of community-based long-term care and developing alternative treatment models for community-based long-term care. The work group shall provide the Legislature with this analysis by no later than January 1, 2001.

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5. The State Department of Mental Health shall, in conjunction with county Mental Health Plans and other interested entities as deemed appropriate by the department, review options available for counties to purchase mental health drugs at more reasonable cost and to provide technical assistance to the counties in implementing any of these options.	
4440-001-0214—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Restitution Fund.....	739,000
4440-001-0311—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Traumatic Brain Injury Fund.....	77,000
4440-001-0890—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Federal Trust Fund	2,039,000
Provisions:	
1. Upon order of the Department of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4440-101-0890.	
4440-011-0001—For support of the State Hospitals, Department of Mental Health.....	400,789,000
Schedule:	
(a) 20.10-Long-Term Care Services-Lanterman-Petris-Short.....	103,501,000
(b) 20.20-Long-Term Care Services-Penal Code and Judicially Committed	401,897,000
(c) 20.30-Long-Term Care Services-Other State Hospital Services.....	46,214,000
(d) Reimbursements	-150,434,000
(e) Amount payable from the California State Lottery Education Fund (Item 4440-011-0814).....	-389,000
Provisions:	
1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4300-003-0001, 4300-004-0001, 5240-001-0001, and 5460-001-0001.	
2. Upon order of the Director of Finance, and following 30-day notification to the Joint Legislative Budget Committee, the Controller shall transfer between this item and Item 4440-016-0001 those funds that are necessary for direct community ser-	

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- vices, as well as administrative and ancillary services related to the provision of direct services.
3. Upon approval of the State Department of Mental Health, a portion of the funds appropriated in Schedule (b) shall be available to reimburse counties for the cost of treatment and legal services to patients in the four State Department of Mental Health State Hospitals, pursuant to Section 4117 of the Welfare and Institutions Code. Expenditures made under this item shall be charged to either the fiscal year in which the claim is received or the fiscal year in which the Controller issues the warrant. Claims filed by local jurisdictions for legal services may be scheduled by the Controller for payment.
 4. The reimbursements identified in Schedule (d) of this item shall include amounts received by the State Department of Mental Health as a result of billing for LPS state hospital bed day expenditures attributable to conservatees who are gravely disabled as defined in subparagraph (B) of paragraph (1) of subdivision (h) of Section 5008 of the Welfare and Institutions Code (Murphy Conservatee).
 5. Of the total amount attributable in the 2000–01 fiscal year to patient-generated collections for LPS patients, the Controller shall transfer the first \$8,000,000 as revenue to the General Fund, and the remainder shall be used to offset county costs for LPS state hospital beds.
 6. Of the funds appropriated for the Sexually Violent Predator program, any funds in excess of the amount needed for the program shall revert to the General Fund unless the expenditure of those funds is approved by the Department of Finance. Approval of the Department of Finance may not be effective sooner than 30 days after notification to the Joint Legislative Budget Committee.
 7. The State Department of Mental Health shall report to the fiscal and policy committees of each house of the Legislature by November 1, 2000, on the use of a marginal cost methodology, and any other applicable cost methodologies deemed appropriate, for determining the cost of supporting additional patients at the state hospitals. At a minimum, the report shall note the manner in which the methodologies would be applied for

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budgeting purposes, the benefits and detriments of each methodology referenced, and the potential savings or costs.	
8. Transfers of low- and medium-security risk Penal Code patients to Napa State Hospital or Metropolitan State Hospital shall be arranged on a flow basis to ensure community security and safety and patient stability. In no instance shall the number of Penal Code or forensic patients admitted exceed 30 patients in any month at either state hospital.	
9. The State Department of Mental Health shall provide specialized training to level-of-care and, as necessary, nonlevel-of-care, staff at both Napa and Metropolitan State Hospitals to ensure the safest and most therapeutic environment possible for both patients and employees.	
10. The State Department of Mental Health shall provide specialized training to local law enforcement agencies located in the immediate vicinity of Napa State Hospital and Metropolitan State Hospital, as needed, in order to ensure both patient and local community safety. At a minimum, the training shall include information on how to identify a patient, procedures for notifying the state hospitals, and techniques for diffusing and appropriately controlling potentially difficult situations.	
11. The State Department of Mental Health shall consult with the Sheriff of the County of Napa and the Police Chief of the City of Napa in the development and ongoing modification of a security plan for Napa State Hospital. The department shall also consult a city official designated by the City of Norwalk.	
12. The State Department of Mental Health shall report to the fiscal and policy committees of each house of the Legislature by November 1, 2000, on the use of a marginal cost methodology, and any other applicable cost methodologies deemed appropriate, for determining the cost of supporting additional patients at the State Hospitals. At a minimum, the report shall note the manner in which the methodologies would be applied for budgeting purposes, the benefits and detriments of each methodology referenced, and the potential savings or costs.	

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4440-011-0814—For support of Department of Mental Health, for payment to Item 4440-011-0001, payable from the California State Lottery Education Fund... Provisions:	389,000
1. All funds received pursuant to Proposition 37 that are allocable to the Department of Mental Health pursuant to Section 8880.5 of the Government Code, and that are in excess of the amount appropriated in this item, are appropriated in augmentation of this item. These additional funds may be expended only upon written approval of the Director of Finance.	
4440-012-0001—For support of the State Hospitals (Proposition 98), Department of Mental Health Schedule:	3,400,000
(a) 20.10-Long-Term Care Services— Lanterman-Petris-Short.....	3,400,000
(b) 20.30-Long-Term Care Services— Other State Hospital Services	367,000
(c) Reimbursements	-367,000
Provisions:	
1. The funds appropriated in this item are available to contract for the provision of education services for mental health patients on state hospital grounds.	
4440-016-0001—For support of Department of Mental Health, for Conditional Release Services..... Schedule:	17,248,000
(a) 20-Long-Term Care Services	17,248,000
Provisions:	
1. The funds appropriated in this item shall be used to provide community services as provided in Section 4360 of the Welfare and Institutions Code. These funds shall support direct community services, as well as administrative and ancillary services related to the provision of direct services.	
2. Upon order of the Director of Finance, and following 30-day notification to the Joint Legislative Budget Committee, the Controller shall transfer between this item and Items 4440-001-0001 and 4440-011-0001 those funds that are necessary for direct community services, as well as administrative and ancillary services related to the provision of direct services.	
3. The State Department of Mental Health shall provide forensic conditional release services man-	

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dated either in Title 15 (commencing with Section 1600) of Part 2 or in Title 15 (commencing with Section 2960) of Article 3 of the Penal Code, through contracts with programs which integrate the supervision and treatment roles and providers selected consistent with Section 1615 of the Penal Code.	
4. Of the funds appropriated in this item, it is intended that no funds shall be available for the payment of treatment services to persons on court visit from state hospitals to the community as designated in subdivision (a) of Section 4117 of the Welfare and Institutions Code.	
4440-101-0001—For local assistance, Department of Mental Health.....	181,210,000
Schedule:	
(a) 10.25-Community Services—Other Treatment	829,760,000
(b) 10.40-Community Services—Adult System of Care	17,772,000
(c) 10.47-Community Services—Children’s Mental Health Services .	44,704,000
(d) 10.85-AIDS	1,500,000
(dx) 10.97-Community Services—Healthy Families.....	5,705,000
(e) Reimbursements.....	-718,231,000
Provisions:	
1. Augmentations to reimbursements in this item from the Office of Emergency Services for Disaster Relief are exempt from Section 28.00 of this act. The State Department of Mental Health shall provide written notification to the Joint Legislative Budget Committee describing the nature and planned expenditure of these augmentations when the amount received exceeds \$200,000.	
2. It is the intent of the Legislature that local expenditures for mental health services for Medi-Cal eligible individuals serve as the match to draw down maximum federal financial participation to continue the Short-Doyle/Medi-Cal program.	
3. It is the intent of the Legislature that Los Angeles County receive full funding for its Children’s System of Care Program as determined by the funding formula developed by the State Department of Mental Health.	
5. The State Department of Mental Health shall develop a plan for system quality improvement, uti-	

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lizing external experts where appropriate and including development for measures of quality beyond program compliance standards. The plan development shall use the existing review and approval authority of the Mental Health Planning Council and the outcome measures and quality indicators under development by the Mental Health Planning Council and Quality Improvement Committee.	
6. Subject to the approval of the Supportive Housing Council, a portion of the funds appropriated by this item may be used for acquisition and rehabilitation, rehabilitation, or development of rental housing for program participants. The department may contract with the Department of Housing and Community Development for administration of this housing component. To facilitate implementation, and subject to approval of the Supportive Housing Council, the department may transfer funds appropriated for this provision to the California Housing Rehabilitation Fund (0939) to serve program participants through the Multifamily Housing Program as set forth in Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code.	
4440-101-0311—For local assistance, Department of Mental Health, all funds that are transferred into the Traumatic Brain Injury Fund pursuant to subdivision (f) of Section 1464 of the Penal Code.....	1,019,000
Schedule:	
(a) 10.87-Community Services— Traumatic Brain Injury Projects....	1,359,000
(b) Reimbursements.....	-340,000
4440-101-0890—For local assistance, Department of Mental Health, payable from the Federal Trust Fund	48,114,000
Schedule:	
(a) 10.25-Community Services—Other Treatment	44,264,000
(b) 10.75-Community Services— Homeless Mentally Disabled	3,850,000
Provisions:	
1. The funds appropriated in this item are for assistance to local agencies in the establishment and operation of mental health services, in accordance with Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.	

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<ul style="list-style-type: none"> 2. The Department of Mental Health may authorize advance payments of federal grant funds on a monthly basis to the counties for grantees. These advance payments may not exceed one-twelfth of Section 2.00 of the individual grant award for the 2000–01 fiscal year. 3. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-001-0890. 4. The State Department of Mental Health, in consultation with county mental programs, shall provide to the fiscal and appropriate policy committees of the Legislature, by August 1, 2000, an analysis on the supplemental seriously emotionally disturbed treatment services provided to children enrolled in the Healthy Families Program, as administered by the Managed Risk Medical Insurance Board. The analysis shall include, at a minimum, a fiscal estimate of county capacity to meet the treatment needs of additional Healthy Family enrollees requiring these services and a methodology for assuring that counties maintain service levels to children, which shall be similar to the base benchmarking technique used in the Early Periodic Screening Diagnosis and Treatment Program. 5. Of the amount appropriated in this item, \$4,900,000 shall be allocated for peer support activities, which may include self-help assistance, family-to-family support, as well as efforts to include clients and families as professional staff in county mental health departments and in community-based programs. 	
4440-102-0001—For local assistance, Department of Mental Health (Proposition 98) for early mental health services	20,000,000
Provisions:	
<ul style="list-style-type: none"> 1. The Department of Mental Health may expand the Early Mental Health Initiative to include children enrolled in grades 4 to 6 if additional funds are identified for this purpose. 	
4440-103-0001—For local assistance, Department of Mental Health, Program 10.25-Community Services: Other Treatment for Mental Health Managed Care .	181,865,000
Provisions:	
<ul style="list-style-type: none"> 1. The allocation of funds appropriated in this item shall be determined based on a methodology de- 	

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veloped by the State Department of Mental Health in consultation with a statewide organization representing counties. This methodology shall be based on a review of actual and projected expenditures for mental health services for Medi-Cal beneficiaries, by county.

- 2. Of the amount appropriated in this item, \$8,000,000 shall be transferred to the Mental Health Managed Care Deposit Fund (Fund 0865).
- 3. Upon order of the Director of Finance and agreement between the State Department of Mental Health and the State Department of Health Services, the State Controller shall transfer between this item and Item 4260-101-0001 any General Fund amount determined necessary to fully reflect the transfer of responsibility for administration of mental health services pursuant to the implementation of mental health managed care.
- 4. Notwithstanding any other provision of law, the emergency regulations adopted pursuant to Section 14680 of the Welfare and Institutions Code to implement the second phase of Mental Health Managed Care as provided in Part 2.5 (commencing with Section 5775) of Division 5 of the Welfare and Institutions Code shall remain in effect until July 1, 2001, or until the regulations are made permanent, whichever occurs first, and shall not be subject to the repeal provisions of Section 11346.1 of the Government Code until that time.
- 5. The State Department of Mental Health may request the Director of Finance to approve a deficiency authorization pursuant to Section 27.00 of this act and Section 11006 of the Government Code for the purpose of obtaining sufficient funds to promptly and appropriately fund adjustments pertaining to Medi-Cal rate increases that affect county mental health plans which provide for public mental health services.

4440-111-0001—For local assistance, Department of Mental Health, for care giver resource centers serving families of brain-damaged adults..... 12,247,000

Provisions:

- 1. Of the \$3,000,000 increase appropriated for the Caregiver Resource Centers in this item, \$1,000,000 shall be allocated to the Los Angeles Caregiver Resource Center, \$200,000 shall be allocated for the Statewide Resources Consultant,

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and the remaining amount shall be allocated as deemed appropriate by the State Department of Mental Health. Nothing shall preclude the use of these funds for satellite offices.	
4440-131-0001—For local assistance, Department of Mental Health, for services to special education pupils.....	12,334,000
Provisions:	
1. In allocating to the counties funds for mental health services to pupils who are specified in accordance with Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code and the Individuals with Disabilities Education Act Section 602(a) Amendments of 1990, as defined in Section 300.5 of Title 34 of the Code of Federal Regulations, and who meet the requirements of Section 56026 of the Education Code and Sections 3030 and 3031 of Title 5 of the California Code of Regulations, the Department of Mental Health may allocate the funds based on the individual county’s needs, in lieu of using the allocation method set forth in Welfare and Institutions Code Section 5701.	
4440-295-0001—For local assistance, Department of Mental Health, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or of Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	44,149,000
Schedule:	
(1) 98.01.049.877-Coroner’s Costs (Ch. 498, Stats. 1977)	107,000
(2) 98.01.081.579-Short-Doyle Case Management (Ch. 815, Stats. 1979).....	0
(3) 98.01.103.678-Mentally Disordered Offender Recommitments (Ch. 1036, Stats. 1978).....	189,000
(4) 98.01.111.479-Not Guilty By Reason of Insanity (Ch. 1114, Stats. 1979).....	298,000
(5) 98.01.132.784-Short-Doyle Audits (Ch. 1327, Stats. 1984)	0
(6) 98.01.135.285-Residential Care Services (Ch. 1352, Stats. 1985)...	0

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(7) 98.01.174.784-Services to Handi- capped Students (Ch. 1747, Stats. 1984).....	39,488,000
(8) 98.01.076.295-Sexually Violent Predators (Chs. 762 and 763, Stats. 1995).....	4,067,000
Provisions:	
1. Except as provided in Provision 2 of this item, al- locations of funds provided in this item to the ap- propriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjust- ments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.	
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Fi- nance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amount therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairper- son of the Joint Legislative Budget Committee or his or her designee.	
3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for sus- pension during the 2000–01 fiscal year:	
(a) Short-Doyle Case Management (Ch. 815, Stats. 1979)	
(b) Short-Doyle Audits (Ch. 1327, Stats. 1984)	
(c) Residential Care Services (Ch. 1352, Stats. 1985)	
4440-301-0001—For capital outlay, Department of Men- tal Health	8,425,000

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Schedule:	
(1) 55.18.245-Atascadero: New 250 Bed Hospital Addition—Equipment	986,000
(1.5) 55.18.255-Sexually Violent Predator Facility—Construction ..	6,000,000
(2) 55.35.920-Metro: Replace R&T and Administration Buildings—Equipment	533,000
(3) 55.40.275-Napa: Remodel Building 194, S Units—Study	150,000
(3.5) 55.35.290-Metro: Remodel Building 206/208 for School Function—Study	79,000
(4) 55.10.205-Minor Projects	677,000

Provisions:

1. Pursuant to the appropriation in Schedule (1.5), it is the intent of the Legislature to construct a permanent facility for the housing and treatment of persons committed pursuant to Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code as soon as possible. When the directors of the Department of Mental Health and the Department of Corrections select a specific site, the Department of Mental Health shall notify the Joint Legislative Budget Committee. The Legislature shall have 30 days to review the decision on the selected site for this permanent facility.
2. The funds appropriated in Schedule (1.5) are for community mitigation costs and shall be divided as follows: one-half for allocation among any impacted local education agency, and one-half for allocation among any impacted city, county, or city and county.
3. Funds to be allocated among any impacted city, county, or city and county shall be paid directly to each impacted entity by the Department of Mental Health upon receipt of resolutions adopted by the governing body of each impacted city, county, or city and county indicating agreement by an entity regarding the specific allocations to that entity. Only a city whose current approved sphere of influence includes the site of the new state hospital shall be deemed to be a jurisdiction eligible for mitigation.
4. Funds to be allocated among any impacted local education agency shall be disbursed to the county

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superintendent of schools for allocation among any impacted local education agency.	
5. It is the intent of the Legislature that the community mitigation funds appropriated and paid for the purposes set forth in this item shall be the total community mitigation costs for the effects of this new permanent treatment facility. Payment of these funds may occur when the 30-day legislative review has passed, and the Public Works Board has approved the preliminary plans for this project.	
4440-493—Reappropriation, Department of Mental Health. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:	
0001—General Fund	
(1) Item 4440-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(2.1) 55.18.260—Atascadero: Improve Perimeter and Roofline Security—Construction	
0660—Public Buildings Construction Fund	
(1) Item 4440-301-0660, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(1) 55.18.255—Sexually Violent Predator Facility—Working drawings	
4440-495—Reversion, Department of Mental Health. As of June 30, 2000, the unencumbered balances of the appropriations provided in the following citations shall revert to the General Fund.	
0036—Special Account for Capital Outlay	
(1) Item 4440-801-0036, Budget Act of 1986 (Ch. 186, Stats. 1986) 55.45.230 Patton State Hospital, Security Improvements, Building 70—Construction.	
4700-001-0890—For support of Department of Community Services and Development, payable from the Federal Trust Fund	9,354,000
Schedule:	
(a) 20-Energy Programs	8,996,000
(b) 40-Community Services	2,471,000
(c) 50.01-Administration	2,843,000
(d) 50.02-Distributed Administration ...	-2,843,000
(e) Reimbursements	-2,113,000
Provisions:	
1. On a federal fiscal year basis, the Department of	

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Community Services and Development shall make the following program allocation for the community services block grant, as a percentage of the total block grant:

- (a) Administration 5 percent
The department shall provide the Controller with the dollar value of this allocation limit, as it relates to the appropriation in this item, at the beginning of the state fiscal year, and shall update this information whenever necessary to reflect federal revisions to the grant.

- 2. Any unexpended federal funds from Item 4700-001-0890, Budget Act of 1999, shall be in augmentation of Item 4700-001-0890 of this act and not subject to the provisions of Section 28.00.

4700-101-0001—For local assistance, Department of Community Services and Development 13,450,000

Schedule:

- (a) 40-Community Services..... 6,000,000
- (b) 47-Naturalization Services..... 7,450,000

Provisions:

- 1. The administrative expenses of the Department of Community Services and Development related to naturalization services provided under Schedule (b) shall not exceed 5 percent of the total funds appropriated for that program.
- 2. Of the amount appropriated in this item, \$5,000,000 in one-time funds shall be allocated to the Department of Community Services and Development for enAlliance, a private nonprofit organization to facilitate the creation of an Entertainment Industry Workforce Development Program. This program shall offer worksite experience and apprenticeships, and encourage post-secondary enrollment to pursue job skills advancement. Additional program objectives should include the expansion of the current website listings of entertainment-related jobs and the website listing or courses related to employment in the entertainment industry. enAlliance may partner with California Community Colleges to develop new or revised courses and other initiatives that focus on employment in the business activities of the entertainment industry. enAlliance shall secure \$1 of industry match for every \$1 of state funds for the Entertainment Industry Workforce Development Program.

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4700-101-0890—For local assistance, Department of Community Services and Development, for assistance to individuals and payments to service providers, payable from the Federal Trust Fund	112,053,000

Schedule:

- (a) 20-Energy Programs 63,685,000
- (b) 40-Community Services 50,482,000
- (c) Reimbursements -2,114,000

Provisions:

1. On a federal fiscal year basis, the department shall make the following program allocations for the community services block grant as a percentage of the total block grant:
 - (a) Discretionary 5 percent
 - (b) Migrant and seasonal farm workers 10 percent
 - (c) Native American Indian programs 3.9 percent
 - (d) Community action agencies and rural community services76.1 percent

All grantees under the community services block grant program shall be subject to standard state contracting procedures required under the program.
2. The department shall provide the State Controller with the dollar value of these allocation limits, as they relate to the appropriation in this item, at the beginning of the fiscal year, and shall update this information whenever necessary to reflect federal revisions to the grant.
3. Funds collected by the department from energy contractors as a result of overpayments shall be used for local assistance for energy programs, and funds collected from community service block grant (CSBG) contractors as a result of overpayments shall be used for local assistance for CSBG programs in 2000–01.
4. Funds scheduled in Item 4700-101-0890 may be transferred to Item 4700-001-0890 for the administration of the Low Income Home Energy Assistance Programs, subject to approval of the Department of Finance.
5. Any unexpended federal funds from Item 4700-101-0890, Budget Act of 1999, shall be in augmentation of Item 4700-101-0890 of this act and not subject to the provisions of Section 28.00.

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6. The department shall maximize use of in-kind match for the United States Department of Energy’s Weatherization Assistance Program. To the extent that in-kind match is available from any state, local, or private source, it shall be used in lieu of the General Fund unless federally disallowed.	
5100-001-0001—For support of Employment Development Department, for payment to Item 5100-001-0870.....	30,776,000
Provisions:	
1. Of the funds appropriated in this item, up to \$5,000,000 may be used to provide one-time grants to faith-based organizations that are not owned or operated as pervasively sectarian organizations and that have been limited in their ability to take advantage of this funding due to limited resources and a lack of experience in dealing with the competitive contracting process and the allocation processes currently in place at the local level, but which reach and serve the most difficult-to-serve and hardest-to-employ individuals. No pervasively sectarian religious organization is eligible for funds under this item, but a separate nonprofit entity or affiliate that is a tax-exempt organization under Section 501(c)(3) of the federal Internal Revenue Code, may apply for and receive grants under its own auspices. Grants shall be awarded using a competitive process that shall include provisions regarding existing constitutional protections. Grants or contracts awarded under this section shall comply with Section 4 of Article I and Section 5 of Article XVI of the California Constitution, and the First Amendment to the United States Constitution in regard to pervasively sectarian organizations. It is the intent of the Legislature in funding these grants that the Employment Development Department assist recipient organizations in competing for ongoing funding from other public and private sources. In implementing this program, the department shall also ensure coordination with existing county programs.	
2. Of the funds appropriated in this item, \$166,000 shall be allocated on a one-time basis to Los Angeles County for the purpose of contracting with a nonprofit organization to establish a job training	

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and social enhancement program in order to enhance the ability of at-risk families to reach financial and social independence.	
5100-001-0184—For support of Employment Development Department, for payment to Item 5100-001-0870, payable from the Employment Development Department Benefit Audit Fund	9,331,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
5100-001-0185—For support of Employment Development Department, for payment to Item 5100-001-0870, payable from the Employment Development Contingent Fund	46,788,000
Provisions:	
1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 1586 of the Unemployment Insurance Code.	
2. Notwithstanding the provisions of Item 9840-001-0494, the Director of Finance may authorize the creation of deficiencies pursuant to Section 11006 of the Government Code for the purposes of this item.	
3. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
5100-001-0514—For support of Employment Development Department, for payment to Item 5100-001-0870, payable from the Employment Training Fund	83,688,000
Provisions:	
1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds disencumbered from Employment Training Fund training contracts during 2000–01 are hereby appropriated for transfer to, and in augmentation of, this item for allocation by the Employment Training Panel for training contracts.	
2. Any funds appropriated for the Employment Development Department, State-Local Cooperative Labor Market Information Program, if not expended by June 30, 2001, shall be made available	

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to the Employment Training Fund for purposes of funding job training contracts.

3. Of the amount appropriated in this item, \$15,000,000 shall be used to fund training projects administered by the Employment Training Panel in areas of high unemployment and low job creation, including a focus on the working poor.
4. In order to reduce the incidence of contract disencumbrances, the Employment Training Panel shall adopt performance goals of annual reductions. Disencumbrances shall be reduced to no more than to 25 percent of available funds for the 2000–01 fiscal year and 22 percent for the 2001–02 fiscal year.

5100-001-0588—	For support of Employment Development Department, for payment to Item 5100-001-0870, payable from the Unemployment Compensation Disability Fund.....	148,047,000
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Provisions:

1. The Employment Development Department shall submit on October 1, 2000, and April 20, 2001, to the Department of Finance for its review and approval, an estimate of expenditures for both the current and budget years, including the assumptions and calculations underlying Employment Development Department projections for expenditures from this item. The Department of Finance shall approve, or modify, the assumptions underlying all estimates within 15 working days of the due date. If the Department of Finance does not approve or modify in writing, the assumptions underlying all estimates within 15 working days of the due date, the Employment Development Department shall consider the assumptions and calculations approved as submitted. If the Department of Finance determines that the estimate of expenditures differs from the amount appropriated by this item, the Director of Finance shall so report to the Legislature. At the time the report is made, the amount of this appropriation shall be adjusted by the difference between this Budget Act appropriation and the approved estimate of the Department of Finance. Revisions reported pursuant to this provision are not subject to Section 28.00 of this act.

Item	Amount
2. Notwithstanding the provisions of Item 9840-001-0988, the Director of Finance may authorize the creation of deficiencies pursuant to Section 11006 of the Government Code, for the purposes of this item.	
5100-001-0869—For support of state programs under the Job Training Partnership Act (JTPA) and the Workforce Investment Act (WIA), Employment Development Department, for Program 60—JTPA and 61—WIA, payable from the Consolidated Work Program Fund	236,786,000
Schedule:	
(a) 60-Job Training Partnership Act (JTPA) Program	4,942,000
(b) 61-Workforce Investment Act (WIA) Program.....	67,055,000
(c) 500000-Unscheduled	164,789,000
Provisions:	
1. The Employment Development Department may use funds appropriated in this item to facilitate the close-out of the JTPA Program and the implementation of the WIA Program.	
2. Provision 1 of Item 5100-001-0588 also applies to this item.	
3. The Secretary of the California Health and Human Services Agency, with Department of Finance approval, and not sooner than 30 days after notification to the Joint Legislative Budget Committee, is authorized to transfer funds appropriated in this item to the California Workforce Investment Board, Federal Trust Fund, Item 5120-001-0890, to facilitate the implementation and operation of the Workforce Investment Act Program.	
4. Of the funds appropriated in this item from Workforce Investment Act 15 percent discretionary funds, \$10,000,000 shall be allocated to Local Workforce Investment Boards for summer youth programs.	
5100-001-0870—For support of Employment Development Department, payable from the Unemployment Administration Fund—Federal	489,745,000
Schedule:	
(a) 10-Employment and Employment Related Services	211,537,000
(b) 21-Tax Collections and Benefit Payments	518,582,000

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(c) 22-California Unemployment Insurance Appeals Board	54,558,000
(d) 30.01-General Administration	50,520,000
(e) 30.02-Distributed General Administration.....	-45,818,000
(ex) 40-Welfare to Work.....	5,000,000
(f) 50-Employment Training Panel	75,880,000
(fx) 61-Workforce Investment Act (WIA) Program.....	-809,000
(g) Reimbursements.....	-29,459,000
(h) Amount payable from the General Fund (Item 5100-001-0001)	-30,776,000
(i) Amount payable from the Employment Development Department Benefit Audit Fund (Item 5100-001-0184).....	-9,331,000
(j) Amount payable from the Employment Development Contingent Fund (Item 5100-001-0185).....	-46,788,000
(k) Amount payable from the Employment Training Fund (Item 5100-001-0514)	-83,688,000
(l) Amount payable from the Unemployment Compensation Disability Fund (Item 5100-001-0588) ..	-148,047,000
(m) Amount payable from Unemployment Fund—Federal (Item 5100-001-0871)	-30,400,000
(n) Amount payable from the School Employees Fund (Item 5100-001-0908).....	-816,000
(o) Amount payable from the Employment Development Contingent Fund (Sec. 1586, Unemployment Insurance Code)	-400,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 1555 of the Unemployment Insurance Code.
2. Provision 1 of Item 5100-001-0588 also applies to funds appropriated in this item for the Unemployment Insurance Program.
3. The Department shall submit to the Legislature, on or before April 1, 2001, a report that evaluates the state's current North American Free Trade Agreement and trade assistance programs and that

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apprises the Legislature of opportunities relative to new strategic partnerships, improving measurement of program outcomes and tracking of program beneficiaries, improving identification and mapping of populations and sectors of the state economy that are impacted by trade, and improving outreach and services to those populations and sectors of the state economy. This report shall also propose new state initiatives that build local capacity for the identification of trade impacted communities, worker training, and on-the-job training, and job placement.	
5100-001-0871—For support of the Employment Development Department, for payment to Item 5100-001-0870, payable from the Unemployment Fund—Federal	30,400,000
5100-001-0908—For support of Employment Development Department, for payment to Item 5100-001-0870, payable from the School Employees Fund	816,000
Provisions:	
1. Notwithstanding the provisions of Item 9840-001-0988, the Director of Finance may authorize the creation of deficiencies pursuant to Section 11006 of the Government Code, for the purposes of this item.	
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 822 of the Unemployment Insurance Code.	
3. Provision 1 of Item 5100-001-0588 also applies to this item.	
5100-011-0184—For support of the Employment Development Department, the amount of the unencumbered balance exceeding \$1,000,000 in the Employment Development Department Benefit Audit Fund as of June 30, 2001, shall be transferred to the General Fund.	
5100-011-0185—For support of Employment Development Department payable from the Employment Development Contingent Fund. Notwithstanding any other provision of law, the State Controller shall transfer to the General Fund the amount, as determined by the Director of Finance, in the Employment Development Contingent Fund as of June 30, 2001, that is in excess of the \$1,000,000 reserve required by Section 1590 of the Unemployment Insurance Code.	

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5100-011-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Administration Fund—Federal	(489,745,000)
5100-021-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund.....	(236,786,000)
5100-041-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Fund—Federal.....	(30,400,000)
5100-101-0001—For local assistance, Employment Development Department.....	2,360,000
Schedule:	
(1) 67-At-Risk Youth Demonstration Project.....	2,000,000
(2) 70-Employment Programs	360,000
Provisions:	
1. Of the amount appropriated in Schedule (1) for the California Youthbuild Program, the Employment Development Department may transfer up to 5 percent of the funds from this item to Item 5100-001-0001 for administration, subject to approval by the Department of Finance.	
5100-101-0588—For local assistance, Employment Development Department, for Program 21—Tax Collections and Benefit Payments, payable from the Unemployment Compensation Disability Fund....	2,217,984,000
Provisions:	
1. Notwithstanding Item 9840-001-0988, the Director of Finance may authorize the creation of deficiencies pursuant to Section 11006 of the Government Code for the purposes of this item.	
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 3012 of the Unemployment Insurance Code.	
3. Provision 1 of Item 5100-001-0588 also applies to this item.	
5100-101-0869—For local assistance under Workforce Investment Act (WIA), Employment Development Department, Program 61-WIA Program, payable from the Consolidated Work Program Fund.....	590,984,000
Provisions:	
1. The Employment Development Department may use funds appropriated in this item to facilitate the	

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close-out of the JTPA Program and the implementation of the WIA Program.	
2. Provision 1 of Item 5100-001-0588 also applies to this item.	
5100-101-0871—For local assistance, Employment Development Department, for Program 21—Tax Collections and Benefit Payments, payable from the Unemployment Fund—Federal	2,628,963,000
Provisions:	
1. Funds appropriated in this item are in lieu of the amounts that would have otherwise been appropriated pursuant to Section 1521 of the Unemployment Insurance Code.	
2. Provision 1 of Item 5100-001-0588 also applies to this item.	
5100-101-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund.....	(590,984,000)
5100-101-0908—For local assistance, Employment Development Department, for Program 21—Tax Collections and Benefit Payments, payable from the School Employees Fund	31,645,000
Provisions:	
1. Notwithstanding Item 9840-001-0988, the Director of Finance may authorize the creation of deficiencies pursuant to Section 11006 of the Government Code for the purposes of this item.	
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for benefits pursuant to Section 822 of the Unemployment Insurance Code.	
3. Provision 1 of Item 5100-001-0588 also applies to this item.	
5100-102-0001—For local assistance, Employment Development Department for Migrant and Seasonal Farmworker Employment.....	2,000,000
Provisions:	
1. Funds appropriated in this item shall be allocated to nonprofit and/or local agencies that have a track record of providing farmworker employment services with the department.	
2. Of the amount appropriated in this item the department may transfer up to 5 percent of the fund from this item to Item 5100-001-0001 for administration, subject to approval by the Department of Finance.	

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5100-111-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Fund—Federal	(2,628,963,000)
5100-301-0870—For capital outlay, Employment Development Department, payable from the Unemployment Administration Fund-Federal	4,083,000
Schedule:	
(1) 80.40.001-Vallejo: Renovation and Asbestos Abatement—Construction	2,301,000
(2) 80.97.001-Torrance: Renovation and Asbestos Abatement—Construction	1,782,000
5100-301-0890—For capital outlay, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Administration Fund-Federal	(4,083,000)
Schedule:	
(1) 80.40.001-Vallejo: Renovation and Asbestos Abatement—Construction	(2,301,000)
(3) 80.97.001-Torrance: Renovation and Asbestos Abatement—Construction	(1,782,000)
5100-311-0690—For capital outlay, Employment Development Department. To prevent the loss of funds in the Employment Development Department Building Funds, the unencumbered balances of the funds deposited in the Employment Development Department Building Fund shall be transferred to the Federal Unemployment Fund.	
Provisions:	
1. The Employment Development Department shall report to the Legislature by September 1, 2001, the amount of funds transferred pursuant to this item.	
5100-490—Reappropriation, Employment Development Department. Notwithstanding any other provision of law, the following amount is reappropriated for the purpose specified, and shall be available for encumbrance and expenditure until June 30, 2001:	
0001—General Fund	
(1) The balance of the appropriation as of June 30, 2000, from Item 5100-101-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) for at-risk youth demonstration projects.	

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5120-001-0001—For support of the California Workforce Investment Board.....	700,000
Provisions:	
1. Of the funds appropriated in this item, \$700,000 shall be used to administer and support the performance based accountability system, including all related contract costs.	
5120-001-0890—For support of the California Workforce Investment Board, payable from the Federal Trust Fund.....	4,689,000
Schedule:	
(1) 10-CA Workforce Investment Program.....	4,854,000
(2) Reimbursements.....	-165,000
Provisions:	
1. The Secretary of the Health and Human Services Agency, with the approvals of the California Workforce Investment Board and Department of Finance, and not sooner than 30 days after notification to the Joint Legislative Budget Committee, is authorized to transfer funds appropriated in this item to the Employment Development Department, Consolidated Work Program Fund, Item 5100-001-0869, to facilitate the implementation and operation of the Workforce Investment Act Program.	
5160-001-0001—For support of Department of Rehabilitation.....	47,037,000
Schedule:	
(a) 10-Vocational Rehabilitation Services	317,135,000
(b) 20-Habilitation Services	2,761,000
(c) 30-Support of Community Facilities	5,712,000
(d) 40.01-Administration.....	23,200,000
(e) 40.02-Distributed Administration ...	-23,200,000
(f) Reimbursements	-7,841,000
(g) Amount payable from the Vending Stand Account (Item 5160-001-0600).....	-3,360,000
(h) Amount payable from the Federal Trust Fund (Item 5160-001-0890)	-267,370,000
Provisions:	
1. In order to participate in the County Mental Health Cooperative Programs, a county shall identify, in its joint proposal with a local office of the Department of Rehabilitation, cash and in-	

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<p>kind resources it shall make available for pre-vocational and other services to supplement vocational rehabilitation resources.</p>	
<p>2. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001 to provide for the transportation costs to and from work activity programs of clients who are receiving vocational rehabilitation services through the Vocational Rehabilitation/Work Activity Program (VR/WAP) Transition program.</p>	
<p>3. The department shall maximize its use of certified time as a match for federal vocational rehabilitation funds. To the extent that certified time is available, it shall be used in lieu of the General Fund moneys.</p>	
<p>4. Upon order of the Director of Finance, the Controller shall transfer the General Fund share of budgeted client costs as necessary between this item and Item 4300-101-0001 to provide for the net transfer of clients, resulting from program closures, between the Department of Rehabilitation and the Department of Developmental Services. The amount transferred shall be based on the amount budgeted per client by each department for the remainder of the fiscal year.</p>	
<p>5. The Department of Rehabilitation shall provide status updates in October of 2000 and March of 2001 to the appropriate fiscal and policy committees of the Legislature on its progress in identifying and implementing strategies to improve employment outcomes, better manage program costs, and more effectively determine the severity of disability in the Vocational Rehabilitation program. The department shall report during hearings for the 2001-02 budget on the outcomes of these strategies.</p>	
<p>6. The Department of Rehabilitation shall provide status updates in October of 2000 and March of 2001 to the appropriate fiscal and policy committees of the Legislature on its progress in implementing strategies to reduce vacancies in its Field Operations Division, including, but not limited to, the use of geographic pay differentials, on-campus testing, higher education liaisons, reclassification of the vocational rehabilitation counselor series, and other strategies that may be</p>	

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identified. The department shall report during hearings for the 2001–02 budget on the outcomes of its vacancy reduction strategies.	
5160-001-0600—For support of Department of Rehabilitation, for payment to Item 5160-001-0001, payable from the Vending Stand Fund	3,360,000
5160-001-0890—For support of Department of Rehabilitation, for payment to Item 5160-001-0001, payable from the Federal Trust Fund	267,370,000
Provisions:	
1. The amount appropriated in this item that is payable from federal Social Security Act funds for vocational rehabilitation services for SSI/SSDI recipients shall be expended only to the extent that funds received exceed the amount appropriated by Item 5160-101-0890 that is payable from the federal Social Security Act funds. It is the intent of the Legislature that first priority of federal Social Security Act funding be given to Independent Living Centers in the amount of federal Social Security Act funding appropriated by Item 5160-101-0890.	
5160-101-0001—For local assistance, Department of Rehabilitation	105,542,000
Schedule:	
(a) 10-Vocational Rehabilitation Services.....	587,000
(b) 20-Habilitation Services	112,955,000
(c) 30-Support of Community Facilities	13,508,000
(d) Reimbursements.....	-13,246,000
(e) Amount payable from Federal Trust Fund (Item 5160-101-0890).....	-8,262,000
Provisions:	
1. Upon order of the Director of Finance, the Controller shall transfer funds as are necessary between this item and Item 5160-001-0001 to provide the state’s share of client service expenditures for habilitation clients who are eligible to become vocational rehabilitation clients.	
2. Upon order of the Director of Finance, the Controller shall transfer the General Fund share of budgeted client costs as necessary between this item and Item 4300-101-0001 to provide for the net transfer of clients, resulting from program closures, between the Department of Rehabilitation and the Department of Developmental Services.	

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<p>The amount transferred shall be based on the amount budgeted per client by each department for the remainder of the fiscal year.</p> <p>3. A loan may be made available from the General Fund to the Department of Rehabilitation not to exceed a cumulative total of \$7,400,000. The loan funds may be transferred to this item as required to meet cash-flow needs due to delays in collecting reimbursements from the Department of Developmental Services for costs associated with services provided under the Home and Community-Based Services Waiver, and are subject to the repayment provisions of Section 16351 of the Government Code.</p>	
5160-101-0890—For local assistance, Department of Rehabilitation, for payment to Item 5160-101-0001, payable from the Federal Trust Fund.....	8,262,000
5160-301-0001—For capital outlay, Department of Rehabilitation	295,000
Schedule:	
(1) 51.60.001-Orientation Center for the Blind-Minor Projects	295,000
5160-490—Reappropriation, Department of Rehabilitation. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes specified and shall be available for expenditure as cited below:	
0001—General Fund	
(1) Item 5160-001-0001(a), Budget Act of 1999 (Ch. 50, Stats. 1999), 10-Vocational Rehabilitation Services.	
0890—Federal Fund	
(1) Item 5160-001-0890(a), Budget Act of 1999 (Ch. 50, Stats. 1999), 10-Vocational Rehabilitation Services.	
5170-001-0001—For support of State Independent Living Council	0
Schedule:	
(a) 10-State Council Services	427,000
(b) Reimbursements.....	-427,000
5175-001-0001—For support of Department of Child Support Services.....	11,492,000
Schedule:	
(a) 10-Child Support Services	33,799,000

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(b) Amount payable from the Federal Trust Fund (Item 5175-001-0890).....	-22,307,000
5175-001-0890—For support of Department of Child Support Services, for payment to Item 5175-001-0001, payable from the Federal Trust Fund	22,307,000
5175-002-0001—For support of Department of Child Support Services.....	18,957,000
Schedule:	
(a) 10-Child Support Services	77,352,000
(b) Reimbursements.....	-122,000
(c) Amount payable from the Federal Trust Fund (Item 5175-002-0890).....	-58,273,000
Provisions:	
1. Funds in this item shall be used for contracts and interagency agreements in the child support program, unless otherwise authorized by the Department of Finance no sooner than 30 days after providing notification in writing to the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.	
5175-002-0890—For support of Department of Child Support Services, for payment to Item 5175-002-0001, payable from the Federal Trust Fund	58,273,000
Provisions:	
1. Provision 1 of Item 5175-002-0001 also applies to this item.	
5175-101-0001—For local assistance, Department of Child Support Services	339,793,000
Schedule:	
(a) 10-Child Support Services	870,668,000
(1) 10.01-Child Support Administration.....	586,448,000
(2) 10.02-Child Support Incentives ..	271,834,000
(3) 10.03-Child Support Automation ...	12,386,000
(b) Amount payable from the Federal Trust Fund (Item 5175-101-0890)	-530,875,000
Provisions:	
1. No funds appropriated in this item shall be encumbered unless every rule or regulation adopted	

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and every family support division letter or similar instruction issued by the Department of Child Support Services that adds to the cost of the child support program is approved by the Department of Finance as to the availability of funds before it becomes effective. In making the determination as to availability of funds to meet the expenditures of a rule, regulation, or family support division letter that would increase the costs of the program, the Department of Finance shall consider the amount of the proposed increase on an annualized basis, the effect the change would have on the expenditure limitations for the program set forth in this act, the extent to which the rule, regulation, or family support division letter constitutes a deviation from the premises under which the expenditure limitations were prepared, and any additional factors relating to the fiscal integrity of the program or the state's fiscal situation.

Notwithstanding Control Sections 27.00 and 28.00 of this act, the availability of funds contained in this item for child support program rules, regulations, or family support division letters that add to program costs funded from the General Fund in excess of \$500,000 on an annual basis, including those that are the result of federal regulations but excluding those that are (a) specifically required as a result of the enactment of a federal or state law, or (b) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine. Funds appropriated in this item are for the child support program consisting of state and federal statutory law, regulations, and court decisions, if funds necessary to carry out those decisions are specifically appropriated in this act.

2. Notwithstanding any other provision of law, a loan not to exceed \$110,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of the program when the federal funds

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<p>have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state or to cover the federal share of child support collections for which the federal funds have been reduced prior to the collections being received from the counties. This loan from the General Fund shall be repaid when the federal share of costs for the program becomes available or when the collections are received from the counties.</p>	
<p>3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0001 in order to allow the state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or is out of compliance with state performance standards.</p>	
<p>4. The department shall take the necessary steps to ensure counties repay the \$6,644,028 in loans made pursuant to Provision 1 of Item 5180-141-0001 of Section 2.00 of the Budget Act of 1996, Provision 17 of Item 5180-141-0001 of Section 2.00 of the Budget Act of 1997 and Provision 6 of Item 5180-141-0001 of Section 2.00 of the Budget Act of 1998.</p>	
<p>5. It is the intent of the Legislature that the California Child Support Automation Project receive the highest commitment and priority of all of the state's child support automation activities.</p>	
<p>5175-101-0890—For local assistance, Department of Child Support Services, for payment to Item 5175-101-0001, payable from the Federal Trust Fund.....</p>	530,875,000
<p>Provisions:</p>	
<p>1. Provision 1 of Item 5175-101-0001 also applies to this item.</p>	
<p>2. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0890 in order to allow the state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or is out of compliance with state performance standards.</p>	
<p>3. Of the funds appropriated in this item, the Department of Child Support Services shall reimburse the Department of Social Services quarterly for</p>	

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the federal share of Foster Care Child Support Collections reported to the federal government.	
4. The Department of Child Support Services shall abate to Program 10.01, Child Support Administration, the federal share of child support collections received from the counties.	
5180-001-0001—For support of Department of Social Services	97,905,000
Schedule:	
(a) 16-Welfare Programs	72,486,000
(b) 25-Social Services and Licensing...	140,734,000
(c) 35-Disability Evaluation and Other Services	212,608,000
(d) 60.01-Administration	36,029,000
(e) 60.02-Distributed Administration ...	-36,029,000
(f) Reimbursements	-17,411,000
(g) Amount payable from Foster Family Home and Small Family Home Insurance Fund (Item 5180-001-0131).....	-3,000,000
(h) Amount payable from the Federal Trust Fund (Item 5180-001-0890)	-307,512,000
Provisions:	
1. The Department of Finance may authorize the transfer of funds from Schedule (b) of this item to Schedule (c), Program 25.45, of Item 5180-151-0001, Community Care Licensing, in order to allow counties to perform the facilities evaluation function.	
2. The Department of Finance may authorize the transfer of funds from Schedule (b) of this item to Schedule (a)(2), Program 25.25.020, of Item 5180-151-0001, Adoptions, in order to allow counties to perform the adoptions program function.	
3. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.	
4. The Department of Finance may authorize the transfer of up to 5 percent of California Children	

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- and Families Commission reimbursement budgeted in Item 5180-151-0001, to Item 5180-001-0001 for administration, development, technical support, and evaluation activities associated with providing one-time grants to licensed child care centers and family child care homes for safety enhancements.
5. Of the amount appropriated in this item, \$800,000 shall be available for operating expenses and equipment for the Child Welfare Stakeholders' Group, established to review existing Child Welfare Services programs, components and systems and provide recommendations for improvements. The funds subject to this provision shall be available for expenditure by the Department of Social Services until June 30, 2003.
 6. The Department of Social Services shall, in consultation with representatives of foster family agencies (FFAs), county placing agencies and other stakeholders, develop complaint processing protocols and recommendations investigating and resolving complaints regarding FFAs and the family homes certified by FFAs. The department shall submit a report to the Legislature by June 30, 2001, documenting the complaint processing protocols and investigation outcomes. In developing the complaint processing protocols, the department shall take into consideration the unique circumstances related to the investigation of complaints pertaining to the condition and behavior of individuals in private family homes such as those certified by FFAs; recognize that FFAs and their certified homes are intended to further the public policy objective to place children in the least restrictive environment by offering a flexible living arrangement for children with serious emotional and/or behavioral problems who would otherwise have to be placed in group homes; ensure the fair, reasonable, and consistent interpretation and application of the complaint investigation process on a statewide basis; and distinguish between incidents occurring in certified homes that reflect deficiencies in an FFAs policies or practices and incidents that are beyond the reasonable control of an FFA and are not reflective of deficient policies or practices.

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In the report, the department shall summarize its experience processing these complaints, including the number of complaints and the type of allegations, the disposition of the complaints and the administrative outcomes. The report shall also identify the lessons learned in complaint processing and provide recommendations for further improvements in the protections provided to children in care, including oversight of FFAs and certified homes.

To the extent that issues considered by the department as directed in this section, or otherwise discussed in consultation with stakeholders, cannot be resolved because the department lacks the statutory authority to address them or because of conflicts with existing statutory provisions, the department shall include these findings in the report and make recommendations for appropriate statutory changes.

7. Of the amount appropriated in this item, \$2,000,000 shall be allocated on a one-time basis to local food bank programs to expand refrigeration space, purchase vehicles, or purchase other equipment that would be directly used for the purchase, delivery, or distribution of food products or for other uses that would allow food banks to increase the amount of food they can receive and distribute. The allocation process for this funding shall be developed by the Department of Social Services. It is the intent of the Legislature that the department formulate guidelines for allowing food banks to use funds over two fiscal years, under appropriate circumstances. To achieve this, the funds in this provision shall be available for expenditure by the department until June 30, 2002.
8. Of the amount appropriated in this item, \$1,288,000 shall be used to increase licensing visits to family child care homes.
11. Of the funds appropriated in this item, the Department of Social Services may use up to \$180,000 in state and federal funds to conduct or contract for a study to determine how foster family agency (FFA) and nonrelative foster family home (FFH) placements are and should be utilized to meet the needs of children and families. This study shall include, at a minimum, the iden-

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tification and comparison of (a) county and FFA standards of practice for certification or licensure and oversight of homes and the services and supports provided to parents, (b) the criteria counties use to determine whether to place children into an FFA or nonrelative FFH, (c) how often and why counties place children into FFA homes when the child is assessed as needing an FFH placement, (d) the reasons that foster parents choose to enroll and remain with the county or an FFA, and (e) the outcomes for children placed out of home in these facilities, both during the placement and after they have left placement. The department shall report to the Legislature no later than June 30, 2001, on the findings of this study and make recommendations to improve the quality of care and cost-effectiveness for children placed in FFA certified homes and recommend ways to improve the recruitment and retention of nonrelative FFH placements. The department shall convene a steering committee to provide direction for this study.

- 12. Of the funds appropriated in this item, \$2,000,000 from the General Fund shall be used by the department to establish pilot programs that provide outpatient drug and alcohol services to low-income women.

5180-001-0131—For support of Department of Social Services, for payment to Item 5180-001-0001, for claim payments and the operation and maintenance of the Foster Family Home and Small Family Home Insurance Fund

3,000,000

Provisions:

- 1. The Department of Finance is authorized to approve expenditures from the unexpended balance available from prior years' appropriations in the Foster Family Home and Small Family Home Insurance Fund during the 2000–01 fiscal year, in those amounts made necessary by increases in either the payment of claims or the costs of operating and maintaining the Foster Family Home and Small Family Home Insurance Fund, which are within or in excess of amounts appropriated in this act for that year.

If the Department of Finance determines that the estimate of expenditures will exceed the ex-

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penditures authorized for the 2000–01 fiscal year, the department shall notify the Legislature. Upon notification the amount of the limitation for the 2000–01 fiscal year shall be increased by the amount of such excess from the unexpended balance available from prior years’ appropriations in the Foster Family Home and Small Family Home Insurance Fund.	
5180-001-0270—For support of Department of Social Services, payable from the Technical Assistance Fund	2,152,000
5180-001-0271—For support of Department of Social Services, payable from the Certification Fund	1,191,000
5180-001-0279—For support of Department of Social Services, payable from the Child Health and Safety Fund	845,000
5180-001-0890—For support of Department of Social Services, for payment to Item 5180-001-0001, payable from the Federal Trust Fund	307,512,000
Provisions:	
1. The Department of Finance may authorize the transfer of federal funds from this item to Item 5180-151-0890 in order to allow counties to perform the adoptions program functions, and the facilities evaluation function in Community Care Licensing in the Department of Social Services.	
2. Provision 6 of Item 5180-001-0001 also applies to this item.	
5180-011-0001—For transfer by the Controller to the Foster Family Home and Small Family Home Insurance Fund	2,034,000
Provisions:	
1. Provision 1 of Item 5180-001-0131 also applies to this item.	
5180-011-0279—For transfer by the Controller from the Child Health and Safety Fund to the State Children’s Trust Fund.....	35,000
5180-011-0890—For transfer by the Controller from the Federal Trust Fund to the Foster Family Home and Small Family Home Insurance Fund	966,000
Provisions:	
1. Provision 1 of Item 5180-001-0131 also applies to this item.	
5180-101-0001—For local assistance, Department of Social Services	2,591,719,000
Schedule:	
(a) 16.30-CalWORKs	5,392,314,000

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(1) 16.30.010-As- sistance Pay- ments	3,188,040,000
(2) 16.30.020-Ser- vices	1,085,150,000
(3) 16.30.030-Ad- ministration	423,117,000
(4) 16.30.040-Child Care	476,498,000
(5) 16.30.050-County Probation Facili- ties	201,413,000
(6) 16.30.060-Kin- GAP Program ...	18,096,000
(b) 16.40-Foster Care	907,165,000
(c) 16.50-Adoption Assistance Pro- gram	234,725,000
(d) 16.55-Refugee Cash Assistance.....	3,462,000
(e) 16.60-Food Stamps.....	49,447,000
(f) Reimbursements	-3,430,000
(g) Amount payable from the Emer- gency Food Assistance Program Fund (Item 5180-101-0122).....	-566,000
(h) Amount payable from the Employ- ment Training Fund (Item 5180- 101-0514)	-30,000,000
(i) Amount payable from the Federal Trust Fund (Item 5180-101- 0890)	-3,961,398,000

Provisions:

1. No funds appropriated in this item shall be encumbered unless every rule or regulation adopted and every all-county letter issued by the Department of Social Services that adds to the cost of any welfare program is approved by the Department of Finance as to the availability of funds before it becomes effective. In making the determination as to availability of funds to meet the expenditures of a rule, regulation, or all-county letter that would increase the costs of a welfare program, the Department of Finance shall consider the amount of the proposed increase on an annualized basis, the effect the change would have on the expenditure limitations for the program set forth in this act, the extent to which the rule, regulation, or all-county letter constitutes a deviation from the premises under which the ex-

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penditure limitations were prepared, and any additional factors relating to the fiscal integrity of the program or the state's fiscal situation.

Notwithstanding Control Sections 27.00, 28.00 and 28.50 of this act, the availability of funds contained in this item for welfare rules, regulations, or all-county letters that add to program costs funded from the General Fund in excess of \$500,000 on an annual basis, including those that are the result of a federal regulation but excluding those that are (a) specifically required as a result of the enactment of a federal or state law, or (b) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.

Funds appropriated in this item are for welfare programs consisting of state and federal statutory law, regulations, and court decisions, if funds necessary to carry out those decisions are specifically appropriated in this act.

For purposes of this provision, "welfare" means those program elements under Welfare Programs as identified in the Governor's Budget.

2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$500,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of a program(s) when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. This loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available.
3. The Department of Finance may authorize the transfer of amounts from this item to Item 5180-001-0001 in order to fund the cost of the administrative hearing process associated with changes in aid payments in the CalWORKs program.

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4. The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either caseload or payments, or any rule or regulation adopted and any all-county letter issued as a result of the enactment of a federal or state law, the adoption of a federal regulation, or the following of a court decision, during the 2000–01 fiscal year that are within or in excess of amounts appropriated in this act for that year.

If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time as the report is made, the amount of the limitation shall be increased by the amount of the excess unless and until otherwise provided by law.

5. Notwithstanding Section 26.00 of this act, the CalWORKs funding for counties under Schedule (a)(2), 16.30.020-Services; Schedule (a)(3), 16.30.030-Administration; and Schedule (a)(4), 16.30.040-Child Care shall be made as a single allocation pursuant to Section 15204.2 of the Welfare and Institutions Code, except as otherwise provided by Sections 10553.2 and 15204.8. During fiscal year 2000–01, the Department of Social Services may retain up to 10 percent of the funds to be allocated pursuant to Sections 10553.2, 15204.2 and 10204.8 of the Welfare and Institutions Code for the purpose of augmenting local allocations based upon actual expenditures, but the department shall fully allocate those funds by June 30, 2001.
6. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
7. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. Upon recommen-

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<p>dation of the Director of Social Services, the Department of Finance may authorize the transfer of funds from Items 5180-101-0001 and 5180-101-0890, to Items 5180-001-0001 and 5180-001-0890, for this purpose.</p>	
<p>8. Of the funds appropriated in Schedule (a)(2), 16.30.020-Services, an amount not to exceed \$250,000,000 shall be for payment of county incentives authorized by Section 10544.1 of the Welfare and Institutions Code. These funds shall be used first for any prior year county incentives earned but not paid with any remaining amount prorated for payment of new claims received pursuant to Section 10544.1 or a successor statute.</p>	
<p>9. Funds remaining at the end of the 1999–00 fiscal year from the allocations provided to counties pursuant to Welfare and Institutions Code Section 15204.2 shall not be available to counties after July 1, 2000.</p>	
<p>10. The State Department of Social Services shall submit semiannual reports to the Legislature on the amount spent by counties on substance abuse and mental health treatment services for CalWORKs recipients and the number of recipients receiving those services.</p>	
<p>11. The State Department of Social Services shall report to the Legislature no later than March 1, 2001, on counties’ implementation of the domestic violence training curriculum developed for use in the CalWORKs program.</p>	
5180-101-0122—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Emergency Food Assistance Program Fund.....	566,000
5180-101-0514—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Employment Training Fund.....	30,000,000
5180-101-0890—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Federal Trust Fund	3,961,398,000
<p>Provisions:</p>	
<p>1. Provisions 1, 4, 6, 7, and 8 of Item 5180-101-0001 also apply to this item.</p>	
<p>2. The Department of Finance may authorize the transfer of amounts from this item to Item 5180-001-0890 in order to fund the cost of the admin-</p>	

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istrative hearing process associated with changes in aid payments in the CalWORKs program.	
3. The State Department of Social Services may transfer up to \$10,000,000 of the funds appropriated in this item for Program 16.30.040—CalWORKs Child Care, from the TANF block grant to the Social Services Block Grant (Title XX) pursuant to authorization in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193). The Title XX funds shall be pooled with TANF funds appropriated in this item for CalWORKs Child Care, for the purpose of broadening access to federal Child and Adult Care Food Program benefits for low-income children in proprietary child care centers. This transfer shall occur only if the Director of Finance approves the pooling of Title XX funds with CCDF and/or TANF funds.	
5180-102-0001—For local assistance, Department of Social Services	48,941,000
Schedule:	
(a) 16.30.020-CalWORKs Services	48,941,000
Provisions:	
1. This appropriation shall be used to match federal Welfare-to-Work grant funds appropriated to the Employment Development Department. Notwithstanding Section 15204.2 of the Welfare and Institutions Code, these funds shall be separately allocated to the counties and expended in a manner which meets the federal Welfare-to-Work grant matching requirements.	
Of the amount appropriated in this item, \$9,944,000 shall be expended for recruitment, retention and training of workers in nursing homes and for the In-Home Supportive Services Program.	
2. The Department of Social Services shall monitor Welfare-to-Work grant expenditures within the Employment Development Department and ensure that no funds appropriated in this item are expended in excess of the amount needed to meet the matching requirements of the federal Welfare-to-Work grant.	
5180-111-0001—For local assistance, Department of Social Services	3,455,899,000
Schedule:	
(a) 16.70-SSI/SSP	2,648,096,000

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(b) 25.15-IHSS.....	2,059,445,000
(1) 25.15.010-Servi- ces	1,911,004,000
(2) 25.15.020-Admin- istration.....	148,441,000
(c) Reimbursements.....	-1,213,915,000
(d) Amount payable from the Federal Trust Fund (Item 5180-111- 0890)	-37,727,000

Provisions:

1. Provisions 1 and 4 of Item 5180-101-0001 also apply to this item.
2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$59,000,000 shall be made available from the General Fund from funds not otherwise appropriated, to cover the federal share or reimbursable share, or both, of costs of a program(s) when the federal funds or reimbursements (from the Health Care Deposit Fund or counties) have not been received by this state prior to the usual time for transmitting payments for the federal or reimbursable share of costs for this state. That loan from the General Fund shall be repaid when the federal share of costs for the program(s) becomes available, or in the case of reimbursements, subject to Section 16351 of the Government Code. County reimbursements also shall be subject to Section 16314 of the Government Code, which specifies the rate of interest. The department may offset a county's share of cost of the In-Home Supportive Services (IHSS) program against local assistance payments made to the county if the county fails to reimburse its share of cost of the IHSS program to the state.
3. The Department of Finance may authorize the transfer of amounts between this item and Item 5180-151-0001 in order to reflect modifications in the use of federal Title XX funds. The funds shall not be approved sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairpersons of the com-

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mittees, or their designees, may in each instance jointly determine.	
4. Of the funds appropriated in this item, \$207,000 shall be used to fund the In-Home Supportive Services pilot project in San Diego County. These funds shall be available for expenditure only upon receipt of any necessary federal approvals and if no other funding source is available.	
5. It is the intent of the Legislature that the State Department of Social Services provide technical assistance to counties to ensure that they maximize the receipt of federal funds for the In-Home Supportive Services Program, without compromising the quality of the services provided to In-Home Supportive Services recipients.	
5180-111-0890—For local assistance, Department of Social Services for payment to Item 5180-111-0001, payable from the Federal Trust Fund.....	37,727,000
Provisions:	
1. The Department of Finance may authorize the transfer of amounts between this item and Item 5180-151-0890, in order to reflect modifications in the use of federal Title XX funds. The funds shall not be approved sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairpersons of the committees, or their designees, may in each instance jointly determine.	
5180-141-0001—For local assistance, Department of Social Services	343,952,000
Schedule:	
(a) 16.80-County Administration....	645,604,000
(b) 16.85-Automation Projects	135,883,000
(c) Reimbursements	-10,469,000
(d) Amount payable from the Federal Trust Fund (Item 5180-141-0890)	-427,066,000
Provisions:	
1. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$127,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of a pro-	

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<p>gram(s) when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. This loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available.</p> <ol style="list-style-type: none"> 2. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. Upon recommendation of the Director of Social Services, the Department of Finance may authorize the transfer of funds from Items 5180-141-0001 and 5180-141-0890, to Items 5180-001-0001 and 5180-001-0890, for this purpose. 3. Provision 1 of Item 5180-101-0001 also applies to this item. 4. Pursuant to public assistance caseload estimates reflected in the annual Governor's Budget, the Department of Finance may approve expenditures in those amounts made necessary by changes in caseload that are in excess of amounts appropriated in this act. If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the limitation shall be increased by the amount of the excess unless and until otherwise provided by law. 5. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure. 6. Section 11.00 of this act shall apply to contracts entered into for the development and implementation of the Consortium IV and Welfare Client Data Systems consortia of the Statewide Automated Welfare System. 7. It is the intent of the Legislature to continue funding those activities necessary for the implementa- 	

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tion of the Electronic Benefits Transfer project. Notwithstanding Sections 27.00 and 28.00 of this act, upon request of the State Department of Social Services, the Department of Finance may augment the amount available for expenditure in this item to pay costs associated with the Electronic Benefits Transfer Project not sooner than 30 days after notification in writing of the necessity for the augmentation to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees and the appropriate subcommittees in each house that consider the annual Budget Act, and the Chairperson of the Joint Legislative Budget Committee or, not sooner than a lesser time that the chairperson of the joint committee, or his or her designee, may in each instance determine. The funds appropriated by this provision shall be made available consistent with the amount approved by the Department of Finance based on its review of the special project report.

8. It is the intent of the Legislature to continue funding those activities necessary for implementation of the Statewide Automated Welfare System for those counties currently comprising the C-IV consortium. Notwithstanding Section 27.00 and 28.00, upon request of the State Department of Social Services, the Department of Finance may augment the amount available for expenditure in this item to pay costs associated with the Statewide Automated Welfare System for those counties currently comprising the C-IV consortium not sooner than 30 days after notification in writing of the necessity of the augmentation to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees and the appropriate subcommittees in each house that consider the annual Budget Act, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. The funds appropriated by this provision shall be made available consistent with the amount approved by the Department of Finance based on its review of the special project report.

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5180-141-0890—For local assistance, Department of Social Services, for payment to Item 5180-141-0001, payable from the Federal Trust Fund.....	427,066,000
Provisions:	
1. Provisions 2, 3, 4, 6, 7, and 8 of Item 5180-141-0001 also apply to this item.	
5180-151-0001—For local assistance, Department of Social Services	709,678,000
Schedule:	
(a) 25.25-Children’s Services.....	1,667,750,000
(1) 25.25.010-Child Welfare Services.....	
1,534,146,000	
(2) 25.25.020-Adoptions	
98,814,000	
(3) 25.25.030-Child Abuse Prevention...34,790,000	
(b) 25.35-Special Programs.....	145,885,000
(1) 25.35.010-Specialized Services	
9,141,000	
(2) 25.35.020-Access Assistance for the Deaf.....	
5,978,000	
(3) 25.35.030-Maternity Care	
600,000	
(4) 25.35.040-Refugee Assistance Services.....	
30,000,000	
(5) 25.35.050-County Services Block Grant	
100,166,000	
(c) 25.45-Community Care Licensing	19,397,000
(d) Reimbursements	-65,621,000
(e) Amount payable from the Child Health and Safety Fund (Item 5180-151-0279).....	-413,000
(f) Amount payable from the Federal Trust Fund (Item 5180-151-0890).....	-1,057,320,000
Provisions:	
1. The funds appropriated in this item are for social services programs, for the cost of special social services programs for which federal grants in aid are made to the state; for grants or services to local agencies for the extension of child welfare services as provided by Chapter 5 (commencing with	

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- Section 16500) of Part 4 of Division 9 of the Welfare and Institutions Code; for the cost of the adoption programs and care of children, to be expended in accordance with Chapter 2 (commencing with Section 16100) of Part 4 of Division 9 of the Welfare and Institutions Code; for the costs incurred by counties, including, but not limited to, the required county funds for prevention of child abuse and neglect as provided by Chapter 11 (commencing with Section 18950) of Part 6 of Division 9 of the Welfare and Institutions Code.
2. Provision 1 of Item 5180-101-0001 also applies to this item.
 3. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$50,000,000 shall be made available from the General Fund from funds not otherwise appropriated, to cover the federal share of costs of a program(s) when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. That loan from the General Fund shall be repaid when the federal share of costs for the program(s) becomes available.
 4. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001, in order to allow the state to perform the facilities evaluation function of Community Care Licensing in the event the counties fail to perform that function.
 5. The Department of Finance may authorize the transfer of amounts between this item and Item 5180-111-0001 in order to reflect modifications in the use of Title XX funds. The funds shall not be approved sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairpersons of the committees, or their designees, may in each instance jointly determine.
 6. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportu-

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nity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

7. Of the amount appropriated in this item, \$135,593,000 shall be provided to counties to fund additional child welfare service activities and shall be allocated based on child welfare services caseload and county unit costs. However no county shall receive less than \$100,000. These funds shall be expressly targeted for emergency response, family reunification, family maintenance and permanent placement services and shall be used to supplement, and shall not be used to supplant, child welfare services funds. A county is not required to provide a match of the funds received pursuant to this provision if the county appropriates the required full match for the county's child welfare services program exclusive of the funds received pursuant to this provision. These funds are available only to counties that have certified that they are fully utilizing the Child Welfare Services/Case Management System (CWS/CMS) or have entered into an agreed upon plan with the State Department of Social Services outlining the steps that will be taken to achieve full utilization. department shall reallocate any funds that counties choose not to accept under this provision, to other counties based on the allocation formula specified in this provision.

The department, in collaboration with the County Welfare Directors Association and representatives from labor groups representing social workers, shall develop the definition of full utilization of the CWS/CMS, the method for measuring full utilization, the process for the state and counties to work together to move counties toward full utilization, and measurements of progress toward full utilization.

8. In order to receive state funding for adult protective service programs, counties shall participate in the quarterly claims processing, payment, and reporting system developed by the Department of Social Services for the adult protective services program.
10. Of the amount appropriated in this item, \$14,461,000 for the Child Welfare Services/Case

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Management System (CWS/CMS) shall not be encumbered or expended until the Department of Information Technology reviews and approves the special project report. Funds shall be made available consistent with the amounts approved by the Department of Finance based on the approved special project report.

11. Of the amount appropriated in this item, \$22,000,000 shall be provided to counties on a one-time basis for the purpose of reducing the backlog of pending adoption cases. The Department of Social Services shall allocate these funds to the counties based on the number of cases pending adoption in each county and other factors as determined by the Director of Social Services. Counties will not be required to provide a match for these funds, which are to be used exclusively to reduce adoption case backlogs.
12. Of the funds included in Schedule (c) of this item as reimbursement from the California Children and Families Commission for one-time grants to licensed child care centers and family child care homes for safety enhancements, the Department of Finance may authorize the transfer of amounts up to 5 percent of these funds from Item 5180-101-0001 to Item 5180-001-0001 for administration, development, technical support, and evaluation activities associated with these grants.
13. Of the amount appropriated in this item, \$212,000 shall be used to increase licensing visits to family care homes.
14. Of the amount appropriated in this item, \$6,075,000 shall be provided to counties for the purpose of purchasing, maintaining, and operating Live Scan equipment in county welfare departments, including reimbursements to counties that purchased equipment prior to the enactment of this act. The counties shall utilize this equipment to perform criminal background checks of relatives, foster parents, and others for whom criminal record checks are required when the county is considering a foster child placement. The State Department of Social Services shall allocate these funds to the counties to enable the most efficient use of the equipment. Counties

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<p>shall not be required to provide a match for these funds if the funds are used exclusively for the purchase, maintenance, and operation of Live Scan equipment in the Foster Care Program.</p>	
5180-151-0279—For local assistance, Department of Social Services, for payment to 5180-151-0001, payable from the Child Health and Safety Fund.....	413,000
5180-151-0890—For local assistance, Department of Social Services, for payment to Item 5180-151-0001, payable from the Federal Trust Fund	1,057,320,000
Provisions:	
1. Provisions 1, 2, 4, 5, 7, 9, and 10 of Item 5180-151-0001 also apply to this item.	
2. Of the funds appropriated in this item for the Independent Living Program, \$560,000 shall be used to establish a financial assistance program to facilitate the educational goals of former foster youth.	
5180-152-0001—For local assistance, Department of Social Services, Program 25.25.010-Child Welfare Services	1,500,000
Provisions:	
1. Funds in this item shall be used to provide grant funding for educational and living facilities for foster children.	
5180-401—The Director of Finance is authorized to approve transfers not to exceed \$127,897,000 from the federal Temporary Assistance for Needy Families (TANF) block grant to and in augmentation of the amount appropriated in Item 5180-101-0890 Program 16.30.040, CalWORKs child care, for expenditure by the State Department of Social Services, and to the federal Child Care and Development Fund (CCDF) as an augmentation to Item 6110-196-0890 for use by the State Department of Education for CalWORKs local assistance Stage II child care. The moneys transferred to the Department of Education shall be used only for direct services to Stage II child care recipients, and the Department of Education shall use other existing funds available for child care quality expenditures to meet the 4 percent quality requirement of federal law associated with CCDF expenditures. Prior to any fund transfers from TANF to CCDF, the Department of Education shall certify that the transfer will not require additional quality expenditures beyond the existing expenditures. Should additional quality expenditures be required	

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<p>as a result of a transfer pursuant to this provision, these transfers shall become TANF funds and shall not be transferred to the CCDF. In the event of a TANF transfer pursuant to this item, the Department of Education shall comply with existing TANF and CalWORKs regulations and reporting requirements. The Department of Finance shall provide written notification to the chairperson of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee at the time of the transfer.</p> <p>5180-402—The Director of Finance is authorized to approve transfers of \$419,242,000 from the federal Temporary Assistance for Needy Families (TANF) block grant to the Child Care and Development Fund administered by the State Department of Education, and the entire amount so transferred shall be used for CalWORKs local assistance Stage II child care. The moneys transferred to the Department of Education shall be used only for direct services to Stage II child care recipients, and the Department of Education shall use other existing funds available for child care quality expenditures to meet the 4 percent quality requirement of federal law associated with CCDF expenditures. Prior to any fund transfers from TANF to CCDF, the Department of Education shall certify that the transfer will not require additional quality expenditures beyond the existing expenditures. Should additional quality expenditures be required as a result of a transfer pursuant to this provision, these transfers shall become TANF funds and shall not be transferred to the CCDF. In the event of a TANF transfer pursuant to this item, the Department of Education shall comply with existing TANF and CalWORKs regulations and reporting requirements.</p> <p>Provisions:</p> <ol style="list-style-type: none"> 1. Upon request from the State Department of Education, and upon approval by the Director of Finance, the State Department of Social Services is authorized to transfer up to \$10,000,000 from the federal Temporary Assistance to Needy Families (TANF) block grant to the Social Services Block Grant (Title XX) pursuant to authorization in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104–193). These funds shall be provided to the State Department of Education, to be pooled with moneys in 	

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<p>the Child Care and Development Fund (CCDF) TANF, or both, for the purpose of broadening access to federal Child and Adult Care Food Program benefits for low-income children in proprietary child care centers. The total amount to be transferred to the State Department of Education from Title XX and TANF combined shall not exceed \$419,242,000. In the event Title XX funds are provided to the State Department of Education pursuant to this provision, the State Department of Education shall comply with all Title XX regulations and reporting requirements. The Department of Finance shall provide written notification to the chairperson of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee at the time of the transfer. It is the intent of the Legislature to fully fund Stage II child care.</p> <p>5180-403—(1) Upon request of the Secretary for Health and Human Services, the Director of Finance is authorized to approve transfers not to exceed \$55,356,000 from the Federal Temporary Assistance for Needy Families (TANF) block grant to and in augmentation of any program for which TANF funds have been appropriated in this act, only if the request (1) meets all of the conditions set forth in Section 28 of this act, or (2) is consistent with Provision 4 of Item 5180-101-0001. Any transfers pursuant to this paragraph shall require the respective legislative notification procedures set forth in Section 28 or Provision 4 of Item 5180-101-0001, whichever is applicable. (2) Upon notification of the Legislature and approval of the Director of Finance, the Department of Social Services may allocate funds from this item to counties that successfully appeal disallowances from their employment services budget requests.</p> <p>5180-490—Reappropriation, Department of Social Services. Notwithstanding any other provision of law, the balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations, and shall be available for expenditure until June 30, 2000:</p> <p>0001—General Fund</p> <p>(1) The balance of the amount appropriated for the federal Welfare-to-Work match in Item 5180-</p>	

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102-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) is reappropriated for transfer to and in augmentation of Item 5180-102-0001 of Section 2.00 of this act to fulfill the requirements of the federal Welfare-to-Work match.	
(2) The balance of the amount appropriated for the federal Welfare-to-Work match in Item 5180-102-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 282, Stats. 1998) is reappropriated for transfer to and in augmentation of Item 5180-102-0001 of Section 2.00 of this act to fulfill the requirements of the federal Welfare-to-Work match.	
(3) The balance of the amount appropriated for Cal-WORKs Recipient Child Care Training Projects in Item 5180-101-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) is reappropriated for transfer to and in augmentation of Item 5180-101-0001 of Section 2.00 of this act to continue ongoing recipient child care training projects.	
(4) The balance of the amount appropriated for Cal-WORKs Recipient Child Care Training Projects in Item 5180-101-0001 of Section 2.00 of the Budget Act 1998 (Ch. 282, Stats. 1998) is reappropriated for transfer to and in augmentation of Item 5180-101-0001 of Section 2.00 of this act to continue ongoing recipient child care training projects.	
(5) The balance of the amount appropriated for a child care facility in East Los Angeles in Item 5180-101-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) is reappropriated for transfer to and in augmentation of Item 5180-101-0001 of Section 2.00 of this act for completion of the child care facility in East Los Angeles.	

YOUTH AND ADULT CORRECTIONAL AGENCY

5240-001-0001—For support of the Department of Corrections.....	3,994,703,000
Schedule:	
(a) 21-Institution Program	2,980,012,000
(b) 22-Health Care Services Program	585,480,000

Item	Amount
(c) 31-Community Correctional Program	525,856,000
(d) 41.01-Administration	130,712,000
(e) 41.02-Distributed Administration	-130,712,000
(f) Reimbursements	-48,484,000
(g) Amount payable from the Federal Trust Fund (Item 5240-001-0890).	-2,384,000
(i) Amount payable from the Inmate Welfare Fund (Item 5240-001-0917)	-45,777,000

Provisions:

1. Funds appropriated to accommodate projected institutional population levels in excess of those that actually materialize, if any, shall revert to the General Fund, except that the Director of Finance may approve an increase in expenditures that are not related to caseload for the Department of Corrections through the redirection of funding that is reasonably believed not to be needed for accommodating projected institutional population levels if the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of the approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. All notifications shall include (a) the reason for the proposed redirection of caseload funding to expenditures that are not related to caseload, (b) the approved amount, and (c) the basis of the director's determination that the funding is not needed for accommodating projected institutional population levels.
2. Funds appropriated to accommodate projected parole population levels in excess of those that actually materialize, if any, shall revert to the General Fund, except that the Director of Finance may approve an increase in expenditures that are not related to caseload for the Department of Corrections through the redirection of funding that is reasonably believed not to be needed for accommodating projected parole population levels if the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Com-

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mittee and the chairperson of each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of the approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. All notifications shall include (a) the reason for the proposed redirection of caseload funding to expenditures that are not related to caseload, (b) the approved amount, and (c) the basis of the director's determination that the funding is not needed for accommodating projected parole population levels.

3. Any funds recovered as a result of audits of locally operated return-to-custody centers shall revert to the General Fund.
4. When contracting with counties for vacant jail beds for any inmate under the jurisdiction of the Director of the Department of Corrections, the department shall not reimburse counties more than the average amount it costs the state to provide the same services in comparable state institutions. This restriction shall not apply to any existing contract, but shall apply to the extension or renewal of that contract. In addition, the total operational cost of incarcerating state inmates in lease county jail beds (which includes state costs, but is exclusive of one-time and capital outlay costs), shall not exceed the department's average cost for operating comparable institutions.
5. Notwithstanding any other provision of law, funds appropriated in Schedule (a) for McGee Training Facility rent payments may be transferred to Item 5240-003-0001 by the Controller, upon order of the Director of Finance, as necessary to provide rental payments on lease revenue bonds for the McGee Training Facility if a bond sale occurs.
6. Notwithstanding any other provision of law, but subject to providing 30 days' prior notification to the Joint Legislative Budget Committee, funds appropriated in Schedule (a) or (b), or both, of this item may be transferred to Item 5240-101-0001, Schedule (b), upon order of the Director of Finance, to provide funds for the reimbursement of counties for the cost of holding parole violators in local jail.

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7. Notwithstanding any other provision of law, upon approval of the Department of Finance, the Department of Corrections may transfer, between Schedules (a), (b), and (c) of this item, up to 5 percent of the amounts appropriated in these schedules. Any transfer of funds appropriated in Schedules (a), (b), and (c) of this item exceeding 5 percent may occur not sooner than 30 days after notification thereof to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of the Legislature.	
8. Of the funds appropriated in this item, up to \$4,000,000 shall be expended to establish, effective January 1, 2001, a Sex Offender Containment Program to provide intensive and specialized parole supervision caseloads for high-risk sex offenders not now on those caseloads, and to provide relapse prevention treatment, voluntary medication treatment, and other related services for those parolees.	
9. Of the funds appropriated in this item, up to \$1,000,000 shall be available only for the Department of Corrections to develop and to commence implementation of a strategy for the prevention, education, screening, related tests, and treatment of inmates infected with hepatitis B or C. The department shall submit a report on its plan to implement this strategy to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature by January 1, 2001. If legislation is enacted in the 1999–2000 Regular Session of the Legislature relating to the incidence of hepatitis C in the state prison system, this funding shall be expended consistent with any requirements of that legislation. Any funds not used for these purposes shall revert to the General Fund.	
10. The Department of Corrections shall establish a pilot program for female inmates for the treatment of Type II diabetes. This pilot program shall use clinically recognized guidelines including, but not limited to, evaluation, testing, diet, exercise, and Federal Drug Administration-approved medication. The department shall report to the Legislature by January 1, 2002, comparing the effectiveness and costs of diabetes treatment services as provided in the pilot pro-	

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gram to a program in a comparable correctional facility. To measure the effectiveness of the pilot program, the department shall utilize specific outcomes including, but not limited to, decreasing the rate of hospitalization, avoiding use of multiple drugs, and decreasing or eliminating insulin use. This pilot program shall be funded within the scope of resources provided as part of the 2000–01 fiscal year augmentation for enhanced medical services at women’s institutions.

11. The Department of Corrections shall contract with a qualified outside entity for a comprehensive study of its medical delivery system. The study shall include, at a minimum, to the extent feasible and appropriate, all of the following information:
 - (1) Identification of performance measures related to the cost-effective delivery of health care services within state prisons.
 - (2) Benchmarking of performance measures in the department’s medical operations to determine how the department compares in its cost-effectiveness against other appropriate comparison institutions.
 - (3) Recommendations regarding how the department can improve the performance and cost-effectiveness of its medical operations through the achievement of these performance measures.
 - (4) Evaluation of the department’s medical information technology systems to identify the business problems affecting the delivery of cost-effective medical care for inmates and the opportunities for addressing those business problems through information technology system improvements.

The Department of Corrections shall submit a report prepared by the contractor of findings and recommendations to the Governor and the appropriate policy and fiscal committees in each house no later than March 1, 2001.
12. The Department of Corrections shall not adopt or implement regulations that require individuals to send packages to prison inmates via the services of a third-party vendor.

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13.	The Department of Corrections shall ensure that all posted first and second supervisory positions are fully staffed. The department shall not divert persons assigned to these positions to other assignments or the funding approved to support those positions. The department shall also ensure that appropriate relief positions are available to maintain coverage of all those positions at all times.
14.	Of the funds appropriated in this item, \$3,538,000 shall be used for the expansion of 500 reentry work furlough community correctional beds. Special consideration shall be given to the expansion of at least 217 beds in the City of Long Beach area. Notwithstanding any other provision of law, the Department of Corrections shall contract for these beds on a fee-for-service basis only, while providing for fixed cost reimbursement. The total cost of the contract beds shall be limited to \$58 per day per offender. The department is directed to exercise every effort to obtain the highest quality, dormitory-style facilities possible, and the department shall award its contracts for a 10-year term with authorization to automatically extend the contract for a second term.
15.	The Department of Corrections shall notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, and both fiscal committees on a quarterly basis, of any payment in an amount greater than \$100,000 made by the department to an individual or organization pursuant to a legal challenge, whether that challenge is settled outside of court or by judgment of a court. The quarterly report shall include: (a) the date the payment was approved by the department, (b) the specific legal settlement or judicial order specifying the payment, and (c) the payment amount.
16.	Of the funds appropriated in Schedule (a) of this item, \$3,182,000 shall be available to support 50.6 correctional sergeant personnel-years at the Corcoran and Pelican Bay Prisons. Any funds not expended for these positions shall revert to the General Fund.
17.	Of the funds appropriated in this item, \$10,000,000 shall be available only for special

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- repair projects. Any funds not expended for this purpose shall revert to the General Fund.
18. Of the funds appropriated in this item, up to \$250,000 shall be available for conducting psychological evaluations of officers promoting to supervisory positions.
 19. Within 60 days of the enactment of this act, the Department of Corrections shall consult with the State Department of Health Services and any other appropriate departments and agencies to determine the potential health and safety impacts of using Secure 1000 machines for searching of visitors and others entering state prison facilities, shall review the latest available research regarding the effects of the machines, and shall report to the Joint Legislative Budget Committee and both fiscal committees of the Legislature regarding its findings and recommendations regarding the use of this technology. During that 60-day period following the enactment of this act, the department shall suspend the use of Secure 1000 units at any state prison facility.
 20. The Department of Finance shall report to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature by January 10, 2001, regarding the effectiveness of the Department of Corrections in reducing sick leave usage and increasing the appropriate usage of budgeted vacation and other leave time, and shall further report its estimate of the net fiscal effect of these changes on department personnel expenditures.
 21. (a) Of the amount appropriated in this item, up to \$1,000,000 shall be allocated to the Department of Corrections for a three-year pilot Global Positioning System (GPS) project for tracking high-risk offenders on parole in the community, including necessary overtime coverage by parole agent personnel. The purpose of these pilot projects shall be to provide greater public safety. It is not the intent of the Legislature to eliminate or replace parole agent positions with GPS tracking.
 - (b) The department, in consultation with the Board of Prison Terms, shall determine appropriate project guidelines, offender target

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- populations, and desirable project outcomes consistent with Chapter 3 (commencing with Section 9000) of Title 9 of Part 3 of the Penal Code. The department shall submit an annual report, on October 1 of 2001, 2002, and 2003, to the Legislature on the aggregated status and findings of its pilot project.
22. Notwithstanding any other provision of law, upon approval of the Director of Finance, the Department of Corrections may transfer funds from the \$10,000,000 appropriated in Schedule (a) of this item, for the purpose of expanding the basic correctional officer academy at the McGee Training Facility from 10 weeks to 16 weeks, to Item 5240-302-0001. The transfer of funds shall only be for the purpose of providing funding for capital outlay costs associated with the expansion of the McGee Training Facility to accommodate additional correctional officer cadets.
 23. Of the funds appropriated in this item, \$2,200,000 shall be available to plan and, on a date after January 1, 2001, consistent with the funding appropriated to the Department of Corrections for these purposes, commence implementation of enhanced services for parolees assisted through the Transitional Case Management Program for seriously mentally disordered offenders. For the purpose of reducing recidivism of mentally ill parolees, the enhanced services provided through this program (1) shall be maintained for the duration of the period the offender is under state parole supervision, (2) shall include levels of treatment and services that vary appropriately according to the needs of individual parolees, and (3) shall have costs that are reduced, to the maximum degree that is feasible and practical, by the availability of federal funds and funding sources other than the state General Fund to offset program expenditures. The department shall develop an implementation plan for establishing these services for the parolees and shall provide a report on its plan to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature by January 1, 2001.
 24. (a) Of the funds appropriated in this item, \$4,400,000 shall be available to expand the

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Preventing Parolee Crime Program. For the purpose of reducing recidivism, priority for services provided through these funds shall be given to parolees who have two serious or violent felony convictions.	
(b) Of the funds appropriated in this item, \$400,000 shall be available for administration and evaluation of targeting Preventing Parolee Crime Program funds for parolees who have two serious or violent felony convictions. The Department of Corrections shall report to the Legislature, by January 1, 2003, on the effectiveness of this program.	
25. Of the funds appropriated in this item, \$3,000,000 shall be available for parole case-work services to assist parolees in transitioning back into the community.	
5240-001-0890—For support of the Department of Corrections, for payment to Item 5240-001-0001, payable from the Federal Trust Fund	2,384,000
5240-001-0917—For support of the Department of Corrections, for payment to Item 5240-001-0001, payable from the Inmate Welfare Fund	45,777,000
5240-003-0001—For support of the Department of Corrections for rental payments on lease revenue bonds	223,998,000
Schedule:	
(a) Base Rent and Fees	263,595,000
(b) Insurance	1,069,000
(c) Reimbursements	-40,666,000
5240-005-0001—For support of the Department of Corrections	19,582,000
Provisions:	
1. The funds appropriated in this item are for transfer to and in augmentation of Item 5240-001-0001 and may be encumbered or expended only after the Director of Corrections has provided to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature documentation specifically outlining each of the proposed reductions contained in its initial administrative restructuring plan for the elimination of \$65,755,000 and 954.6 positions, the programmatic and other effects of each of the proposed reductions upon departmental operations, and, in regard to each proposed reduction that was eliminated from the revised administrative re-	

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structuring plan, the reason why that proposed reduction was not recommended for adoption.	
5240-101-0001—For local assistance, Department of Corrections.....	48,603,000
Schedule:	
(a) 21-Institution Program.....	15,132,000
(b) 31-Community Correctional Program.....	33,471,000
Provisions:	
1. The amount appropriated in this item is provided for the following purposes:	
a. To pay the transportation costs of prisoners to and between state prisons, including the return of parole violators to prison and for the conveying of persons under provisions of Division 3 (commencing with Section 3000) of the Welfare and Institutions Code and the Western Interstate Corrections Compact (Section 11190 of the Penal Code), in accordance with Section 26749 of the Government Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which those transportation costs are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller.	
Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.	
b. To pay the expenses of returning fugitives from justice from outside the state, in accordance with Sections 1389, 1549, and 1557 of the Penal Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which expenses are incurred, expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller, and any restitution received by the state for those expenses shall be credited to the appropriation of the year in which the Controller's receipt is issued.	
Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.	

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- c. To pay court costs and county charges, payable under Sections 4700.1, 4750 to 4755, inclusive, and 6005 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which a service is performed by the coroner, a hearing is held on the return of a writ of habeas corpus, the district attorney declines to prosecute a case referred by the Department of Corrections, a judgment is rendered for a court hearing or trial, an appeal ruling is rendered for the trial judgment, or an activity is performed as permitted by these sections. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller.
- Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.
- d. To reimburse counties for the cost of detaining state parolees pursuant to Section 4016.5 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred. Claims filed by local jurisdictions may not include booking fees, may not recover detention costs in excess of \$59 per day, and shall be limited to the detention costs for those days on which parolees are held subject only to a Department of Corrections request pursuant to subdivision (b) of Section 4016.5 of the Penal Code. Expenditures shall be charged to either the fiscal year in which the claim is received by the Department of Corrections or the fiscal year in which the warrant is issued.
2. Notwithstanding any other provision of law, upon 30-day prior notification to the Chairperson of the Joint Legislative Budget Committee, funds appropriated in Schedule (b) of this item may be transferred to Schedules (a) or (b), or both, of Item 5240-001-0001, upon order of the Director of Finance, to provide funds for the reimbursement of counties for the cost of holding parole violators in local jails or for the auditing or monitoring of local assistance costs.

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5240-102-0001—For local assistance, Department of Corrections.....	300,000
Schedule:	
(a) 21-Institution Program.....	300,000
Provisions:	
1. Of the funds appropriated in this item, up to \$300,000 shall be available on a one-time basis for the purpose of providing the funding for portable inmate housing units for Tulare County.	
5240-103-0001—For local assistance, Department of Corrections.....	50,000
Schedule:	
(a) 31-Community Correctional Program.....	50,000
Provisions:	
1. Of the funds appropriated in this item, up to \$50,000 shall be available on a one-time basis for the purpose of providing the funding for a Parole Division historical exhibit for the City of Diamond Bar.	
5240-104-0001—For local assistance, Department of Corrections.....	50,000
Schedule:	
(a) 31-Community Correctional Program.....	50,000
Provisions:	
1. Of the funds appropriated in this item, up to \$50,000 shall be available on a one-time basis to San Luis Obispo County to fund tattoo removal for gang members.	
5240-295-0001—For local assistance, Department of Corrections, for reimbursement, in accordance with the provisions on Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	1,958,000
Schedule:	
(1) 98.01.082.081-Prisoner Parental Rights (Ch. 820, Stats. 81)	1,958,000
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the	

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reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.

2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

5240-301-0001—For capital outlay, Department of Corrections 98,763,000

Schedule:

- (1) 61.01.001-Statewide: Budget Packages and Advance Planning 400,000
- (1.5) 61.01.200-Statewide: Small Management Exercise Yards—Preliminary plans, working drawings, and construction 1,380,000
- (1.6) 61.01.776-Statewide: Cell Door Retrofit, Level III Cuff Ports—Preliminary plans, working drawings, and construction 2,200,000
- (2) 61.04.045-California Correctional Institution, Tehachapi: New Potable Water Source (Phase II)—Working drawings and construction..... 1,474,000
- (3) 61.06.016-Deuel Vocational Institution, Tracy: Renovate Y and Z Dorms—Preliminary plans 153,000
- (4) 61.07.021-Folsom State Prison, Represa: Construct Pretreatment System—Preliminary plans and working drawings 135,000

Item	Amount
(5) 61.07.101-Folsom State Prison, Represa: Renovate Dental Clinic—Construction	615,000
(6) 61.07.102-Folsom State Prison, Represa: Renovate Branch Circuit Wiring, Building 1—Construction.	2,309,000
(7) 61.07.103-Folsom State Prison, Represa: Renovate Supply Heating and Ventilation, Building 1—Construction	1,637,000
(8) 61.07.104-Folsom State Prison, Represa: Renovate Branch Circuit Wiring, Building 2—Construction.	1,243,000
(9) 61.07.105-Folsom State Prison, Represa: Renovate Branch Circuit Wiring, Building 3—Construction.	1,560,000
(10) 61.07.106-Folsom State Prison, Represa: Gang Shower Conversion, Building 1—Construction.....	789,000
(12) 61.07.108-Folsom State Prison, Represa: Renovate Branch Wiring, Maintenance Shops—Construction	968,000
(13) 61.08.029-California Institution for Men, Chino: TB/HIV Housing Engineering Controls—Construction	967,000
(14) 61.08.032-California Institution for Men, Chino: Drilling New Domestic Water Supply Well—Preliminary plans and working drawings.....	246,000
(15) 61.09.015-California Medical Facility, Vacaville: Unit V-Modular Housing Replacement—Preliminary plans and working drawings	420,000
(16) 61.09.029-California Medical Facility, Vacaville: TB/HIV Housing Engineering Controls—Construction	543,000
(18) 61.09.427-California State Prison-Solano, Vacaville: Correctional Treatment Center, Phase II—Working drawings and construction.....	3,555,000

Item	Amount
(18.5) 61.09.512-CMF, Vacaville: New Medical Exam Facility—Preliminary plans and working drawings.....	125,000
(19) 61.10.046-California Men's Colony, San Luis Obispo: Hospital Air Conditioning—Construction ...	666,000
(20) 61.10.047-California Men's Colony, San Luis Obispo: Wastewater Collection Treatment Upgrade—Working drawings.....	1,104,000
(23) 61.10.051-California Men's Colony-West, San Luis Obispo: Central Kitchen Replacement—Construction	6,035,000
(24) 61.10.052-California Men's Colony-East, San Luis Obispo: Electrified Fence—Preliminary plans and working drawings.....	196,000
(29) 61.13.428-California Institution for Women, Frontera: Correctional Treatment Center, Phase II—Construction	12,974,000
(30) 61.14.030-Minor Projects.....	5,500,000
(31) 61.14.032-Minor Projects: Joint Venture	225,000
(32) 61.15.035-California Rehabilitation Center, Norco: Replace Men's Dorms (Phase II of VI)—Working drawings and construction.....	6,356,000
(33) 61.15.036-California Rehabilitation Center, Norco: Perimeter Fence—Working drawings and construction	2,101,000
(35) 61.16.021-Sierra Conservation Center, Jamestown: Effluent Disposal Pipeline—Working drawings	364,000
(36) 61.16.022-Sierra Conservation Center, Jamestown: Electrified Fence—Preliminary plans and working drawings	191,000
(37.4) 61.18.427-Mule Creek Prison, Ione: Correctional Treatment Center, Phase II—Construction.....	2,184,000

Item	Amount
(38) 61.27.002-Wasco State Prison-Reception Center, Wasco: Pre-screening Facility at Wastewater Treatment Plant—Preliminary plans and working drawings	148,000
(39) 61.28.428-North Kern State Prison, Delano: Correctional Treatment Center, Phase II—Construction	2,967,000
(40) 61.30.003-Centinel State Prison, Imperial: Recycling and Salvage Program—Preliminary plans and working drawings	79,000
(41) 61.35.003-Salinas Valley State Prison, Soledad: Mental Health Inpatient Care Facility—Working drawings and construction	12,358,000
(41.5) 61.35.004-Salinas Valley State Prison Soledad: Water Treatment Plant Installation—Preliminary plans, working drawings, and construction	740,000
(44) 61.06.425-Deuel Vocational Institution, Tracy: Reception Center Screening and Evaluation—Construction	858,000
(45) 61.07.425-California State Prison-Sacramento, Represa: Correctional Clinical Case Management and Enhanced Outpatient Care—Construction	1,284,000
(46) 61.08.425-California Institution for Men-Central, Chino: Correctional Clinical Case Management and Reception Center Screening and Evaluation Program—Construction	1,274,000
(47) 61.08.427-California Institution for Men-Minimum, Chino: Correctional Clinical Case Management—Construction	683,000
(48) 61.09.426-California State Prison-Solano, Vacaville: Correctional Clinical Case Management—Construction	585,000

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(49) 61.11.425-Richard J. Donovan Correctional Facility, San Diego: Correctional Clinical Case Management and Reception Center Screening and Evaluation—Construction	923,000
(50) 61.13.426-California Institution for Women, Frontera: Correctional Clinical Case Management and Enhanced Outpatient Care—Construction	791,000
(51) 61.13.427-California Institution for Women, Frontera: Reception Center Screening and Evaluation—Construction	641,000
(52) 61.15.425-California Rehabilitation Center, Norco: Correctional Clinical Case Management—Construction	681,000
(53) 61.17.425-Avenal State Prison, Avenal: Correctional Clinical Case Management—Construction.....	590,000
(54) 61.18.426-Mule Creek State Prison, Ione: Correctional Clinical Case Management and Enhanced Outpatient Care—Construction	1,876,000
(55) 61.21.425-California State Prison-Los Angeles County, Lancaster: Correctional Clinical Case Management and Enhanced Outpatient Care—Construction.....	1,320,000
(56) 61.23.425-California State Prison-Corcoran, Corcoran: Correctional Clinical Case Management and Enhanced Outpatient Care—Construction	1,519,000
(57) 61.26.425-Central California Women’s Facility, Madera: Enhanced Outpatient Care and Reception Center Screening and Evaluation—Construction.....	1,184,000
(58) 61.26.426-Central California Women’s Facility, Madera: Correctional Clinical Case Management—Construction	652,000

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(59) 61.27.425-Wasco State Prison-Reception Center, Wasco: Reception Center Screening and Evaluation—Construction.....	1,009,000
(60) 61.27.426-Wasco State Prison-Reception Center, Wasco: Correctional Clinical Case Management—Construction	904,000
(61) 61.28.426-North Kern State Prison, Delano: Reception Center Screening and Evaluation—Construction	1,039,000
(62) 61.28.427-North Kern State Prison, Delano: Correctional Clinical Case Management—Construction .	886,000
(63) 61.30.426-Centinelita State Prison, Imperial: Correctional Treatment Center, Phase II—Construction.....	2,527,000
(64) 61.34.426-Ironwood State Prison, Blythe: Correctional Treatment Center, Phase II—Construction.....	2,428,000
(65) 61.47.002-California State Prison-Sacramento, Represa: Reconstruct Firing Range—Preliminary plans and working drawings.....	202,000

Provisions:

1. The funds appropriated in Schedule (1) are to be allocated by the Department of Corrections, upon approval by the Department of Finance to develop design and cost information for new projects for which funds have not been previously appropriated, but for which preliminary plan funds, working drawings funds, or working drawings and construction funds are expected to be included in the 2001–02 or 2002–03 Governor’s Budget, and for which cost estimates or preliminary plans can be developed prior to legislative hearings on the 2001–02 and 2002–03 Governor’s Budgets, respectively. These funds may be used for all of the following: budget package development, environmental services, architectural programming, engineering assessments, schematic design, and preliminary plans. The amount appropriated in this item for that purpose will not be construed as a commitment by the Legislature as to the amount

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of capital outlay funds it will appropriate in any future year.

2. As used in this appropriation, studies shall include site studies and suitability reports, environmental studies, master planning, architectural programming and schematics.
3. Funds appropriated in Schedule (41) shall be available for the following purposes: A maximum of \$25,600 of the funds may be made available for mitigation costs of local governments and a maximum of \$25,600 of the funds may be made available to the Monterey County Superintendent of Schools for mitigation costs of school districts. These funds shall be made available pursuant to subdivisions (c) and (d) of Section 7005.5 of the Penal Code.
4. It is the intent of the Legislature that the future cost for construction based on completed preliminary plans associated with the Folsom Pretreatment Project not exceed the current estimated construction cost.
5. The department shall not use inmate day labor to construct any projects contained in this act, with the exception of the CIM Chino Denitrification Plant Project and the CRC Norco Men's Dorms (Phase II of VI) Project. Instead, all major capital outlay projects shall be competitively bid through the normal capital outlay process.

5240-302-0001—For capital outlay, Department of Corrections		0
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Schedule:

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| (1) 61.01.201-R.A. McGee Training Center, Galt: Expansion of Training Facilities | | 0 |
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Provisions:

1. Funding for this item will be transferred via the authority in Provision 22 of Item 5240-001-0001, upon approval of the Director of Finance, for any necessary capital outlay projects related to the expansion of the basic correctional officer academy at the McGee Training Facility.

5240-401—If the bonds authorized for the projects scheduled in Item 5240-301-0660 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997) are not sold, the Department of Corrections shall commit a sufficient portion of its support appropriation provided for in this act to repay any loans from the

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Pooled Money Investment Account. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until outstanding loans are repaid either through the sale of bonds or from an appropriation.	
5240-402—In the event the bonds authorized for the Department of Corrections Headquarters Building project in Chapter 782 of the Statutes of 1998 are not sold, the Department of Corrections shall commit a sufficient portion of its support appropriation, as determined by the Department of Finance, which is provided for in this Budget Act to repay any interim financing. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until all interim financing is repaid either through the proceeds from the sale of bonds or from an appropriation.	
5240-490—Reappropriation, Department of Corrections. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:	
0001—General Fund	
Item 5240-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(10) 61.07.107-Folsom State Prison Represa: Renovate Branch Wiring Building #5—Preliminary plans	
(13) 61.09.029-California Medical Facility, Vacaville: TB/HIV Housing Engineering Controls—Working drawings	
(15) 61.09.050-California Medical Facility, Vacaville: Electrified Fence—Construction	
(24) 61.16.021-Sierra Conservation Center, Jamestown: Effluent Disposal Pipeline—Acquisition	
Item 5240-302-0001, Budget Act of 1998 (Ch. 324, Stats. 1998), as reappropriated in Item 5240-490, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(1) 61.01.0760-Humboldt Bay National Wildlife Refuge—Acquisition and construction	
(2) 61.01.762-Allensworth Ecological Reserve—Acquisition and construction	
(3) 61.01.763-Mayacama Mountains Sanctuary—Construction	

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(4) 61.01.764-Kern River Preserve—Acquisition and construction	
(5) 61.01.766-California City Desert Tortoise Natural Area—Acquisition	
(6) 61.01.767-Cowbird Trapping Program	
(7) 61.01.770-Program Management	
(8) 61.01.771-Starr Ranch Sanctuary—Acquisition and construction	
(9) 61.01.772-Paul Wattis Sanctuary—Acquisition and construction	
(10) 61.01.773-Burrowing Owl Habitat Enhancement—Acquisition and construction	
(11) 61.01.774-Stanislaus River Parks—Acquisition and construction	
Item 5240-301-0001, Budget Act of 1998 (Ch. 324, Stats. 1998), as reappropriated in Item 5240-490, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(2.3) 61.04.045-California Correctional Institution, Tehachapi: New Potable Water Source (Phase I)—Construction	
(20) 61.12.426-California State Prison-San Quentin: Correctional Treatment Center, Phase II—Working drawings	
(27.1) 61.15.035-California Rehabilitation Center, Norco: Replace Men's Dormitories—Preliminary plans, working drawings and construction	
0660—Lease Revenue	
Item 5240-301-0660, Budget Act of 1997 (Ch. 282, Stats. 1997), as reappropriated in Item 5240-490, Budget Act of 1998 (Ch. 324, Stats. 1998), and Item 5240-490, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(3) 61.08.025-California Institution for Men: Denitrification Plant—Construction	
5240-496—Reversion, Department of Corrections. The unencumbered balance, as of June 30, 2000, of the appropriation provided in the following citation shall revert to the fund balance of the fund from which the appropriation was made.	
0001—General Fund	
Item 5240-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(1) 61.11.010-Richard J. Donovan Correctional Facility, San Diego: Reverse Osmosis Purification System—Preliminary plans and working drawings.	

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0660—Lease Revenue	
Item 5240-301-0660, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(18) 61.18.427-Mule Creek State Prison, Ione: Correctional Treatment Center, Phase II—Construction	
5420-401—It is the intent of the Legislature that the Prison Industry Authority, in soliciting bids for reflective sheeting materials and the lamination of license plates subsequent to the expiration of the existing contract on June 30, 2000, or any extension thereof, shall include, at a minimum, the following provisions: (a) the vendor shall provide new laminating equipment as a component of the contract; (b) the vendor shall provide full service, warranty, and maintenance for the equipment; and (c) the Prison Industry Authority shall allow time for acquisition, installation, and replacement of equipment. The current contract shall remain in place until the new contract is awarded and installation of the new equipment by the vendor is complete and in compliance with the terms and conditions of the contract.	
5430-001-0001—For support of the Board of Corrections	2,306,000
Schedule:	
(a) 11-Corrections Planning and Programs	784,000
(b) 14-Facilities Standards and Operations	1,854,000
(c) 21-Standards and Training for Local Officers	2,841,000
(d) 31.01-Administration	323,000
(e) 31.02-Distributed Administration ...	-323,000
(f) Reimbursements	-524,000
(g) Amount payable from the Corrections Training Fund (Item 5430-001-0170)	-2,649,000
Provisions:	
1. Of the funds appropriated in this item, \$250,000 shall be available only for a statewide Global Positioning System pilot project.	
5430-001-0170—For support of the Board of Corrections, for payment to Item 5430-001-0001, payable from Corrections Training Fund	2,649,000
5430-003-0001—For support of the Board of Corrections	450,000
Provisions:	
1. Notwithstanding any other provision of law, the	

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funds appropriated in this item shall only be expended by the Board of Corrections to provide oversight of the implementation and evaluation of existing Juvenile Crime Enforcement and Accountability Challenge grants. Notwithstanding any other provision of law, the funds available for expenditure in this item shall be available for expenditure through December 31, 2001.	
5430-008-0001—For support of the Board of Corrections Provisions:	700,000
<ol style="list-style-type: none"> 1. Notwithstanding any other provision of law, funds appropriated in this item shall only be expended by the Board of Corrections to provide oversight of the implementation and evaluation of existing Juvenile Crime Enforcement and Accountability Challenge grants awarded pursuant to Article 18.7 (commencing with Section 749.2) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code. The Board of Corrections shall develop a final analysis of the grant program in a report to be submitted to the Legislature on or before March 1, 2004. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure to and including June 30, 2004. 	
5430-101-0170—For local assistance, Board of Corrections, Program 21—Standards and Training for Local Officers, payable from the Corrections Training Fund	15,763,000
5430-103-0001—For local assistance, Board of Corrections	50,000,000
Provisions: <ol style="list-style-type: none"> 1. Of the funds appropriated in this item, \$50,000,000 shall be allocated for the Mentally Ill Offender Crime Reduction grants for adult offenders pursuant to Chapter 5, Article 4 (Sections 6045 through 6046, inclusive) of the Penal Code. 2. Of the amount appropriated in this item, up to \$2,000,000 may be awarded to counties for the purposes of planning and developing the continuum of responses. 3. Of the funds allocated pursuant to Provision 1, up to 3 percent may be transferred to Item 5430-001-0001 to support the administration, including technical assistance and oversight of the implementation of this grant award program. 	

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<ul style="list-style-type: none"> 4. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2004. 5. Priority for grant awards shall be given to counties that would have received funding had an additional \$10,000,000 been available for these grants under the Budget Act of 1999 (Ch. 50, Stats. 1999). 	
5430-104-0001—For local assistance, Board of Corrections.....	75,000,000
Provisions:	
<ul style="list-style-type: none"> 1. Of the funds appropriated in this item, \$75,000,000 shall be allocated for county juvenile facilities grants pursuant to Article 18.8 (commencing with Section 749.3) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code. 2. Of the funds allocated pursuant to Provision 1, 1.5 percent may be transferred to Item 5430-001-0001 to support the administration, including technical assistance and oversight, of the implementation of this grant award program. 3. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2004. 4. No funding shall be awarded from this item to any county that is operating a juvenile detention facility that has been found to be unsuitable for the confinement of minors pursuant to Section 209 of the Welfare and Institutions Code unless the conditions that rendered the facility unsuitable have been remedied and the facility is a suitable place for confinement of minors at the time of the grant award, or unless the funding is used to enhance compliance with applicable juvenile detention facility standards in one or more existing juvenile detention facilities operated by the county. 	
5430-108-0890—For local assistance, Board of Corrections, payable from Federal Trust Fund	37,494,000
Provisions:	
<ul style="list-style-type: none"> 1. Of the amount appropriated in this item and made available from the federal 2000 fiscal year Violent Offender Incarceration/Truth-in-Sentencing Grant Program, the Board of Corrections shall provide competitive grants to counties to build or expand, or both build and expand, juvenile detention facilities, as authorized. 	

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2. (a) The Legislature finds and declares that exigent circumstances exist regarding the impact of the increasing number of juvenile offenders on public safety in California. Of the funds allocated to the state pursuant to the Federal Violent Crime Control and Law Enforcement Act (P.L. 103-322) and appropriated in this item, an amount not less than \$37,494,000 shall be used to address these circumstances through grants to counties.
- (b) The Legislature finds and declares that numerous county juvenile facilities throughout California are dilapidated and overcrowded, and construction and expansion of available bed capacity is critical. Capital construction and expansion are necessary to protect the life and safety of persons confined or employed in these facilities to avoid threatened closures or the imposition of court-ordered sanctions. There is an immediate need of \$400,000,000 to address the local juvenile facility housing crisis. The fast rising number of juvenile offenders affects the efforts of law enforcement and threatens public safety throughout the state. The need to enhance public safety is particularly important to local jurisdictions that do not have adequate facilities to confine the increasing number of juvenile offenders. Notwithstanding the provisions of Chapters 324 and 339 of the Statutes of 1998 and Chapter 50 of the Statutes of 1999, the Legislature intends that these funds be used to support the construction or expansion of juvenile detention facilities that possess a site assurance from the respective board of supervisors under all of the following conditions:
 - (i) No county request may exceed a maximum state construction cost per bed rate of \$100,500.
 - (ii) Local entities shall match at least 25 percent of the grant.
 - (iii) Not more than 15 percent of this minimum match requirement shall be provided with in-kind resources.
3. For the grant programs identified in Provisions 1 and 2 of this item, the Board of Corrections shall establish funding schedules and procedures to en-

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<p>sure that, at a minimum, all the following are on file or updated as deemed necessary:</p> <ul style="list-style-type: none"> (a) Possession of a site assurance for the project or projects. (b) Documentation of need for the project or projects. (c) Adoption of a formal county plan to finance construction of the proposed project or projects. (d) Submittal of a preliminary staffing plan for the project or projects. (e) Submittal of architectural drawings, which shall be approved by the board for compliance with minimum juvenile detention facility standards and which shall be approved by the State Fire Marshal for compliance with fire and life safety requirements. (f) Documentation that the facilities can be safely staffed and operated. (g) Submittal by the county, or a group of counties acting together, of a plan that identifies the county continuum-of-care model for prevention, intervention, supervision, treatment, and incarceration of juvenile and adult offenders. The plan shall identify the manner in which the county will maximize all funding sources, including local criminal justice, local social services, federal and state programs, and education for providing appropriate services for juvenile and adult offenders. <p>4. Of the funds allocated pursuant to Provisions 1 and 2 of this item, up to 3 percent may be transferred to support the administration, including technical assistance and oversight, of the implementation of these grant awards.</p> <p>5. Notwithstanding any other provision of law, the funds appropriated in this item are available for expenditure until September 30, 2005.</p> <p>6. No funding shall be awarded from this item to any county that is operating a juvenile detention facility that has been found to be unsuitable for the confinement of minors pursuant to Section 209 of the Welfare and Institutions Code unless the conditions that rendered the facility unsuitable have been remedied and the facility is a suitable place for confinement of minors at the time of the grant award, or unless the funding is used to enhance</p>	

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compliance with applicable juvenile detention facility standards in one or more existing juvenile detention facilities operated by the county.	
5430-109-0001—For local assistance, Board of Corrections.....	10,000,000
Provisions:	
1. Of the funds appropriated in this item, not less than \$3,800,000 shall be available as supplemental funding for the existing Repeat Offender Prevention Project pilot programs in the Counties of Orange, Los Angeles, San Mateo, Solano, Fresno, Humboldt, San Diego, and San Francisco pursuant to Article 18.5 (commencing with Section 743) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code (Article 18.5). The Board of Corrections shall allocate these funds to counties on a proportional basis consistent with the prior year allocation. Notwithstanding any other provision of law, these funds are available for expenditure through June 30, 2002.	
2. Of the funds appropriated in this item, not less than \$5,700,000 shall be available for the expansion of the Repeat Offender Prevention Project pilot programs to additional counties. Notwithstanding Article 18.5, these funds are available for one-year program startup and are not subject to evaluation nor the three-year pilot project requirements. These funds are available for expenditure through June 30, 2002.	
3. Of the funds appropriated in this item, up to 5 percent may be transferred to Item 5430-001-0001 to support the administration and evaluation of existing pilot programs, and to support the administration, including technical assistance and oversight of the implementation of the new pilot programs. These funds are available for expenditure through June 30, 2002.	
4. The Board of Corrections shall administer the Repeat Offender Prevention Project in accordance with the applicable statutory requirements of Article 18.5 and the expansion of the Repeat Offender Prevention Project pilot programs to additional counties consistent with Provision 2.	
5. Future funding for any Repeat Offender Prevention Project will be determined contingent upon an evaluation by the Board of Corrections of the effectiveness of the existing eight county pro-	

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grams pursuant to criteria identified in Article 18.5.	
5430-113-0001—For local assistance, Board of Corrections, fourth year funding for the Juvenile Crime Enforcement and Accountability Challenge Grant (Juvenile Challenge Grant I).....	10,550,000
5430-117-0001—For local assistance, Board of Corrections.....	7,500,000
Provisions:	
1. Of the amount appropriated in this item, \$7,500,000 shall be allocated for grants to local law enforcement agencies that establish the Developing Increased Safety through Arms Recovery Management (DISARM) program to support local efforts to more actively enforce compliance with court ordered conditions of probation prohibiting the possession of weapons. The Board of Corrections shall distribute the money to eligible agencies on a per capita basis with a minimum of \$50,000 per jurisdiction. In order to be eligible, a county shall establish a DISARM Team, comprised of the county sheriff, at least one police chief from a jurisdiction within the county, the district attorney, and the chief probation officer. The DISARM Team shall establish strategies, standards, and procedures to assist local law enforcement agencies in removing guns from high-risk probationers in the community. Expenditure of these funds shall be limited to plans that target probationers with at least one conviction for any of the following offenses: assault with a deadly weapon, attempted murder, homicide, robbery, and illegal possession of a firearm or other deadly weapon. Each grantee shall develop program outcomes to demonstrate, at a minimum, lower probationer-to-probation officer ratios in offender target classes, an increase in the number of weapons seized, an increase in the ability of probation officers to actively enforce the conditions of probation as ordered by the court, and an increase in multiagency collaboration that contributes to more guns being taken out of the hands of criminal offenders. Each recipient shall submit a copy of its plan to the board and a report of its outcomes not later than January 15, 2002.	
5430-118-0001—For local assistance, Board of Corrections	13,300,000

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Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated in this item shall only be available as supplemental funding for the existing Juvenile Crime Enforcement and Accountability Challenge grants awarded pursuant to Article 18.7 (commencing with Section 749.2) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code. The Board of Corrections shall allocate these funds to counties on a proportional basis consistent with prior years' allocations. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure to and including June 30, 2003.	
5430-122-0001—For local assistance, Board of Corrections	1,000,000
Provisions:	
1. The funds shall be allocated for the Lodi Police Department to remodel the police station.	
5430-123-0001—For local assistance, Board of Corrections	1,000,000
Provisions:	
1. The funds appropriated in this item shall be allocated for the Galt Police Department to remodel the police station.	
5430-124-0001—For local assistance, Board of Corrections	3,000,000
Provisions:	
1. The funds appropriated in this item shall be allocated for the Community Law Enforcement and Recovery (CLEAR) project.	
5430-125-0001—For local assistance, Board of Corrections	1,200,000
Provisions:	
1. The funds appropriated in this item shall be allocated for the City of Citrus Heights Police Service Center.	
5430-126-0001—For local assistance, Board of Corrections	300,000
Provisions:	
1. The funds appropriated in this item shall be allocated for the County of Sacramento Rio Cumnes Correctional Center Pharmacy.	
5430-127-0001—For local assistance, Board of Corrections	40,000

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Provisions:

1. The funds appropriated in this item shall be allocated for the San Diego County Alpine Teen Center.

5430-295-0001—	For local assistance, Board of Corrections, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	733,000
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Schedule:

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| (1) 98.01.022.193-Mandates: Domestic Violence Treatment Program Approvals (Ch. 221, Stats. 1993) | | 733,000 |
| (2) 98.01.033.281-Mandates: Victims' Statements—Minors (Ch. 332, Stats. 1981) | | 0 |

Provisions:

1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

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3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year: (a) Victims’ Statements—Minors (Ch. 332, Stats. 1981)	
5430-490—Reappropriation, Board of Corrections. Notwithstanding any other provision of law, the balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in the appropriation and shall be available for expenditure until June 30, 2004. 0001—General Fund (1) Item 5430-111-0001, Budget Act of 1999 (Mentally Ill Offender Crime Reduction Grants)	
5430-491—Reappropriation, Board of Corrections. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in the appropriations and shall be available for expenditure until June 30, 2002. 0890—Federal Fund (1) Item 5430-005-0890, Budget Act of 1997 (Federal Crime Bill) (2) Item 5430-105-0890, Budget Act of 1997 (Federal Crime Bill)	
5440-001-0001—For support of the Board of Prison Terms, Program 10	26,682,000
5440-002-0001—For support of the Board of Prison Terms.....	1,250,000
Provisions: 1. The funds appropriated in this item shall be used only to provide services for parolees with developmental disabilities, serious mental illness, or substance abuse problems who are reported to the Board of Prison Terms for parole violations and who the board determines should be continued on parole or whose revocation of parole is suspended by the board, when the board determines that doing so would not pose a danger to the public, or for the administrative costs directly related to the provision of these services to parolees. The funds appropriated in this item may not be transferred for any other purpose, and any unexpended funds shall revert to the General Fund upon the end of	

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<p>the fiscal year. The board shall not directly provide the services for parolees, but the board may, at its discretion, enter into interagency agreements with the Department of Corrections, the State Department of Mental Health, the State Department of Alcohol and Drug Programs, the State Department of Developmental Services, and regional centers for the developmentally disabled for services provided directly by those agencies or for services provided indirectly by those agencies by contract with service providers.</p>	
5450-001-0001—For support of the Youthful Offender Parole Board, Program 10.....	3,450,000
5460-001-0001—For support of the Department of the Youth Authority.....	287,088,000
Schedule:	
(a) 20-Institutions and Camps	305,671,000
(b) 30-Parole Services.....	48,242,000
(c) 40-Education Services	12,383,000
(d) 50.01-Administration.....	26,997,000
(e) 50.02-Distributed Administration ...	-24,783,000
(f) Reimbursements	-79,157,000
(g) Amount payable from the California State Lottery Education Fund—California Youth Authority (Item 5460-001-0831)	-797,000
(h) Amount payable from the Federal Trust Fund (Item 5460-001-0890).....	-1,468,000
Provisions:	
1. Of the funds appropriated in Schedule (a), \$31,000 is provided for payment of energy service contracts in connection with the issuance of Public Works Board Energy Efficiency Revenue Bonds (State Pool Program), Series 1986A.	
2. Notwithstanding any other provision of law, the Director of Finance may authorize a loan from the General Fund to the Department of the Youth Authority for the purpose of meeting operational cash-flow obligations for the 2000–01 fiscal year. The loan shall not exceed the estimated amount of uncollected reimbursements pursuant to Chapter 6 of the Statutes of 1996, for the final quarter of any fiscal year in which the loan is to be provided.	
4. It is the intent of the Legislature that the Department of the Youth Authority shall develop an analysis of the Ombudsperson Program in a report	

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<p>to be submitted to the Legislature on or before March 1, 2001. In addition to protocols defining Ombudsperson responsibilities, the report shall include the following: the number of complaints made, the number of investigations performed by the office, the number of unresolved complaints, and the nature of the complaints.</p>	
<p>5. Of the funds appropriated in this item, \$542,000 shall be available to phase in 1,944 slots of drug treatment programming. This programming shall include a community-based aftercare drug treatment component of not less than 150 days for graduates of the drug treatment program, which may include services from faith-based organizations. The program shall place at least 50 percent of the graduates from the drug treatment program in community aftercare. This program shall begin implementation by April 1, 2001, and be completely implemented by December 1, 2002.</p>	
<p>6. Of the funds appropriated in this item, \$500,000 shall be available for mental health treatment and related services in community-based aftercare programs, which may include services from faith-based organizations, for graduates of the intensive treatment program and specialized counseling program, and shall be maintained for the duration of the parole term. Related services may include, but are not limited to, drug treatment, housing assistance, case management, or other comprehensive services needed to reduce recidivism. This program shall be implemented by January 1, 2001.</p>	
<p>7. Of the funds appropriated in this item, \$400,000 shall be available to prepare a comprehensive assessment of the treatment needs and a proposal for the programming services necessary to serve wards requiring substance abuse, mental health, and/or sex offender treatment. This assessment and plan shall be developed by the Youth Authority, in consultation with the Department of Mental Health, and the Youthful Offender Parole Board, and shall be consistent with the recommendations from the Youth Authority audit conducted by the Board of Corrections. The Youth Authority shall submit a report on this assessment and the proposed programming changes to the Joint Legislative Budget Committee by March 1, 2001. This</p>	

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assessment will include a determination of how many treatment slots are currently required. The number of slots to be implemented in Provisions 5, 8, and 9 shall be subject to revision based on the findings of this assessment. The programming changes or expansions proposed in this report shall include evaluation components utilizing an experimental or quasi-experimental design to determine the effectiveness of this programming. A report detailing the preliminary results of these evaluations shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature no later than March 1, 2003. A final report shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature no later than March 1, 2004.

- 8. Of the funds appropriated in this item, \$188,000 shall be available to fund the phase in of 1,000 specialized mental health program slots beginning April 1, 2001, and completely implemented by December 1, 2002.
- 9. Of the funds appropriated in this item, \$1,134,000 shall be available only to phase in 767 slots of sex offender programming. This programming shall include a community-based aftercare mental health treatment component of not less than 120 days for graduates of the formal sex offender treatment program, which may include services from faith-based organizations. The program is intended to place at least 50 percent of the graduates from the sex offender treatment program in community aftercare. Two hundred of these slots shall be implemented by January 1, 2001. The remainder shall be implemented by December 1, 2002.

5460-001-0831—For support of the Department of the Youth Authority, for payment to Item 5460-001-0001, payable from the California State Lottery Education Fund—California Youth Authority
Provisions:

797,000

- 1. All funds received pursuant to Proposition 37 that are allocable to the Department of the Youth Authority pursuant to Section 8880.5 of the Government Code and that are in excess of the amount appropriated in this item, are hereby appropriated in augmentation of this item. Such additional

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<p>funds may be expended only upon written approval of the Department of Finance.</p> <p>5460-001-0890—For support of the Department of the Youth Authority, for payment to Item 5460-001-0001, payable from the Federal Trust Fund</p>	1,468,000
<p>5460-003-0001—For support of the Department of the Youth Authority for insurance on lease revenue bonds</p>	525,000
Schedule:	
(a) Base Rental	520,000
(b) Insurance	5,000
<p>5460-011-0001—For support of the Department of the Youth Authority (Proposition 98)</p>	40,782,000
Schedule:	
(a) 40-Education Services	40,782,000
<p>5460-101-0001—For local assistance, Department of the Youth Authority</p>	4,209,000
Schedule:	
(a) 20-Institutions and Camps	92,000
(b) 30-Parole Services.....	4,117,000
Provisions:	
<p>1. Of the amount appropriated in this item, \$2,919,000 is provided for the following purposes:</p>	
<p>a. To pay the transportation costs of persons committed to the Department of the Youth Authority to or between its facilities, including the return of parole violators, provided that expenditures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred.</p>	
<p>b. To reimburse counties, pursuant to Section 1776 of the Welfare and Institutions Code, for the cost of the detention of Youth Authority parolees who are detained on alleged parole violations, provided that expenditures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred.</p>	

Item	Amount
5460-301-0001—For capital outlay, Department of the Youth Authority	25,066,000
Schedule:	
(1) 60.01.035-Statewide: Pre-Schematic/Master Planning Budget Packages and Advanced Planning.	250,000
(3) 60.01.125-Specialized Counseling Program Beds—Preliminary plans, working drawings	336,000
(4) 60.02.075-Preston Youth Correctional Facility: Water Line Replacement—Construction.....	1,843,000
(5) 60.02.090-Preston Youth Correctional Facility: Remodel Visiting Hall—Construction	764,000
(6) 60.26.080-Northern California Youth Correctional Center: Correctional Treatment Center—Preliminary plans	219,000
(8) 60.26.135-N. A. Chaderjian Youth Correctional Facility: Personal Alarm System—Preliminary plans, working drawings	160,000
(9) 60.52.105-El Paso de Robles Youth Correctional Facility: Special Education Classrooms—Construction .	1,893,000
(10) 60.52.110-El Paso de Robles Youth Correctional Facility: Air Conditioning-Education—Preliminary plans, working drawings.	177,000
(11) 60.54.080-Fred C. Nelles Youth Correctional Facility: Visitor’s Security Entrance/Visiting Hall—Construction	1,651,000
(12) 60.54.090-Fred C. Nelles Youth Correctional Facility: Sewer Line Replacement—Construction.....	1,606,000
(13) 60.54.110-Fred C. Nelles Youth Correctional Facility: Replace Taft Adjustment Center—Working drawings, construction.....	2,903,000
(14) 60.54.115-Fred C. Nelles Youth Correctional Facility: Construct New Kitchen—Preliminary plans..	374,000
(15) 60.58.070-Ventura Youth Correctional Facility: Special Education Assessment Center—Construction.	1,032,000

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(16) 60.58.085-Ventura Youth Correctional Facility: Correctional Treatment Center—Construction	1,778,000
(17) 60.67.105-Heman G. Stark Youth Correctional Facility: Modify Ward Room Windows—Construction	2,985,000
(18) 60.67.140-Heman G. Stark Youth Correctional Facility: Fire Alarm System-Education—Construction..	1,916,000
(19) 60.67.145-Heman G. Stark Youth Correctional Facility: Lighting in Ward Rooms—Construction	1,335,000
(20) 60.90.010-Minor Projects.....	3,844,000

Provisions:

1. The funds appropriated in Schedule (1) shall be allocated by the Department of the Youth Authority, upon approval of the Department of Finance, to develop design and cost information for new projects for which funds have not been previously appropriated, but for which preliminary plans, working drawings, or construction funds are expected to be included in the Governor’s Budget for the 2001–02 or 2002–03 fiscal year, and for which cost estimates and/or preliminary plans can be developed prior to legislative hearings on the Governor’s Budget for the 2001–02 or 2002–03 fiscal year. These funds may be used for the following: budget package development, architectural programming, engineering assessments, schematic design, and preliminary plans. The amount appropriated in this item for these purposes shall not be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future year.
2. As used in this appropriation, studies shall include site studies and suitability reports, environmental studies, master planning, architectural programming and schematics.
3. Notwithstanding Section 10108 of the Public Contract Code or Section 1760.6 of the Welfare and Institutions Code, or any other provision of law, the Department of the Youth Authority may utilize ward labor to complete construction of the projects appropriated in Schedules (17) and (19).

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5460-401—In the event the bonds authorized for the projects scheduled in Item 5460-301-0660, Budget Act of 1997, (Ch. 282, Stats. 1997) are not sold, the Department of the Youth Authority shall commit a sufficient portion of its support appropriation provided for in this Budget Act to repay any loans from the Pooled Money Investment Account. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until outstanding loans are repaid either through the sale of bonds or from an appropriation.	
5460-403—Of the amount loaned pursuant to Provision 2 of Item 5460-001-0001, Budget Act of 1998, (Ch. 324, Stats. of 1998), \$3,800,000 will not be required to be repaid.	
5460-490—Reappropriation, Department of the Youth Authority. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in the appropriations and shall be available for the expenditure as cited below: 0001—General Fund Item 5460-301-0001, Budget Act of 1998 (Ch. 324, Stats. 1998) as reappropriated by Item 5460-490, Budget Act of 1999 (Ch. 50, Stats. 1999) (10.5) 60.02.080-Ventura Youth Correctional Facility: Correctional Treatment Center—Working drawings Item 5460-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999) (16) 60.67.105-Heman G. Stark Youth Correctional Facility: Modify Ward Room Windows—Working drawings	
5460-495—Reversion. Department of the Youth Authority. As of June 30, 2000, the unencumbered balances of the appropriations provided in the following citations shall revert to the General Fund. 0711—1986 County Correctional Facility Capital Expenditure Fund (1) Chapter 1519, Stats. 1986, (local assistance) (2) Chapter 1519, Stats. 1986, (support)	
5480-001-0001—For support of Commission on Correctional Peace Officers’ Standards and Training, Program 10	2,307,000

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EDUCATION

6110-001-0001—For support of Department of Education	47,682,000
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Schedule:

- (a) 10-Instruction..... 54,104,320
- (b) 20-Instructional Support 66,935,000
- (c) 30-Special Programs..... 40,493,680
- (d) 41.00-Executive Management and
Special Services..... 8,008,000
- (e) 41.01-State Board of Education 1,406,000
- (f) 42.01-Department Management and
Special Services..... 27,228,000
- (g) 42.02-Distributed Department Man-
agement and Special Services.....-26,928,000
- (h) Reimbursements.....-16,001,000
- (i) Amount payable from Federal Trust
Fund (Item 6110-001-0890).... -107,564,000

Provisions:

1. An amount equal to or greater than the amount appropriated in Schedule (e) shall be available for support of the State Board of Education, and shall be directed to meet the policy priorities of its members.
2. Notwithstanding Sections 33190 and 51219 of the Education Code, or any other provision of law, the State Department of Education shall expend no funds to prepare (a) a statewide summary of student performance on school district proficiency assessments or (b) a compilation of information on private schools with five or fewer pupils.
3. Notwithstanding any other provision of law, of the funds appropriated in this item, a minimum of \$2,500,000 shall be used to provide technical assistance and administrative support to the Healthy Start Program and a minimum of \$240,000 shall be used to provide technical assistance and administrative support for the Teen Pregnancy Prevention and Intervention Program pursuant to Article 1 (commencing with Section 8800) of Chapter 5 of Part 6 of the Education Code.
4. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract be-

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tween an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:

- (a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the commission.
 - (b) The service provided under the contract does not result in the displacement of any represented civil service employee.
 - (c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Personnel Administration for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the State Board of Control.
5. Of the funds appropriated in this item, \$150,000 shall be used for the Gang Risk Intervention Program pursuant to Chapter 5 (commencing with Section 58700) of Part 31 of the Education Code.
 6. Of the funds appropriated in this item, \$285,000 shall be available in support of the Commission on Technology in Learning pursuant to Chapter 830 of the Statutes of 1999.
 7. The funds appropriated in this item may not be expended for any REACH program.
 8. The funds appropriated in this item may not be expended for the development or dissemination of program advisories, including, but not limited to, program advisories on the subject areas of reading, writing, and mathematics, unless explicitly authorized by the State Board of Education.
 9. Of the funds appropriated in this item, \$206,000 shall be available as matching funds for the State Department of Rehabilitation to provide coordinated services to disabled pupils. Expenditure of the funds shall be identified in the memorandum of understanding or other written agreement with

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the Department of Rehabilitation to ensure an appropriate match to federal vocational rehabilitation funds.	
10. Of the funds appropriated in this item, no less than \$4,693,000 is available for support of Child Care Services, including After School Programs pursuant to Chapters 318, 319, and 320 of the Statutes of 1998 (Program 30.10).	
11. Pursuant to Provision 8 of Item 6110-196-0001 of Section 2.00 of this act, the Department of Finance may transfer up to \$20,000,000 of federal funds to this item.	
12. (a) Of the funds appropriated in this item, a minimum of \$410,000 is available for support of the Class Size Reduction Program pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28 of the Education Code.	
(b) Of the funds appropriated in this item, a minimum of \$78,000 is available for support of Class Size Reduction for two 9th grade classes, as authorized by Chapter 6.8 (commencing with Section 52080) of Part 28 of the Education Code.	
13. Of the amount appropriated in Schedule (b), \$50,000 is for reporting the results of physical performance tests administered by school districts in the 2000–01 fiscal year pursuant to Chapter 6 (commencing with Section 60800) of Part 33 of the Education Code. The State Department of Education shall ensure that results comparing the performance of pupils in each school and district to national performance are reported to school district governing boards and shall submit a report of statewide results comparing the performance of California pupils to national performance to the Legislature and the Governor prior to January 1, 2001.	
14. Of the funds appropriated in this item, \$650,000 shall be allocated by the State Department of Education to an independent evaluator to assist school districts and county offices of education in developing data collection and analysis systems, and to perform an evaluation for the High-Risk First-Time Offenders Program pursuant to Article 1 (commencing with Section 47760) of Chapter 2 of Part 26.95 of the Education Code.	

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15. Of the funds appropriated in Schedule (b), \$150,000 shall be available for the State Department of Education to contract for an independent project oversight consultant. The independent project oversight consultant shall submit quarterly project reports on the progress of the California School Information Services System program to the Legislature, the Department of Finance, the Superintendent of Public Instruction, the State Board of Education, the Governor, the Legislative Analyst, and the Fiscal Crisis and Management Assistance Team beginning March 1, 2000, and continuing through the duration of the program implementation. The Department of Information Technology and the Department of Finance shall review and approve the scope of work in writing prior to the State Department of Education entering into the contract.
16. Of the funds appropriated in this item, \$500,000 shall be available for baseline data collection regarding English learners, and the ongoing costs of evaluating the services that English learners receive, including the costs of evaluating the program funded in Item 6110-125-0001.
17. Of the amount appropriated in this item, \$1,805,000 is provided for the sole purpose of funding 22 positions and associated operating expenses and equipment costs related to implementation of the Public Schools Accountability Act, as established by Chapter 3, First Extraordinary Session, Statutes of 1999.
18. Of the amount appropriated in this item, \$250,000 is provided for the purpose of contracting with an independent consultant for an evaluation of the implementation of the Public Schools Accountability Act, as established by Chapter 3, First Extraordinary Session, Statutes of 1999. This evaluation shall also include an assessment of the following: (1) The extent to which enrollment in alternative schools, as defined in Chapter 3X of the First Extraordinary Session of 1999, has increased since the enactment of the Public Schools Accountability Act, (2) the extent to which any enrollment increases were a result of the act and the schools' attempts to improve their performance by encouraging

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<p>low-performing pupils to attend alternative schools, and (3) the growth in school achievement in alternative schools as measured by the alternative accountability system, compared to the regular schools these pupils would have otherwise attended. The reporting and delivery deadlines for the evaluation of these questions shall be the same as for the overall evaluation of the Public Schools Accountability Act.</p>	
<p>19. Upon 30-day written notification of the Legislature, the Department of Finance may augment the appropriation in this item by up to \$500,000 to address workload related to implementation of the Public Schools Accountability Act, as established by Chapter 3, First Extraordinary Session, Statutes of 1999.</p>	
<p>21. Of the funds appropriated in Schedule (d) of this item, \$150,000 shall be available to allow the State Department of Education to contract with other state agencies to conduct audits of high-risk and community-based organizations. The State Department of Education shall submit a report to the Department of Finance no later than August 1, 2001, regarding the number of audits completed with these funds. The report shall also include the average amount of time required and funds expended per high-risk audit completed, and it shall include the methodology the State Department of Education used to determine which high-risk and community-based organizations were audited.</p>	
<p>22. Of the funds appropriated in Schedule (b) of this item, \$250,000 and three positions shall be available for the English Language and Literacy Intensive Program.</p>	
<p>23. Of the funds appropriated in this item, \$127,000 shall be available for a contract with a new Internet service provider. This contract shall upgrade the State Department of Education's Internet capabilities, including, but not limited to, all of the following: (1) providing additional bandwidth and flexibility in its availability, (2) mirroring of the department's website, and (3) providing external hosting of large data files.</p>	
<p>24. Of the amount appropriated in this item, \$250,000 is provided on a one-time basis for the purchase of a computer server and related costs</p>	

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- to enhance the State Department of Education's Internet capacity, contingent upon the Department of Information Technology's (DOIT) approval of a feasibility study report reporting exemption request. Responsibility for Internet functions related only to the availability and dissemination of STAR and API data and reports would thereby be delegated to the State Department of Education. Consideration of any future requests for resources related to these activities would be contingent upon both DOIT and the Department of Finance's Technology Investment Review Unit's approval of appropriate technology project documentation, as required by state law and other technology project reporting requirements.
25. Of the funds appropriated in this item, \$360,000 is for the purpose of providing the STAR and HSEE programs each with two staff possessing psychometric and test development expertise. Encumbrance of these funds is contingent upon the redirection and reclassification of existing vacant and unfunded positions from elsewhere within the State Department of Education.
 26. Upon 30-day written notification of the Chairperson of the Joint Legislative Budget Committee, or his or her designee, the Department of Finance may augment the appropriation in this item by up to \$1,200,000 to address workload or other expenses related to the California School Information Services (CSIS) project. No augmentation shall be made prior to the approval of the appropriate documentation for this project, including a feasibility study report, by both the Department of Information Technology and the Department of Finance's Technology Investment Review Unit. Any funds provided through this provision shall be used solely for activities consistent with those described in the approved feasibility study report.
 27. Of the amount appropriated in this item, \$150,000 shall be available for the State Department of Education to contract with an independent consultant for an evaluation of the effectiveness of motivation and maintenance dropout prevention programs established pursuant to Article 7 (commencing with Section 54720) of

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<p>Chapter 9 of Part 29 of Division 3 of Title 2 of the Education Code. The evaluation shall examine these outcomes as compared to comparable schools that did not participate in the programs. The evaluation shall also make recommendations for improvement of these programs and present options for the Legislature in funding programs that effectively increase graduate rates. The department shall report the results of the evaluation to the appropriate policy and fiscal committees of the Legislature by October 1, 2001.</p> <p>28. Of the funds appropriated in this item, \$150,000 is provided solely for the purpose of funding existing unfunded positions from within the State Department of Education, to provide the Curriculum Commission with subject matter specialists.</p> <p>29. Of the funds appropriated in this item, \$1,500,000 is provided on a one-time basis solely for the purpose of ensuring the legal defensibility of the High School Exit Examination, including its reliability and validity. These funds shall be available for encumbrance only upon the prior approval by the Office of the Secretary for Education and the Department of Finance of an expenditure plan submitted by the Department of Education detailing the proposed use of this funding. Funds authorized pursuant to this provision shall be utilized in a manner that conforms to the approved expenditure plan. Any changes to the expenditure plan shall be approved in advance by both the Office of the Secretary for Education and the Department of Finance.</p> <p>30. Of the funds appropriated in Schedule (b) of this item, \$500,000 is to be allocated on a one-time basis to the Los Angeles County Office of Education Center for Civic Education to cover costs associated with the development and implementation of a Civic Education curricula.</p> <p>31. Of the funds appropriated in Schedule (b) of this item, \$500,000 is provided on a one-time basis to establish a clearinghouse for digital audio products and other accessible products and services, including referral services, for pupils who are visually impaired.</p>	

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6110-001-0119—For support of Department of Education, Program 20.30-Administrative Services to local educational agencies, payable from the 1998 State School Facilities Fund	244,000
Provisions:	
1. Funds appropriated by this item are for support of the activities of the School Facilities Planning Division and are to be used exclusively for activities related to local school construction, modernization, deferred maintenance, class size reduction facilities, and schoolsite acquisition.	
6110-001-0178—For support of the Department of Education, Program 20.30.003-Instructional Support, for the purpose of conducting schoolbus driver instructor training as provided in Section 40070 of the Education Code, payable from the Driver Training Penalty Assessment Fund	1,062,000
6110-001-0231—For support of Department of Education, Program 20.10.045-Instructional Support, Curriculum Services-Health and Physical Education-Drug Free Schools, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund.....	994,000
6110-001-0344—For support of Department of Education, Program 20.30-Administrative Services to local educational agencies, payable from the State School Building Lease-Purchase Fund	1,565,000
Provisions:	
1. Funds appropriated by this item are for support of the activities of the School Facilities Planning Division and are to be used exclusively for activities related to local school construction, reconstruction, rehabilitation, modernization, maintenance, deferred maintenance, year-round school programs, and schoolsite acquisition.	
6110-001-0687—For support of Department of Education, for the California State Agency for Donated Food Distribution, Program 30.50-Donated Food Distribution, payable from the Donated Food Revolving Fund	9,328,000
6110-001-0890—For support of Department of Education, for payment to Item 6110-001-0001, payable from the Federal Trust Fund	107,564,000
Provisions:	
1. The funds appropriated in this item include Federal Vocational Education Act funds for the 2000–01 fiscal year to be transferred to commu-	

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- nity colleges by means of interagency agreements. These funds shall be used by community colleges for the administration of vocational education programs.
2. Of the funds appropriated in this item, \$96,000 is available to the Advisory Commission on Special Education for the in-state travel expenses of the commissioners and the secretary to the commission.
 3. Of the funds appropriated in this item, \$384,000 is available for programs for homeless youth and adults pursuant to the federal Stewart B. McKinney Act. The department shall participate on the Health and Welfare Agency Homeless Task Force and shall consult with the state Departments of Economic Opportunity, Mental Health, Housing and Community Development, and Economic Development in operating this program.
 4. Of the funds appropriated in this item, up to \$364,000 shall be used to provide in-service training for special and regular educators and related persons, including, but not limited to, parents, administrators, and organizations serving severely disabled children. These funds are also to provide up to four positions for this purpose.
 5. Of the funds appropriated in this item, \$318,000 shall be used to provide training in culturally non-biased assessment and specialized language skills to special education teachers through Second Language Immersion Institutes.
 6. Of the amount appropriated in this item, \$430,000 shall be used for the administration of the federal Public Charter School Program. For fiscal year 2000–01, one Education Program Consultant position shall support fiscal issues pertaining to charter schools, including development and implementation of the funding model pursuant to Chapter 34 of the Statutes of 1998.
 7. Of the funds appropriated in this item, \$4,790,000 shall be for the administration of programs funded with federal Goals 2000 Educate America Act funds. Funds shall be allocated for the following purposes:
 - (a) \$1,220,000 for general administration of the federal Goals 2000: Educate America Act funds and administration of local assistance

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- grants and other programs using those federal funds.
- (b) \$120,000 shall be for the state operations costs necessary to manage the contract identified in Provision 7(c) for the evaluation of the Class Size Reduction Program established pursuant to Chapter 6.10 (commencing with Sec. 52120) of Part 28 of the Education Code.
 - (c) \$400,000 shall be for the state operations costs necessary to align the forms, processes, and procedures required of local education agencies in a manner that they may be utilized for the purposes of participating in the Public School Accountability Act, as established by Chapter 3, Statutes of 1999, First Extraordinary Session, so that duplication of effort is minimized at the local level.
 - (d) \$500,000 for a contract for an independent evaluation of the Class Size Reduction Program as required by Section 52128 of the Education Code. Funds shall not be released for this purpose until the State Department of Education has certified to the Department of Finance that matching funds have been secured from third party sources for the class size reduction evaluation activities.
 - (e) \$500,000 is to support the California State University Center for Teaching Careers, established pursuant to Article 4 (commencing with Section 90530) of Chapter 11 of Part 55 of the Education Code.
 - (f) \$1,550,000 shall be for the costs of dissemination of the curriculum frameworks to local education agencies pursuant to a plan approved by the State Board of Education.
 - (g) \$500,000 shall be available for an evaluation of the Parent Involvement Programs authorized by Chapter 734 of the Statutes of 1999.
 - (h) \$333,000 shall be provided to the Office of the Legislative Analyst for the purpose of initiating a longitudinal evaluation of charter schools pursuant to Chapter 34 of the Statutes of 1998.
 - (i) Of the funds appropriated in this item, \$250,000 in prior-year carryover funds shall be available on a one-time basis to the State Department of Education, as follows:

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- (1) \$100,000 for the purpose of contracting with an independent consultant for an evaluation for the implementation of the Public Schools Accountability Act, as established by Chapter 3 of the First Extraordinary Session of the Statutes of 1999. These funds are to be used in conjunction with the funds referenced in Provision 18 of Item 6110-001-0001.
 - (2) \$150,000 for the purpose of providing evaluation reports to the Legislature concerning categorical flexibility pilot projects, pursuant to legislation in the 1999–2000 Regular Session, enacted on or before January 1, 2001.
8. Of the funds appropriated in this item, \$9,447,000 is from the Child Care and Development Block Grant Fund and includes \$158,000 for an inter-agency agreement with the Child Development Programs Advisory Committee. Of these funds, \$300,000 shall be available to support a contract with the State and Consumer Services Agency for consultant services to model the fiscal effects of child care reform options based on data provided by the State Department of Education pursuant to Provision 8(c) of Item 6110-196-0001. The administration shall submit to the State Board of Education, by January 10, 2001, a report on the progress of its review of child care policies and resources. Of the federal funds appropriated in this item, \$300,000 is available to augment on a one-time basis the base resources for child development audit workload. Of this amount, \$150,000 is immediately available for the purpose of contracting with an appropriate state agency to eliminate the backlog of desk review workload for non-LEA based child care provider contract audits. It is the intent of the Legislature that the department complete all of the estimated 500 desk reviews from the immediately preceding fiscal year, and conduct field audits on an at-risk basis for approximately 10 percent of its non-LEA child care providers annually from base resources. The State Department of Education shall submit a report to the Department of Finance and the Legislature by March 1, 2001, regarding its progress toward elimination of its backlog. Contingent upon

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<p>completion of this report and justification of workload requiring additional resources, up to another \$150,000 may be authorized for expenditure by the Department of Finance.</p> <p>9. Of the funds appropriated in this item, \$1,345,000 shall be used for administration of the Technology Literacy Challenge Grant Program. Of this amount:</p> <p style="padding-left: 2em;">(a) \$580,000 is available only for contracted technical support and evaluation services associated with implementation of the Technology Literacy Challenge Grant Program.</p> <p style="padding-left: 2em;">(b) \$300,000 shall be used to contract for the completion of a survey of existing information to provide an inventory of education technology equipment and expertise in public schools. The Department of Finance shall review and approve all survey designs.</p> <p>10. Of the funds appropriated in this item, \$7,100,000 is for dispute resolution services, including mediation and fair hearing services, provided through contract for the Special Education Program.</p> <p>11. Upon certification by the Superintendent of Public Instruction, and approval by the Department of Finance, the Controller shall augment Program 30 of Item 6110-001-0890 of Section 2.00 of this act by the unencumbered balance as of June 30, 2000 of the \$2,000,000 provided in Provision 8 of Item 6110-001-0890 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997), for the development of a feasibility study report for a child care data collection and analysis system and for interim data collection and reporting as specified in Provision 8 of Item 6110-196-0001 of this act.</p> <p>12. Of the amount provided in this item, \$843,000 is provided for staff for the Special Education Focused Monitoring Pilot Program to be established by the State Department of Education for the purpose of monitoring local education agency compliance with state and federal laws and regulations governing special education.</p> <p>13. Of the amount appropriated in this item, \$36,000 shall be used for the administration of the federal class size reduction grant program (Sec. 5, P.L. 106-25).</p>	

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14. Of the funds appropriated in this item, \$1,000,000 is available, under oversight of the Department of Finance, for administration of an independent evaluation of funding for Licensed Children’s Institutions (LCI), including nonpublic school/agency (NPS) services for that population. The evaluation should include, but not be limited to, funding issues resulting from inter-SELPA transfers, the opening of new LCIs or NPSs during the school year and LCI placement practices that may be impacting special education funding.	
15. Of the funds appropriated in this item, \$120,000 shall be used solely for the administration of the federal advance placement examination fee payment grant program for low-income pupils.	
6110-001-0975—For support of Department of Education, Program 20.40.040-Library and Learning Resources, payable from the California Public School Library Protection Fund.....	15,000
Provisions:	
1. Subject to the conditions of Article 6 (commencing with Section 18175) of Chapter 2 of Part 6 of the Education Code, and based on increases in the funds deposited in the California Public School Library Protection Fund, the appropriation made in this item may be increased subject to the approval of the Department of Finance.	
6110-003-0001—For support of Department of Education, Program 20.30.020-Instructional Support, Standardized Account Code Structure	955,000
Provisions:	
1. The funds appropriated in this item shall be used only for the direct costs to administer the Standardized Account Code Structure program, as established by Chapter 237 of the Statutes of 1993, to assist any school district or county office of education in financial distress or bankruptcy, to make available standard fiscal, demographic, and performance data to policy decisionmakers, and for indirect costs for those programs at the rate approved by the United States Department of Education.	
6110-004-0001—For support of Department of Education, Program 20.60.020-Instructional Support, School Crime Report	1,233,000

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Provisions:

- 1. Of the funds appropriated in this item, \$376,000 shall be available to the State Department of Education for training and monitoring activities associated with the school crime reporting program pursuant to Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code. The funds described in this provision shall be used only for the direct costs to administer that school crime reporting program, and for indirect costs of the program at the rate approved by the United States Department of Education. The amount specified in this provision includes \$50,000 that shall be available for costs associated with the production of the school crime report.
- 2. Of the funds appropriated in this item, \$857,000 shall be allocated by the State Department of Education to the Butte County Office of Education pursuant to a contract entered into between the department and the Butte County Office of Education for the performance of other activities associated with the school crime reporting program identified in Provision 1.

6110-005-0001—For support of Department of Education, as allocated by the Department of Education to the State Special Schools, Program 10.60.040 29,652,000

Schedule:

- (a) 10.60.040-Instruction..... 30,239,000
 - (1) 10.60.040.001-
School for the
Blind, Fremont.. 4,000,000
 - (2) 10.60.040.002-
School for the
Deaf, Fremont... 13,459,000
 - (3) 10.60.040.003-
School for the
Deaf, Riverside . 12,737,000
 - (4) 10.60.040.007-
Diagnostic
Centers..... 43,000
- (b) Reimbursements..... -587,000

Provisions:

- 1. Of the amount appropriated in this item, \$362,000 shall be available for the assessment centers at the State Special Schools.

Item	Amount
2.	Of the amount appropriated in this item, \$358,000 shall be used for the provision of a four-week extended session in the State Special Schools for the Deaf in Fremont and Riverside and the State Special School for the Blind in Fremont.
3.	Of the amount appropriated in this item, up to \$13,000 is provided for payment of energy service contracts in connection with the issuance of Energy Conservation Efficiency Revenue Bonds.
4.	Of the amount appropriated in Schedule (3) of this item, \$487,000 is for school safety personnel and equipment at the School for the Deaf, Riverside. Of the \$487,000 available for this purpose, \$281,000 shall be available on a one-time basis.
5.	Of the amount appropriated in Schedule (3) of this item, \$1,672,000 shall be available on a one-time basis for the purpose of specific roof replacement at the School for the Deaf, Riverside.
6.	Of the amount appropriated in Schedule (3) of this item, \$248,000 shall be available on a one-time basis for the purpose of minor bathroom remodeling.
7.	Of the amount appropriated in Schedule (1) of this item, \$179,000 shall be used for information systems personnel, software, and training to both new and existing information technology users. The amount specified in this provision includes \$30,000 on a one-time basis for software replacement, equipment, and training.
8.	Of the amount appropriated in Schedule (3) of this item, \$356,000 shall be used for information systems, personnel, replacement of information technology systems and servers, software, and training to both new and existing information technology users. The amount specified in this provision includes \$106,000 on a one-time basis for equipment and software replacement and training.
9.	Of the amount appropriated in Schedule (2) of this item, \$188,000 shall be used for information systems personnel, replacement of information technology systems and servers, software, and training for both new and existing information technology users. The amount specified in this provision includes \$80,000 on a one-time basis for equipment and software replacement and training.

Item	Amount
10. Of the amount appropriated in Schedule (4) of this item, \$43,000 shall be available on a one-time basis for training and replacement of software.	
6110-006-0001—For support of Department of Education (Proposition 98), as allocated by the Department of Education to the State Special Schools.....	33,394,000
Schedule:	
(a) 10.60.040-Instruction, State Special Schools.....	38,378,000
(1) 10.60.040.001-School for the Blind, Fremont	4,948,000
(2) 10.60.040.002-School for the Deaf, Fremont	13,124,000
(3) 10.60.040.003-School for the Deaf, Riverside.....	11,670,000
(7) 10.60.040.007-Diagnostic Centers ...	8,636,000
(b) Reimbursements.....	-4,840,000
(c) Amount payable from the California State Lottery Education Fund (Item 6110-006-0814).....	-144,000
Provisions:	
1. On or before September 15 of each year, the superintendent of each State Special School shall report to each school district the number of pupils from that district who are attending a State Special School and the estimated payment due on behalf of the district for those pupils pursuant to Section 59300 of the Education Code. The Controller shall withhold from the State School Fund in the first principal apportionment of that fiscal year the amount due from each school district, as reported to the Controller by the Superintendent of Public Instruction. The amount withheld shall be transferred from the State School Fund to this item. The Superintendent of Public Instruction is authorized to adjust the estimated payments required after the close of the fiscal year by reporting to the Controller the information needed to make the adjustment. The payments by the Controller that result from this year-end adjustment shall be applied to the current year.	

Item	Amount
<ul style="list-style-type: none"> 2. Of the funds appropriated in this item, \$552,000 shall be used for the provision of a four-week extended session in the State Special Schools for the Deaf in Fremont and Riverside and the State Special School for the Blind in Fremont. 	
<p>6110-006-0814—For support of Department of Education, for payment to Item 6110-006-0001, payable from the California State Lottery Education Fund... Provisions:</p> <ul style="list-style-type: none"> 1. All funds received pursuant to Proposition 37 that are allocable to the State Special Schools pursuant to Section 8880.5 of the Government Code, and that are in excess of the amount appropriated in this item, are hereby appropriated in augmentation of this item. 	144,000
<p>6110-007-0001—For support of Department of Education, Program 20.20.010-Instructional Materials Management and Distribution—Curriculum Frameworks and Instructional Materials..... Provisions:</p> <ul style="list-style-type: none"> 1. Funds appropriated by this item shall be used only for direct costs to conduct biennial state adoptions of basic instructional materials pursuant to Section 60200 of the Education Code and for indirect costs for that purpose at the rate approved by the United States Department of Education. 	102,000
<p>6110-008-0001—For support of Department of Education, as allocated by the Department of Education to the State Special Schools for student transportation allowances, Program 10.60.040 Provisions:</p> <ul style="list-style-type: none"> 1. Funds appropriated in this item are in lieu of funds that otherwise would be transferred from the General Fund to Section A of the State School Fund in accordance with Sections 14007 and 41301.5 of the Education Code. 	1,064,000
<p>6110-011-0001—For support of Department of Education, Program 10.10-School Apportionments, Principal Apportionments System..... Provisions:</p> <ul style="list-style-type: none"> 1. The funds appropriated in this item shall be used for the rewrite of the Principal Apportionments System, and are subject to the stipulations of the Special Project Request submitted by the State Department of Education on September 1, 1999, and agreed to by the Department of Information Technology and the Department of Finance. 	1,677,000

Item	Amount
<p>2. In the event funds appropriated by Items 6110-011-0001 and 6110-491 of the Budget Act of 1999 (Ch. 50, Stats. 1999) for the rewrite and redesign of the Principal Apportionment System have not been encumbered prior to June 30, 2000, those balances shall continue to be available in the 2000-01 fiscal budget year for those same purposes and subject to the same conditions.</p>	
<p>6110-013-0001—For support of Department of Education, Program 10.10-Audit Resources</p>	475,000
<p>Provisions:</p>	
<p>1. The funds appropriated in this item shall be used only for the direct costs of the contracts for audits.</p>	
<p>2. Notwithstanding any other provision of law, no funds shall be expended from this item without prior approval from the Department of Finance.</p>	
<p>6110-015-0001—For support of Department of Education, Program 20.20.020-Instructional Materials Management and Distribution</p>	381,000
<p>Provisions:</p>	
<p>1. Funds appropriated in this item are for transfer by the Controller to the State Instructional Materials Fund, for allocation during the 2000-01 fiscal year pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of the Education Code. These funds shall be transferred in amounts claimed by the Department of Education, for direct disbursement by the Department of Education from the State Instructional Materials Fund.</p>	
<p>6110-021-0001—For support, Department of Education, Program 30.20.005-Child Nutrition—Nutrition Education Projects</p>	605,000
<p>6110-101-0231—For local assistance, Department of Education, Program 20.10.045-Instructional Support, Curriculum Services—Health and Physical Education—Drug Free Schools, for county offices of education, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund</p>	3,800,000
<p>6110-101-0349—For local assistance, Department of Education, Program 20-Instructional Support, for allocation to the Fiscal Crisis and Management Assistance Team for the purpose of administering the California School Information Services program.....</p>	8,600,000
<p>Provisions:</p>	
<p>1. Notwithstanding Section 10554 of the Education Code, the Controller shall transfer from the Gen-</p>	

Item

Amount

eral Fund the actual amount certified by the Superintendent of Public Instruction as reductions made to apportionments in the 2000–01 fiscal year for repayments of prior year excess apportionments identified pursuant to:

- (1) Repayments made pursuant to Chapter 789 of the Statutes of 1997.
- (2) Other audit settlements for excess apportionments identified as a result of audits, investigations, or inquiries.

- 2. Notwithstanding any other provision of law, if there are insufficient funds in the Educational Telecommunications Fund to meet the operational needs of the local California School Information Services (CSIS) project, the CSIS project’s Chief Operating Officer shall notify the Department of Finance by providing an expenditure plan detailing the amount he or she projects will be required to meet those needs. The Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, of its intent to request that the Controller transfer the amount projected to be required to meet the projected operational needs of the local CSIS project from the Proposition 98 Reversion Account into the Educational Telecommunications Fund for allocation pursuant to this item. The Controller shall transfer those funds not sooner than 30 days after this notification.

6110-101-0814—For local assistance, Department of Education, Program 10.10-School Apportionment, for allocation by the Controller in accordance with Section 8880.5 of the Government Code as enacted by the voters in Proposition 37 at the November 1984 general election, payable from the California State Lottery Education Fund..... 744,397,000

Provisions:

- 1. All funds received pursuant to Proposition 37 that are allocable to local education agencies that serve pupils in kindergarten or any of grades 1 to 12, inclusive, pursuant to Section 8880.5 of the Government Code, and that are in excess of the amount appropriated in this item, are hereby appropriated in augmentation of this item.

Item	Amount
6110-101-0890—For local assistance, Department of Education, Title VI of the Elementary and Secondary Education Act, payable from the Federal Trust Fund	38,472,000
Schedule:	
(a) 10-Instruction.....	38,193,000
(b) 20-Instructional support.....	279,000
Provisions:	
1. It is the intent of the Legislature that schools be encouraged to use the funds appropriated in this item to enhance, expand, and further the Public Schools Accountability Act of 1999, pursuant to Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code.	
6110-101-0975—For local assistance, Department of Education, Program 20.40.040-Library and Learning Resources, payable from the California Public School Library Protection Fund	158,845,000
Provisions:	
1. Subject to the conditions of Article 6 (commencing with Section 18175) of Chapter 2 of Part 11 of the Education Code, and based on increases in the funds deposited in the California Public School Library Protection Fund, the appropriation made in this item may be increased subject to the approval of the Department of Finance.	
2. The sum of \$158,500,000 shall be transferred to this item from Item 6110-149-0001 by the Controller pursuant to Section 18182 of the Education Code. These funds, as well as the funds appropriated in this item, shall be available to fund the acquisition of school library materials pursuant to Article 7 (commencing with Section 18180) of Chapter 2 of Part 11 of the Education Code.	
6110-102-0231—For local assistance, Department of Education, Program 20.10.045-Instructional Support, Curriculum Services Health and Physical Education, Drug Free Schools, for local assistance, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund	23,244,000
Provisions:	
1. On or before June 1, 2001, the State Department of Education shall report to the Joint Legislative Budget Committee on the amount of Tobacco-Use Prevention Education funds that it intends to transfer from the competitive grades 9–12 pro-	

Item	Amount
gram to the formula grades 4–8 program in the 2000–01 fiscal year.	
6110-102-0890—For local assistance, Department of Education, Program 20.60.038-Learn and Serve America Program, payable from the Federal Trust Fund	2,131,000
6110-103-0001—For local assistance, Department of Education (Proposition 98), Program 10.10.001.005-School Apportionments for transfer to Section A of the State School Fund, for the purposes of Section 8152 of the Education Code.....	13,908,000
Provisions:	
1. Notwithstanding Section 8154 of the Education Code, or any other provision of law, the funds appropriated in this item shall be the only funds available for and allocated by the Superintendent of Public Instruction for the apprentice programs operated by school districts and county offices of education.	
2. Notwithstanding Section 8152 of the Education Code, each 60-minute hour of teaching time devoted to each indentured apprentice enrolled in and attending classes of related and supplemental instruction as provided under Section 3074 of the Labor Code shall be reimbursed at the rate of \$4.86 per hour. For purposes of this provision, each hour of teaching time may include up to 10 minutes for passing time and breaks.	
3. No school district or county office of education shall use funds allocated pursuant to this item to offer any new or expanded apprentice program unless the program has been approved by the Superintendent of Public Instruction.	
4. The Superintendent of Public Instruction shall report to the Department of Finance and the Legislature not later than October 1, 2000, on the amount of funds expended for and the hours of related and supplemental instruction offered in the apprentice program during the 1999–00 fiscal year, with information to be provided by the school district, county office of education, program sponsor, and trade. Expenditure information shall distinguish between direct and indirect costs, including administrative costs funded for the State Department of Education, school districts, and county offices of education. In addition, the report shall identify the hours of related and	

Item	Amount
<p>supplemental instruction proposed for the 1999–00 and 2000–01 fiscal years by the school district, county office of education, program sponsor, and trade. As a condition of receiving funds for the apprenticeship program, school districts and county offices of education shall report to the Superintendent of Public Instruction the information necessary for the completion of this report.</p> <p>5. Notwithstanding Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of the Education Code, or any other provision of law, the total number of hours eligible for state reimbursement in apprentice programs operated by school districts and county offices of education shall be limited to an amount equal to the amount of the total appropriation made in this item divided by the hourly rate specified in Provision 2. The Superintendent of Public Instruction shall have the authority to determine which apprentice programs, and which hours offered in those programs, are eligible for reimbursement.</p>	
<p>6110-103-0890—For local assistance, Department of Education, Program 41.20.030.003-Robert C. Byrd Honors Scholarship Program, payable from the Federal Trust Fund.....</p>	4,790,000
<p>6110-104-0001—For local assistance, Department of Education (Proposition 98), Program 10.10.011-School Apportionments—Remedial Summer School Programs, for transfer to Section A of the State School Fund, for summer school and remedial programs pursuant to legislation to be enacted in the 1999–00 Regular Session that becomes operative on or before January 1, 2001</p> <p>Schedule:</p> <p>(a) 10.10.011.003-School Apportionments, for Remedial Summer School Programs, for the purposes of Section 42239 of the Education Code.....</p> <p>(b) 10.10.011.004-School Apportionments, for Core Academic Summer School Programs, for the purposes of Section 42239 of the Education Code.....</p>	418,743,000
	144,454,000
	148,102,000

Item	Amount
(c) 10.10.011.007-School Apportionments, for Remedial Instruction Programs for pupils enrolled in grades 2–6, inclusive, pursuant to Section 37252.5 of the Education Code.....	86,187,000
(d) Unallocated Funds.....	40,000,000

Provisions:

1. Notwithstanding any other provision of law, for the 2000–01 fiscal year the Superintendent of Public Instruction shall allocate a minimum of \$6,980 for supplemental summer school programs in each school district for which the prior fiscal year enrollment was less than 500 and that, in the 2000–01 fiscal year, offers at least 1,500 hours of supplemental summer school instruction. A small school district, as described above, that offers less than 1,500 hours of supplemental summer school offerings shall receive a proportionate reduction in its allocation. For the purpose of this provision, supplemental summer school programs shall be defined as programs authorized under paragraph (2) of subdivision (f) of Section 42239 of the Education Code as it read on July 1, 1999.
2. Of the funds appropriated in this item, \$10,467,697 is for the purpose of providing a cost-of-living adjustment (COLA) to summer school and remedial programs, in lieu of the amount that would otherwise be provided pursuant to statute.
3. Notwithstanding any other provision of law, the Director of Finance may, to prevent deficiencies in any of the programs funded by the appropriation in this item, use the authority granted by Section 26.00 of this act to transfer funding between schedules of this item.
4. Notwithstanding any other provision of law, the rate of reimbursement shall be \$3 per hour of supplemental instruction unless specified otherwise through legislation enacted in the 1999–2000 Regular Session. The funds in Schedule (d) shall be contingent on the passage of that legislation.
5. Notwithstanding any other provision of law, the Department of Finance may transfer amounts between Items 6110-104-0001, 6110-204-0001, and 6110-205-0001 of this act in order to minimize

Item	Amount
deficiencies for any of the programs budgeted in those items.	
6110-105-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund for the purposes of Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of the Education Code	337,373,000
Schedule:	
(a) 10.10.004-Instruction Program— School Apportionments, Regional Occupational Centers and Programs.....	344,690,000
(b) Reimbursements.....	-7,317,000
Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated in this item are for transfer by the Controller to Section A of the State School Fund, in lieu of the amount that otherwise would be appropriated for transfer from the General Fund in the State Treasury to Section A of the State School Fund for the 1999–00 fiscal year pursuant to Sections 14002 and 14004 of the Education Code, in an amount as needed for apportionment pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of the Education Code.	
2. Funds appropriated in this item shall be apportioned by the Superintendent of Public Instruction pursuant to Article 1.5 (commencing with Section 52335) of Chapter 9 of Part 28 of the Education Code.	
3. Because Chapter 482 of the Statutes of 1984 was chaptered after Chapter 268 of the Statutes of 1984, the Legislature’s intent regarding the eligibility of regional occupational centers and programs for incentive funding for a longer instructional year under Section 46200 of the Education Code was not carried out. It is the intent of the Legislature that regional occupational centers and programs not be eligible for that incentive funding.	
Notwithstanding any other provision of law, the funds appropriated in this item may not be expended for the purposes of providing or continuing incentive funding for a longer instructional year pursuant to Section 46200 of the Education Code.	

Item	Amount
4.	
<p>Notwithstanding any other provision of law, funds appropriated in this item for average daily attendance (ADA) generated by participants in welfare-to-work activities under the CalWORKs program established in Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code may be apportioned on an advance basis to local education agencies based on anticipated units of ADA if a prior application for this additional ADA funding has been approved by the Superintendent of Public Instruction.</p>	
5.	
<p>Of the amount appropriated in this item, \$1,161,000 is to fund remedial education services for participants in welfare-to-work activities under the CalWORKs program.</p>	
5.5.	
<p>Of the funds appropriated in this item, \$16,000,000 is to provide equalization of centers and programs and \$16,000,000 is for a rate increase. Both are subject to the establishment of these activities by legislation, enacted during the 2000–01 Regular Session, which becomes effective on or before January 1, 2001.</p>	
6.	
<p>Of the funds appropriated in this item, \$6,624,000 is provided for increases in average daily attendance at a rate of 2.07 percent and \$10,366,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent.</p>	
7.	
<p>Indirect costs charged to Regional Occupational Centers and Programs may not exceed the school district or county office of education, as appropriate, prior year indirect cost rate as approved by the State Department of Education.</p>	

The indirect costs charged by the county office of education and school districts that provide Regional Occupational Centers and Programs services on behalf of the county office of education or a joint powers authority, when added together, may not exceed the indirect cost rate approved by the State Department of Education for the county office of education or the school district, whichever is higher.

Revenue limit funds apportioned to a county office of education, school district, or joint powers authority for Regional Occupational Centers and Programs must be expended on programs and services offered by the Regional Occupational

Item	Amount
Centers and Programs. The Regional Occupational Centers and Programs revenue limit may be apportioned directly to a joint powers authority.	
6110-107-0001—For local assistance, Department of Education (Proposition 98), Program 10.10-County Offices of Education Fiscal Oversight	4,285,000
Schedule:	
(a) 10.10.002-COE Oversight.....	1,500,000
(b) 10.10.005-FCMAT	1,860,000
(c) 10.10.013-Audit Appeal Panel	75,000
(d) 10.10.015-Interim Reporting.....	150,000
(e) 10.10.016-Staff Development.....	700,000
Provisions:	
1. The funds appropriated in Schedule (a) of this item are for the purposes provided in paragraph (1) of subdivision (a) of Section 29 of Chapter 1213 of the Statutes of 1991.	
2. Of the funds appropriated in Schedule (b) of this item:	
(a) \$1,100,000 shall be allocated by the Controller directly to a county office of education, selected pursuant to subdivision (a) of Section 42127.8 of the Education Code to oversee Fiscal Crisis and Management Assistance Team (FCMAT) responsibilities with respect to these funds, to meet the costs of participation under Section 42127.8 of the Education Code.	
(b) \$250,000 shall be available to the FCMAT to pay for project management services for CSIS. It is the intent of the Legislature that these funds supplement and not supplant other CSIS funds available for project management services.	
(c) \$380,000 shall be allocated to FCMAT for the purpose of providing, through computer technology, financial and demographic information that is interactive and immediately accessible to all local education agencies to assist them in their decisionmaking process. To ensure a completely integrated system, this computer information should be developed in collaboration with the State Department of Education, and should be compatible with the hardware and software of the State Department of Education, so that this information may also assist state level policymakers in	

Item	Amount
<p style="margin-left: 40px;">making comparable standardized financial information available to the local education agencies and the public.</p> <p>(d) \$130,000 shall be used for oversight of the Compton Unified School District, pursuant to Chapter 767 of the Statutes of 1997.</p> <p>3. The funds appropriated in Schedule (d) of this item are for the increased responsibility of county offices of education for oversight of school districts with audit exceptions, districts with qualified or negative interim reports, districts that may be unable to meet financial obligations for the current or subsequent two years, or districts with disapproved budgets, as provided under Chapter 924 of the Statutes of 1993. Allocation of such funds shall be administered by the Fiscal Crisis and Management Assistance Team (FCMAT) on a reimbursement basis and all reimbursements shall be subject to the approval of both the Department of Finance and the State Department of Education.</p> <p>4. The amount appropriated in Schedule (d) shall be available for expenditure for the 2000–01 and 2001–02 fiscal years. Any unexpended balance as of September 1, 2001, shall be available through July 30, 2002, for staff development purposes, pursuant to Provision 5 of this item.</p> <p>5. Of the funds appropriated in Schedule (e) of this item, \$500,000 is for the purpose of providing staff development to local education agency school finance and business personnel, as provided in Section 42127.8 of the Education Code. The funds appropriated in Schedule (e) shall be allocated by the Controller directly to a county office of education selected pursuant to subdivision (a) of Section 42127.8 of the Education Code to oversee FCMAT’s responsibilities with respect to these funds. Of the remaining funds appropriated in Schedule (e), \$200,000 is for the purpose of providing training that shall be developed and facilitated pursuant to Section 42127.8 of the Education Code to increase school district and school-level capacity to implement and manage site-based budgeting and decisionmaking governance structures.</p> <p>6. The funds appropriated in this item shall be allocated in accordance with the above schedule un-</p>	

Item	Amount
<p>less a revision to the allocations contained herein has been approved by the Department of Finance. The Department of Finance may not authorize any such revision sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.</p>	
<p>7. The funds appropriated in Schedule (c) of this item are for the additional staff and resources needed for FCMAT to ensure that timely resolution of audit findings is achieved pursuant to the directives of Education Code Section 41344.</p>	
<p>6110-108-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.60.020.200-Tenth Grade Counseling pursuant to Section 48431.7 of the Education Code</p>	10,363,000
<p>Provisions:</p>	
<p>1. Of the funds appropriated in this item, \$296,000 is for the purpose of providing an adjustment for increases in enrollment at a rate of 3.04 percent and \$318,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent.</p>	
<p>6110-109-0001—For local assistance, Department of Education (Proposition 98), Program 20.60-Gang Risk Intervention Program pursuant to Chapter 5.5 (commencing with Section 58730) of Part 31 of Division 4 of Title 2 of the Education Code.....</p>	3,000,000
<p>6110-111-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Home to School Transportation, pursuant to Article 10 (commencing with Section 41850) of Chapter 5 of Part 24 of the Education Code and Small School District Transportation, pursuant to Article 4.5 (commencing with Section 42290) of Chapter 7 of Part 24 of the Education Code</p>	481,346,000
<p>Schedule:</p>	
<p>(a) 10.10.006-Pupil Transportation477,161,000</p>	
<p>(b) 10.10.008-Small School District Bus Replacement</p>	4,185,000
<p>Provisions:</p>	
<p>1. Of the funds appropriated in this item, \$6,669,000</p>	

Item	Amount
is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$14,789,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent.	
6110-112-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, Program 20.60-Instructional Time and Staff Development Reform Program	246,824,000
Provisions:	
1. The funds appropriated in this item are available for the purposes of the Instructional Time and Staff Development Reform Program established by Article 7.5 (commencing with Section 44579) of Chapter 3 of Part 25 of the Education Code.	
2. Of the funds appropriated in this item, \$7,487,000 is for the purpose of providing a cost-of-living adjustment for the Instructional Time and Staff Development Reform Program, in lieu of the amount that would otherwise be provided pursuant to statute.	
6110-112-0890—For local assistance, Department of Education, Program 20.60.036-Public Charter Schools, payable from the Federal Trust Fund	12,632,000
6110-113-0001—For local assistance, Department of Education (Proposition 98), for purposes of California’s pupil testing program.....	112,392,000
Schedule:	
(a) 20.70.030.001-Golden State Examination	14,182,000
(b) 20.70.030.004-Career Technical Assessment	800,000
(c) 20.70.030.005-Assessment Review and Reporting	3,585,000
(d) 20.70.030.006-STAR Program	62,325,000
(e) 20.70.030.007-English Language Development Assessment	16,100,000
(f) 20.70.030.008-High School Exit Examination.....	15,400,000
Provisions:	
1. The funds appropriated in this item shall be for the pupil testing programs authorized by Chapter 5 (commencing with Section 60600), Chapter 7 (commencing with Section 60810), and Chapter 8 (commencing with Section 60850) of Part 33 of the Education Code.	

Item	Amount
2. The funds appropriated in Schedule (d) include funds for primary language tests administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of the Education Code.	
3. The funds appropriated in Schedule (e) shall be available for administration of an English language development test meeting the requirements of Chapter 7 (commencing with Section 60810) of Part 33 of the Education Code.	
5. It is the intent of the Legislature that the State Department of Education develop a plan to streamline existing programs to eliminate duplicative tests and minimize the instructional time lost to test administration. The State Department of Education shall ensure that all statewide tests meet industry standards for validity and reliability.	
6110-114-0001—For local assistance, Department of Education, (Proposition 98), for transfer to Section A of the State School Fund for allocation by the Controller, for reimbursement of claims received pursuant to Sections 42243.6 and 42247 of the Education Code (court-ordered desegregation) State Apportionments	528,554,000
Schedule:	
(a) 10.10.018.005-Bakersfield Unified Elementary School District.....	5,536,000
(b) 10.10.018.010-Los Angeles Unified School District.....	389,693,000
(c) 10.10.018.015-San Bernardino Unified School District.....	12,407,000
(d) 10.10.018.020-San Diego Unified School District.....	49,313,000
(e) 10.10.018.025-San Francisco Unified School District.....	35,831,000
(f) 10.10.018.030-San Jose Unified School District.....	28,843,000
(g) 10.10.018.035-Stockton Unified School District.....	5,343,000
(h) 10.10.018.040-Palo Alto Unified School District.....	481,000
(i) 10.10.018.050-Redwood City Elementary School District.....	44,000
(j) 10.10.018.055-San Mateo County Superintendent	73,000
(k) 10.10.018.060-Santa Clara County Office of Education.....	13,000

Item	Amount
(l) 10.10.018.065-Sequoia Unified High School District	368,000
(m) 10.10.018.070-Menlo Park City Elementary School District	1,000
(n) 10.10.018.075-Ravenswood City Elementary School District.....	67,000
(o) 10.10.018.080-Las Lomitas.....	14,000
(p) 97.20.011.001-Payment for Audit Cost Claims	527,000

Provisions:

1. Of the funds appropriated in this item, \$7,322,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$16,241,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.
2. Funds appropriated in this item are for reimbursement of amounts necessary to pay costs of desegregation programs initially mandated by the courts, as defined in Section 2205 of the Revenue and Taxation Code, pursuant to any final court order issued after January 1, 1978, and for the costs of audits as required by Provision 4 of this item.
3. Before submittal to the Controller for payment, school districts shall subject their past year actual claims to audit, in accordance with standards utilized by the Controller in prior years for the audit of past year actual desegregation claims, to ensure that the claims comply with the requirements of Sections 42243.6, 42247.1, 42247.3, and 42247.4 of the Education Code. School districts may contract with the Controller for the performance of those audits. All past year actual claims submitted to the Controller for payment shall be accompanied by any reports issued by the auditing entity, unless the auditing entity was the Controller.
4. The Controller shall reimburse only those past year actual claims that conform with the requirements set forth in Provision 3.
5. The Controller shall allocate funds appropriated in this item in accordance with the provisions of Sections 42243.6 and 42247 of the Education Code. Pursuant to Section 42243.8 of the Education Code, the Controller shall reimburse claims received pursuant to Sections 42243.6 and 42247 of the Education Code only from funds appropri-

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<p>ated specifically for that purpose by the Legislature.</p> <p>6. The Controller shall allocate funds appropriated in this item in accordance with the schedule contained herein, unless revision of that schedule has been approved by the Department of Finance. The Controller shall allocate these funds only for 2000–01 expenditures claimed by local education agencies.</p> <p>7. The Department of Finance may not authorize any revisions to the schedule contained in this item sooner than 30 days after notification in writing of the necessity therefor to the Chairpersons of the Senate and Assembly Appropriations Committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.</p> <p>8. Funds appropriated in this item shall not be used to reimburse local education agency claims for facilities lease costs, school construction, reconstruction, replacement of facilities, purchase of existing facilities, purchase of land, or the performance of deferred maintenance activities on facilities.</p> <p>9. As a condition of receiving funding under this item, by March 1, 2001, each school district that receives reimbursement for the costs of a desegregation program shall submit to the Department of Education a summary of program outcome data over the preceding three years, or since the inception of its program, whichever period of time is less. The data in the summary shall include the ethnic distribution of pupils at schools supported with desegregation funds, and indicators of pupil success at those schools, including, but not limited to, SAT, Star, Matrix and English Language Development test scores, and in addition, for high schools, graduation rates and dropout rates. Districts also shall indicate whether their desegregation programs were initiated voluntarily or as a result of a consent decree.</p>	
<p>6110-115-0001—For local assistance, Department of Education, for transfer to Section A of the State School Fund for allocation by the Controller (Proposition 98), Voluntary Desegregation, for reimburse-</p>	

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ment of claims received pursuant to Sections 42247 and 42249 of the Education Code	150,089,000
Schedule:	
(a) 10.10.019.092-Moorpark Unified School District	811,000
(c) 10.10.019.003-Fresno Unified School District.....	4,061,000
(d) 10.10.019.004-Brawley Elementary School District.....	95,000
(e) 10.10.019.005-E1 Centro Elemen- tary School District.....	432,000
(f) 10.10.019.006-Bakersfield City El- ementary School District	701,000
(g) 10.10.019.007-Hanford Unified School District.....	17,000
(h) 10.10.019.008-Long Beach Unified School District.....	6,823,000
(i) 10.10.019.009-Los Angeles Unified School District.....	43,575,000
(j) 10.10.019.010-Pasadena City Uni- fied School District.....	3,712,000
(k) 10.10.019.011-Santa Monica Malibu School District	400,000
(l) 10.10.019.012-Whittier Union High School District.....	645,000
(m) 10.10.019.013-Merced City El- ementary School District.....	103,000
(n) 10.10.019.014-Monterey Peninsula Unified School District	172,000
(o) 10.10.019.015-North Monterey County Unified School District ...	426,000
(p) 10.10.019.016-Fullerton Elemen- tary School District.....	138,000
(q) 10.10.019.017-Banning Unified School District.....	21,000
(r) 10.10.019.018-Riverside Unified School District.....	316,000
(s) 10.10.019.019-Sacramento City Unified School District	2,394,000
(t) 10.10.019.020-San Bernardino City Unified School District	2,219,000
(u) 10.10.019.021-Chula Vista City Unified School District	316,000
(v) 10.10.019.022-San Diego City Uni- fied School District.....	7,961,000
(w) 10.10.019.023-Sweetwater Union High School District	419,000

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(x) 10.10.019.024-San Francisco Unified High School District	3,782,000
(y) 10.10.019.026-San Mateo Union High School District	87,000
(z) 10.10.019.027-Sequoia Union High School District.....	59,000
(bb) 10.10.019.029-Santa Barbara City Elementary School District.....	37,000
(cc) 10.10.019.030-Mountain View-Los Altos High School District.....	78,000
(dd) 10.10.019.031-San Jose City Unified School District	1,444,000
(ee) 10.10.019.032-Pajaro Valley Unified School District.....	1,378,000
(ff) 10.10.019.033-Oxnard Elementary School District.....	191,000
(gg) 10.10.019.034-Santa Paula Elementary School District	886,000
(hh) 10.10.019.035-ABC Unified School District.....	13,000
(jj) 10.10.019.037-La Habra City Elementary School District.....	11,000
(kk) 10.10.019.038-Duarte Unified School District.....	23,000
(mm) 10.10.019.040-Berkeley City Unified School District	4,392,000
(nn) 10.10.019.041-Claremont Unified School District.....	230,000
(oo) 10.10.019.042-Gilroy Unified School District.....	995,000
(pp) 10.10.019.043-Sunnyvale Elementary School District.....	904,000
(qq) 10.10.019.044-Oakland Unified School District.....	9,953,000
(rr) 10.10.019.045-Norwalk-La Mirada City Unified School District	1,923,000
(tt) 10.10.019.047-Vista Unified School District.....	1,488,000
(uu) 10.10.019.061-Allensworth-Richgrove School District	1,442,000
(vv) 10.10.019.062-Carlsbad Unified School District.....	709,000
(ww) 10.10.019.063-San Dieguito Unified School District.....	588,000
(xx) 10.10.019.064-San Jose School District Collaboration.....	14,920,000

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(yy) 10.10.019.065-West Contra Costa (Richmond) Unified School District	2,976,000
(zz) 10.10.019.066-Compton Unified School District.....	4,716,000
(aaa) 10.10.019.067-Ocean View Elementary School District.....	56,000
(bbb) 10.10.019.068-Redwood City School District.....	4,504,000
(ccc) 10.10.019.069-San Mateo City Elementary School District.....	221,000
(ddd) 10.10.019.075-Monrovia Unified School District.....	226,000
(eee) 10.10.019.076-Solano Beach Elementary School District.....	598,000
(fff) 10.10.019.088-Grant High School District	6,835,000
(ggg) 10.10.019.089-Sausalito Elementary School District.....	435,000
(hhh) 10.10.019.090-Lynwood Unified School District.....	2,423,000
(iii) 10.10.019.096-Delano School District Collaboration.....	3,000,000
(jjj) 10.10.019.094-Alameda Unified School District.....	700,000
(kkk) 10.10.019.097-Visalia Unified School District.....	2,000,000
(lll) 97.20.011.001-Payment for Audit Cost Claims.....	109,000

Provisions:

1. Funds appropriated by this item are for reimbursement of amounts necessary to pay the costs of desegregation programs, as defined in Section 42249 of the Education Code, initiated voluntarily by local education agencies and for the costs of audits as required by Provision 2 of this item.
2. Before submittal to the Controller for payment, school districts shall subject their past year actual claims to audit, in accordance with standards utilized by the Controller in prior years for the audit of past year actual desegregation claims, to ensure that the claims comply with the requirements of Sections 42247, 42247.1, 42248, 42249, and 44249.2 of the Education Code. School districts may contract with the Controller for the performance of those audits. All past year actual claims submitted to the Controller for payment shall be

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<p>accompanied by any reports issued by the auditing entity, unless the auditing entity was the Controller.</p> <ol style="list-style-type: none"> 3. The Controller shall reimburse only those past year actual claims that conform with the requirements of Provision 2 of this item. 4. The Controller shall allocate funds appropriated by this item in accordance with Section 42247 of the Education Code. The Controller shall reimburse these claims only from funds appropriated specifically for that purpose by the Legislature. 5. The Controller shall allocate funds appropriated by this item in accordance with the schedule contained herein, unless a revision of that schedule has been approved by the Department of Finance. The Controller shall allocate the funds in Schedule 1 for the 2000–01 fiscal year expenditures claimed by local education agencies pursuant to Sections 42247 and 42249 of the Education Code. 6. The Department of Finance may not authorize any revisions to the schedule contained herein sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. 7. Funds appropriated in this item may not be used to reimburse local education agency claims for facilities lease costs, school construction, reconstruction, replacement of facilities, purchase of existing facilities, purchase of land, or the performance of deferred maintenance activities on facilities. 8. Effective July 1, 1991, and notwithstanding any other provision of law to the contrary, no school district shall be required to comply with Sections 90 to 101, inclusive, of Title 5 of the California Code of Regulations. Any costs incurred after that date in compliance with those regulations shall be deemed to be incurred voluntarily and shall not be reimbursable as a state-mandated local program. Nothing in this provision shall be interpreted to deny reimbursement of claims for court-ordered or voluntary desegregation pursuant to Sections 	

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42243.6, 42247, and 42249 of the Education Code.	
9. As a condition of receiving funding under this item, by March 1, 2001, each school district that receives reimbursement for the costs of a desegregation program shall submit to the State Department of Education a summary of program outcome data over the preceding three years, or since the inception of its program, whichever period of time is less. The data in the summary shall include the ethnic distribution of pupils at schools supported with desegregation funds, and indicators of pupil success at those schools, including, but not limited to, SAT, Star, Matrix and English Language Development test scores, and in addition, for high schools graduation rates and dropout rates. Districts also shall indicate whether their desegregation programs were initiated voluntarily or as a result of a consent decree.	
10. Of the funds appropriated in this item, \$2,007,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$4,439,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent for voluntary desegregation programs.	
6110-116-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.60.030-School Improvement Programs, pursuant to Chapter 6 (commencing with Section 52000) of Part 28 of the Education Code	400,724,000
Schedule:	
(a) 20.60.030.010-For the purposes of making allowances for kindergarten and grades 1 to 6, inclusive.....	334,471,000
(b) 20.60.030.020-For the purpose of making allowances for grades 7 to 12, inclusive	66,253,000
Provisions:	
1. From the funds appropriated in Schedule (b), the State Department of Education shall allocate \$31.71 per unit of average daily attendance (ADA) generated by pupils enrolled in grades 7 and 8 to those school districts that received School Improvement Grants in the 1989–90 fiscal	

Item	Amount
<ul style="list-style-type: none"> year at a rate of \$30 per unit of ADA generated by pupils enrolled in grades 7 and 8. 2. The State Department of Education may ratably adjust per-pupil rates to conform to the current pupil counts and available funds. 3. Of the funds appropriated in Schedule (a) of this item, \$1,034,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.32 percent and \$10,277,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent. 4. Of the funds appropriated in Schedule (b) of this item, \$1,456,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 2.32 percent, and \$2,036,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent. 5. Notwithstanding any other provision of law, the unexpended balance from growth funds provided by Item 6110-116-0001 of Section 2.00 of Chapter 50 of the Statutes of 1999 may be used to augment this item on a one-time basis in the 2000–01 fiscal year, for the purpose of providing additional funding for growth in 2000–01. 	
<p>6110-117-0001—For local assistance, State Department of Education, Program 10.70-Vocational Education, in lieu of the amount that otherwise would be appropriated pursuant to subdivision (b) of Section 19632 of the Business and Professions Code.....</p>	562,000
<p>Provisions:</p> <ul style="list-style-type: none"> 1. Of the funds appropriated in this item, \$50,000 shall be available to contract with the California Association of Student Councils for the purpose of providing leadership development and training to pupils in grades 3 to 12, inclusive. 	
<p>6110-119-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.060-Educational Services for Foster Youth pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of the Education Code</p>	8,036,000
<p>Provisions:</p> <ul style="list-style-type: none"> 1. Of the funds appropriated in this item, \$112,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$247,000 is for the purpose of 	

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providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.	
6110-120-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund Program 20.40.100-Pupil Dropout Prevention Programs established pursuant to Article 6 (commencing with Section 52890) and Article 7 (commencing with Section 52900) of Chapter 12 of Part 28, Article 7 (commencing with Section 54720) of Chapter 9 of Part 29, and Chapter 3.5 (commencing with Section 58550) of Part 31 of, the Education Code	20,097,000
Provisions:	
1. The following provisions apply to pupil dropout prevention programs receiving funds pursuant to this item:	
(a) Prior to hiring an outreach consultant with funds appropriated in this item, a school or school district shall have adopted a plan, that includes a statement describing the specific duties of the outreach consultant and that has been approved by the Superintendent of Public Instruction. This duty statement shall require that the outreach consultant perform only activities that directly benefit “high-risk pupils” as defined in subdivision (c) of Section 54721 of the Education Code. Each outreach consultant shall receive no more than \$48,737 as annual compensation.	
(b) A school district or any school receiving funds for outreach consultants in schools with motivation and maintenance plans developed in accordance with Article 7 (commencing with Section 54720) of Chapter 9 of Part 29 of the Education Code, shall collect and report data to the Superintendent of Public Instruction on pupil dropouts, together with any other data deemed necessary by the superintendent for the evaluation of motivation and maintenance programs. The data shall be reported in a format to be determined by the superintendent. Whenever feasible, the superintendent shall collect this data through the California Basic Educational Data System (CBEDS).	
(c) Notwithstanding the schedule set forth in Section 58554 of the Education Code, (1) the	

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maximum fee for an initial diagnosis prepared by an educational clinic under the terms of the contract entered into pursuant to Section 58553 or 58553.5 of the Education Code shall not exceed \$100 and may be expended for outreach and pupil and family counseling in addition to the initial diagnosis of entering pupils, and (2) the maximum fee for each instructional hour or fee for additional diagnosis provided under the terms of a contract entered into pursuant to Section 58553 or 58553.5 of the Education Code shall not exceed \$6.71 per hour.

- 2. Of the funds appropriated in this item, \$278,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$617,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.

6110-122-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.090-Specialized Secondary Programs, pursuant to Chapter 6 (commencing with Section 58800) of Part 31 of the Education Code 4,716,000

Provisions:

- 1. Of the funds appropriated in this item, \$1,500,000 shall be allocated to Specialized Secondary Programs established pursuant to Chapter 6 (commencing with Section 58800) of Part 31 of the Education Code prior to the 1991–92 fiscal year that operate in conjunction with the California State University.
- 2. Of the funds appropriated in this item, \$66,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$154,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent.

6110-123-0001—For local assistance, Department of Education (Proposition 98), for implementation of the Public Schools Accountability Act, pursuant to Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code 156,700,000

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Schedule:

- (a) 20.60.030.031-Immediate Intervention/Underperforming Schools Program..... 25,550,000
- (b) 20.60.030.032-High Achieving/Improving Schools Program131,150,000

Provisions:

1. Funds appropriated in Schedule (a) are provided solely for the purpose of implementing the Immediate Intervention/Underperforming Schools Program, pursuant to Article 3 of Chapter 6.1 (commencing with Section 52053) of Part 28 of the Education Code. Of this amount, \$21,500,000 is for the purpose of providing planning grants of \$50,000 each to a second cohort of new schools, and the remainder is provided to fully fund implementation grants for the first cohort of schools that received planning grants under the program during the 1999–00 fiscal year.
2. Funds appropriated in Schedule (b) are provided solely for the purpose of implementing the Governor’s High Achieving/Improving Schools Program, pursuant to Article 4 of Chapter 6.1 (commencing with Section 52056) of Part 28 of the Education Code.
3. It is the intent of the Legislature that, to the extent possible, the results of the English Language Development test be included in the Academic Performance Index, as established by Chapter 3 of the 1999 First Extraordinary Session, and that these results indicate pupils’ progress in meeting English Language Development standards pursuant to Chapter 936 of the Statutes of 1997 and statewide content and performance standards pursuant to Chapter 975 of the Statutes of 1995.

6110-124-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.80.010-Gifted and Talented Pupil Program established pursuant to Chapter 8 (commencing with Section 52200) of Part 28 of the Education Code		51,915,000
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Provisions:

1. Of the funds appropriated in this item, \$719,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$1,595,000 is for the purpose of

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<ul style="list-style-type: none"> providing a cost-of-living adjustment (COLA) of 3.17 percent. 2. Notwithstanding any other provision of law, the unexpended balance from growth funds provided by Item 6110-124-0001 of Section 2.00 of Chapter 50 of the Statutes of 1999 may be used to augment this item on a one-time basis in the 2000–01 fiscal year, for the purpose of providing additional funding for growth in 2000–01. 	
6110-125-0001—For local assistance, Department of Education (Proposition 98), for English Language Learners	70,000,000
Schedule:	
<ul style="list-style-type: none"> (a) 20.10.006-Instruction: English Language Learners Student Assistance 70,000,000 	
Provisions:	
<ul style="list-style-type: none"> 1. The funds appropriated in this item are available solely to fund activities for English Language Learners as specified in Chapter 4 (commencing with Section 400) to Part 1 of the Education Code, as added by Chapter 71 of the Statutes of 1999. 	
6110-126-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.10.035-Miller-Unruh Basic Reading Act of 1965 (commencing with Section 54100) of Chapter 2 of Part 29 of the Education Code	27,249,000
Provisions:	
<ul style="list-style-type: none"> 1. The State Department of Education shall establish a procedure to accept an application from any school district for participation in the Miller-Unruh Basic Reading Act of 1965 established pursuant to Chapter 2 (commencing with Section 54100) of Part 29 of the Education Code. This procedure shall provide first priority for any available funding to school districts with low-performing schools and with the lowest district base revenue limits. Whenever the number of reading specialist positions funded by the program is reduced in any school district, funds shall be reallocated to support an equivalent number of positions in another district or other districts. 2. Of the funds appropriated in this item, \$84,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.32 percent and \$837,000 is for the purpose of 	

Item	Amount
<p>providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.</p> <p>6110-127-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.070-Opportunity Classes and Programs pursuant to Article 2.3 (commencing with Section 48643) of Chapter 4 of Part 27 of the Education Code.....</p>	2,299,000
<p>Provisions:</p> <p>1. Notwithstanding Section 48644 of the Education Code, funds allocated to school districts for the expansion of opportunity classes and programs may not exceed \$488 per unit of average daily attendance (ADA), based on the additional enrollment in these classes and programs above the 1982–83 enrollment levels, expressed in terms of ADA. For purposes of making this allocation to opportunity programs, the Superintendent of Public Instruction shall use the following definition to express enrollment in opportunity programs: using total positive clock hours scheduled and attended during the year, 405 hours of opportunity program assignment equals one opportunity program ADA (405 hours is the product of a second principal apportionment divisor of 135 and three hours of attendance per day).</p> <p>2. Of the funds appropriated in this item, \$50,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 2.29 percent and \$70,000 is for the purpose of providing a cost-of-living adjustment (COLA) of 3.17 percent for the Opportunity Classes and Programs established pursuant to Article 2.3 (commencing with Section 48643) of Chapter 4 of Part 27 of the Education Code.</p>	
<p>6110-128-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.30.070-Economic Impact Aid</p>	426,928,000
<p>Schedule:</p> <p>(a) 10.30.070.001-Article 2 (commencing with Section 54020) of Chapter 1 of Part 29 of the Education Code.....</p>	298,849,200

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(b) 10.30.070.020-Sections 54031 and 54033, and Article 4 (commencing with Section 54040) of Chapter 1 of Part 29, of the Education Code.....	128,078,800
Provisions:	
1. If the funds appropriated in this item are insufficient to fully fund the allocations under Article 4 (commencing with Section 54040) of Chapter 1 of Part 29 of the Education Code, the Superintendent of Public Instruction shall prorate the allocations made pursuant to that article to reflect the amount of funding available.	
2. Of the funds appropriated in this item, \$19,705,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 5.0 percent and \$13,118,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.	
6110-128-0890—For local assistance, Department of Education, Program 20.50.030-Eisenhower Professional Development, payable from the Federal Trust Fund	31,873,000
6110-129-0001—For local assistance, Department of Education, Program 41.00-Community Education-Intergenerational Programs.....	171,000
6110-130-0001—For local assistance, Department of Education, Program 20.60.100-Advancement via Individual Determination	1,300,000
6110-131-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.30.051-American Indian Early Childhood Education Program established pursuant to Chapter 6.5 (commencing with Section 52060) of Part 28 of the Education Code	505,000
Provisions:	
1. Of the funds appropriated in this item, \$7,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent, and \$16,000 is for the purpose of providing a cost-of-living adjustment at the rate of 3.17 percent.	
6110-133-0001—For local assistance, Department of Education (Proposition 98), Program 10-Instruction, for allocation to local educational agencies.....	135,000,000

Item	Amount
Provisions:	
1. The funds appropriated in this item, are for the purpose of providing a site-based teacher performance program for low-performing schools that exceed target performance goals established pursuant to Chapter 52, Statutes of 1999.	
2. Of the funds appropriated in this item, \$35,000,000 is for the purpose of funding beginning teacher salaries pursuant to legislation enacted during the 1999–2000 Regular Session.	
6110-134-0001—For local assistance, Department of Education (Proposition 98), Program 10-Instruction, for allocation to local education agencies	118,650,000
Provisions:	
1. For purposes of the teacher recruitment block grant funded under this item, the State Department of Education shall compute an alternative academic performance index for schools lacking Academic Performance Index scores, based on a methodology similar to that used for the Academic Performance Index. Notwithstanding any other provision of law, school districts and county offices of education may apply for block grant funds appropriated under this item on behalf of schools lacking Academic Performance Index scores, provided the alternative academic performance index for schools is determined by the department as equivalent to a rank of 5 or below on the Academic Performance Index. These schools will be eligible for the same grant amount per pupil as schools ranked in equivalent deciles of the Academic Performance Index.	
6110-136-0001—For local assistance, Department of Education, Program 20, for stipends for teacher attendees of University of California Professional Teacher Development Programs	49,000,000
Schedule:	
(a) 20.10.009-English Language Learner Institute Stipends.....	10,000,000
(b) 20.60.140-Staff Development: Reading Institute Stipends.....	15,918,000
(c) 20.60.150-Staff Development: Governor’s Algebra Institute Stipends.	1,990,000
(d) 20.60.160-Staff Development: Math Specialist Institute Stipends.	3,980,000
(e) 20.60.170-Staff Development: Pre-Algebra/Algebra Institute Stipends	1,194,000

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(f) 20.60.180-Staff Development: High School English Subject Matter Project Stipends	7,959,000
(g) 20.60.190-Staff Development: High School Math Subject Matter Project Stipends	7,959,000
Provisions:	
1. Funds appropriated in Schedule (a) of this item are provided solely for stipends to teachers attending English Language Learner Institutes, as specified in Chapter 4 (commencing with Section 400) of Part 1 of the Education Code, as added by Chapter 71 of the Statutes of 1999.	
2. Funds appropriated in Schedule (b) of this item are provided solely for stipends to teachers attending California Reading Professional Development Institutes, as specified in Article 2 (commencing with Section 99220) of Chapter 5 of Part 65 of the Education Code, as added by Chapter 2X of the Statutes of 1999.	
3. Funds appropriated in Schedules (c), (d), (e), (f) and (g) of this item are available solely for stipends for pre-kindergarten and K-12 teachers attending Professional Development Programs operated by the University of California, subject to establishment of these programs by legislation enacted during the 1999-2000 Regular Session which becomes effective on or before January 1, 2001, and which also specifies this item.	
4. The funds appropriated in this item shall be transferred by the Controller to the University of California for the payment of stipends to teachers upon successful completion of the Professional Development Institutes. The Institutes shall make payments directly to teachers.	
6110-136-0890—For local assistance, Department of Education, payable from the Federal Trust Fund.....	1,013,808,000
Schedule:	
(a) 10.30.060-Title I-ESEA	982,613,000
(b) 10.30.065-Stewart B. McKinney Homeless Children Education.....	3,146,000
(c) 20.70.000-Instructional Support: Assessments.....	1,560,000
(d) 20.60.030.031-Immediate Intervention Underperforming Schools Program.....	26,489,000

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Provisions:

1. The State Department of Education, for the purposes of the assessment system required by Title 1 of the federal Improving America’s Schools Act of 1994, shall define a “program improvement school” as a school that ranks among the lowest in the state on the assessment used in the Standardized Testing and Reporting (STAR) Program, pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of the Education Code. A school district may also identify a school that does not meet this criterion as a “program improvement school” during a fiscal year if 60 percent or more of the school’s pupils are performing, as determined by the district’s assessment system, below the standards adopted by the district.
2. In administering the accountability system required by this item, the State Department of Education shall align the forms, processes, and procedures required of local educational agencies in a manner that they may be utilized for the purposes of implementing the Public School Accountability Act, as established by Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code, so that duplication of effort is minimized at the local level.
3. Funds appropriated in Schedule (c) are for the purpose of providing grants to local education agencies to pay the fees incurred by low-income students to take advanced placement examinations.
4. Funds appropriated in Schedule (d) of this item are provided for the sole purpose of funding implementation grants for federally funded schools participating in the Immediate Intervention Underperforming Schools Program, established pursuant to Chapter 3 of the 1999 First Extraordinary Session.

6110-139-0001—For local assistance, Department of Education (Proposition 98), Program 10.10-School Apportionments, Pupil Residency Verification

161,000

Provisions:

1. Funds appropriated in this item are for the purpose of assisting school districts that are adjacent to the international border with their pupil resi-

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dency verification, consistent with the intent of Chapter 309 of the Statutes of 1995.	
6110-141-0001—For local assistance, Department of Education (Proposition 98), Migrant Education Even Start Program	2,500,000
Provisions:	
1. The funds appropriated in this item are to fund the half-year costs for expansion of the Migrant Education Even Start Program.	
6110-141-0890—For local assistance, Department of Education, Program 10.30.010-Instruction, Title I of the Elementary and Secondary Education Act—Migrant Education, payable from the Federal Trust Fund	112,448,000
Provisions:	
1. Of the funds appropriated in this item, \$10,100,000 is for the California Mini-Corps Program. That amount includes \$5,000,000 from current year carryover funds, which are to be allocated on a one-time basis.	
2. As a condition of receipt of the funds appropriated in this item, the State Department of Education shall provide a full report on its Migrant Education carryover funds in the 2000–01 fiscal year.	
6110-142-0890—For local assistance, Department of Education, Goals 2000, payable from the Federal Trust Fund.....	67,657,000
Schedule:	
(a) 20.60.180-Mathematics Staff Development.....	38,657,000
(b) 20.60.190-Support for Secondary Schools Reading	8,000,000
(c) 20.60.050-Student Academic Partnerships	5,000,000
(d) 20.60.100-Advancement via Individual Determination.....	11,000,000
(e) 20.60.191-Student Academic Partnerships	5,000,000
Provisions:	
1. The funds appropriated in this item shall be available for expenditure not sooner than 30 days after an expenditure plan has been submitted to the Department of Finance for review and comment. The department shall review the proposed expenditures to ensure that they are consistent with federal law.	

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<p>2. The funds appropriated in Schedule (a) shall be for competitive grants to school districts and county offices of education for mathematics staff development pursuant to Chapter 3.33 (commencing with Section 44720) of Part 25 and Chapter 3.25 (commencing with Section 44695) of Part 25 of the Education Code.</p> <p>4. The funds appropriated in Schedule (b) shall be used for a competitive grant program administered by the State Department of Education that allows local education agencies or consortia of local education agencies to apply for funds to provide professional development that includes coaching and other classroom support to school districts. Applicants are encouraged to collaborate with institutes of higher education in the development and delivery of professional development programs. The professional development shall address successful strategies, programs, and models for improving reading instruction for pupils enrolled in grades 4 to 12, inclusive, who are reading below grade level.</p> <p>5. The funds appropriated in Schedule (c) shall be used for competitive grants to local education agencies for preservice training, with highest priority for funding given to those agencies that propose to train and hire college students as academic tutors for pupils in kindergarten or any of grades 1 to 6, inclusive, in the academic areas of English-language arts and mathematics. For the purposes of these training activities, local education agencies shall be responsible for the day-to-day supervision of tutors, but the agencies may contract with higher education institutions to recruit, train and provide general oversight over placement in schools. Higher education institutions may permit tutors to receive academic credit for their related field work experiences in lieu of pay.</p> <p>6. Of the funds appropriated in Schedule (d), \$6,000,000 is available for competitive outreach grants to local education agencies for the Advancement Via Individual Determination (AVID) program. Notwithstanding any other provision of law, the remaining \$5,000,000 shall be used solely for the provision of Advanced Placement teacher training, pursuant to legislation enacted during the 1999–2000 Regular Session.</p>	

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- 7. The funds appropriated in Schedule (e) shall be used for competitive grants to local education agencies for preservice training, with highest priority for funding given to those agencies that propose to train and hire college students as academic tutors for pupils in any of grades 7 through 12, inclusive, in the academic areas of English-language arts and mathematics. For the purposes of these training activities, local education agencies shall be responsible for the day-to-day supervision of tutors, but the agencies may contract with higher education institutions to recruit, train and provide general oversight over placement in schools. Higher education institutions may permit tutors to receive academic credit for their related field work experiences in lieu of pay.

6110-146-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.30.040-Demonstration Programs in Intensive Instruction pursuant to Chapter 4 (commencing with Section 58600) of Part 31 of the Education Code

5,789,000

- Provisions:
- 1. Notwithstanding any other provision of law, funds appropriated in this item and allocated to support the instructional costs of demonstration programs established after June 30, 1986, may be allocated only to programs that demonstrate a significant departure from or variation of existing instructional practices. The State Department of Education shall establish criteria and guidelines necessary to ensure the implementation of this provision.
 - 2. Funds appropriated in this item may not be allocated to support the instructional costs of a demonstration program that has been in operation for a period of five or more years.
 - 3. The superintendent may retain up to 5 percent of funds appropriated in this item for the statewide dissemination of demonstration program materials and for contracts with external agencies to provide technical assistance to demonstration program sites. New programs may be funded for a period of no more than six years.
 - 4. Of the funds appropriated in this item, \$81,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of

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1.45 percent and \$178,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent.	
6110-147-0001—For local assistance, Department of Education (Proposition 98), Program 20.50-Instructional Support: Reading Awards Program established by Article 2 (commencing with Section 53050) of the Education Code	4,000,000
6110-149-0001—For transfer by the Controller to the Public Library Protection Fund, pursuant to Section 18182 of the Education Code.....	158,500,000
Provisions:	
1. Funds appropriated in this item shall be transferred to Item 6110-101-0975 to provide funding for the acquisition of school library materials pursuant to Article 7 (commencing with Section 18180) of Chapter 2 of Part 11 of the Education Code.	
6110-150-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, K–4 Classroom Libraries.	25,000,000
Provisions:	
1. The funds appropriated in this item are available to fund classroom libraries in kindergarten and grades 1 to 4, inclusive, pursuant to Article 8 (commencing with Section 18200) of Chapter 2 of Part 11 of the Education Code.	
6110-151-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.30.050-California Indian Education Centers established pursuant to Article 6 (commencing with Section 33380) of Chapter 3 of Part 20 of the Education Code.....	7,269,000
Provisions:	
1. Of the funds appropriated in this item, \$45,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$101,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.	
2. Of the funds appropriated in this item, \$4,000,000 is for expansion and growth, pursuant to legislation during the 1999–2000 Regular Session that is enacted on or before January 1, 2001.	
6110-152-0001—For local assistance, Department of Education, Program 10.30.050-CA Indian Education Centers.....	376,000

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Provisions:

1. Funds appropriated in this item are to carry out the provisions of Article 6 (commencing with Section 33380) of Chapter 3 of Part 20 of the Education Code.

6110-156-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of Proposition 98 educational programs funded by this item, in lieu of the amount that otherwise would be appropriated pursuant to statute.... 573,612,000

Schedule:

- | | |
|---|-------------|
| (a) 10.50.010.001-Adult Education | 537,611,000 |
| (b) 10.50.010.008-Remedial education services for participants in the CalWORKs..... | 18,293,000 |
| (c) 10.50.010.009-Local Education Agencies—Education Services for participants in CalWORKs..... | 26,447,000 |
| (d) Reimbursements-CalWORKs..... | -8,739,000 |

Provisions:

1. Credit for participating in adult education classes or programs may be generated by a special day class pupil only for days in which the pupil has met the minimum day requirements set forth in Section 46141 of the Education Code.
2. The funds appropriated in Schedule (b) constitute the funding for both remedial education and job training services for participants in the CalWORKs program (Art. 3.2 (commencing with Sec. 11320) Ch. 2, Pt. 3, Div. 9, W.I.C.). Funds shall be apportioned by the Superintendent of Public Instruction for direct instructional costs only to school districts and Regional Occupational Centers and Programs (ROC/Ps) that certify that they are unable to provide educational services to CalWORKs recipients within their adult education block entitlement or ROC/P block entitlement, or both. However, of the funds appropriated by Schedule (c) of this item, an amount not to exceed \$10,000,000, as negotiated through an interagency agreement between the State Department of Education and the State Department of Social Services, shall be provided for Adult Education Programs, and ROC/Ps for the pur-

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poses of providing instructional and training supportive services for CalWORKs eligible members. These services shall include any of the following: (a) career and educational guidance and counseling; (b) training related assessment; (c) transportation to the classroom or worksite during training; (d) job readiness training and services; (e) job development and placement; (f) post-employment support and followup to ensure job retention; (g) coordination and referrals to other services provided through the State Department of Social Services, the Employment Development Department, the Private Industry Council, community colleges, the Department of Rehabilitation, the Economic Development Agency, and other community resources; (h) curriculum and instruction development to provide short-term integrated programs leading to employment; (i) staff development costs resulting from policy development and training occurring between instructional staff and county welfare agencies in the coordination of the program; and (j) one-time excess program start up costs. Allocations shall be distributed by the Superintendent of Public Instruction as equal statewide dollar amounts, with no county receiving less than \$25,000, based on the number of CalWORKs eligible family members served in the county, and subject to the instructional and training support services needed annually by each agency as identified in the county CalWORKs Instruction and Job Training Plan required by Section 10200 of the Education Code.

3. Providers receiving funds under this item for adult basic education, English as a Second Language, and English as a Second Language-Citizenship for legal permanent residents, shall, to the extent possible, grant priority for services to immigrants facing the loss of federal benefits under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Citizenship and naturalization preparation services funded by this item shall include, to the extent consistent with applicable federal law, all of the following: (a) outreach services; (b) assessment of skills; (c) instruction and curriculum development; (d) staff development; (e) citizenship testing; (f) natural-

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<p>ization preparation and assistance; and (g) regional and state coordination and program evaluation.</p> <p>4. The funds appropriated in Schedules (b) and (c) of this item shall be subject to the following:</p> <p>(a) The funds shall be used only for educational activities for welfare recipient students and those in transition off of welfare. The educational activities shall be limited to those designed to increase self-sufficiency, job training, and work. These activities shall be carried on in accordance with each local education agency's plan approved and developed pursuant to Chapter 2 (commencing with Section 10200) of Part 7 of the Education Code. These funds shall be used to supplement and not supplant existing funds and services provided for welfare recipient students and those in transition off of welfare.</p> <p>(b) Notwithstanding any other provision of law, each local education agency's individual cap for adult education and regional occupational center and programs (ROC/P's), average daily attendance shall not be increased as a result of the appropriations made by this section.</p> <p>(c) Funds may be claimed by local education agencies for services provided to welfare recipient students and those in transition off of welfare pursuant to this section only if all of the following occur:</p> <p>(1) Each local education agency has met the terms of the interagency agreement between the State Department of Education and the Department of Social Services pursuant to Provision 2 of this item.</p> <p>(2) Each local education agency has fully claimed its respective adult education or ROC/P average daily attendance cap for the current year.</p> <p>(3) Each local education agency has claimed the maximum allowable funds available under the interagency agreement pursuant to Provision 2 of this item.</p> <p>(d) Each local education agency shall be reimbursed at the same rate as it would otherwise receive for services provided pursuant to this</p>	

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item or pursuant to Item 6110-105-0001 of Section 2.00 of this act, and shall comply with the program requirements for adult education pursuant to Chapter 10 (commencing with Section 52500) of Part 28 of the Education Code, and ROC/P requirements pursuant to Article 1 (commencing with Section 52300) of, and Article 1.5 (commencing with Section 52335) of, Chapter 9 of, Part 28 of the Education Code, respectively.

- (e) Notwithstanding any other provision of law, funds appropriated in this section for average daily attendance (ADA) generated by participants in the CalWORKs program may be apportioned on an advance basis to local education agencies based on anticipated units of ADA if a prior application for this additional ADA funding has been approved by the Superintendent of Public Instruction.
- (f) The Legislature finds the need for good information on the role of local education agencies in providing services to individuals who are eligible for or recipients of CalWORKs assistance. This information includes the extent to which local education programs serve public assistance recipients and the impact these services have on the recipients' ability to find jobs and become self-supporting.
- (g) The State Department of Education shall develop a data and accountability system to obtain information on education and job training services provided through state-funded adult education programs and regional occupational centers and programs. The system shall collect information on (1) program funding levels and sources; (2) the types and amounts of services provided to program participants; (3) characteristics of participants; and (4) pupil and program outcomes. The department shall work with the Department of Finance and Legislative Analyst in determining the specific data elements of the system and shall meet all information technology reporting requirements of the Department of Information Technology and the Department of Finance.
- (h) As a condition of receiving funds provided in Schedules (b) and (c) of this item or any other

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General Fund appropriation made to the State Department of Education specifically for education and training services to welfare recipient students and those in transition off of welfare, local adult education programs and regional occupational centers and programs shall collect program and participant data as described in this section and as required by the State Department of Education. The State Department of Education shall require that local providers submit to the state aggregate data for the period July 1, 2000, through June 30, 2001.

- (i) Funds appropriated in this item which have been budgeted to meet the state’s Temporary Assistance for Needy Families maintenance of effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

- 5. Of the funds appropriated in this item \$13,651,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 2.50 percent and \$17,625,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent.

6110-156-0890—For local assistance, Department of Education, Program 10.50.010.001-Adult Education, payable from the Federal Trust Fund..... Provisions:

48,322,000

- 1. Of the funds appropriated in this item, \$12,570,000 shall be used for adult basic education for citizenship and naturalization services for legal permanent residents who are eligible for naturalization.

Citizenship and naturalization services shall include, for this purpose, to the extent consistent with federal law, all of the following: (a) outreach services; (b) assessment of skills; (c) instruction and curriculum development; (d) staff development; (e) naturalization preparation and assistance; and (f) regional and state coordination and program evaluation. The providers of the citizenship and naturalization services, for the purposes

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of this provision, shall be those as defined by applicable federal law, and consistent with the state plan.

2. Under any grant awarded by the State Department of Education under this item to a qualifying community-based organization to provide adult basic education in English as a Second Language and English as a Second Language-Citizenship classes, the department shall make an initial payment to the organization of 25 percent of the amount of the grant. In order to qualify for an advance payment, a community-based organization shall submit an expenditure plan and shall guarantee that appropriate standards of educational quality and fiscal accountability are maintained. In addition, reimbursement of claims shall be distributed on a quarterly basis. The State Department of Education shall withhold 10 percent of the final payment of a grant as described in this provision until all claims for that community-based organization have been submitted for final payment.

3. (a) Notwithstanding any other provision of law, all nonlocal educational agencies (Non-LEA) receiving greater than \$300,000 pursuant to this item shall submit an annual organizational audit, as specified, to the State Department of Education, Office of External Audits.

All audits shall be performed by one of the following: (1) a certified public accountant possessing a valid license to practice within California; (2) a member of the State Department of Education's staff of auditors; or (3) in-house auditors, if the entity receiving funds pursuant to this item is a public agency, and if the public agency has internal staff that performs auditing functions and meets the tests of independence found in Standards for Audits of Governmental Organization, Programs, Activities and Functions issued by the Comptroller General of the United States.

The audit shall be in accordance with State Department of Education Audit guidelines and Office of Management and Budget Circular No. A-133, Audits of Institutions of Higher Education and Other Non-Profit Institutions.

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Non-LEA entities receiving funds pursuant to this item shall submit the annual audit no later than six months from the end of the agency fiscal year. If, for any reason, the contract is terminated during the contract period, the auditor shall cover the period from the beginning of the contract through the date of termination.

Non-LEA entities receiving funds pursuant to this item shall be held liable for all State Department of Education costs incurred in obtaining an independent audit if the contractor fails to produce or submit an acceptable audit.

- (b) Notwithstanding any other provision of law, the State Department of Education shall annually submit to the Governor, Joint Legislative Budget Committee, and Joint Legislative Audit Committee limited scope audit reports of all sub-recipients it is responsible for monitoring that receive between \$25,000 and \$300,000 of federal awards, and that do not have an organizational wide audit performed. These limited scope audits shall be conducted in accordance with the State Department of Education Audit guidelines and Office of Management and Budget, Circular No. A-133. The State Department of Education may charge audit costs to applicable federal awards, as authorized by OMB, Circular No. A-133 Section 230(b)(2).

The limited scope audits shall include agreed upon procedures engagements conducted in accordance with either AICPA generally accepted auditing standards or attestation standards, and address one or more of the following types of compliance requirements: allowed or unallowed activities; allowable costs and cost principles; eligibility; matching; level of effort; earmarking; and reporting.

The State Department of Education shall contract for the limited scope audits with a certified public accountant possessing a valid license to practice within the state or with an independent auditor.

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- 4. On or before March 1, 2001, the State Department of Education shall report to the appropriate subcommittees of the Assembly Budget Committee and the Senate Budget and Fiscal Review Committee on the following aspects of the implementation of Title II of the federal Workforce Investment Act: (a) the make-up of those adult education providers that applied for competitive grants under Title II and those that obtained grants, by size, geographic location, and type (school district, community colleges, community-based organizations, other local entities); (b) the results of a mid-year report on the extent to which participating programs were able to meet planned performance targets; and (c) a breakdown of the types of courses (ESL, ESL citizenship, ABE, ASE) included in the performance targets of participating agencies. It is the intent of the Legislature that the Legislature and State Department of Education utilize the information provided pursuant to this provision to (a) evaluate whether any changes need to be made to improve the implementation of the accountability-based funding system under Title II and (b) evaluate the feasibility of any future expansion of the accountability-based funding system using state funds.

6110-158-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund in lieu of the amount that otherwise would be appropriated pursuant to Section 41841.5 of the Education Code, Program 10.50.010.002-Adults in Correctional Facilities

16,936,000

Provisions:

- 1. Notwithstanding any other provision of law, the amount appropriated in this item and any amount allocated for this program in this act shall not exceed, in the aggregate, the maximum amount allocated for the purposes of Section 41841.5 of the Education Code.
- 2. Notwithstanding Section 41841.5 of the Education Code or any other provision of law, the amount appropriated in this item shall be allocated based upon prior-year rather than current-year expenditures.

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3. Notwithstanding any other provision of law, funding distributed to each local education agency (LEA) for reimbursement of services provided in the 2000–01 fiscal year for the Adults in Correctional Facilities program shall be limited to the amount received by that agency for services provided in the 1999–2000 fiscal year, as increased by \$423,000 for growth in services and \$493,000 for cost-of-living adjustments, not to exceed a total of \$17,852,000 for all programs. Funding shall be reduced or eliminated, as appropriate, for any LEA that reduces or eliminates services provided under this program in the 2000–01 fiscal year, as compared to the level of service provided in the 1999–2000 fiscal year. Any funds remaining as a result of those decreased levels of service shall be allocated to provide support for new programs in accordance with Section 41841.8 of the Education Code.
4. Notwithstanding any other provision of law, funding distributed to each LEA for reimbursement of services provided in the 1999–2000 fiscal year for the Adults in Correctional Facilities program shall be limited to the amount received by that agency for services provided in the 1998–99 fiscal year, as increased by \$407,000 for growth in services and \$235,000 for cost-of-living adjustments, not to exceed a total of \$16,936,000 for all programs. Funding shall be reduced or eliminated, as appropriate, for any LEA that reduces or eliminates services provided under this program in the 1999–2000 fiscal year, as compared to the level of service provided in the 1998–99 fiscal year. Any funds remaining as a result of those decreased levels of service shall be allocated to provide support for new programs in accordance with Section 41841.8 of the Education Code.
5. Notwithstanding any other provision of law, funds appropriated by this item for growth in average daily attendance first shall be allocated to programs that are funded for 20 units or less of average daily attendance, up to a maximum of 20 additional units of average daily attendance per program.

6110-161-0001—For local assistance, Department of Education (Proposition 98), Program 10.60-Special Education Programs for Exceptional Children..... 2,442,641,000

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Schedule:

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|-----|--|---------------|
| (a) | 10.60.050.003-Special education instruction..... | 2,392,117,000 |
| (b) | 10.60.050.080-Early Education Program for Individuals with Exceptional Needs | 64,919,000 |
| (c) | Reimbursements for Early Education Program, Part C | -14,395,000 |

Provisions:

1. Funds appropriated by this item are for transfer by the Controller to Section A of the State School Fund, in lieu of the amount that otherwise would be appropriated for transfer from the General Fund in the State Treasury to Section A of the State School Fund for the 2000–01 fiscal year pursuant to Sections 14002 and 41301 of the Education Code, for apportionment pursuant to Part 30 (commencing with Section 56000) of the Education Code, superseding all prior law.
2. Of the funds appropriated in Schedule (a) of this item, \$9,775,000, plus the COLA, shall be available for the purchase, repair, and inventory maintenance of specialized books, materials, and equipment for pupils with low-incidence disabilities, as defined in Section 56026.5 of the Education Code.
3. Of the funds appropriated in Schedule (a) of this item, \$7,436,000, plus the COLA, shall be available for the purposes of vocational training and job placement for special education pupils through Project Workability I pursuant to Article 3 (commencing with Section 56470) of Chapter 4.5 of Part 30 of the Education Code. As a condition of receiving these funds, each local educational agency shall certify that the amount of non-federal resources, exclusive of funds received pursuant to this provision, devoted to the provision of vocational education for special education pupils shall be maintained at or above the level provided in the 1984–85 fiscal year. The Superintendent of Public Instruction may waive this requirement for local educational agencies that demonstrate that the requirement would impose a severe hardship.
4. Of the funds appropriated in Schedule (a) of this item, \$3,879,000, plus the COLA, shall be available for regional occupational centers and pro-

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- grams that serve pupils having disabilities, and \$67,383,000, plus the COLA, shall be available for regionalized program specialist services, including \$2,108,000 for small special education local plan areas (SELPAs) pursuant to Section 56836.24 of the Education Code.
5. Of the funds appropriated in Schedule (a), \$31,238,000, plus the COLA is provided for an adjustment for low-incidence disabilities, based on the results of the study required by Section 67 of Chapter 854 of the Statutes of 1997.
 6. Of the funds appropriated in Schedule (a), \$1,000,000 is provided for extraordinary costs associated with single placements in nonpublic, nonsectarian schools, pursuant to Section 56836.21 of the Education Code.
 7. Of the funds appropriated in Schedule (a), a total of \$37,061,000 is available for equalization funding pursuant to Section 56836.14 of the Education Code.
 8. Of the funds appropriated in Schedule (a), a total of \$114,650,000, plus the COLA, is available to fully fund the costs of children placed in licensed children's institutions who attend nonpublic schools.
 9. Of the amount appropriated in Schedule (b) of this item, \$909,000, plus the COLA, shall be available for infant program growth units (ages birth–two years). Funds for infant units shall be allocated pursuant to Provision 11 of this item, with the following average number of pupils per unit:
 - (a) For special classes and centers—16.
 - (b) For resource specialist programs—24.
 - (c) For designated instructional services—16.
 10. Notwithstanding any other provision of law, early education programs for infants and toddlers shall be offered for 200 days. Notwithstanding Sections 56766 and 56731 and paragraph (2) of subdivision (e) of Section 56737 of the Education Code, the State Department of Education shall allocate funds for the 2000–01 fiscal year to those programs receiving allocations for instructional units pursuant to Section 56432 of the Education Code for the Early Education Program for Individuals with Exceptional Needs operated pursuant to Chapter 4.4 (commencing with Section 56425) of Part 30 of the

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Education Code, based on computing 200-day entitlements. For educational services for children with exceptional needs, birth through two years of age, no funds shall be allocated pursuant to Section 56726 of the Education Code. The 200-day entitlements shall not exceed 111 percent of the current entitlement for each educational agency.

11. Notwithstanding Chapter 7 (commencing with Section 56700) of Part 30 of the Education Code, state funds appropriated in Schedule (b) of this item in excess of the amount necessary to fund the deficiated entitlements pursuant to Section 56432 of the Education Code and Provision 11 of this item shall be available for allocation by the State Department of Education to local educational agencies for the operation of programs serving solely low-incidence infants and toddlers pursuant to Title 14 (commencing with Section 95000) of the Government Code. These funds shall be allocated to each local educational agency at a rate of \$6,849 per solely low-incidence child through age two, for each child in excess of the number of solely low-incidence children through age two served by the local educational agency during the 1992–93 fiscal year and reported on the April 1993, pupil count. These funds shall only be allocated if the amount of reimbursement received from the State Department of Developmental Services is insufficient to fully fund the costs of operating the Early Intervention Program, as authorized by Title 14 (commencing with Section 95000) of the Government Code.
12. The State Department of Education, through coordination with the SELPAs, shall ensure local interagency coordination and collaboration in the provision of early intervention services, including local training activities, child find activities, public awareness, and the family resource center activities.
13. Of the amount provided in Schedule (a), \$93,187,000 is provided for a COLA.
14. Of the amount provided in Schedule (b), \$1,995,000 is provided for a COLA.

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6110-161-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, Program 10.60-Special Education Programs for Exceptional Children	522,141,000

Schedule:

- (a) 10.60.050.012-Local Agency Entitlements, IDEA Special Education
- (b) 10.60.050.013-State Agency Entitlements, IDEA Special Education.....
- (c) 10.60.050.015-IDEA, Local Entitlements, Preschool Program
- (d) 10.60.050.021-IDEA, Capacity Building, Special Education
- (e) 10.60.050.030-PL 99-457, Preschool Grant Program
- (f) 10.060.050.031-IDEA, State Improvement Grant, Special Education.....

Provisions:

1. If the funds for Part B of the federal Individuals with Disabilities Education Act that are actually received by the state exceed \$501,769,000, at least 95 percent of the funds received in excess of that amount shall be allocated for local entitlements and to state agencies with approved local plans. Five percent of the amount received in excess of \$501,769,000 may be used for state administrative expenses. If the funds for Part B of the federal Individuals with Disabilities Education Act that are actually received by the state are less than \$501,769,000, the reduction shall be taken in capacity building.
2. The funds appropriated in Schedule (b) shall be distributed to state-operated programs serving disabled children from 3 to 21 years of age, inclusive. In accordance with federal law, the funds appropriated in Schedules (a) and (b) shall be distributed to local and state agencies on the basis of an equal amount per eligible, identified pupil.
3. Of the funds appropriated in Schedule (d) of this item, up to \$1,000,000 may be used to fund licensed children's institution growth units pursuant to Section 56776 of the Education Code. These funds are to be used for instructional units only.

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4.	Pursuant to Section 56427 of the Education Code, of the funds appropriated in Schedule (d) of this item, up to \$2,324,000 may be used to provide funding for infant programs, and may be used for those programs that do not qualify for funding pursuant to Section 56432 of the Education Code. Of these funds, \$100,000 shall be available, subject to approval of a work plan by the Department of Finance, to conduct followup activities related to the funding studies and funding plan submitted pursuant to Provisions 12 and 13 of Item 6110-161-001 of Section 2.00 of the Budget Act of 1995.
5.	Of the funds appropriated in Schedule (d) of this item, \$15,475,000 shall be allocated to local education agencies for the purposes of Project Workability I.
6.	Of the funds appropriated in Schedule (d) of this item, \$1,700,000 shall be used to provide specialized services to pupils with low-incidence disabilities, as defined in Section 56026.5 of the Education Code.
7.	Of the funds appropriated in Schedule (d) of this item, up to \$3,617,000 shall be used for a personnel development program. This program shall include state-sponsored staff development, local in-service components, bilingual, student study team, and core curriculum components. Of this amount, a minimum of \$2,500,000 shall be allocated directly to special education local plan areas. The local in-service programs shall include a parent training component and may include a staff training component. Use of these funds shall be described in the local plans. These funds may be used to provide training in alternative dispute resolution and the local mediation of disputes. All programs are to include evaluation components.
8.	Of the funds appropriated in Schedule (d) of this item, up to \$200,000 shall be used for research and training in cross-cultural assessments.
9.	Of the funds appropriated in Schedule (d) of this item, up to \$300,000 shall be used to develop and test procedures, materials, and training for alternative dispute resolution in special education.
10.	Of the funds appropriated by Schedule (e) for the Preschool Grant Program, \$1,228,000 shall be used for in-service training and shall include a

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parent training component and may, in addition, include a staff training program. These funds may be used to provide training in alternative dispute resolution and the local mediation of disputes. This program shall include state-sponsored and local components.	
11. Of the funds appropriated in this item, \$1,400,000 is available for local assistance grants in the second year of the Quality Assurance and Focused Monitoring Pilot Program to monitor local education agency compliance with state and federal laws and regulations governing special education. This funding level is to be used to continue the second year of facilitated reviews and, to the extent consistent with the key performance indicators developed by the State Department of Education, these activities focus on local education agencies identified by the United States Department of Education’s Office of Special Education Programs. The State Department of Education shall, on or before December 1, 2000, and on or before April 15, 2001, report to the Legislative Analyst, the Department of Finance, and the appropriate fiscal and policy committees of the Legislature on the progress and results of the Quality Assurance Focused Monitoring Pilot Program and any statutory authority or fiscal adjustments needed.	
6110-163-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.60.060.010-The Early Intervention for School Success Program established pursuant to Article 4.5 (commencing with Section 54685) of Chapter 9 of Part 29 of the Education Code	1,992,000
Provisions:	
1. Of the funds appropriated in this item, \$28,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$61,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.	
6110-165-0001—For local assistance, Department of Education	7,022,000
Schedule:	
(a) 10.70-Vocational Education.....	20,868,000
(b) Reimbursements.....	-13,846,000

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Provisions:	
1. \$13,846,000 of the funds appropriated in this item are for the purpose of the federal Workforce Investment Act.	
2. Notwithstanding any other provision of law, of the funds appropriated in this item, \$7,022,000 is available for the purpose of matching Workforce Investment Act funds available under Section 1602(b)(1) of Title 29 of the United States Code. The Superintendent of Public Instruction shall allocate these funds for the provision of education in conjunction with occupational skills training pursuant to Section 33117.5 of the Education Code in the following order of priority: (1) to persons participating in welfare-to-work activities under the CalWORKs program as described in Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code; and (2) to persons eligible for Workforce Investment Act program funds but not receiving assistance under the CalWORKs program.	
6110-166-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.70.070-Vocational Education, for the purpose of Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of the Education Code, Partnership Academies Program.....	19,666,000
Provisions:	
1. Of the funds appropriated in this item, \$1,440,000 shall continue to fund 20 partnership academies first funded in Provision 1 of Item 6110-166-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998). The funds shall be for the purpose of funding the second operational year of the 20 partnership academies at the level prescribed in Section 54691 of the Education Code. These first operational year grants shall be targeted to partnership academies in high schools in eligible school districts (as specified in Sections 54692 and 54693 of the Education Code) that serve the highest proportions of economically disadvantaged pupils.	
3. If there are any funds in this item that are not allocated for planning or operational grants, the State Department of Education may allocate those	

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remaining funds as one-time grants to state-funded partnership academies to be used for one-time purposes.

- 5. Of the funds appropriated in this item, \$1,425,000 shall be for 25 new partnership academy planning grants pursuant to Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of the Education Code, and for 25 new first operational year partnership academies, for a total of 50 new partnership academies in 2000–01. Funding for these 50 new partnership academies shall be at the level prescribed in Section 54691 of the Education Code.
- 6. It is the intent of the Legislature that first priority for the new partnership academies be given to partnership academies that promote teaching careers, provided that these academies are consistent with Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of the Education Code.
- 7. Of the funds appropriated in this item, \$840,000 shall continue to fund 20 partnership academies first funded as planning grants in Provision 4 of Item 6110-166-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999). The funds shall be for the purpose of funding 20 first year operational partnership academies at the level prescribed in Section 54691 of the Education Code.
- 8. Of the funds appropriated in this item, \$1,440,000 shall continue to fund 20 partnership academies first funded as first year operational academies in Provision 4 of Item 6110-166-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999). The funds shall be for the purpose of funding 20 second year operational partnership academies at the level prescribed in Section 54691 of the Education Code.

6110-166-0890—For local assistance, Department of Education, Program 10.70-Vocational Education, payable from the Federal Trust Fund..... 123,054,000
 Provisions:

- 1. The funds appropriated in this item include Federal Vocational Education Act funds for the 2000–01 fiscal year to be transferred to the community colleges by means of interagency agree-

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<ul style="list-style-type: none"> ments for the purpose of funding vocational education programs in community colleges. 2. The State Board of Education and the Board of Governors of the California Community Colleges shall target funds appropriated by this item to provide services to persons participating in welfare-to-work activities under the CalWORKs program. 3. The Superintendent of Public Instruction shall report, not later than February 1 of each year, to the Joint Legislative Budget Committee and the Director of Finance, describing the amount of carryover funds from this item, reasons for the carryover, and plans to reduce the amount of carryover. 	
<p>6110-167-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.70-Agricultural Vocational Education Incentive Program established pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of the Education Code</p>	3,975,000
<p>Provisions:</p> <ul style="list-style-type: none"> 1. Of the funds appropriated in this item, \$55,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 and \$122,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent. 2. As a condition of receiving funds appropriated in this item, a school district shall certify to the Superintendent of Public Instruction both of the following: <ul style="list-style-type: none"> (a) Agricultural Vocational Education Incentive Program funds shall be expended for the items identified in its application, except that, in items of expenditure classification 4000, only the total cost of expenses shall be required and itemization shall not be required. (b) The school district shall provide at least 50 percent of the cost of the items and costs from expenditure classification 4000, as identified in its application, from other funding sources. Nothing in this provision shall be construed to limit the authority of the Superintendent of Public Instruction to waive the local matching requirement established by subdivision (b) of Section 52461.5 of the Education Code. 	

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6110-176-0890—For local assistance, Department of Education, Program 10.40.030-Emergency Immigrant Education, payable from the Federal Trust Fund	41,191,000
6110-177-0001—For local assistance, Department of Education (Proposition 98), Program 20.10.035-Local Arts Education Partnership Program	6,000,000
Provisions:	
1. The funds appropriated in this item shall be used for arts education programs conducted by local education agencies pursuant to guidelines developed by the State Department of Education and approved by the State Board of Education, as authorized by Chapter 5 (commencing with Section 8810) of Part 6 of the Education Code.	
6110-178-0001—For local assistance, Department of Education (Proposition 98), Outdoor Science Programs	3,000,000
Provisions:	
1. The funds appropriated in this item are to fund outdoor science programs as authorized by Chapter 958 of the Statutes of 1999.	
6110-180-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.10.025-Institute for Computer Technology established pursuant to Article 8 (commencing with Section 52480) of Chapter 9 of Part 28 of the Education Code.....	526,000
Provisions:	
1. Of the funds appropriated in this item, not more than \$100,000 may be used to disseminate curriculum developed by the Institute for Computer Technology (Art. 8 (commencing with Sec. 52480), Ch. 9, Pt. 28, Ed.C.).	
2. Of the funds appropriated in this item, \$7,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$16,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent for the Institute for Computer Technology programs (Art. 8 (commencing with Sec. 52840), Ch. 9, Pt. 28, Ed. C.).	
6110-180-0890—For local assistance, Department of Education, Program 20.10.025-Educational Technology, payable from the Federal Trust Fund	49,096,000

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Provisions:	
1. The funds appropriated in this item are for allocation to school districts that are awarded competitive grants pursuant to the federal Technology Literacy Challenge Grant Program. The State Board of Education shall review and approve any changes to the criteria and procedure used in the application and award of grant funds during the 1999–00 fiscal year prior to the release by the Superintendent of Public Instruction of the application form to school districts.	
6110-181-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund Program 20.10.025-Educational Technology programs funded pursuant to Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 and Chapter 3.34 (commencing with Section 44730) of Part 25 of the Education Code	23,407,000
Provisions:	
1. Of the funds appropriated in this item, \$324,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 1.45 percent and \$719,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.	
6110-181-0140—For local assistance, Department of Education, Program 20.10.055-Environmental Education, payable from the California Environmental License Plate Fund	800,000
6110-183-0890—For local assistance, Department of Education, Program 20.10.045-Health and Physical Education, Instructional Support—Safe and Drug Free Schools and Communities Act of 1994 (Public Law 103-382).....	47,947,000
Provisions:	
1. Local education agencies shall give priority in the expenditure of the funds appropriated by this item to create comprehensive drug and violence prevention programs that promote school safety, reduce the use of drugs, and create learning environments that are free of alcohol and guns and that support academic achievement for all pupils. In addition to preventing drug and alcohol use, prevention programs will respond to the crisis of violence in our schools by addressing the need to prevent serious crime, violence, and discipline	

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<p>problems. The Superintendent of Public Instruction shall (a) notify local education agencies of this policy, and (b) incorporate the policy into the department’s compliance review procedures.</p>	
<p>6110-184-0001—For local assistance, Department of Education (Proposition 98), Program 20.10.025-Educational Technology</p>	76,000,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The funds appropriated in this item are to fund grants to school districts pursuant to the Digital High School Program, established pursuant to Chapter 326 of the Statutes of 1997. 2. Notwithstanding the provisions of Education Code Section 52254(e), funds may be allocated to a county office or offices to perform the statewide level of application review and recommendation as required by statute, upon approval of the Department of Finance. 	
<p>6110-185-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to the State Instructional Materials Fund, Program 20.20.020.002-Instructional Materials, Grades 9–12.....</p>	33,796,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. Of the amount appropriated in this item, \$642,000 is for the purpose of providing an adjustment for increase in average daily attendance at a rate of 2.00 percent and \$1,038,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent. 2. Notwithstanding any other provision of law, the unexpended balance from growth funds provided by Item 6110-185-0001 of Section 2.00 of Chapter 50 of the Statutes of 1999 may be used to augment this item on a one-time basis in the 2000–01 fiscal year, for the purpose of providing additional funding for growth in 2000–01. 	
<p>6110-186-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to the Instructional Materials Fund, Program 20.20.020.001-Instructional Materials, Kindergarten and Grades 1–8</p>	131,056,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. Of the amount appropriated in this item, \$1,083,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.86 percent and \$4,027,000 is for the 	

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<p>purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.</p> <p>2. Notwithstanding any other provision of law, the unexpended balance from growth funds provided by Item 6110-186-0001 of Section 2.00 of Chapter 50 of the Statutes of 1999 may be used to augment this item on a one-time basis in the 2000-01 fiscal year, for the purpose of providing additional funding for growth in 2000-01.</p>	
<p>6110-187-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, for a cost-of-living increase to be transferred to, in lieu of the amount that otherwise would be provided pursuant to statute, and in augmentation of, the respective appropriation by the Controller upon enactment in accordance with the following.....</p>	1,036,000
<p>Schedule:</p> <p>(1) 10.10.011.005-School Apportionments, Continuation Schools (Section 42243.7 of the Education Code)</p>	1,036,000
<p>Provisions:</p> <p>1. (a) Notwithstanding any other provision of law, the funds appropriated in Schedule (1) of this item for school apportionments to continuation schools shall be allocated on a dollar amount basis rather than as a percentage increase, and shall be allocated to any school district that operated a continuation high school in the 1999-00 fiscal year, without regard to whether that district's program commenced on, after, or prior to July 1, 1978. The amount allocated to each school district shall be equal to the total amount appropriated by Schedule (1) of this item, divided by the total number of units of continuation high school average daily attendance (ADA) for the state at the second principal apportionment for the 1999-00 fiscal year, multiplied by the units of that ADA reported by the district for the second principal apportionment for the 1999-00 fiscal year.</p> <p>(b) The total amount allocated pursuant to subdivision (a) of this provision shall not exceed the total amount of the funds appropriated in Schedule (1) of this item.</p>	

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6110-188-0001—For local assistance, Department of Education (Proposition 98), Program 10.10, for transfer to the State School Deferred Maintenance Fund	176,261,000
Provisions:	
1. The funds appropriated in this item shall be transferred to the State School Deferred Maintenance Fund and shall be available for funding applications received by the Office of Public School Construction for the purpose of payments to school districts for deferred maintenance projects funded pursuant to Section 17584 of the Education Code.	
6110-190-0001—For local assistance, Department of Education (Proposition 98), Program 10-School Apportionments, Community Day Schools.....	30,835,000
Provisions:	
1. The funds appropriated in this item are for transfer to Section A of the State School Fund to reimburse costs incurred pursuant to Chapter 974 of the Statutes of 1995 as amended by Chapter 847 of the Statutes of 1998.	
2. Funds appropriated in this item shall not be available for the purposes of Section 41972 of the Education Code.	
3. Of the funds appropriated in this item, \$2,183,000 is for the purpose of providing a cost-of-living adjustment (COLA) to community day schools, in lieu of the amount that would otherwise be provided pursuant to statute.	
6110-191-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.60.050.002-Beginning Teacher Support and Assessment System	88,820,000
Provisions:	
1. The funds appropriated in this item are for direct disbursement by the State Department of Education for the Beginning Teacher Support and Assessment System, as set forth in Article 4.5 (commencing with Section 44279.1) of Chapter 2 of Part 25 of the Education Code. These funds shall be expended only after development of a program and expenditure plan by the State Department of Education, and approval of the plan by the Department of Finance.	
2. Funds appropriated in this item are for the purpose of providing grants to support 26,500 teach-	

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ers through local Beginning Teacher Support and Assessment System Programs.	
3. Of the funds appropriated in this item, \$1,533,000 is provided for cost-of-living adjustments (COLAs), for a total per participant grant level of \$3,249.	
6110-193-0001—For local assistance, State Department of Education (Proposition 98), for transfer to Section A of the State School Fund Program 20.60-Staff Development	181,720,000
Schedule:	
(a) 20.60.010.001-Administrator Training and Evaluation Program	4,850,000
(b) 20.60.050.004-School Development Plans and Resource Consortia	20,530,000
(c) 20.60.070-Bilingual Teacher Training Program.....	1,651,000
(d) 20.60.050.007-Staff Development: High School Coach Training	1,000,000
(e) 20.60.060-Instructional Support: Teacher Peer Review.....	136,880,000
(f) 20.60.110-Instructional Support: Improving School Effectiveness Reader Services for Blind Teachers	309,000
(g) 20.60.112-Instructional Support: Advanced Placement Teacher Training.....	16,500,000
Provisions:	
1. The funds appropriated in this item are for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other educational agencies for purposes of the Proposition 98 programs funded in this item, in lieu of the amounts otherwise provided for those programs by statute.	
2. Notwithstanding any other provision of law, the amount appropriated in Schedule (a) shall be the maximum amount of Proposition 98 funds allocated for the purposes of the administrator training and evaluation program established pursuant to Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25 of the Education Code. Funds appropriated in Schedule (a) include \$67,000 for the purpose of making adjustments for increases in average daily attendance at a rate	

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<p>of 1.45 percent and \$149,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.</p> <p>3. Notwithstanding any other provision of law, the amount appropriated in Schedule (b) shall be the maximum amount allocated for the purposes of the school development plans authorized pursuant to Article 1 (commencing with Section 44670.1) of Chapter 3.1 of Part 25 of the Education Code and the resource agencies or consortiums designated pursuant to Article 2 (commencing with Section 44680) of Chapter 3.1 of Part 25 of the Education Code. Funds appropriated in Schedule (b) include \$362,000 for the purposes of making adjustments for increases in average daily attendance at a rate of 1.45 percent and \$810,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.</p> <p>4. Notwithstanding any other provision of law, the amount appropriated in Schedule (c) shall be the maximum amount allocated for the purposes of the Bilingual Teacher Training Assistance Program established by Article 4 (commencing with Section 52180) of Chapter 7 of Part 28 of the Education Code. Funds appropriated in Schedule (c) include \$23,000 for the purpose of making adjustments for increases in average daily attendance at a rate of 1.45 percent and \$50,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.</p> <p>5. The funds appropriated in Schedule (d) are for grants for high school coach training as set forth in Article 4.5 (commencing with Section 35179) of Chapter 2, of Part 21 of the Education Code.</p> <p>6. The funds appropriated in Schedule (e) shall be allocated in accordance with Article 4.5 (commencing with Section 4450) of Part 25 of the Education Code. Funds appropriated in Schedule (e) include \$1,761,000 for the purpose of making adjustments for increases in average daily attendance at a rate of 1.45 percent and \$4,019,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.</p> <p>7. Notwithstanding any other provision of law, the amount appropriated in Schedule (f) shall be the maximum amount allocated for the purposes of the Reader Service for Blind Teachers, for transfer</p>	

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<p>to the Reader Employment Fund established by Section 45371 for the purposes of Section 44925 of the Education Code. Funds appropriated in Schedule (f) include \$1,000 for the purposes of making adjustments in average daily attendance at a rate of 1.45 percent and \$1,000 is for the purpose of providing a cost-of-living-adjustment (COLA) at a rate of 3.17 percent.</p> <p>8. Notwithstanding any other provision of law, the amount appropriated in Schedule (g) shall be the maximum amount allocated for the purposes of providing Advanced Placement teacher training pursuant to legislation established during the 1999–00 Regular Session enacted on or before January 1, 2001.</p>	
<p>6110-194-0001—For local assistance, Department of Education—Staff Development</p>	3,201,000
<p>Schedule:</p>	
<p>(a) 20.60.010.001-Administrator Training and Evaluation Program</p>	1,593,000
<p>(ax) 20.60.010.002-Administrator Training and Evaluation Program, Web-based staff development projects (LINKS)</p>	300,000
<p>(b) 20.60.080-Exploratorium</p>	1,503,000
<p>(c) 20.60.125-Geography Education Alliances</p>	105,000
<p>(d) Reimbursements</p>	–300,000
<p>Provisions:</p>	
<p>1. The funds appropriated in this item are for transfer by the Controller to Section A of the State School Fund, for direct disbursement by the State Department of Education in lieu of the amount that otherwise would be appropriated for staff development pursuant to subdivision (a) of Section 74 of Chapter 894 of the Statutes of 1977.</p>	
<p>2. Notwithstanding any other provision of law, the amount appropriated in Schedule (a) of this item shall be the maximum amount allocated from the General Fund for the 2000–01 fiscal year for the purposes of the administrator training and evaluation program set forth in Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25 of the Education Code.</p>	
<p>3. The amount appropriated in Schedule (d) of this item is provided pursuant to a grant received from</p>	

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the State of Washington for development of a Web-based staff development project by the Santa Cruz County Office of Education.	
6110-195-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.140-Staff Development: Teacher Improvement, Teacher Incentives National Board Certification	15,000,000
Provisions:	
1. Of the funds appropriated in this item, \$5,000,000 is for the purpose of providing incentive grants of \$10,000 to teachers for achieving certification from the National Board for Professional Teaching Standards pursuant to Chapter 2, Article 13 (commencing with Education Code Section 44395).	
2. Of the funds appropriated in this item, \$10,000,000 is for the purpose of providing incentive grants of \$20,000 to teachers that have achieved certification from the National Board for Professional Teaching Standards and agree to teach in a low performing school pursuant to legislation enacted during the 1999–2000 Regular Session that becomes operative on or before January 1, 2001.	
6110-196-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of Proposition 98 educational programs funded in this item, in lieu of the amount that otherwise would be appropriated pursuant to statute.....	1,179,706,000
Schedule:	
(a) 30.10.010-Special Program, Child Development, Preschool Education	263,243,000
(b) 30.10.020-Child Care Services .	1,613,182,000
(1) 30.10.020.001-Special Program, Child Development, General Child Development Programs..	559,640,000

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(2) 30.10.020.002-Special Program, Child Development, Community College Match-Required Center.....	2,769,000
(3) 30.10.020.004-Special Program, Child Development, Migrant Day Care	31,280,000
(4) 30.10.020.007-Special Program, Child Development, Alternative Payment Program.....	194,253,000
(5.1) 30.10.020.011-Special Program, Child Development, Alternative Payment Program-Stage 2	548,001,000
(5.2) 30.10.020.012-Special Program, Child Development, Alternative Payment Program-Stage 3	172,626,000
(6) 30.10.020.008-Special Program, Child Development, Resource and Referral	15,047,000
(7) 30.10.020.009-Special Program, Child Development, Campus Child Care Tax Bailout	5,292,000
(8) 30.10.020.015-Special Program, Child Development, Extended Day Care.....	27,526,000

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(9) 30.10.020.096-Special Program, Child Development, Allowance for Handicapped...	1,361,000
(10) 30.10.020.106-Special Program, Child Development, California Child Care Initiative	250,000
(11) 30.10.020.901-Special Program, Child Development, Quality Improvement.....	55,137,000
(c) 30.10.070-Special Program, Child Development After School Programs	87,807,000
(d) 30.10.020.908-Special Program, Child Development, Cost-of-Living Adjustments.....	30,467,000
(e) Amount Payable from the Federal Trust Fund (Item 6110-196-0890).....	-814,993,000

Provisions:

1. (aa) \$23,799,000 of the amount in Schedule (a) of this item is for expansion of the half-day Preschool program beginning January 1, 2001. The State Department of Education shall prioritize funding allocations to underserved areas.
 - (a) Of the amount appropriated in Schedule (a) of this item, \$23,000,000 is for the purpose of providing full-year funding to expand the half-day Preschool program initiated with a \$23,000,000 augmentation in the Budget Act of 1999, as specified in Provision 1(aa) of Item 6110-196-0001 of Section 2.00 of Chapter 50, Statutes of 1999.
 - (b) Of the amount appropriated in Schedule (b)(1) of this item, \$75,000,000 is for the purpose of providing half-year expansion of full-day, general child care for children ages 0–five years old.
2. Notwithstanding Section 8278 of the Education Code, funds available for expenditure pursuant to

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Section 8278 of the Education Code shall be expended in the 2000–01 fiscal year pursuant to the following schedule:

- (a) The amount necessary for accounts payable pursuant to paragraph (1) of subdivision (b) of Section 8278 of the Education Code.
- (b) \$12,506,000 in augmentation of Schedule (11), Quality Improvement, for projects to improve the quality and availability of child care as specified in Provisions 7(d) and 7(e) of this item.
- (c) Of the remaining funds available after meeting the requirements in (a) and (b) of this provision, \$1,726,000 shall be allocated for instructional materials and equipment for center-based programs and to improve resource lending libraries in resource and referral programs, \$8,202,000 shall be allocated for facilities renovation and repair contracts necessary to meet health and safety standards and to comply with the federal Americans with Disabilities Act of 1990, and, up to \$8,500,000 shall be transferred to the Child Care Facilities Revolving Fund established pursuant to Section 8278.3 of the Education Code. Should additional amounts become available pursuant to Section 8278 beyond those specified herein, up to \$6,000,000 more shall be allocated for instructional materials and equipment and for facilities renovation and repair as necessary, as determined by the State Department of Education. Additional amounts in excess of \$6,000,000 shall not be expended prior to approval of a plan by the Department of Finance pursuant to the notification requirements of Section 28 of this act.
- (d) The Controller shall establish an account entitled Section 8278 Expenditures in 1998 in 6110-196-0001, Program 30.10.060. Any unexpended General Fund balances as of June 30, 2000, or subsequent abatements, from those amounts listed in Schedules (a), (b)(1), (b)(2), (b)(3), (b)(4), (b)(6), (b)(7), (b)(8), (b)(9), (b)(10), and (b)(11) of this item, that are available pursuant to Section 8278 of the Education Code, shall be transferred to the

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- account for the purpose of making expenditures pursuant to that section.
3. The State Department of Education shall report to the Joint Legislative Budget Committee and the Department of Finance, by March 31, 2001, the amount of child development funds, by program, that have been determined after audit to be unearned. The report shall include the settlement of claims payable by program from unearned contract fund balances. This provision includes both Federal Fund and General Fund contracts.
 4. (a) Notwithstanding any other provision of law, alternative payment child care systems shall be subject to the rates established in the Regional Market Rate Survey of California child care and development providers for provider payments. The State Department of Education shall utilize a federal fund contract with the State Child Care Resource and Referral Network (Network) to conduct a market rate survey. It is the intent of the Legislature that the contract between the State Department of Education and the Network require that the summary report and analyses of changes in mean and ceiling rates, adjustment factors, and regional rates be forwarded to the Department of Finance along with the mean and ceiling rates. The contract shall also provide resources sufficient for the Network to respond to requests for related information by the Department of Finance. Any changes to the market rate limits or adjustment factors are subject to the approval process for child care contract funding terms and conditions as specified in Section 8447 of the Education Code. When approved, those changes shall be utilized by the State Department of Education and the State Department of Social Services in various programs under the jurisdiction of both departments to determine limits of reimbursement to providers.
 - (b) Notwithstanding any other provision of law, annual revisions to the family copayment schedule for child care and development programs are also subject to the approval process pursuant to Section 8447 of the Education Code and, when approved, shall be utilized by

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both the State Department of Education and Department of Social Services where applicable.

5. The funds appropriated in this item for campus child care tax bailout shall be allocated by the State Department of Education based on a schedule provided by the Chancellor of the California Community Colleges. The chancellor shall schedule the allocation of these funds to community college districts that levied child care permissive override taxes in the 1977–78 fiscal year pursuant to Sections 8329 and 8330 of the Education Code in an amount equal to the property tax revenues, tax relief subventions, and state aid required to be made available by the district to its child care and development program for the 1979–80 fiscal year pursuant to Section 30 of Chapter 1035 of the Statutes of 1979, increased by any cost-of-living increases granted in subsequent fiscal years. These funds shall be used only for the purpose of community college child care and development programs.
6. Notwithstanding any provision of law to the contrary, higher educational institutions may establish and maintain child development programs on or near their respective campuses with priority for services given to children of students of that campus. Those higher educational institutions under contract with the State Department of Education for child care and development services shall be subject to the rules and regulations adopted by the Superintendent of Public Instruction except where those rules and regulations differ with respect to the conditions specified for the community colleges in Provision 11 of Item 6870-101-0001.
7. Funds in Schedule (b)(11), along with funds allocated pursuant to Provision 2(b) of this item, shall be reserved for activities to improve the quality and availability of child care, pursuant to the following:
 - (a) \$2,291,000 is for the school age care and resource and referral earmark.
 - (b) \$6,114,000 is for the infant and toddler earmark and shall be used for increasing the supply of quality child care for infants and toddlers. Notwithstanding any other provision of law, expenditure plans and contract provi-

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sions for awarding these funds shall give high, but not exclusive, priority to the development of new family day care home providers, especially those who offer care during nontraditional hours such as weekends, evenings, and nights and who offer care for special needs children.

- (c) \$1,500,000 is for regional resource centers to develop capacity in underserved areas.
- (d) From the remaining funds including funds available pursuant to Provision 2(b) of this item, the following amounts shall be allocated for the following purposes: \$6,000,000 in one-time funding to bring playground equipment at child care facilities into compliance with regulatory requirements, \$5,300,000 for Local Child Care Planning Councils established pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code; \$5,000,000 in one-time funding for the California Childcare Accreditation Project to be allocated after a program plan has been approved by the Office of the Secretary for Education, \$4,000,000 to train former CalWORKs recipients as child care teachers, \$2,700,000 for contracting with the Department of Social Services for increased inspections of child care facilities, \$1,000,000 to continue the Family Child Care At Its Best training project, which, through an interagency agreement with the University of California at Davis Extension Program, provides child development training to licensed family child care home providers to enhance the quality and safety of licensed family child care homes, \$1,000,000 for ongoing dissemination of and training for both exempt and licensed providers in the use of prekindergarten learning and development guidelines developed pursuant to Section 8203.3 of the Education Code, \$1,000,000 for Trustline registration workload (Ch. 3.35 (commencing with Sec. 1596.60), Div. 2, H. & S.C.); \$500,000 for health and safety training for licensed and exempt child care providers; \$320,000 for the Child Development Training Consortium, \$300,000 for the Health Hotline, \$300,000 to

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implement a technical assistance program to child care providers in accessing financing for renovation, expansion, and/or construction of child care facilities, and \$1,500,000 in one-time funding to pilot the development and implementation of centralized unduplicated eligibility lists for state subsidized child care. The State Department of Education shall structure the pilot so as to ensure generation of data useful for future centralized data collection and policy considerations, including, but not limited to, regular purging of eligibility lists to maintain an accurate count of children waiting for care, establishment of standardized practices for eligibility determination and income self-certification, use of common data elements in each participant county, and testing of technologies that could eventually be used to transfer data to and access data from a centralized state-level database.

- (e) The State Department of Education shall allocate \$425,000 to preschool education projects including, but not limited to, those operated by the public television stations in Redding, San Francisco, San Jose, Los Angeles, Fresno, and San Diego. Of this amount, the department shall allocate up to \$320,000 to public television stations in Redding, San Francisco, San Jose, and Los Angeles, based upon the satisfaction by the projects operated by the public television stations in each of those cities of all of the following criteria: (1) the 30-percent minimum match; (2) a plan that identifies the providers to be trained; (3) number of trainers to be trained; (4) the quality of the training offered; (5) linkages to the child care community; and (6) cost effectiveness. The balance of the \$425,000 identified in this subdivision shall be made available to support projects in Fresno and San Diego, based upon the determination by the State Department of Education of the satisfaction by the projects operated by the public television station in each of those cities of the criteria set forth above in (1) to (6), inclusive. As a condition of receiving funds as described in this

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- subdivision in the 2000–01 fiscal year, each grantee that received funds in the 1999–00 fiscal year shall complete and submit to the State Department of Education, no later than March 1, 2001, an evaluation of the effectiveness of the project operated by the grantee in improving the quality of child care provided in the affected community.
- (f) \$30,000 shall be made available for a preschool public television project in Eureka.
 - (g) As required by federal law, the State Department of Education shall develop an expenditure plan that sets forth the final priorities and the reasons therefor if the final priorities are different from those approved in response to the reporting requirement contained in Provision 7(d) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999). This plan shall be submitted to the Department of Finance by September 1, 2000, and funds shall not be encumbered prior to approval of the plan by the Department of Finance. The State Department of Education shall coordinate with the Department of Social Services, the California Children and Families State Commission, and other applicable entities to identify annual statewide expenditures for quality enhancements which qualify for meeting federal requirements, and shall reference these expenditures in its biennial federal quality plans.
 - (h) The State Department of Education shall establish expenditure priorities for the 2001–02 fiscal year that set forth the proposed state and local activities to improve child care, including the reasons therefor, to be undertaken in the 2001–02 fiscal year. This plan shall be submitted in a format developed in consultation with the Department of Finance and shall be submitted to the Department of Finance and to the fiscal committees of both houses at least 30 days prior to the commencement of public hearings on the proposed plan and no later than March 1, 2001.
 - (i) \$15,000,000 from General Fund shall be for a child care salary/retention incentive program,

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	contingent on legislation to be enacted in the 1999–2000 Regular Session.
8. (a)	If the federal funds available pursuant to Provision 10 of Item 6110-196-0001 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997) have not been transferred to Item 6110-001-0001 of Section 2.00 of this act by June 30, 2000, those funds shall be available in the 2000–01 fiscal year for (a) interim data reporting as approved by the Department of Finance, and, (b) for the same purposes and subject to the same conditions, including FSR development, and reporting requirements otherwise applicable to Item 6110-196-0001 and Item 6110-001-0890 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997).
(b)	No later than August 31, 2000, the State Department of Education (SDE) shall convene a data collection task force composed of representatives of the SDE, the Legislative Analyst, the chairs and vice chairs of the appropriate fiscal and policy committees of the Legislature, the Department of Social Services, the Senate Office of Research, the Joint Legislative Audit Committee, the Department of Finance, child care providers, and other stakeholders as defined by the task force. The task force shall advise the SDE on the implementation of the interim data collection system and development and implementation of the long-term data collection system. The task force members shall provide advice concerning any associated feasibility study reports and requests for proposals, assist the SDE in designing systems that generate policy-relevant information, establish timelines for project completion, and monitor progress toward project completion. Any company or individual who participates in the task force or in an advisory capacity to the task force shall not be eligible to bid for the development of the system. In the development of this system, the SDE shall contract for a risk assessment of the project. The SDE shall provide copies of any status reports it is required to send to the United States Department of Health and Human Services, as well as any feasibility

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study reports and requests for proposals, to each of the task force participants. If the interim system and long-term system are not fully discussed in those reports, the SDE shall provide supplementary reports to the members of the task force on October 1, 2000, and March 1, 2001, regarding progress toward completion of the projects. It is the intent of the Legislature that the SDE take all necessary steps to comply with federal reporting requirements in a timely fashion.

- (c) For purposes of ensuring adequate data for policy consideration, management of the current year budget, and development of the child care budget for the 2001–02 fiscal year, with special emphasis on CalWORKs caseload driven programs, it is the intent of the Legislature that the SDE utilize funds made available pursuant to subdivision (a) above for interim data collection to finance any surveys or sampling activities needed to augment state staff capabilities in meeting requirements specified herein and as clarified or amended by the Department of Finance. It is legislative intent that the SDE expedite any contracting necessary to fulfill the data requirements of this subdivision. It is recognized that the CalWORKs child care programs present unique challenges requiring the cooperation of the two implementing state agencies with the Department of Finance to annually determine a budgetary plan and to determine any mid-year adjustments which may be advisable. Therefore, the following requirements shall apply:
1. The State Department of Education shall implement an improved allocation, contracting, and reimbursement system for CalWORKs Stage 2 and Stage 3 funding to ensure funds are distributed in proportion to statewide needs. These needs shall recognize attrition experience and family fees collected at the local level which shall be counted toward the funding available to meet those needs. The department shall conduct monthly analyses of caseloads and expenditures and adjust agency contract maximum reimbursement amounts and

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- allocations as necessary to ensure funds are distributed proportional to need.
2. The department shall provide quarterly reports on the sufficiency of funding for Stage 2 and Stage 3 to the Department of Finance and the Department of Social Services (DSS) and to the Legislative Analyst's office. The department shall provide caseloads, expenditures, allocations, unit costs, family fees, and other key variables and assumptions used in determining the sufficiency of state allocations. Detailed backup by month and on a county-by-county basis shall be provided to the DSS at least on a quarterly basis for comparisons with Stage 1 trends.
 3. Any request from the child care reserve shall be based on the information and analyses pursuant to the preceding paragraphs and shall be made jointly and coordinated with the DSS to eliminate duplication. In order to facilitate coordination, detailed backup by month and on a county-by-county basis, if different from quarterly data provided pursuant to the previous paragraph, shall be provided to the DSS to facilitate its analyses and comparison of overall CalWORKs caseloads and related child care needs.
 4. By September 15, 2000, and March 15, 2001, the department shall ensure that detailed caseload and expenditure data, through the most recent period for Stage 2 and Stage 3 along with all relevant assumptions, is provided to DSS to facilitate budget development and the May Revision, respectively. The detailed data provided shall include actual and projected monthly caseload from Stage 2 scheduled to time off of their transitional child care benefit through the subsequent two fiscal years as well as local attrition experience. DSS shall utilize data provided by the State Department of Education, including key variables from the final quarter of the prior fiscal year and the first two months of the 2000-01 fiscal year, to provide coordinated estimates in November 2000 for each of the three stages of care for preparation of the 2001-02 Governor's Budget, and shall utilize data from the first two quarters of the 2000-01 fiscal year for preparation of the 2001 May Revision. DSS shall share its assumptions

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and methodology with SDE in the preparation of the 2001–02 Governor’s Budget.	
5. As deemed necessary by the department for counties where there is more than one Alternative Payment Program participating in Stage 2 and Stage 3, county welfare departments shall participate jointly with the Alternative Payment Programs, as applicable, to jointly determine the amount of funds initially distributed to each Alternative Payment Program. However, the State Department of Education may adjust these allocations at any time for providers deemed by the State Department of Education to be on conditional status and shall adjust the allocations as necessary to ensure a distribution of funding proportional to each alternative payment provider’s documented need pursuant to the analysis specified in this provision.	
6. The State Department of Education shall determine, through survey or mandatory reporting, and through use of consultant services as necessary, the following information, which shall be provided by September 1, 2000, to the Department of Finance for use in 2001–02 budget development, to the State and Consumer Services Agency for the purpose of modeling the effects of child care reform options, and to the Legislative Analyst’s office:	
(a) Profiles of the subsidized population, disaggregated for each major program, sufficient to determine both the numbers and ages of children and proportion of subsidized children and families in care by family income and family size; the numbers and proportions of children on waiting lists who already have child care but desire other arrangements; the numbers and proportions of children utilizing more than one type of subsidized child care; the work status of parents of children receiving subsidized child care; the numbers and proportions of children in full-time care and in part-time care; the ages of children at time of entry into a subsidized child care program; and the numbers and proportions of foster children receiving subsidized child care.	
(b) For each major program, quantify the fees collected, provide the number and proportion	

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- of children and families paying family fees, and the number of children and families exempted from family fees per income category by family size. In addition, identify and classify the reasons for fee exemptions and the costs of fee collection.
- (c) Within and across all major programs, determine the monthly rates of attrition of families. Also, for each program for selected counties, determine the number and percentage of new families receiving child care due to the following reasons: child protective services cases, foster care, seeking work, working, or in training programs leading to work, and the relative distribution of new families entering the system by family income, and size. Also, determine how many months families have been waiting for child care.
- (d) Based on a statistically significant statewide sampling of actual cases for each major alternative payment-based program, determine the incidence, relative proportion, and dollar magnitude of actual care payments per child that are in excess of or below the current mean-market rates. Classify the occurrences in percentage increments from the mean-market rate.
9. (a) The Department of Finance is authorized to augment the appropriation in this item for CalWORKs Stage 3 funding upon demonstration by the State Department of Education that additional funding is necessary. The Department of Finance shall provide written notification to the chairperson of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee at the time such augmentation is approved.
- (b) Notwithstanding any other provision of law, the funds in Schedule (b)(5.2) for Stage 3 are reserved exclusively for continuing child care to: (1) former CalWORKs families who are working, have left cash aid and have exhausted their two-year eligibility for transitional services in either Stage 1 or 2 pursuant to subdivision (c) of Section 8351 or Section 8353 of the Education Code, respectively, but

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still meet eligibility requirements for receipt of subsidized child care services; and (2) families who received lump-sum diversion payments or diversion services under Section 11266.5 of the Welfare and Institutions Code and have spent two years in Stage 2 off of cash aid, but still meet eligibility requirements for receipt of subsidized child care services. Any families who have been continuously enrolled in Stage 3 slots funded through the original increment of \$60,000,000 initially funded in the Budget Act of 1997 (Ch. 282, Stats. 1997) from the Child Care and Development Block Grant are exempted from these restrictions, provided they continue to meet eligibility criteria for receipt of subsidized child care. However, Alternative Payment Providers shall continue to replace exempted families with those meeting the eligibility requirements specified herein.

10. Nonfederal funds appropriated by this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance of effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance of effort expenditure.
11. (a) In recognition of the extensive services currently provided to CalWORKs recipients, the increased level of services provided to these populations by resource and referral agencies as provided for in this item, and the economies of scale that occur as contract amounts have been multiplied since 1996-97, it is the intent of the Legislature that administrative and support services allowances for alternative payment contractors serving these populations be limited to no more than 25 percent of the direct cost of care payments to child care providers. Therefore, notwithstanding any other provision of law or regulation, the State Department of Education shall ensure that contract provisions conform to this intent for Stages 2

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- and 3 child care contracts funded through Schedules (b)(5.1) and (b)(5.2) of this item.
- (b) Alternative Payment programs may vend families into state subsidized centers and family day care homes operating under direct contracts with the department when those centers and homes have licensed capacity in excess of their state contract amount. However, in recognition of the child and family services and other administrative and case management services provided by centers and homes which are funded under the standard reimbursement rates paid to these agencies, it is recognized that there is duplication in activities normally provided by AP's and these providers. Therefore, it is the intent of the Legislature that the State Department of Education conduct a survey of each Alternative Payment provider to determine the number and proportion of children vended to state contracted child care providers meeting requirements of Title 5 of the California Code of Regulations. The survey shall also determine the extent to which duplication exists between activities required of the Alternative Payment Providers and the centers and the costs associated with that duplication, if any. The Department of Finance and the Legislative Analyst's Office shall review the survey instrument prior to its implementation. The State Department of Education shall report the results of the survey to the fiscal committees, Legislative Analyst, and Department of Finance by October 15, 2000.
12. Notwithstanding Section 26.00 of this act, the funds appropriated in Schedule (d) of this item, for child development cost-of-living adjustments, is for transfer to Schedules (a), (b)(1), (b)(2), (b)(3), (b)(4), (b)(6), (b)(7), (b)(8), and (b)(9) within this item.
13. Of the funds in Schedule (b)(3) of this item, up to \$5,000,000 may be used to establish or continue a pilot Migrant Alternative Payment Network Program for central valley counties. This program shall comply with the requirements approved pursuant to Provision 18 of Item 6110-

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<p>196-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998).</p> <p>14. Notwithstanding any other provision of law, it is the intent of the Legislature that unearned contract amounts from General Funds or Federal Funds appropriated for CalWORKs Stages 2 and 3 in any prior year be used to offset direct service costs in CalWORKs Stage 2 child care in the 2000–01 fiscal year and each year thereafter. Therefore, in order to account for these funds in determining the budget, the Department of Education shall disencumber any amounts in excess of a three percent reserve of the original contract amount for each unaudited contract and shall provide a report by September 1, 2000 and April 1, 2001 of the available balances to the Department of Finance. The Department of Education shall ensure child care audits are closed out in a timely fashion to ensure savings are available in the fiscal year budget following initial appropriation.</p> <p>15. Of the amount appropriated in Schedule (b)(3) of this item, \$7,500,000 is for the half-year costs of expansion of migrant day care services. The amount must be used in conjunction with the \$2,500,000 for the Migrant Education Even Start (MEES) program appropriated in Item 6110-141-0001. The State Department of Education shall develop a Request for Applications that will combine the requirements of the two programs into a single program that shall be called the Migrant Even Start Child Development Program.</p> <p>18. By February 1, 2001, the State Department of Education shall develop proposed regulations applicable to CalWORKs child care and non-CalWORKs child care, to provide for waivers of the requirement for providers to serve at least 25 percent nonsubsidized children under the circumstances specified in Section 8222.5 of the Education Code. The proposed regulations shall: include a mechanism for Alternative Payment Providers (APPs) to grant the waiver locally in a manner that imposes minimal burden on the provider, the family and the APP; provide protection to the state’s financial interests; and ensure that application of the 25 percent rule and the waiver</p>	

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<p>process do not result in a disincentive for families to place their children in licensed child care. The development of these proposed regulations shall include public input and review by the Department of Finance, the Legislative Analyst's Office, and the appropriate legislative policy and fiscal committees.</p>	
<p>6110-196-0890—For local assistance, Department of Education, for payment to Item 6110-196-0001, payable from the Federal Trust Fund</p>	814,993,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. Notwithstanding any other provision of law, the funds appropriated in this item, to the extent permissible under federal law, are subject to Section 8262 of the Education Code. 2. The funds appropriated in this item include the federal Child Care and Development Block Grant and are contingent upon receipt of the federal grant. 3. Of the funds appropriated in this item, \$9,700,000 in federal Child Care and Development Block Grant funds appropriated by the federal government prior to the 1999 federal fiscal year shall be available on a one-time basis. 4. Of the funds appropriated in this item, \$419,242,000 is from the transfer of funds from the federal Temporary Assistance for Needy Families (TANF) Block Grant administered by the State Department of Social Services to the federal Child Care and Development Block Grants (CCDBG) for Stage 2 child care. This amount may be increased by transfer from the CalWORKs child care reserve pursuant to Item 5180-401 of this act, except that funds shall not be first transferred to the Child Care Development Block Grant if those transfers result in an increase to the federal quality requirements beyond the level currently budgeted for quality activities. 5. Provision 9(a) of Item 6110-196-0001 also applies to this item. 	
<p>6110-197-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.100—Instructional Support-Improving School Effectiveness—Intersegmental Programs.....</p>	1,858,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The funds appropriated by this item are for transfer by the Controller to Section A of the State 	

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School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other educational agencies for purposes of the Proposition 98 programs in this item, in lieu of the amounts otherwise provided in for those programs by statute.

- 2. Of the funds appropriated by this item, \$25,000 is for the purpose of making adjustments for increases in average daily attendance at a rate of 1.45 percent and \$57,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.

6110-198-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation to school districts and county offices of education, in lieu of the amount that otherwise would be appropriated pursuant to statute.....

80,844,000

Schedule:

- (a) 20.60.220-CalSAFE Academic and Supportive Services..... 21,080,000
- (b) 30.10.020-CalSAFE Child Care 38,331,000
- (c) 20.60.221-All Services for Non-converting Pregnant Minor Programs 21,433,000

Provisions:

- 1. Notwithstanding any other provision of law, a school district or county superintendent of schools operating, by October 1, 1999, a School Age Parent and Infant Development Program pursuant to Article 17 (commencing with Section 8390) of Chapter 2 of Part 6, a Pregnant Minors Program pursuant to Chapter 6 (commencing with Section 8900) of Part 6 and Section 2551.3, or a Pregnant and Lactating Students Program pursuant to Sections 49553 and 49559, or any combination thereof, that chooses to participate in the CalSAFE program shall have priority for CalSAFE program funding for an amount up to the dollar amount provided under those provisions in the fiscal year prior to participation in the CalSAFE program, provided an application is submitted and approved.
- 3. The amounts in Schedules (a), (b), and (c) of this item are based on early estimates of the amounts required by existing programs for operation of CalSAFE programs in 2000–01. Prior to releasing

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- funds appropriated by this item, the Department of Education shall secure approval from the Department of Finance of its proposed allocation plan. The plan shall specify each agency's recommended allocation and supporting detail including the relevant revenue limit utilized, average daily attendance, and number and cost for child care slots funded in 1999–00 and estimated for 2000–01. The plan shall also indicate the differences between fall 1999 estimates and the final proposed allocations, and the reasons therefor.
4. Schedule (c) above is to provide funding for all child care, as well as both academic and supportive services for programs choosing to retain their Pregnant Minor Program revenue limit. Notwithstanding any other provision of law, the department shall compute allocations to these agencies using the respective agencies' 1998–99 Pregnant Minor Program revenue limit. Further, notwithstanding any other provision of law, programs which choose to retain their Pregnant Minor revenue limit rather than convert to the CalSAFE revenue limit must provide child care within the revenue limit funding for children of students comprising base year average daily attendance. To the extent additional units of average daily attendance are authorized by the department for growth for these agencies, academic and supportive services reimbursement for such growth shall be computed using the new CalSAFE revenue limit. Growth funding for the child care component shall be equal to the proportionate share of total child care costs for the specific agency's program as determined by dividing the authorized growth in student average daily attendance by the total authorized average daily attendance.
 5. (a) Local education agencies applying to operate a CalSAFE program pursuant to Section 54749 may submit a timeline and a corrective action plan for approval by the Superintendent of Public Instruction on a case-by-case basis to extend implementation to no later than June 30, 2001, of the child care and development requirements as specified in paragraph (7) of subdivision (c) of Section 54745 and subdivision (c) of Section 54746 of the Education Code.

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- (b) Local education agencies applying to operate a CalSAFE program pursuant to Section 2551.3 of the Education Code may submit a timeline and a corrective action plan for approval by the Superintendent of Public Instruction on a case-by-case basis to extend implementation to no later than June 30, 2001, of the following child care and development physical environment requirements as specified in Division 12, Article 7 of Title 22 of the California Code of Regulations: Sections 101238(d), 101238.2, 101238.3(a), 101238.4(b) and (c), 101239(e), (h), and (i), and 101239.2(2), and required pursuant to paragraph (5) of subdivision (c) of Section 54746 of the Education Code. If the Superintendent of Public Instruction finds that a local education agency that has submitted a timeline and a corrective action plan pursuant to this section has not complied with all provisions of the timeline and the corrective action plan as approved by the Superintendent of Public Instruction, the local education agency shall be ineligible for any funding pursuant to Section 2551.3 of the Education Code after the mail date of written notification of non-compliance to the local education agency.
- (c) For teachers in CalSAFE child care programs operated pursuant to Section 54749 of the Education Code, the Superintendent of Public Instruction may waive the qualifications of paragraph (6) of subdivision (c) of Section 54746 of the Education Code for the 2000–01 fiscal year, if the superintendent determines that the existence of compelling need is appropriately documented and the applicant is making satisfactory progress toward securing a permit issued by the Commission on Teacher Credentialing.
- (d) For teachers in CalSAFE child care programs operated pursuant to Section 2551.3 of the Education Code, the Superintendent of Public Instruction may waive the qualifications of paragraph (6) of subdivision (c) of Section 54746 of the Education Code until January 1, 2001, if the superintendent determines that the existence of compelling need is appropri-

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ately documented and the applicant is making satisfactory progress toward securing a permit issued by the Commission on Teacher Credentialing.	
6110-199-0001—For local assistance, Department of Education (Proposition 98), Beginning Administrator/Beginning Counselor Training Programs	5,000,000
Provisions:	
1. Of the funds appropriated in this item, \$2,000,000 is provided to fund beginning counselor training programs, and \$3,000,000 is provided to fund beginning administrator training programs, subject to the establishment of these programs by legislation enacted during the 1999–2000 Regular Session.	
6110-200-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.037 Healthy Start Support Services for Children Act.....	49,000,000
Provisions:	
1. For purposes of allocating up to \$10,000,000 of the funds appropriated by this item, the State Department of Education shall give priority to those applicants that address the needs of pregnant and parenting teenagers as specified in Chapter 311, Statutes of 1995.	
2. The State Department of Education shall report to the Department of Finance by October 1, 2000 on the relative demand for, and quality of applications submitted for the 1999–00 and 2000–01 funding cycles.	
6110-201-0001—For local assistance, Department of Education (Proposition 98).....	2,000,000
Schedule:	
(a) 30.20-Child Nutrition	2,800,000
(b) Reimbursements.....	–800,000
Provisions:	
1. Notwithstanding any other provision of law, the amount appropriated in this item is for the purpose of providing grants to school districts and county superintendents of schools during the 2000–01 school year for school breakfast program startup grants pursuant to Section 49550.3 of the Education Code, and for nonrecurring expenses incurred by a school district or county office of education in initiating or expanding a Summer Food Service Program for children pursuant	

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to Section 49547.5 of the Education Code following criteria developed by the State Department of Education.	
2. Of the funds appropriated in Schedule (a) of the item, \$1,000,000 shall be used to provide startup grants for the Summer Food Service Program and the After School Snack Program and to allow non-profit organizations and governmental agencies to participate in the program.	
6110-201-0890—For local assistance, Department of Education, Program 30.20-Child Nutrition, payable from the Federal Trust Fund.....	1,333,256,000
Schedule:	
(a) 30.20.010—Child Nutrition	1,310,481,000
(b) 30.20.040—Summer Food Service Program.....	22,775,000
Provisions:	
1. The Department of Education shall implement a pilot program for the purpose of testing the participation of proprietary child care centers in the Child and Adult Care Food Program in California. The pilot program shall be implemented no later than January 2001. Dependent on the outcomes of the pilot program, the department shall work to ensure that a full statewide program is implemented in California by July 1, 2001.	
6110-202-0001—For local assistance, Department of Education	12,049,000
Schedule:	
(a) 30.20.010-Child Nutrition	12,049,000
Provisions:	
1. Funds appropriated in this item are for child nutrition programs pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this appropriation shall be submitted not later than September 30, 2001, to be eligible for reimbursement.	
2. Notwithstanding any other provision of law, except as provided in this provision, funds appropriated in this item shall be available for allocation in accordance with Section 49536 of the Education Code, except that the allocation shall not be made based on all meals served, but based on the number of meals that are served and that qualify as free or reduced-price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code.	

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<p>6110-203-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 30.20.010-Child Nutrition Programs, established pursuant to Sections 41311, 49536, 49501, 49550, 49552, and 49559 of the Education Code</p> <p>Provisions:</p> <ol style="list-style-type: none"> 1. Funds appropriated by this item shall be allocated pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this allocation shall be submitted by school districts on or before September 30, 2001, to be eligible for reimbursement. 2. Notwithstanding any other provision of law and except as otherwise provided in these provisions, funds designed for child nutrition programs by this item shall be allocated in accordance with Section 49536 of the Education Code; however, that the allocation shall be based not on all meals served, but on the number of meals that are served and that qualify as free or reduced price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code. 3. Of the funds appropriated by this item, \$914,000 is for the purpose of providing adjustments for increases in average daily attendance at a rate of 1.45 percent and \$2,146,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent. 	<p>65,769,000</p>
<p>6110-204-0001—For local assistance, Department of Education (Proposition 98), Program 10.10.014 for 7th and 8th Grade Math Academies</p> <p>Provisions:</p> <ol style="list-style-type: none"> 1. The funds appropriated in this item are for the purposes of funding Math Academies for 7th and 8th grade pupils pursuant to legislation to be enacted during the 1999–00 Regular Session that becomes effective on or before January 1, 2001. 2. Notwithstanding any other provision of law, for the 2000–01 fiscal year the Superintendent of Public Instruction shall allocate a minimum of \$6,980 for intensive instructional algebra academies in each school district for which the prior fiscal year enrollment of pupils in grades 7–8 was greater than zero but less than 333 and that, in the 	<p>21,500,000</p>

Item	Amount
<p>2000–01 fiscal year, offers at least 1,500 hours of supplemental algebra instruction pursuant to this item. A small school district, as described above, that offers less than 1,500 hours of supplemental summer school offerings shall receive a proportionate reduction in its allocation. For the purpose of this provision, intensive instructional algebra academies means programs authorized under Section 53082 of the Education Code.</p> <p>3. Notwithstanding any other provision of law, the rate of reimbursement shall be \$3 per hour of supplemental instruction unless specified otherwise through legislation enacted in the 1999–2000 Regular Session.</p> <p>4. Notwithstanding any other provision of law, the Department of Finance may transfer amounts between Items 6110-104-0001, 6110-204-0001, and 6110-205-0001 of this act in order to minimize deficiencies for any of the programs budgeted in those items.</p>	
<p>6110-205-0001—For local assistance, Department of Education (Proposition 98), Program 10.10.140-Elementary School Intensive Reading Program, for transfer to Section A of the State School Fund, for programs pursuant to Section 42239.1 of the Education Code</p>	86,176,000
<p>Provisions:</p> <p>1. Notwithstanding any other provision of law, the rate of reimbursement shall be \$3 per hour of supplemental instruction unless specified otherwise through legislation enacted in the 1999–2000 Regular Session.</p> <p>2. Notwithstanding any other provision of law, the Department of Finance may transfer amounts between Items 6110-104-0001, 6110-204-0001, and 6110-205-0001 of this act in order to minimize deficiencies for any of the programs budgeted in those items.</p>	
<p>6110-208-0001—For local assistance, Department of Education (Proposition 98), Program 20, for allocation to the Center for Civic Education.....</p>	250,000
<p>Provisions:</p> <p>1. The funds appropriated in this item are for the purpose of implementing a middle school and junior high school civic education program.</p>	

Item	Amount
6110-209-0001—For local assistance, State Department of Education (Proposition 98), Program 10.10.090.002-Teacher Dismissal Apportionments, for transfer to Section A of the State School Fund and allocation by the Controller for payment of claims received pursuant to Section 44944 of the Education Code	36,000
Provisions:	
1. Of the funds appropriated in this item, \$490 is for the purpose of making adjustments for increases in average daily attendance at a rate of 1.45 percent and \$1,090 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.17 percent.	
6110-211-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.036 for Categorical Programs for charter schools.....	22,747,000
Provisions:	
1. Funds appropriated in this item are for the purpose of funding additional costs of categorical funding for charter schools pursuant to Article 2 of Chapter 6 of Part 26.8 of the Education Code (commencing with Section 47633).	
6110-212-0001—For local assistance, Department of Education (Proposition 98), Program 20.60-High-Risk Youth Education and Public Safety Program...	18,000,000
Provisions:	
1. The funds appropriated in this item are for transfer by the Controller to Section A of the State School Fund, for allocation by the State Department of Education to school districts and county offices of education for costs incurred for the High-Risk First-Time Offenders Program and the Transitioning High-Risk Youth Program pursuant to Article 1 (commencing with Section 47760) of Chapter 2 of Part 26.95 of the Education Code.	
6110-216-0001—For local assistance, Department of Education, for allocation to the Lewis Center for construction of a mission operations center to house a control room and scientific research equipment ...	4,500,000
6110-224-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Year Round School Grant Program established pursuant to Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of the Education Code	77,269,000

Item

Amount

Schedule:

- (a) 10.10.950.001-Implementation grants pursuant to Section 42262 of the Education Code 1,327,800
- (b) 10.10.950.002-Operations grants.... 75,941,200

Provisions:

1. The following provisions govern funds appropriated for the Year Round School Grant Program (Art. 3 (commencing with Sec. 42260), Ch. 7, Pt. 24, Ed. C.):

- (a) Applications for year-round school grants pursuant to Sections 42262 and 42263 of the Education Code shall be received annually by the Superintendent of Public Instruction no later than September 1 of the year for which payment is sought; applications received after that date may not be processed. If the funds available for a fiscal year are insufficient to fully fund all eligible grants pursuant to Sections 42262 and 42263 of the Education Code, the superintendent shall at that time provide all approved claims with a prorated share of the funds made available for those grants pursuant to this item.

- (b) If a school district receives state reimbursement that is specifically attributable to the cost of operating schools on a year-round basis pursuant to a court-ordered or voluntary integration program, the district shall be eligible for any portion of the allowances for year-round school grants pursuant to Sections 42262 and 42263 of the Education Code for the 1997-98 fiscal year, but only to the extent that the district incurs costs in the 1997-98 fiscal year specifically attributed to operating schools on a year-round basis, as audited and approved by the Controller, that exceed claims submitted for state reimbursement and are deemed by the Controller to be allowable costs for that year-round operation pursuant to Sections 42243.6 and 42249 of the Education Code for the 1997-98 fiscal year. Funds may be distributed during the 1997-98 fiscal year pursuant to this provision. However, the Controller shall audit, and may make adjustments to, the funds distributed under this item in future years.

Item	Amount
2. Of the funds appropriated in this item, \$1,070,000 is for the purpose of providing an adjustment for growth at a rate of 1.45 percent and \$2,374,000 is for the purpose of providing a cost-of-living adjustment at a rate of 3.17 percent.	
6110-226-0001—For local assistance, Department of Education (Proposition 98).....	14,608,000
Schedule:	
(a) 20.60.020.001-Partnership Minigrants/Safe School Planning ..	628,000
(b) 20.60.020.012-Conflict Resolution ..	280,000
(c) 20.60.020.013-School Community Violence Prevention	700,000
(d) 20.60.020.008-School Community Policing	10,000,000
(e) 20.60.020.016-Safety Plans for New Schools	3,000,000
Provisions:	
1. The funds appropriated in Schedule (e) are available for developing School Safety Plans pursuant to Chapter 996 of the Statutes of 1999 and are to be allocated through an application process to be determined by the Department of Education.	
6110-228-0001—For local assistance, Department of Education, for transfer to Section A of the State School Fund for allocation by the Controller (Proposition 98), Program 20.60.020.011-School Safety....	133,287,000
Provisions:	
1. Of the funds appropriated in this item, \$71,087,000 is available to fund block grants for middle and junior high schools and high schools that serve grades 8 to 12, inclusive, pursuant to Chapter 51, Statutes of 1999.	
2. Of the funds appropriated in this item, \$1,000,000 shall be made available for County Offices of Education pursuant to Chapter 645, Statutes of 1999.	
4. Of the funds appropriated in this item, \$61,200,000 is available to fund block grants for elementary, middle, and junior high schools that serve kindergarten and grades 1 to 7, inclusive.	
6110-229-0001—For local assistance, Department of Education (Proposition 98), Program 20-Teacher Recruitment Centers	9,400,000
Provisions:	
1. These funds are to be allocated to the Sacramento County Office of Education to establish and over-	

Item	Amount
<p>see Teacher Recruitment Centers in five regions for the purpose of increasing the hiring of fully credentialed teachers in low-performing schools, pursuant to legislation enacted during the 1999–2000 Regular Session that becomes operative on or before January 1, 2001.</p>	
<p>6110-231-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts and county offices of education for the purpose of the Proposition 98 educational programs specified in subdivision (b) of Section 12.40 of this act.....</p>	67,831,000
<p>Provisions:</p>	
<p>1. Of the funds appropriated in this item \$67,831,000 shall be allocated to all school districts and county offices of education in the state on the basis of an equal amount per unit of average daily attendance for the Proposition 98 educational programs specified in subdivision (b) of Section 12.40 of this act.</p>	
<p>6110-232-0001—For local assistance, Department of Education (Proposition 98) for transfer to Section A of the State School Fund, Program 10.26, Program to Reduce Class Size in Two Courses in Grade 9 pursuant to Chapter 6.8 (commencing with Section 52080) of Part 28 of the Education Code</p>	166,970,000
<p>Provisions:</p>	
<p>1. Of the funds appropriated in this item, \$5,136,000 is provided for cost-of-living adjustments (COLAs).</p>	
<p>6110-234-0001—For local assistance, Department of Education (Proposition 98), Program 10.25, for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Class Size Reduction Program pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28 of the Education Code.....</p>	1,566,118,000
<p>Provisions:</p>	
<p>1. Of the funds appropriated in this item, \$48,120,000 is provided for cost-of-living adjustments (COLAs).</p>	

Item	Amount
6110-234-0890—For local assistance, Department of Education, Program 10.27, for allocation to local educational agencies for the federal class size reduction program, payable from the Federal Trust Fund. Provisions:	139,961,000
1. The Superintendent of Public Instruction shall allocate funds to local educational agencies in accordance with the federal class size reduction program funding formula.	
2. Local educational agencies shall expend the funds appropriated in this item consistent with the federal Department of Education annual appropriations act and as modified by all relevant federal waiver decisions.	
3. To the maximum extent allowable by the federal class size reduction program, local educational agencies are strongly encouraged to reduce class sizes in up to two grade 10 classes, including one English course, to an average size of 20 pupils per certificated teacher.	
6110-235-0001—For local assistance, Department of Education (Proposition 98), Program 20.80 for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for supplemental grants pursuant to Sections 54761.2 and 54761.3 of the Education Code.. Provisions:	221,978,000
1. Of the funds appropriated in this item, \$3,051,000 is for the purpose of providing an adjustment for increases in average daily attendance and \$6,774,000 is for the purpose of providing a cost-of-living adjustment (COLA).	
2. The funds appropriated in this item shall be allocated by the Superintendent of Public Instruction to participating school districts in accordance with a schedule maintained by the State Department of Education.	
6110-240-0001—For local assistance, Department of Education (Proposition 98)..... Schedule:	12,583,000
(a) 10.80.030-Instruction: International Baccalaureate Program.....	1,083,000
(b) 20.10-Instructional Support: Curriculum Services	10,000,000
(c) 20.70-Instructional Support: Assessments.....	1,500,000

Item	Amount
Provisions:	
1. The funds appropriated in Schedule (a) of this item shall be for the International Baccalaureate Diploma Program authorized by Chapter 12.5 (commencing with Section 52920) of Part 28 of the Education Code.	
2. The funds appropriated in Schedule (b) of this item shall be for the College Preparation Partnership Program authorized by Chapter 8 (commencing with Section 60830) of Part 33 of the Education Code.	
3. The funds appropriated in Schedule (c) of this item shall be for grants for advanced placement examination fees as authorized by Chapter 8.3 (commencing with Section 52244) of Part 28 of the Education Code.	
6110-242-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.106.....	125,000
Provisions:	
1. Funds appropriated in this item are for allocation to the California Association of Student Councils to expand student leadership activities.	
6110-243-0001—For local assistance, Department of Education (Proposition 98), Program 20.10-Instructional Support—Curriculum Services, for the purposes of the Academic Improvement and Achievement Act as specified in Chapter 12 (commencing with Section 11020) of Part 7 of the Education Code.....	5,000,000
6110-280-0001—For local assistance, Department of Education (Proposition 98), Program 20.40.100-High Risk Youth.....	600,000
Provisions:	
1. The funds appropriated in this item are for allocation by the State Department of Education to the Los Angeles Unified School District for services to at-risk youth that participate in a program that meets the criteria specified in subdivision (a) of Section 41 of Chapter 299 of the Statutes of 1997.	
6110-295-0001—For local assistance, Department of Education (Proposition 98), for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the cost of any new program or increased level of service of an ex-	

Item	Amount
isting program mandated by statute or executive order, for disbursement by the State Controller.....	154,617,000
Schedule:	
(1) 98.01.003.677-Annual Parent Notification (Ch. 36, Stats. 1977, et al.)	3,491,000
(2) 98.01.007.778-Absentee Ballots-Schools (Ch. 77, Stats. 1978 and Ch. 920, Stats. 1994)	1,261,000
(3) 98.01.008.786-School Discipline Rules (Ch. 87, Stats. 1986)	1,681,000
(4) 98.01.009.894-Caregiver Affidavits (Ch. 98, Stats. 1994)	377,000
(5) 98.01.016.093-School District of Choice Transfer and Appeals (Ch. 160, Stats. 1993)	9,939,000
(6) 98.01.013.487-Pupil Suspensions: District Employee Reports (Ch. 134, Stats. 1987 et al.)	995,000
(7) 98.01.016.193-Intradistrict Attendance (Ch. 161, Stats. 1993)	5,124,000
(8) 98.01.017.201-Interdistrict Attendance (Ch. 172, Stats. 1986)	1,742,000
(9) 98.01.017.286-Interdistrict Transfer Parent's Employment (Ch. 172, Stats. 1986)	1,082,000
(10) 98.01.048.675-Test Claims and Reimbursement Claims (Ch. 486, Stats. 1975)	11,544,000
(11) 98.01.049.801-Graduation Requirements (Ch. 498, Stats. 1983).	13,533,000
(12) 98.01.049.802-Notices of Truancy (Ch. 498, Stats. 1983)	7,765,000
(13) 98.01.049.803-Pupil Expulsions/Expulsion Appeals (Ch. 498, Stats. 1983 et al.)	2,363,000
(14) 98.01.062.492-Schoolbus Safety (Ch. 624, Stats. 1992)	913,000
(15) 98.01.064.186-Open Meetings Act (Ch. 641, Stats. 1986)	3,306,000
(16) 98.01.066.878-Pupil Exclusions (Ch. 668, Stats. 1978)	377,000

Item	Amount
(17) 98.01.078.192-Charter Schools (Ch. 781, Stats. 1992)	582,000
(18) 98.01.078.395-Investment Reports (Ch. 783, Stats. 1995)	153,000
(19) 98.01.079.980-PERS Death Ben- efits (Ch. 799, Stats. 1980).....	751,000
(20) 98.01.081.891-AIDS Prevention Instruction (Ch. 818, Stats. 1991).	3,036,000
(21) 98.01.096.175-Collective Bargain- ing (Ch. 961, Stats. 1975)	39,466,000
(22) 98.01.096.501-Pupil Classroom Suspension (Ch. 965, Stats. 1977).	1,747,000
(23) 98.01.096.577-Public Health Screenings (Ch. 965, Stats. 1977).	3,128,000
(24) 98.01.097.595-Physical Perform- ance Tests (Ch. 975, Stats. 1995)	1,145,000
(25) 98.01.101.184-Juvenile Court Records (Ch. 1011, Stats. 1984) ...	327,000
(26) 98.01.110.784-Removal of Chemi- cals (Ch. 1107, Stats. 1984).....	1,268,000
(27) 98.01.111.789-Law Enforcement Agency Notifications (Ch. 1117, Stats. 1989)	1,470,000
(28) 98.01.117.677-Immunization Records (Ch. 1176, Stats. 1977) ...	3,353,000
(29) 98.01.118.475-Habitual Truants (Ch. 1184, Stats. 1975)	5,255,000
(30) 98.01.121.391-Collective Bargain- ing Agreement Disclosures (Ch. 1213, Stats. 1991)	264,000
(31) 98.01.125.375-Expulsion Tran- scripts (Ch. 1253, Stats. 1975).....	27,000
(32) 98.01.128.488-Pupil Suspensions: Parents Classroom Visits (Ch. 1284, Stats. 1988)	992,000
(33) 98.01.130.689-Notification to Teachers of Public Expulsion (Ch. 1306, Stats. 1989)	2,778,000
(34) 98.01.134.780-Scoliosis Screening (Ch. 1347, Stats. 1980)	2,183,000
(35) 98.01.139.874-PERS Unused Sick Leave Credit (Ch. 1398, Stats. 1974).....	3,107,000

Item	Amount
(36) 98.01.146.389-School Account-ability Report Cards (Ch. 1463, Stats. 1989)	2,059,000
(37) 98.01.160.784-School Crimes Re- porting (Ch. 1607, Stats. 1984).....	1,516,000
(38) 98.01.165.984-Emergency Proce- dures (Ch. 1659, Stats. 1984)	13,855,000
(39) 98.01.167.584-School Testing- Physical Fitness (Ch. 1675, Stats. 1984).....	662,000

Provisions:

1. Except as provided in Provisions 2 and 3 of this item, allocations of funds shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated by this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon approval of the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house of the Legislature which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.
3. Notwithstanding any other provision of law, the funds appropriated in Schedules (19) and (35) are for transfer to the Public Employees' Retirement System for reimbursement of costs incurred pursuant to Chapter 1398 of the Statutes of 1974 or Chapter 799 of the Statutes of 1980.

Item	Amount
6110-301-0001—For capital outlay, Department of Education	7,784,000
Schedule:	
California School for the Blind, Fremont:	
(1) 80.60.005-Health Services Facility—Construction.....	1,868,000
(2) 80.60.025-Young Children’s Housing—Preliminary plans and working drawings.....	87,000
California School for the Deaf, Fremont:	
(3) 80.75.020-Pupil Personnel Services—Preliminary plans and working drawings	257,000
California School for the Deaf, Riverside:	
(4) 80.80.010-Middle School Facilities—Construction.....	5,572,000
6110-401—For maintenance of accounting records by the Controller’s office and the Department of Education or any other agency maintaining such records, appropriations made in this act for agency 6110 (Department of Education) are to be recorded under agency 6100 (Department of Education).	
6110-402—Notwithstanding any provision of law to the contrary, no funds appropriated in this act, or by any act enacted prior to the enactment of this act, shall be, in the absence of a court order, deemed appropriated or available for expenditure for purposes of claims for vocational education average daily attendance arising from Section 46140 of the Education Code as it read prior to the enactment of Chapter 1230 of the Statutes of 1977.	
6110-403—In the event the bonds authorized for the Capital Area Plan project in Chapter 761, Statutes of 1997 are not sold, the Department of Education shall commit a sufficient portion of its support appropriation, as determined by the Department of Finance, which is provided for in this Budget Act to repay any interim financing. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until all interim financing is repaid either through the proceeds from the sale of bonds or from an appropriation.	

Item	Amount
6110-485—Reappropriation (Proposition 98) Department of Education. The sum of \$214,822,000 is reappropriated from the Proposition 98 Reversion Account, for the following purposes:	
0001—General Fund	
(a) \$5,700,000 for transfer to Section A of the State School Fund for reimbursement by the Controller of voluntary desegregation claims from Alameda Unified School District (\$700,000), Delano Unified School District, (\$3,000,000), and Visalia Unified School District (\$2,000,000) to provide one-time funding for 1999–00 costs received pursuant to Sections 42247 and 42249 of the Education Code.	
(b) \$29,944,000 to the State Department of Education for allocation to SELPAs to fully fund the 1999–00 deficit in the special education program.	
(c) \$105,100,000 to the State Department of Education to fund grants to school districts for the Digital High School Program, established pursuant to Chapter 8.5 (commencing with Section 52250) of Part 28 of the Education Code.	
(d) \$3,650,000 to the State Department of Education for allocation to the California Technology Assistance Project (CTAP) to provide assistance to local education agencies implementing the Digital High School Program. The CTAP shall provide the necessary assistance to help schools successfully apply and receive funding to implement the Digital High School Program.	
(e) \$1,000,000 to the State Department of Education for allocation to the Fiscal Crisis and Management Assistance Team (FCMAT) to provide professional management assistance to school districts.	
(f) \$4,491,000 to the State Department of Education to fully fund the 1997–98 deficit in remedial summer school programs offered pursuant to Section 37252 of the Education Code.	
(g) \$725,000 to the State Department of Education to fully fund the 1998–99 deficit in the child nutrition program.	

Item	Amount
(h) \$320,000 to the State Department of Education for allocation to FCMAT for the purposes of implementing the Student Friendly Services Through Technology Project.	
(i) \$12,800,000 to the State Department of Education for the purpose of funding FCMAT's administration and implementation of the local California School Information Services project.	
(j) \$25,000,000 to the State Department of Education for allocation to the Charter School Revolving Loan Fund, pursuant to Section 41365 of the Education Code.	
(k) \$5,000,000 to the State Department of Education for the purpose of funding stipends for teachers attending English Language Learner (ELL) institutes.	
(l) \$17,650,000 to the State Department of Education for the purpose of funding prior year mandate claims listed in the 2000-01 Mandate Claims Bill.	
(m) \$1,000,000 to the State Department of Education for the purpose of funding one-time costs of the High Tech High School in the San Diego Unified School District.	
(n) \$142,000 to the State Department of Education for the purpose of funding the increase in bilingual pay at the State Special Schools.	
(o) \$20,000,000 to the State Department of Education for allocation to local educational agencies for the purpose of funding beginning teacher salaries pursuant to legislation enacted during the 1999-2000 Regular Session related to raising beginning teacher salaries.	
(p) \$20,600,000 on a one-time basis to the State Department of Education for adult education and regional occupational centers and programs. Of this amount, 50 percent shall be allocated to adult education programs on an equal amount per adult education average daily attendance (ADA) and may be used for any purpose intended to improve the quality of service, including, but not limited to, staff development for adult education programs. The balance of funds	

Item

Amount

shall be allocated to regional occupational centers and programs on an equal amount per regional occupational centers and programs ADA and may be used for any purpose intended to improve the quality of service, including, but not limited to, equipment replacement for regional occupational centers and programs, or for any other purpose.

- (q) \$1,766,000 to the State Department of Education for allocation to school districts that applied for, but did not receive, funding under the English Language Acquisition Program during the 1999–2000 fiscal year.
- (r) \$2,000,000 to the State Department of Education for allocation to local educational agencies for the purpose of a Tolerance Education Program pursuant to legislation enacted in the 1999–2000 Regular Session.
- (s) \$247,000 to the State Department of Education for the purpose of funding one-time grievance costs at the State Special Schools.

Provisions:

1. (a) The funds reappropriated in subdivision (e) of this item shall be for the purpose of providing technical assistance to school districts in hiring and related personnel practices, in order to improve their ability to hire fully credentialed teachers. This technical assistance shall be provided to school districts participating in the recruitment consortia established pursuant to legislation enacted in the 1999–00 Regular Session that becomes effective on or before January 1, 2001. FCMAT shall give first priority to districts in the recruitment consortia that employ a high number of teachers holding emergency permits.
- (b) By July 1, 2001, FCMAT shall report to the chairs and vice chairs of the appropriate fiscal and policy committees of the Legislature, the Office of Secretary for Education, the Department of Finance, and the Legislative Analyst's Office on their implementation of this program.

Item	Amount
<p>2. Of the funds reappropriated in subdivision (d) of this item, \$2,000,000 shall be for CTAP to conduct an education technology survey and \$250,000 shall be for CTAP to assist local education agencies in developing technology plans for obtaining available education technology resources.</p> <p>3. Of the funds reappropriated in subdivision (i) of this item, \$4,200,000 shall be for the State Department of Education for allocation to FCMAT for the purposes of funding FCMAT's administration and implementation of the local California School Information Services project. The balance of \$8,600,000 shall be set aside for allocation for the local California School Information Services project. The funds for the local project shall be transferred only if education telecommunications funds do not materialize.</p>	
<p>6110-486—Reappropriation, State Department of Education. Notwithstanding any other provision of law, the following specified balances are reappropriated from the following citations, for the purposes specified, and shall be available for encumbrance and expenditure until June 30, 2001:</p> <p>0001—General Fund</p> <p>(1) \$2,774,000 or any unencumbered balance as of June 30, 1999, from Item 6110-181-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999). These funds shall be available for local assistance grants for the Education Technology Staff Development Program grades 4 through 8 pursuant to Chapter 1339 (commencing with Section 44730) of Part 25 of the Education Code during the 2000–01 fiscal year.</p> <p>(2) \$5,500,000 or any unencumbered balance as of June 30, 1999, from Item 6110-184-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999). These funds shall be available for local assistance grants pursuant to Chapter 8.5 (commencing with Section 52250 of Part 28 of the Education Code during the 2000–01 fiscal year.</p>	

Item

Amount

6110-487—Reappropriation, State Department of Education. Notwithstanding any other provision of law, the following specified balances are reappropriated from the following citations, for the purposes specified, and shall be available for encumbrance and expenditure until June 30, 2001:

0001—General Fund

- (a) The balance of the unencumbered funds appropriated for the purpose of Chapter 6.10 (commencing with Section 52120) of Part 28 of the Education Code for the 1998–99 fiscal year shall be made available, on a one-time basis, to the State Department of Education to fund districts meeting the eligibility requirements specified in Section 17203 of the Education Code as that section read on January 1, 1999, at \$40,000 per new class started in the 1999–00 school year for which the district did not previously receive facility funding.
- (b) Funds allocated to school districts pursuant to this item shall be expended solely for the purpose of facilities-related costs associated with the implementation of Chapter 6.10 (commencing with Section 52120) of Part 28 of the Education Code for new classes started in the 1999–00 school year.
- (c) School districts shall certify to the State Department of Education that the funds received pursuant to this item are expended solely for the purpose of facilities-related costs associated with the implementation of Chapter 6.10 (commencing with Section 52120) of Part 28 of the Education Code for new classes started in the 1999–00 school year for which the district did not previously receive facility funding.
- (d) Funds shall not be allocated to school districts pursuant to this item for the purpose of assisting school districts in implementing Option Two, as set forth in paragraph (2) of subdivision (b) of Section 52122 of the Education Code.

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<p>(e) It is the intent of the Legislature that eligible teaching stations not funded from the funds allocated in this item, be funded from funds available from the Leroy F. Greene Schools Facilities Act of 1998 (Ch. 12.5 (commencing with Sec. 17070.10), Part 10, Ed. C.).</p>	
<p>6110-488—Reappropriation, State Department of Education. Notwithstanding any other provision of law, the following amount is hereby reappropriated from the Proposition 98 Reversion Account for the purposes specified, and shall be available for encumbrance and expenditure until June 30, 2001:</p> <p>(1) \$12,000,000 shall be available for test item development for the Standardized Testing and Reporting and High School Exit Examination programs during the 2000–01 fiscal year. The test items developed with these funds shall make progress in aligning these exams with the State Board of Education-approved academic content standards and in ensuring that these exams are valid and reliable as measured by industry standards.</p>	
<p>6110-494—Reappropriation, Department of Education. Notwithstanding any other provision of law, the following specified balances are reappropriated from the following citations, for the purposes specified, and shall be available for encumbrance and expenditure until June 30, 2001:</p> <p>Provisions:</p> <p>1. \$26,553,000 of the unliquidated federal fund balances as of June 30, 1999, from Schedules (b)(5.1) and (b)(5.2) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998) shall be available only for expenditure for CalWORKs Stage 2 slots.</p> <p>2. Notwithstanding Section 8278 of the Education Code, \$14,660,000 of the unliquidated General Fund balances as of June 30, 1999, from Schedules (b)(5.1) and (b)(5.2) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998) shall be available only for expenditure for CalWORKs Stage 2 slots.</p>	

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3. Notwithstanding Section 8278 of the Education Code, \$3 million of the unencumbered balance as of June 30, 2000, from funds appropriated in Schedule (c) of Item 6110-196-0001 of the Budget Act of 1999 (Chapter 50, Statutes of 1999) and from funds appropriated pursuant to Provision 2 of Item 6110-490 of Section 2.00 of the Budget Act of 1999 (Chapter 50, Statutes of 1999) for After School Programs shall be available for three year grants to regional centers established pursuant to Chapter 318, Statutes of 1998, for the purpose of serving as a centralized resource for technical assistance and training on best practices in areas such as program content, local financing, including establishment of long-term partnership funds, staffing, and managing programs for accountability.
4. The unencumbered balances as of June 30, 2000, from General Funds appropriated in Item 6110-196-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) with the exception of Schedules (b)(5.1), (b)(5.2), and (c), shall be available as follows:
 - (a) \$10,000,000 for phase one implementation of the CalWORKs center-based pilot program authorized in Provision 10 of Item 6110-196-0001 of the Budget Act of 1999 (Ch. 50, Stats. 1999), to convert CalWORKs child care slots from Alternative Payment Providers (APPs) to direct contract centers. In recognition of the need to redirect funded child care slots from APPs to centers, and in order to reduce the uncertainty in funding for both APPs and centers during this phase of program implementation, it is the intent of the Legislature that this appropriation be used by the State Department of Education (CDE) to temporarily augment center-based contracts for slots transferring throughout the 2000-01 fiscal year. APPs shall not backfill the slots; contracts for APPs and centers will be permanently adjusted in the following fiscal year. The CDE shall report to Department of Finance and the Office

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of the Legislative Analyst by March 31, 2001, regarding the status of Phase I of this pilot program and an update to the overall pilot implementation plan. This report shall include, but not be limited to, information on the number of slots converted to date, the amount of funds expended pursuant to this provision, and projections through both the end of the year and for future phases. It is the intent of the Legislature that any savings resulting from this provision and any unused temporary funds be utilized in subsequent fiscal years to facilitate future conversions in accordance with the plan submitted by the CDE pursuant to the Budget Act of 1999 (Ch. 50, Stats. 1999).

- (b) \$1,740,000 for grants for facility renovation and repair contracts necessary to meet health and safety standards and to comply with the federal Americans with Disabilities Act of 1990.
- (c) One-time allocation of \$1,000,000 for the Home Instruction Program for Pre-school Youngster (HIPPY) for the districts in the amounts specified herein contingent upon a written agreement with the California HIPPY State Office to provide evaluation, training, and technical assistance to local districts implementing HIPPY programs, according to the HIPPY statewide capacity building design. In the event that a school district or county office of education does not meet the requirement provided herein, its share shall be divided equally among the remaining participating districts or county office of education. Notwithstanding Section 41202 of the Education Code, the Legislature finds that the California HIPPY State Office serves an essential educational purpose as a resource for early childhood development services authorized pursuant to the Child Care and Development Services Act pursuant to Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 of the Education Code.

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Therefore, the funds reappropriated for this purpose shall continue to be counted towards the state's obligation for minimum funding of the public school system under Section XVI of the California Constitution for the 1999–00 fiscal year. Funds shall be allocated under this provision, as follows.

- (1) Long Beach Unified School District: \$50,000.
- (2) Los Angeles County Office of Education: \$50,000.
- (3) Los Angeles Unified School District: \$130,000.
- (4) Pomona Unified School District: \$170,000.
- (5) San Diego Unified School District: \$240,000.
- (6) San Francisco Unified School District: \$200,000.
- (7) Santee School District: \$160,000.
- (d) Any remaining unencumbered balances shall be transferred to the Child Care Facilities Revolving Fund established pursuant to Section 8278.3 of the Education Code.

6110-495—Reversion, Department of Education, Proposition 98. The following amounts shall revert to the Proposition 98 Reversion Account:

1. \$965,330 from Chapter 975 of the Statutes of 1995, as reappropriated by subdivision (a) of Section 57 of Chapter 330 of the Statutes of 1998.
2. \$70,000,000 from Item 6110-112-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998) as reappropriated pursuant to Ch. 313, Stats. 1998.
3. \$15,221,252 from Item 6110-295-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998).
4. \$27,000,000, or whatever lesser or greater amount reflects the remaining unencumbered balance after the reappropriation specified in Item 6110-494(1) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999), for after school programs.
5. \$75,000,000, or whatever lesser or greater amount reflects the unencumbered balance of the appropriation specified in Item 6110-112-0001 of the Budget Act of 1999 (Ch. 50, Stats. 1999).

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6. \$5,000,000 or whatever greater or lesser amount reflects the unencumbered balance of the appropriation specified in Item 6110-211-0001 of the Budget Act of 1999 (Ch. 50, Stats. 1999).	
7. \$20,000,000 from the appropriation specified in Provision 1 of Item 6110-133-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999).	
8. \$20,600,000 or whatever greater or lesser amount reflects the unencumbered balance of the appropriation specified in Schedule (a) of Item 6110-156-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998).	
6110-498—Reversion (Proposition 98), State Department of Education. The following amount shall revert to the Proposition 98 Reversion Account:	
(1) \$12,000,000 from Item 6110-488 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999).	
6120-011-0001—For support of California State Library, Division of Libraries, and California Library Services Board	18,051,000
Schedule:	
(a) 10-State Library Services.....	16,264,000
(b) 20-Library Development Services..	4,397,000
(c) 30-Information Technology Services.....	999,000
(d) 40.01 Administration	1,738,000
(e) 40.02 Distributed Administration...	-1,738,000
(f) Reimbursements	-462,000
(g) Amount payable from the Federal Trust Fund (Item 6120-011-0890).	-3,147,000
Provisions:	
1. Of the amount appropriated in Schedule (a), \$69,000 is for the California Research Bureau to perform a study of women in prison who have children.	
2. Of the amount appropriated in this item, \$250,000 shall be used by the California Research Bureau, in consultation with the Senate Rules and Assembly Rules Committees, to contract with outside researchers to address public policy research questions.	
6120-011-0020—For support of the California State Library, Program 10-State Library Services, for support of the State Law Library.....	758,000

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Provisions:	
1. The Director of Finance may authorize the augmentation of the total amount available for expenditure under this item in the amount of revenue received by the State Law Library Special Account which is in addition to the revenue appropriated by this item or in the amount of funds unexpended from previous fiscal years, not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee.	
6120-011-0890—For support of California State Library, for payment to Item 6120-011-0001, payable from the Federal Trust Fund.....	3,147,000
6120-011-6000—For support of California State Library, Program 20-Library Development Services-Office of Library Construction (Proposition 14).....	2,068,000
6120-012-0001—For support of the California State Library, for debt service payments on lease revenue bonds	2,251,000
Schedule:	
(a) Base Rental and Fees	2,485,000
(b) Insurance	14,000
(c) Reimbursements	-248,000
6120-013-0001—For support of California State Library, Program 10-State Library Services—Sutro Library Special Repairs Project	225,000
6120-102-0001—For local assistance, California State Library, Program 20-Library Development Services—Library of California	3,988,000
Provisions:	
1. The funds appropriated in this item shall be allocated consistent with the provisions of Chapter 4.5 (commencing with Section 18800) of Part 11 of the Education Code.	
6120-140-0001—For local assistance, California State Library, Public Library Projects	2,005,000
Provisions:	
1. Funds appropriated in this item are for the purpose of funding local assistance projects at local public libraries. These funds are to be allocated on a one-time basis only, as follows:	
(a) Of the funds appropriated in this item \$200,000 is for the purpose of funding renovation and improvements at Yuba County Library.	

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- (b) Of the funds appropriated in this item, \$69,000 is for the purpose of funding various items at Ventura County Library.
- (c) Of the funds appropriated in this item \$18,000 is for the purpose of funding Spanish language children’s books at Ojai Valley Library.
- (d) Of the funds appropriated in this item, \$50,000 is for the purpose of funding an Internet library catalog website at El Segundo Library.
- (e) Of the funds appropriated in this item, \$500,000 is for the purpose of funding library site acquisition for the City of Folsom.
- (f) Of the funds appropriated in this item \$15,000 is for the purpose of funding the public library in the City of Covina.
- (g) Of the funds appropriated in this item, \$200,000 is for the purpose of funding the Canyon Country Library Project in Santa Clarita.
- (h) Of the funds appropriated in this item, \$18,000 is for the purpose of funding a roof replacement for the Dinuba Library in Tulare County.
- (i) Of the funds appropriated in this item, \$100,000 is for the purpose of funding the City of Downey Library expansion.
- (j) Of the funds appropriated in this item \$600,000 is for the purpose of funding three bookmobiles at the Los Angeles County Library.
- (k) Of the funds appropriated in this item \$185,000 is for local grants for local library access programs for telephonic reading systems for deaf and print disabled people.
- (l) Of the funds appropriated in this item, \$50,000 is for publicizing the Fred Korematsu Film Project through the use of a direct outreach and education program.

6120-150-0001—For local assistance, California State Library, for the California Civil Liberties Public Education Program

Provisions:

1,000,000

1. The funds appropriated in this item shall be used to provide competitive grants pursuant to the provisions of Chapter 570 of the Statutes of 1998.

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6120-160-0001—For local assistance, California State Library, Program 20-Library Development Services—California Newspaper Project.....	300,000
6120-211-0001—For local assistance, California State Library, Program 20-Library Development Services.	19,828,000

Schedule:

- (a) 20.10-California Literacy Campaign 4,090,000
- (b) 20.20-Families for Literacy Program..... 4,584,000
- (c) 20.30-Direct Loan and Interlibrary Loan Programs 10,894,000
- (d) 20.40-Computerized Data Base pursuant to Section 18767 of the Education Code 275,000
- (e) 20.50-California Library Services Act pursuant to Chapter 4 (commencing with Section 18700) of Part 11 of the Education Code..... 3,185,000
- (f) Reimbursement..... -3,200,000

Provisions:

1. Should the funds appropriated in Schedule (c) be insufficient to fully cover all transactions under the Direct Loan and Interlibrary Loan programs of the California Library Services Act, funding shall be prorated such that expenditures for the program are within the appropriation made in Schedule (c) of this item.

6120-211-0890—For local assistance, California State Library, Program 20-Library Development Services, payable from the Federal Trust Fund.....	11,901,000
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6120-212-0001—For local assistance, California State Library, Program 60-English Language and Literacy Intensive Program.....	10,000,000
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Provisions:

1. The funds appropriated in this item shall be available for grants to local libraries for the English Language and Literacy Intensive Program. This program, which will be administered by the State Librarian, will serve K-12 students and their families in local English language learner and literacy programs. The grant funds shall be awarded on a competitive basis to local libraries at a rate of up to \$300 annually per student. Local libraries may offer year-round literacy and English language tutoring in collaboration with nonprofit, faith-based, and other local organizations.

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<ul style="list-style-type: none"> 2. State and local libraries shall ensure that funds received pursuant to this item are exclusively used for expenses resulting from providing English Language and Literacy Intensive Program services, and shall ensure that at least 90 percent of the funds received for the program are expended on direct services and supplies for English language learners and their families. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure through June 30, 2003. 3. This program shall be evaluated along with the English Language and Literacy Intensive Program administered by the State Department of Education. This evaluation shall be defined through legislation enacted on or before September 1, 2000. 	
6120-221-0001—For local assistance, California State Library Program 20-Library Development Services-Public Library Foundation Program.....	72,170,000
Provisions:	
<ul style="list-style-type: none"> 1. Notwithstanding any other provision of law, for the 2000–01 fiscal year, the date on or before which the fiscal officer of each public library shall report to the State Librarian the information specified in Section 18023 of the Education Code shall be December 1, 2000. 2. Notwithstanding any other provision of law, for the 2000–01 fiscal year, the date on or before which the Controller shall distribute funds to the fiscal officer of each public library as specified in Section 18026 of the Education Code shall be February 15, 2001. 3. It is the intent of the Legislature that the funds appropriated in this item be allocated consistent with the provisions of Chapter 167 of the Statutes of 1997. 	
6120-301-0001—For capital outlay, California State Library	253,000
Schedule:	
<ul style="list-style-type: none"> (1) 10.04.002-Sutro Library; Interim Measures (2) 10.04.003-Sutro Library; Joint Use Facility Study 	203,000 50,000
6255-001-0001—For support of California State Summer School for the Arts, Program 10.....	890,000

Item	Amount
6330-001-0890—For support of the California Occupational Information Coordinating Committee, payable from the Federal Trust Fund	286,000
6360-001-0001—For support of the Commission on Teacher Credentialing	139,000
Schedule:	
(a) 10-Standards for Preparation and Licensing of Teachers	139,000
Provisions:	
1. Of the funds appropriated in this item, \$60,000 shall be available for administrative costs related to the California School Paraprofessional Teacher Training Program pursuant to Article 12 (commencing with Section 44390) of Chapter 2 of Part 25 of the Education Code.	
2. Of the funds appropriated in this item, \$79,000 is available for a position to maintain records of participants in the Governor’s Teaching Fellowships pursuant to proposed legislation to be enacted during the 1999–2000 Regular Session.	
6360-001-0407—For support of the Commission on Teacher Credentialing, payable from the Teacher Credentials Fund	17,157,395
Schedule:	
(a) 10-Standards for Preparation and Licensing of Teachers	17,157,395
(b) 10.40.010-Departmental Administration.....	(3,897,000)
(c) 10.40.020-Distributed Departmental Administration.....	(–3,897,000)
Provisions:	
1. The amount appropriated in this item may be increased based on increases in credential applications, increases in first-time credential applications requiring fingerprint clearance, unanticipated costs associated with certificate discipline cases, or unanticipated costs of litigation, subject to approval of the Department of Finance, not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee.	
2. Notwithstanding Section 44234 of the Education Code, funds that are set aside for pending litigation costs shall not be considered part of the reserve of the Teacher Credentials Fund for pur-	

Item	Amount
poses of subdivision (b) of Section 44234 of the Education Code.	
3. Of the funds appropriated in Schedule (a) of this item, \$75,000 is for administration of the California Mathematics Initiative for Teaching program established by Article 13 (commencing with Section 44400) of Chapter 2 of Part 25 of the Education Code. These funds shall be expended in a manner consistent with legislation enacted during the 1999–00 Regular Session. If legislation is not enacted, the commission may expend these funds consistent with existing provisions of the program.	
4. Of the funds appropriated in this item, \$114,750 and two positions are for the purpose of reducing credential processing time to 30 days.	
5. To reduce the amount of reserve funding in the Teacher Credentials Fund to an appropriate level, the Commission on Teacher Credentialing shall reduce the fee charged for the issuance or renewal of a teaching credential from \$60 to \$55.	
6. Of the funds appropriated in Schedule (a) of this item, \$357,000 is one-time funding for the development of a Feasibility Study Report and a Request for Proposal related to the Teacher Credentialing Service Improvement Project, and for the hiring of two limited term staff to assist in the Project. Approval to utilize an additional \$1,468,000 in appropriated funds may be granted by the Department of Finance, and that approval will be contingent upon the Commission on Teacher Credentialing completing an approved Feasibility Study Report, releasing a Request for Proposal, and executing a contract for Information Technology improvements.	
7. Of the funds appropriated in this item, \$114,750 is for two credential analyst positions provided to reduce maximum credential processing time from 75 days to 30 days by the end of the 2001–02 fiscal year. The positions are limited-term, to expire June 30, 2002. The Commission on Teacher Credentialing and the Legislative Analyst shall report to the fiscal committees of the Assembly and the Senate on the commission’s progress toward reducing maximum credential processing time on or before March 1, 2001.	

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8. Of the funds appropriated in Schedule (a) of this item, \$160,000 is for Commission on Teacher Credentialing to contract with an outside vendor to redesign the commission’s forms and informational pamphlets related to credentialing requirements and related materials that are provided in hard copy or over the Internet to persons applying for or renewing a teaching credential. The outside vendor shall redesign the pamphlets to improve their readability and clarity, in order to better communicate existing credential and renewal requirements to prospective and existing teachers.	
6360-001-0408—For support of the Commission on Teacher Credentialing, payable from the Test Development and Administration Account, Teacher Credentials Fund.....	10,164,000
Schedule:	
(a) 10-Standards for Preparation and Licensing of Teachers	10,164,000
Provisions:	
1. The amount appropriated in this item may be increased for unanticipated costs of litigation, or for costs from increases in the number of examinees, subject to approval of the Department of Finance, not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee.	
2. Notwithstanding Section 44234 of the Education Code, funds that are set aside for pending litigation costs shall not be considered part of the reserve of the Teacher Credentials Fund for purposes of subdivision (b) of Section 44234 of the Education Code.	
6360-001-0890—For support of the Commission on Teacher Credentialing, payable from the Federal Trust Fund.....	2,606,000
Schedule:	
(a) 10-Standards for Preparation and Licensing of Teachers	2,606,000
Provisions:	
1. Of the funds appropriated in Schedule (a), \$2,147,000 is for state operations costs for the federal Teacher Quality Enhancement Grants for States and Partnerships authorized by Section 201 of the federal Higher Education Amendments of 1998 (20 U.S.C. Sec. 1022). These funds shall be	

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<ul style="list-style-type: none"> expended only after development of an expenditure plan by the Commission on Teacher Credentialing, and approval of the plan by the Department of Finance. 	
6360-002-0001—For transfer by the Controller to the Teacher Credentials Fund (0407).....	1,650,000
Provisions:	
<ul style="list-style-type: none"> 1. The transfer made in this item is to be expended for a teacher credential fee buyout program pursuant to legislation enacted during the 1999–00 Regular Session. 	
6360-003-0001—For transfer by the Controller to the Test Development and Administration Account (0408)	4,000,000
Provisions:	
<ul style="list-style-type: none"> 1. The transfer made in this item is to be expended for a CBEST fee buyout program pursuant to legislation to be enacted in the 1999–2000 Regular Session. 	
6360-003-0408—For support of the Commission on Teacher Credentialing, payable from the Test Development and Administration Account, Teacher Credentials Fund.....	4,000,000
Provisions:	
<ul style="list-style-type: none"> 1. The amount appropriated in this item is to be expended for a CBEST fee buyout program pursuant to legislation to be enacted in the 1999–2000 Regular Session. 	
6360-101-0001—For local assistance, Commission on Teacher Credentialing (Proposition 98).....	57,041,000
Schedule:	
<ul style="list-style-type: none"> (a) 10-Standards for Preparation and Licensing of Teachers 	57,041,000
Provisions:	
<ul style="list-style-type: none"> 1. Of the funds appropriated in this item, \$31,800,000 is for incentive grant funding to school districts and county offices of education participating in the alternative certification programs established pursuant to Article 11 (commencing with Section 44380) of Chapter 2 of Part 25 of the Education Code. 2. Of the funds appropriated in this item, \$11,478,000 shall be available for grants and subventions to school districts and county offices of education participating in the California School Paraprofessional Teacher Training Program established pursuant to Article 12 (commencing with 	

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Section 44390) of Chapter 2 of Part 25 of the Education Code.	
3. Of the funds appropriated in this item, \$350,000 shall be used to reimburse county offices of education for costs associated with monitoring public schools and school districts for teacher misassignments. Funds shall be allocated on a basis determined by the commission. Districts and county offices receiving funds for credential monitoring will provide reasonable and necessary information to the commission as a condition of receiving these funds.	
4. Of the funds appropriated in this item, \$11,800,000 is for the California Pre-Internship Teaching Program, as set forth in Article 5.6 (commencing with Section 44305) of Chapter 2 of Part 25 of the Education Code.	
5. Of the funds appropriated in this item, \$1,613,000 is for the California Mathematics Initiative for Teaching program, established pursuant to Article 13 (commencing with Section 44400) of Chapter 2 of Part 25 of the Education Code, including \$64,000 provided for adjustments for growth in enrollment and cost-of-living adjustments. These funds shall be allocated consistent with legislation enacted during the 1999–00 Regular Session. If legislation is not enacted, the commission shall administer the program pursuant to current law.	
6360-101-0890—For local assistance, Commission on Teacher Credentialing	1,286,000
Schedule:	
(a) 10-Standards for Preparation and Licensing of Teachers	1,286,000
6420-001-0001—For support of California Postsecondary Education Commission	3,654,000
Schedule:	
(a) 100000-Personal Services	3,104,000
(b) 300000-Operating Expenses and Equipment	900,000
(c) Reimbursements	-10,000
(d) Amount payable from the Federal Trust Fund (Item 6420-001-0890).	-340,000
6420-001-0890—For support of California Postsecondary Education Commission, for payment to Item 6420-001-0001, payable from the Federal Trust Fund	340,000

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6420-101-0001—For local assistance, California Post-secondary Education Commission, for Pipeline Program grants	119,000
6420-101-0890—For local assistance, California Post-secondary Education Commission, payable from the Federal Trust Fund	6,165,000
6440-001-0001—For support of University of California	3,054,876,000
Schedule:	
(a) Support.....	2,924,026,000
(b) Charles R. Drew Medical Program	16,799,000
(c) Podiatry Program	857,000
(d) Mathematics, Engineering and Science Achievement (MESA)	3,553,000
(e) Acquired Immune Deficiency Syndrome (AIDS) Research	11,975,000
(f) Institute of Global Conflict and Cooperation	550,000
(g) Student Financial Aid.....	69,199,000
(h) Loan Repayments.....	5,105,000
(i) San Diego Supercomputer Center ...	4,000,000
(j) Mathematics, Science and Arts Outreach Programs	3,000,000
(k) Subject Matter Projects	15,812,000
Provisions:	
1. The appropriations made in this item are exempt from Section 31.00 of this act.	
2. None of the funds appropriated in this item may be expended to initiate major capital outlay projects by contract without prior legislative approval, except for cogeneration and energy conservation projects. Exempted projects shall be reported in a manner consistent with the reporting procedures in subdivision (d) of Section 28.00 of this act.	
3. The funds appropriated in Schedule (b) are for support of University of California program of clinical health sciences education, research, and public service, conducted in conjunction with the Charles R. Drew University of Medicine and Science, as provided for in Sections 1, 2, and 3 of Chapter 1140 of the Statutes of 1973. Of the amount appropriated, \$500,000 is contingent upon the provision by the University of California of an equal amount of matching funds from its own resources. The University of California shall ensure by adequate controls that funds appropri-	

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	ated by Schedule (b) are expended solely for the support of the program identified in that schedule.
4.	The funds appropriated in Schedule (c) are for support of a program of basic and clinical health science education and primary health care delivery research in the field of podiatry, University of California, to be conducted in conjunction with the California College of Podiatric Medicine as provided for in Sections 1 to 4, inclusive, of Chapter 1497 of the Statutes of 1974.
5.	Of the amount appropriated in Schedule (a), \$2,629,957 shall be available for expenditure only for support of the Northern and Southern Occupational Health Centers as established by a contract entered into with the Department of Industrial Relations pursuant to Section 50.8 of the Labor Code.
6.	The funds appropriated in Schedule (g) are for support of Program 45, Student Financial Aid, to provide financial aid to needy students attending the University of California, according to the nationally accepted needs analysis methodology.
7.	Of the amount appropriated in Schedule (a), \$7,462,800 is for payment of energy service contracts in connection with the issuance of Public Works Board Energy Efficiency Revenue Bonds.
8.	Of the amount appropriated in Schedule (h), \$2,700,000 is for repayment of \$25,000,000 borrowed by the University of California for deferred maintenance in the 1994–95 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2009–10 fiscal year.
9.	Of the amount appropriated in Schedule (h), \$2,405,000 is for repayment of \$25,000,000 borrowed by the University of California for deferred maintenance in the 1995–96 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2010–11 fiscal year.
10.	Of the amount appropriated in schedule (a), \$43,000,000 is provided for outreach to be used to fund new and existing programs that are aimed at improving the chances for pupils from a wide diversity of backgrounds to become eligible for the University of California, as follows: (a) The following amounts are for pupil aca-

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ademic development and school partnership programs and shall be matched on a one-to-one basis by the participating schools:

- (1) \$15,000,000 is to expand pupil academic development programs, including MESA, Puente, and the Early Academic Outreach Program, so that these programs may increase the number of pupils who participate in the programs and may offer services such as college admissions test preparation programs, fee waivers for Advance Placement tests, and an increased number of field trips for high school and middle school participants to visit college campuses.
- (2) \$15,000,000 is provided for the expansion of K–12 school partnership programs to systemically reform partner schools in order to achieve long-term improvements in student success.
- (3) \$1,000,000 is provided to expand both pupil academic development programs and K–12 partnership programs in the central valley.
- (4) \$1,000,000 over and above any funds provided under (1) is provided to further expand MESA programs for middle-school students.
- (b) \$4,500,000 is provided for expansion of services to community college students to promote transfer.
- (c) \$1,000,000 is provided for informational outreach to pupils, families, and K–12 teachers and counselors.
- (d) \$1,000,000 is provided for charter schools.
- (e) \$500,000 is provided for outreach by professional schools to be matched on a one-to-one basis by those professional schools.
- (f) \$2,500,000 is provided for systemwide graduate and professional school outreach, to be matched by \$1,500,000 in university funds. Of these funds, \$1,500,000 shall be provided for medical school outreach, \$1,500,000 for engineering and science doctoral program outreach, and \$1,000,000 for law school outreach.
- (g) \$1,500,000 is provided for long-term evaluation of the effectiveness of outreach pro-

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- grams, including college graduation rates for pupils who participated in the K–12 programs, regardless of the college attended.
11. Of the funds appropriated in Schedule (a), \$500,000 shall be expended for the Center for Earthquake Engineering Research, contingent upon the center continuing to receive federal matching funds from the National Science Foundation.
 12. Of the funds appropriated by Schedule (a), \$800,000 shall be expended at the San Diego campus for research into the use of composite materials for transportation structures, contingent upon the campus continuing to receive federal matching funds. It is the intent of the Legislature that funding be provided through the 2002–03 fiscal year for this purpose.
 13. Of the funds appropriated in Schedule (a), \$500,000 shall be expended for viticulture and enology research contingent upon the receipt of an equal amount of private sector matching funds.
 14. Of the amount appropriated in Schedule (j), \$1,500,000 is for Arts Bridge programs that give university students scholarships to work as “artists in residence” in public schools. The University of California shall ensure that 75 percent of these efforts are targeted at underperforming schools.
 15. Of the amount appropriated in Schedule (j), \$1,500,000 is for Community Teaching Internships for Mathematics and Science programs. These programs shall provide stipends to juniors and seniors majoring in math, science, and engineering, who work in local public schools as teaching interns.
 16. Of the funds appropriated in Schedule (a), \$24,310,000 is for substance abuse research at the University of California, San Francisco campus in the Neurology Department.
 17. Of the amount appropriated in Schedule (a), \$2,000,000 is for cooperative extension, contingent upon an assessment that land in Santa Clara County currently used for cooperative extension is available to the state for other purposes without restriction.

Item	Amount
18. Of the amount appropriated in Schedule (a), \$2,000,000 is for the California State Summer School for Math and Science.	
19. Of the amount appropriated in Schedule (a), \$1,000,000 is for the Welfare Policy Research Project, per Article 9.7 (commencing with Section 11526) of Chapter 2 of Part 3 of the Welfare and Institutions Code.	
22. Of the amount appropriated in Schedule (a), \$1,000,000 shall be used for Lupus research at UC San Francisco.	
23. Of the amount appropriated in Schedule (a), \$1,000,000 shall be used for Leukemia research at UC San Francisco-Fresno.	
24. Of the amount appropriated in Schedule (a), \$1,000,000 shall be used to expand spinal cord injury research.	
26. Of the amount appropriated in Schedule (a), \$6,000,000 shall be used for UC Berkeley/UCLA to create a Multi-campus Research Unit for Labor Studies.	
27. Of the amount appropriated in Schedule (a), \$250,000 in one-time funds shall be used to complement UC Riverside's American Indian History Program.	
29. Of the amount appropriated in Schedule (a), \$1,000,000 in one-time funds shall be used for UC to evaluate the statutory responsibilities of the Resources Agency.	
32. Of the amount appropriated in Schedule (a), \$20,000,000 in one-time funds shall be used for deferred maintenance, instructional equipment and library materials.	
35. Of the amount appropriated in Schedule (a), \$100,000 in one-time funds shall be used for the UC Berkeley Institute of Government Affairs.	
36. Of the amount appropriated in Schedule (a), \$380,000 in one-time funds shall be used for undergraduate outreach for Latino students by the UCLA medical school.	
37. Of the amount appropriated in Schedule (a), \$380,000 in one-time funds shall be used for Policy and International Affairs Outreach and Graduate Fellowship Program.	
38. Of the amount appropriated in Schedule (a), \$1,000,000 in one-time funds shall be used for the UCLA Ocean Discovery Center.	

Item	Amount
39. Of the amount appropriated in Schedule (a), \$3,000,000 in one-time funds shall be used for Medical Marijuana Research.	
40. Of the amount appropriated in Schedule (a), \$40,000,000 is to fund the Medical Investigation of Neurodevelopmental Disorders (MIND) Institute, including \$30,000,000 in one-time funding.	
41. The funds appropriated in Schedule (b) include \$7,850,000 in one-time funds for the program outlined in the contractual agreements between the University of California and Charles R. Drew University of Medicine and Science. These funds may not be used by Drew University to support new programs. It is the intent of the Legislature that the University of California increase its oversight of expenditures of funds from Schedule (b) by Drew University and that the University of California provide an annual report to the Legislature during the budget process regarding the financial condition of Drew University, looking at all sources of funds.	
42. Of the amount appropriated in Schedule (a), \$200,000 is for research through the California Policy Research Center.	
43. Of the amount appropriated in Schedule (a), \$22,800,000 is for the University of California to provide an additional 2 percent employee compensation pool for nonsenate academic employees and other nonfaculty employees.	
44. Of the amount appropriated in Schedule (a), \$32,000,000 is for the purpose of expanding Internet connectivity and network infrastructure to grades K–12 schools and county offices of education, and \$18,000,000 is available, on a one-time basis, for Internet2 connectivity and infrastructure for UC campuses.	
45. Of the amount appropriated in Schedule (a), \$2,000,000 is for expansion of the Academic Geriatric Research Program and \$4,000,000 is for establishment of two endowed chairs in geriatric medicine with each chair to receive \$2,000,000.	
6440-001-0007—For support of University of California, payable from the Breast Cancer Research Account	16,706,000

Item	Amount
Provisions:	
1. Notwithstanding subdivision (a) of Section 2.00 of this act, the funds appropriated in this item shall be available for expenditure until June 30, 2003.	
6440-001-0046—For support of University of California, Institute of Transportation Studies, payable from the Public Transportation Account, State Transportation Fund	956,000
6440-001-0234—For support of the University of California, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund.....	22,627,000
Provisions:	
1. The funds appropriated in this item are to be allocated for research regarding tobacco use, with an emphasis on youth and young adults, including, but not limited to, the effects of active and passive smoking, the primary prevention of tobacco use, nicotine addiction and its treatment, the effects of secondhand smoke, and public health issues surrounding tobacco use.	
2. Notwithstanding subdivision (a) of Section 2.00 of this act, the funds appropriated in this item are available for expenditure until June 30, 2003.	
6440-001-0308—For support of the University of California, payable from the Earthquake Risk Reduction Fund of 1996.....	1,500,000
Provisions:	
1. The funds appropriated in this item shall be expended for the Center for Earthquake Engineering Research, contingent upon the center continuing to receive federal matching funds from the National Science Foundation.	
6440-001-0321—For support of University of California, payable from the Oil Spill Response Trust Fund.....	1,300,000
Provisions:	
1. The funds appropriated in this item shall be available to support the Oiled Wildlife Care Network.	
6440-001-0814—For support of University of California, for allocation by the Controller in accordance with the provisions of Section 8880.5 of the Government Code as enacted by the voters in Proposition 37 at the November 1984 general election, payable from the California State Lottery Education Fund.....	19,635,000
Provisions:	
1. All funds received pursuant to Proposition 37 that are allocable to the University of California pur-	

Item	Amount
<p>suant to Section 8880.5 of the Government Code, and that are in excess of the amount appropriated in this item are hereby appropriated in augmentation of this item.</p>	
<p>6440-001-0890—For support of University of California, payable from the Federal Trust Fund.....</p>	5,000,000
<p>Provisions:</p>	
<p>1. The funds appropriated in this item are for the federal Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) (20 U.S.C. 1070a-21 et. seq.). These funds are provided to the University of California as the fiscal agent for this intersegmental program.</p>	
<p>6440-001-0945—For support of the University of California, payable from the California Breast Cancer Research Fund.....</p>	580,000
<p>Provisions:</p>	
<p>1. Notwithstanding subdivision (a) of Section 2.00 of this act, the funds appropriated in this item shall be available for expenditure until June 30, 2003.</p>	
<p>6440-002-0001—For support of University of California</p>	(55,000,000)
<p>Provisions:</p>	
<p>1. Notwithstanding Section 2.00 of this act, the funds appropriated in this item are not available for expenditure or encumbrance prior to July 1, 2001. Claims for these funds shall be submitted by the University of California on or after July 1, 2001, and before October 1, 2001.</p>	
<p>2. No reserve may be established by the Controller for this appropriation before July 1, 2001.</p>	
<p>6440-003-0001—For support of the University of California, for payments on lease-purchase bonds.....</p>	99,797,000
<p>Schedule:</p>	
<p>(a) Rental, insurance and administrative payments</p>	101,560,000
<p>(b) Reimbursements</p>	-1,763,000
<p>6440-004-0001—For support of University of California</p>	9,900,000
<p>Provisions:</p>	
<p>1. Funds shall be available for planning and startup costs associated with academic programs to be offered in the San Joaquin Valley and planning, startup costs, and ongoing support for the Merced campus, including the following: (a) site studies, infrastructure planning, community planning and</p>	

Item	Amount
development, long-range development plans, environmental studies, and other physical planning activities; (b) academic planning activities, support of academic program offerings prior to the opening of the new campus, and faculty recruitment; (c) the acquisition of instructional materials and equipment; and (d) ongoing operating support for faculty, staff, and other annual operating expense for the new campus.	
2. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure until June 30, 2003.	
3. The University of California may enter into a lease agreement with an option to purchase a facility in Merced of up to 50,000 rentable square feet. The initial option purchase price shall not exceed \$10,000,000. The cost of the lease shall not exceed \$900,000 per year based on a 20-year lease term, for a total cumulative cost of \$18,000,000. The lease agreement with an option to purchase shall be submitted to the Department of Finance for review and concurrence prior to execution of the lease to ensure that the proposed lease is consistent with legislative intent. The submission of the lease shall also include an economic analysis detailing the cost benefit of the project.	
6440-011-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund to the Earthquake Risk Reduction Fund of 1996 (0308)	(1,000,000)
6440-301-0001—For capital outlay, University of California	133,700,000
Schedule:	
Universitywide:	
(1) 99.00.055-Institutes for Science and Innovation—Preliminary plans, working drawings, construction and equipment	75,000,000
(2) 99.00.065-Teaching Hospital Infrastructure—Preliminary plans, working drawings, and construction.....	50,000,000
(2.4) 99.03.205-Veterinary Medicine Alterations and Replacement Facility—Preliminary plans	4,000,000

Item Amount

Merced Campus:

- (4) 99.11.020-Science and Engineering Building—Working drawings 2,600,000
- (5) 99.11.025-Library/Information Technology Center—Working drawings..... 2,100,000

Provisions:

1. The project identified in Schedule (1) in this item shall not be subject to the administrative oversight of the State Public Works Board notwithstanding Section 13332.11 of the Government Code or any other provision of law.
2. Notwithstanding Section 2.00 of this act or any other provision of law, the funds in this item are appropriated without regard to fiscal year.
3. Of the amount appropriated in this item, up to \$2,000,000 may be transferred to Item 6440-001-0001 for support of the development of the Institutes for Science and Innovation.
4. It is the intent of the Legislature that the Board of Regents of the University of California accept the proposed gift of 1,100 acres of land made available to them for potential development of a University of California campus at Chula Vista. Upon receipt of the Chula Vista site, the University of California shall have 30 years during which to decide whether to locate a campus of the University of California on that site and if, at the close of the 30-year period no determination to locate a campus of the University of California on the Chula Vista site has been made, the University of California shall transfer title to the site back to the previous land owners.
5. Funds appropriated in Schedule 2.4 are available for expenditure only after a Preliminary Project Guide that includes detailed information on program scope and cost has been reviewed and approved by the Department of Finance.

6440-301-0574—For capital outlay, University of California, payable from the Higher Education Capital Outlay Bond Fund of 1998 99,020,000

Schedule:

Universitywide:

- (1) 99.00.050-Northern Regional Library Facility, Phase 3—Preliminary plans 810,000

Item	Amount
Berkeley Campus:	
(2) 99.01.190-Seismic Safety Corrections, LeConte Hall—Working drawings.....	1,105,000
(3) 99.01.205-Seismic Safety Corrections, Archaeology Building—Working drawings and construction.....	2,053,000
San Francisco Campus:	
(4) 99.02.125-Parnassus Services Seismic Replacement Building—Working drawings.....	1,889,000
Davis Campus:	
(5) 99.03.180-Chemistry Annex Alterations—Construction	2,564,000
(6) 99.03.185-Life Sciences Alterations, Phase 1—Construction	3,788,000
(7) 99.03.190-Electrical Improvements, Phase 2B—Construction.....	8,995,000
Los Angeles Campus:	
(8) 99.04.125-Dance Building Seismic Renovation—Working drawings ...	700,000
Riverside Campus:	
(9) 99.05.120-Humanities-Olmsted Hall Seismic Upgrade and Renovation—Construction.....	11,167,000
(10) 99.05.135-Physical Sciences 1—Preliminary plans	1,341,000
San Diego Campus:	
(11) 99.06.310-Central Plant Equipment Improvements 3—Working drawings and construction.....	7,079,000
(12) 99.06.315-Engineering Building Unit 3B—Preliminary plans	1,714,000
Santa Cruz Campus:	
(13) 99.07.105-Interdisciplinary Sciences Building—Equipment	755,000
(14) 99.07.115-Film and Digital Media Renovations—Preliminary plans and working drawings.....	461,000
Santa Barbara Campus:	
(15) 99.08.060-Environmental Sciences Building—Equipment	1,588,000
(16) 99.08.095-Engineering-Sciences Building—Working drawings and construction	29,257,000

Item	Amount
(17) 99.08.100-Sewer System Renewal—Construction.....	4,133,000
(18) 99.08.110-Life Sciences Building—Preliminary plans	1,173,000
Irvine Campus:	
(19) 99.09.175-Arts Renovation and Seismic Improvements, Phase 1—Equipment.....	202,000
(20) 99.09.190-Arts Renovation and Seismic Improvements, Phase 2—Working drawings and construction	3,406,000
Agriculture and Natural Resources:	
(21) 99.10.035-Alternative Pest Control Quarantine and Containment Facilities for California— Equipment	540,000
Merced Campus:	
(22) 99.11.005-Site Development and Infrastructure, Phase 1—Preliminary plans, working drawings and construction	10,000,000
(23) 99.11.020-Science and Engineering Building—Preliminary plans...	2,500,000
(24) 99.11.025-Library/Information Technology Center—Preliminary plans.....	1,800,000
Provisions:	
1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, or (e) to fund minor capital outlay projects.	

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No later than March 1, 2001, the University of California shall provide the Legislative Analyst with a progress report showing the identified savings by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chair of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

2. Notwithstanding Section 2.00 of this act or any other provision of law, the appropriation of funds made by this item for Schedules (22), (23) and (24), is available for encumbrance to June 30, 2002, for all phases of the projects.
3. Prior to the release of funds appropriated in Schedules (22), (23) and (24), a project planning guide (PPG) for each project outlining project scope, cost and schedule shall be provided to the Department of Finance consistent with established procedure. The University of California is authorized to change the funding level as specified in Schedules (23) and (24), at the time the PPGs are submitted, to the extent that the total amount appropriated in Schedules (23) and (24) does not exceed \$4,300,000.
4. The projects identified in Schedules (22), (23), and (24) may proceed utilizing design-build construction consistent with established University of California practices, policies, and procedures.
5. The funds provided under this item shall be available for expenditure only if the University of California requires the payment of prevailing wage rates by the contractors and subcontractors on all projects in this item and on all other capital outlay projects undertaken by the University of California that are funded using nonstate funds or are otherwise not financed with the funds appropriated in this item. This requirement shall represent a moratorium on granting further exceptions to paying prevailing wage until June 30, 2001. The University of California shall submit a report to the Legislature by February 15, 2001, on its policy of granting exceptions to pay less than prevailing wage for construction of capital projects.

Item	Amount
<p>6. In choosing a developer for the hotel and conference center project at University of California, Davis, proposals from developers with labor peace agreements for the permanent workforce shall take priority.</p>	
<p>6440-301-0658—For capital outlay, University of California, payable from the Higher Education Capital Outlay Bond Fund of 1996.</p> <p>Provisions:</p> <p>1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act, or (e) to fund minor capital outlay projects.</p> <p>No later than March 1, 2001, the University of California shall provide the Legislative Analyst with a progress report showing the identified savings by project, and the purpose for which the identified savings were used.</p> <p>No later than November 1, 2001, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.</p>	
<p>6440-301-0705—For capital outlay, University of California, payable from the Higher Education Capital Outlay Bond Fund of 1992.</p> <p>Provisions:</p> <p>1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining af-</p>	

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ter completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act.

No later than March 1, 2001, the University of California shall provide the Legislative Analyst with a progress report showing the identified savings by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

6440-301-0782—For capital outlay, University of California, payable from the Higher Education Capital Outlay Bond Fund.

Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used as follows: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects

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to meet requirements under the federal Americans with Disabilities Act of 1990.

No later than March 1, 2001, the University of California shall provide the Legislative Analyst with a progress report showing the identified savings by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chair of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

6440-301-0785—For capital outlay, University of California, payable from the 1988 Higher Education Capital Outlay Bond Fund.

Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990.

No later than March 1, 2001, the University of California shall provide the Legislative Analyst with a progress report showing the identified savings by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chair of the

Item		Amount
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Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

6440-301-0791—For capital outlay, University of California, payable from the June 1990 Higher Education Capital Outlay Bond Fund.

Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990.

No later than March 1, 2001, the University of California shall provide the Legislative Analyst with a progress report showing the identified savings by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chair of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

6440-302-0574—For capital outlay, University of California, payable from the Higher Education Capital Outlay Bond Fund of 1998		113,671,000
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Schedule:

Berkeley Campus:

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|---|--|------------|
| (1) 99.01.195-Seismic Replacement Building 1—Construction..... | | 15,723,000 |
| (2) 99.01.200-Seismic Safety Corrections, FEMA Program, Phase 1—Construction..... | | 12,280,000 |

Item	Amount
San Francisco Campus:	
(3) 99.02.090-Electrical Distribution System Improvements, Phase 1—Preliminary plans, working drawings and construction.....	5,929,000
Davis Campus:	
(4) 99.03.195-Sciences Laboratory Building—Preliminary plans and working drawings	4,174,000
(6) 99.03.200-Veterinary Medicine Laboratory Facility—Construction	3,658,000
Los Angeles Campus:	
(7) 99.04.310-Health Sciences Seismic Replacement Building 2—Construction	27,095,000
Riverside Campus:	
(8) 99.05.130-Science Laboratories 1—Working drawings and construction	16,875,000
San Diego Campus:	
(9) 99.06.320-Eleanor Roosevelt College Academic Facilities—Preliminary plans, working drawings and construction	4,200,000
Santa Cruz Campus:	
(10) 99.07.110-Central Heating Plant Expansion, Phase 2—Preliminary plans, working drawings and construction	2,879,000
Irvine Campus:	
(11) 99.09.110-Humanities/Fine Arts Facilities—Construction	10,848,000
(12) 99.09.195-Physical Sciences Research Facility Seismic Improvements—Construction	426,000
(13) 99.09.235-UCIMC Building 53 Seismic Improvements—Preliminary plans, working drawings and construction.....	2,206,000
(14) 99.09.305-Irvine Hall Seismic Improvements—Preliminary plans, working drawings and construction	995,000
(15) 99.09.310-Central Plant Chiller Expansion, Step 4—Working drawings and construction.....	3,541,000

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Agriculture and Natural Resources:

(16) 99.10.040-Kearney Agricultural Center Greenhouse and Headhouse Facility—Preliminary plans, working drawings and construction 2,842,000

Provisions:

1. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the University of California may proceed with any phase of any project identified in the above schedule, including preparation of preliminary plans, working drawings, construction, or equipment purchase, without the need for any further approvals.
2. The University of California shall complete each project identified in the above schedule within the total funding amount specified in the schedule for that project. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the budget for any project to be funded from this item may be augmented by the University of California within the total appropriation made by this item, in an amount not to exceed 10 percent of the amount appropriated for that project. No funds appropriated by this item for equipment may be used for an augmentation under this provision, or be augmented from any other funds appropriated by this item. This condition does not limit the authority of the University of California to use non-state funds.
3. The University of California shall complete each project identified in the above schedule without any change to its scope. The scope of a project means, in this respect, the intended purpose of the project as determined by reference to the following elements of the budget request for that project submitted by the University of California to the Department of Finance: (a) the program elements related to project type, and (b) the functional description of spaces required to deliver the academic and supporting programs as approved by the Legislature.
4. Notwithstanding Section 2.00 of this act or any other provision of law, the appropriation made by this item is available for encumbrance during the 2000–01 and 2001–02 fiscal years, except that the funds appropriated for construction only must be bid during the 2000–01 fiscal year and will be

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available for expenditure through 2001–02 and that the funds appropriated for equipment purposes are available for encumbrance until June 30, 2003. For the purposes of encumbrance, funds appropriated for construction management and project contingencies purposes, as well as any bid savings, shall be deemed to be encumbered at the time a contract is awarded; these funds also may be used to initiate consulting contracts necessary for management of the project during the liquidation period. Any savings identified at the completion of the project also may be used during the liquidation period to fund the purposes described in Provision 2 and Provision 5.

5. Identified savings in a budget for a capital outlay project, as appropriated by this item, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used without further approval: (a) to augment projects consistent with Provision 2, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with the design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, or (e) to fund minor capital outlay projects.
6. No later than December 1 of each year, the University of California shall submit a report outlining the expenditure for each project of the funds appropriated by this item to the Chair of the Joint Legislative Budget Committee, the chairs of the fiscal committees of each house, the Legislative Analyst, and the Director of Finance. The report also shall include the following elements: (a) a statement of the identified savings by project, and the purpose for which the identified savings were used; (b) a certification that each project as proceeding or as completed, has remained within its scope and the amount funded for that project under this item; and (c) an evaluation of the outcome of the project measured against performance criteria.
7. None of the funds appropriated in Schedule (1) shall be expended or encumbered before January 1, 2001, unless the University of California, Ber-

Item	Amount
<p>keley and the local governing body of the City of Berkeley adopt an amendment to the memorandum of understanding (MOU) dated March 12, 1997, with an agreement on the Oxford Tract—SRB1 that minimizes the impact on the community. The university and the city shall unanimously appoint three members each to the Planning Advisory Group as defined in the MOU.</p> <p>6440-401—University of California—The following projects are authorized pursuant to Section 15820.21 of the Government Code.</p> <p>(a) Davis Campus-Genome and Biomedical Sciences Facility</p> <p>(b) Irvine Campus-Hewitt (College of Medicine Research Facility)</p> <p>(c) San Diego Campus-School of Medicine Research Facility</p> <p>(d) Santa Barbara Campus-Marine Science Research Building</p> <p>6440-490—Reappropriation, University of California. Notwithstanding any other provision of law, the balances as of June 30, 2000, of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations and shall be available for encumbrance and expenditure until June 30, 2001:</p> <p>0001—General Fund</p> <p>(1) Item 6440-001-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999).</p> <p>Provisions:</p> <p>1. Excluding funds reappropriated pursuant to Provision 2 of this section, of the funds reappropriated in this item from Item 6440-001-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999), \$15,000,000 shall be available for deferred maintenance, special repair projects, and the replacement of instructional equipment. As of June 30, 2000, the balance of the funds from that item in excess of \$15,000,000 shall revert to the General Fund.</p> <p>2. The University of California shall report to the Department of Finance and the Joint Legislative Budget Committee the amount of the balance, on June 30, 2000, of Item 6440-001-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999), by September 30, 2000, and the expendi-</p>	

Item	Amount
<p>tures made pursuant to this item by September 30, 2001.</p> <p>6600-001-0001—For support of Hastings College of the Law</p>	14,337,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The appropriation made in this item is exempt from Section 31.00 of this act. 2. Of the funds appropriated in this item, \$774,000 is for support of Program 40, Student Services, to provide financial aid to needy students attending the Hastings College of the Law, according to the nationally accepted needs analysis methodology. 	
<p>6600-001-0814—For support of Hastings College of the Law, for allocation by the Controller in accordance with the provisions of Section 8880.5 of the Government Code as enacted by the voters in Proposition 37 at the November 1984 general election, payable from the California State Lottery Education Fund...</p>	139,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. All funds received pursuant to Proposition 37 that are allocable to the Hastings College of the Law pursuant to Section 8880.5 of the Government Code, and that are in excess of the amount appropriated in this item are hereby appropriated in augmentation of this item. 	
<p>6600-490—Reappropriation, Hastings College of the Law. Notwithstanding any other provision of law, the balance, as of June 30, 2000, of the appropriation provided in the following citation is reappropriated and shall be available for encumbrance and expenditure until June 30, 2001:</p> <p>0001—General Fund</p> <p>(1) Item 6600-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999).</p>	
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The Hastings College of the Law shall report to the Department of Finance and the Joint Legislative Budget Committee the amount of the balance, on June 30, 2000, of Item 6600-001-0001 of the Budget Act of 1999 (Ch. 50, Stats. 1999), by September 30, 2000, and shall also report the expenditures made pursuant to this item by September 30, 2001. 	
<p>6610-001-0001—For support of the California State University</p>	2,404,639,000

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Schedule:

(a) Support.....	3,185,735,000
(b) Reimbursements	-138,641,000
(c) Amount payable from the Higher Education Fees and Income, CSU Fund (Item 6610-001-0498)....	-642,455,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00 of this act, except as otherwise provided by the applicable sections of the Government Code referred to in Section 31.00.
2. Of the amount appropriated in this item, \$814,000 is available for transfer to the California State University and Colleges Special Projects Fund pursuant to Section 25008.5 of the Public Resources Code, which allows state agencies to retain 50 percent of the financial benefits realized through energy savings projects.
3. Of the amount appropriated in this item, \$7,235,000 is provided for payment of energy service contracts in connection with the issuance of Public Works Board Energy Efficiency Revenue Bonds.
4. Of the amount appropriated in this item, \$350,000 is for transfer to the Affordable Student Housing Revolving Fund for the purpose of subsidizing interest costs in connection with bond financing for construction of affordable student housing at the Fullerton and Hayward campuses in accordance with Article 3 (commencing with Section 90085) of Chapter 8 of Part 55 of the Education Code.
5. Of the amount appropriated in this item, \$1,878,000 is for repayment of the \$17,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1994–95 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2009–10 fiscal year.
6. Of the amount appropriated in this item, \$2,309,000 is for repayment of the \$24,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1995–96 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2010–11 fiscal year.

Item	Amount
7. Of the amount appropriated in this item, \$13,000,000 is for conversion of the Stockton Developmental Center into the Regional and Continuing Education Center at CSU, Stanislaus, including \$11,300,000 on a one-time basis.	
8. Of the amount appropriated in this item, \$2,000,000 is provided to support the Bilingual Teacher Recruitment Program.	
9. Of the funds appropriated in this item, \$2,000,000 is provided for a teacher recruitment program to be operated by the California Center for Teaching Careers (CalTeach).	
10. Of the funds appropriated in Schedule (a), \$15,000,000 is provided for outreach to be used to fund new and existing programs that are aimed at improving the chances for K–12 pupils from a wide diversity of backgrounds to become eligible and prepared for the California State University. Of this total, \$5,000,000 is provided for faculty-to-faculty alliance with high school teachers of English and mathematics, \$4,000,000 is provided for learning assistance programs in high school, and \$2,000,000 is provided for the Precollegiate Academic Development Program at the California State University, \$2,000,000 is for the California State University Educational Opportunity Program (Art. 6 (commencing with Sec. 89521), Ch. 2, Pt. 55, Ed. C.), and \$2,000,000 is for the California Academic Partnership Program (Ch. 11 (commencing with Sec. 11000), Pt. 7, Ed. C.).	
11. Of the amount appropriated in this item, \$65,647,000 is provided for student financial aid grants, including \$48,285,000 for State University grants and \$17,362,000 for grants pursuant to the California State University Educational Opportunity Program. These financial aid funds shall be provided to needy students according to the nationally accepted needs analysis methodology.	
12. Of the amount appropriated in this item, \$3,500,000 is to provide 250 Governor’s Teaching Fellowships, including \$1,000,000 to administer this program.	
13. Of the amount appropriated in this item, \$9,000,000 is for CalTeach to conduct media campaigns for teacher recruitment, including	

Item	Amount
	\$7,000,000 for in-state recruitment and \$2,000,000 for out-of-state recruitment.
14.	Of the amount appropriated in this item, \$1,100,000 is for the development of 220 service learning courses. It is the intent of the Legislature to annually provide funds for this purpose through the 2003–04 fiscal year.
18.	Of the amount appropriated in Schedule (a), \$1,000,000 in one-time funds shall be used for the CalTeach program to make a documentary film available to prospective teachers as an outreach tool for support of public schools.
19.	Of the amount appropriated in Schedule (a), \$5,160,000 in one-time funds shall be used for allocation to CSU Hayward to repair fire damage and purchase replacement equipment lost in a fire on May 3, 2000.
21.	Of the amount appropriated in Schedule (a), \$5,000,000 in one-time funds shall be used to fund the CSU Los Angeles Performing Arts Center.
22.	The CSU shall increase the capacity of the following CSU academic programs: agriculture, biological sciences, computer sciences, engineering, and nursing in the 2000–01 and 2001–02 college years with the \$15 million in enrichment funds provided for this purpose, coupled with the marginal cost provided for each full-time equivalent student (FTES). Using an annualized college year calculation, the CSU shall achieve the following increases in FTES enrollments in these programs over 1998–99 levels: Agriculture: 150 Biological Sciences: 527 Computer Science: 481 Engineering: 506 Nursing: 500
	These increases are not in addition to, but are within, the overall enrollment targets established for CSU for the 2000–01 college year and that will be established for the 2001–02 college year.
	By March 31, 2001, the CSU shall report to the Joint Legislative Budget Committee, the appropriate policy and fiscal committees in each house, the Department of Finance, and the Legislative Analyst's Office on its progress towards

Item	Amount
<p>achieving the goal, including any activities related to student outreach, faculty recruitment and industry partnerships. As of August 1, 2002, the CSU will provide a report to these same groups on the FTES enrollment growth achieved in these disciplines above the 1998–99 college year baseline.</p> <p>25. Of the amount appropriated in Schedule (a), \$250,000 in one-time funds shall be used to provide funding for CSU San Bernardino.</p> <p>26. Of the amount appropriated in Schedule (a) \$200,000 in one-time funds shall be used for CSU San Jose to plan an Education Collaborative.</p> <p>27. Of the amount appropriated in Schedule (a), \$300,000 shall be used to establish a Central American Studies Research Institute at CSU Northridge.</p>	
<p>6610-001-0498—For support of the California State University, for payment to Item 6610-001-0001, payable from the Higher Education Fees and Income, CSU Fund</p>	642,455,000
<p>Provisions:</p> <p>1. All funds received in the Higher Education Fees and Income, CSU Fund, that are in excess of the amount appropriated in this item are hereby appropriated in augmentation of this item.</p>	
<p>6610-001-0890—For support of the California State University, payable from the Federal Trust Fund.....</p>	18,951,000
<p>Provisions:</p> <p>1. All funds deposited in the Federal Trust Fund for the California State University for the purposes of this item and that are in excess of the amount appropriated in this item are hereby appropriated in augmentation of this item and are exempt from Section 28.00 of this act, pursuant to subdivision (a) of Section 89753 of the Education Code.</p>	
<p>6610-002-0001—For support of the California State University for transfer to and in augmentation of Item 6610-001-0001, for the purpose of providing direct costs and administrative overhead expenses for the Assembly, Senate, Executive and Judicial Fellows programs and the Center for California Studies</p>	2,740,000
<p>Schedule:</p> <p>(a) Center for California Studies—</p> <p style="padding-left: 2em;">Fellows Program</p>	338,786

Item	Amount
(b) Center for California Studies— Other	25,000
(c) Assembly Fellows	634,482
(d) Senate Fellows.....	634,482
(e) Executive Fellows	562,482
(f) Judicial Fellows.....	357,768
(g) LegiSchool Project.....	125,000
(h) Sacramento Semester Internship Program.....	62,000
6610-003-0001—For support of the California State Uni- versity for payments on lease-purchase bonds.....	72,135,000
Schedule:	
(a) Rental, insurance and administra- tive payments.....	74,169,000
(b) Reimbursements.....	-2,034,000
6610-301-0001—For capital outlay, California State Uni- versity, payable from the General Fund.....	27,034,000
Schedule:	
(2) 06.52.105-Chico: Telecommunica- tions Infrastructure—Construction.	13,165,000
(4.1) 06.80.153-San Diego: Otay Mesa Off-Campus Center—Acquisition .	3,000,000
(5) 06.90.080-Sonoma: Telecommuni- cations Infrastructure—Con- struction	5,869,000
(6) 06.98.104-Pomona: Center for Ani- mal and Veterinary Science Educa- tion, Phase 1A—Preliminary plans, working drawings, construction, and equipment	5,000,000
6610-301-0574—For capital outlay, California State Uni- versity, payable from the Higher Education Capital Outlay Bond Fund of 1998	64,210,000
Schedule:	
(1) 06.48.315-Systemwide: Minor Capital Outlay Program— Preliminary plans, working draw- ings and construction	11,427,000
(2) 06.51.005-Maritime Academy: Telecommunications Infrastruc- ture—Working drawings	131,000
(3) 06.52.105-Chico: Telecommunica- tions Infrastructure—Working drawings.....	432,000
(4) 06.54.074-Dominguez Hills: Tele- communications Infrastructure— Construction	3,760,000

Item	Amount
(5) 06.64.077-Hayward: Telecommunications Infrastructure, Phase I—Working drawings and construction	1,931,000
(6) 06.67.095-Humboldt: Telecommunications Infrastructure—Working drawings.....	337,000
(7) 06.71.097-Long Beach: Renovate Fine Arts—Equipment.....	1,035,000
(8) 06.71.106-Long Beach: Telecommunications Infrastructure—Construction	13,546,000
(9) 06.73.088-Los Angeles: Telecommunications Infrastructure—Construction	7,521,000
(11) 06.76.088-Sacramento: Classroom Building II—Equipment	1,269,000
(12) 06.76.092-Sacramento: Telecommunications Infrastructure—Working drawings.....	482,000
(13) 06.78.081-San Bernardino: Social and Behavioral Sciences Building—Equipment.....	3,022,000
(14) 06.78.088-San Bernardino: Telecommunications Infrastructure—Construction	4,671,000
(15) 06.82.075-Northridge: Telecommunications Infrastructure—Construction	4,658,000
(16) 06.82.077-Northridge: Corporation Yard—Equipment.....	363,000
(17) 06.90.080-Sonoma: Telecommunications Infrastructure—Working drawings.....	236,000
(18) 06.92.052-Stanislaus: Educational Services Building—Equipment	1,404,000
(19) 06.92.057-Stanislaus: Telecommunications Infrastructure—Working drawings.....	208,000
(20) 06.96.109-San Luis Obispo: Telecommunications Infrastructure—Working drawings.....	428,000
(21) 06.98.097-Pomona: Telecommunications Infrastructure—Construction	7,349,000

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Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) to begin working drawings for a project for which preliminary plans funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, (e) to fund minor capital outlay projects, or (f) feasibility studies for capital outlay.

No later than March 1, 2001, the California State University shall provide the Legislative Analyst with a progress report showing the identified savings, by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the California State University shall prepare a report showing the identified savings, by project, and the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairpersons of the fiscal committees in each house.

6610-301-0658—For capital outlay, California State University, payable from the Higher Education Capital Outlay Bond Fund of 1992.

Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) to begin working drawings for a project for which preliminary plans funds have been appropriated and the plans have been approved by the State

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Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act, (e) to fund minor capital outlay projects, or (f) feasibility studies for capital outlay.

No later than March 1, 2001, the California State University shall provide the Legislative Analyst with a progress report showing the identified savings, by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the California State University shall prepare a report showing the identified savings, by project, and the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairpersons of the fiscal committees in each house.

6610-301-0705—For capital outlay, California State University, payable from the Higher Education Capital Outlay Bond Fund of 1992.

Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) to begin working drawings for a project for which preliminary plans funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act.

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No later than March 1, 2001, the California State University shall provide the Legislative Analyst with a progress report showing the identified savings, by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the California State University shall prepare a report showing the identified savings, by project, and the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairpersons of the fiscal committees in each house.

6610-301-0782—For capital outlay, California State University, payable from the Higher Education Capital Outlay Bond Fund.

Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) to begin working drawings for a project for which preliminary plans funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act.

No later than March 1, 2001, the California State University shall provide the Legislative Analyst with a progress report showing the identified savings, by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the California State University shall prepare a report showing the identified savings, by project, and the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the

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<p>chairpersons of the fiscal committees in each house.</p> <p>6610-301-0785—For capital outlay, California State University, payable from the 1988 Higher Education Capital Outlay Bond Fund.</p> <p>Provisions:</p> <ol style="list-style-type: none"> 1. Identified savings in funds encumbered for construction contracts from this general obligation bond fund after completion of a capital outlay project, and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) to begin working drawings for a capital outlay project for which preliminary plans funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act. <p style="padding-left: 40px;">No later than March 1, 2001, the California State University shall provide the Legislative Analyst with a progress report showing the identified savings, by project, and the purpose for which the identified savings were used.</p> <p style="padding-left: 40px;">No later than November 1, 2001, the California State University shall prepare a report showing the identified savings, by project, and the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairpersons of the fiscal committees in each house.</p> <p>6610-301-0791—For capital outlay, California State University, payable from the June 1990 Higher Education Capital Outlay Bond Fund.</p> <p>Provisions:</p> <ol style="list-style-type: none"> 1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) 	

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to begin working drawings for a project for which preliminary plans funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990.

No later than March 1, 2001, the California State University shall provide the Legislative Analyst with a progress report showing the identified savings, by project, and the purpose for which the identified savings were used.

No later than November 1, 2001, the California State University shall prepare a report showing the identified savings, by project, and the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairpersons of the fiscal committees in each house.

6610-302-0574—For capital outlay, California State University, payable from the Higher Education Capital Outlay Bond Fund of 1998 89,140,000

Schedule:

- (1) 06.51.004-Maritime Academy: Engineering Building Renovation and Addition—Preliminary plans, working drawings and construction..... 5,849,000
- (2) 06.68.117-San Marcos: Library Information Center—Construction ... 38,710,000
- (3) 06.71.105-Long Beach: Peterson Hall Addition—Construction 29,166,000
- (4) 06.74.001-Monterey Bay: Science/Academic Center—Construction... 14,450,000
- (5) 06.80.150-San Diego: Seismic Upgrade, Imperial Valley Auditorium/Classroom—Working drawings and construction..... 965,000

Provisions:

- 1. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the Cali-

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California State University may proceed with any phase of any project identified in the above schedule, including preparation of preliminary plans, working drawings, construction, or equipment purchase, without the need for any further approvals.

2. The California State University shall complete each project identified in the above schedule within the total funding amount specified in the schedule for that project. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the budget for any project to be funded from the Higher Education Capital Outlay Bond Fund of 1998 may be augmented by the California State University within the total appropriation made by this item, in an amount not to exceed 10 percent of the amount appropriated for that project. No funds appropriated in this item for equipment may be used for an augmentation under this provision, or be augmented from any other funds appropriated by this item. This condition does not limit the authority of the California State University to use nonstate funds for these purposes.
3. The California State University shall complete each project identified in the above schedule without any change to its scope. The scope of a project means, in this respect, the intended purpose of the project as determined by reference to the following elements of the budget request for that project submitted by California State University to the Department of Finance: (a) the program elements related to project type, and (b) the functional description of spaces required to deliver the academic and supporting programs as approved by the Legislature.
4. Notwithstanding Section 2.00 of this act or any other provision of law, the appropriation made in this item is available for encumbrance during the 2000–01 and 2001–02 fiscal years, except that the funds appropriated for construction only must be bid during the 2000–01 fiscal year and will be available for expenditure through 2001–02, and funds appropriated for equipment purposes are available for encumbrance until June 30, 2003. For the purposes of encumbrance, funds appropri-

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<p>ated for construction management and project contingencies purposes as well as any bid savings, shall be deemed to be encumbered at the time a contract for that purpose is awarded; these funds also may be used to initiate consulting contracts necessary for management of the project during the liquidation period. Any savings identified at the completion of the projects also may be used during the liquidation period to fund the purposes described in subdivisions (a), (b), (c), (d) and (e) of Provision 5.</p> <p>5. Identified savings in a budget for a capital outlay project, as appropriated by this item, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to proceed further with the underground tank corrections program, (b) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (c) to proceed with the design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, (d) to fund minor capital outlay projects or (e) feasibility studies for capital outlay.</p> <p>6. No later than December 1 of each year, the California State University shall submit a report detailing the expenditure for each project of the funds appropriated by this item to the Chair of the Joint Legislative Budget Committee, the chairs of the fiscal committees of each house, the Legislative Analyst, and the Director of Finance. The report also shall include the following elements: (a) a statement of the identified savings by project, and the purpose for which the identified savings were used; (b) a certification that each project as proceeding or as completed, has remained within its scope and the amount funded for that project under this item; and (c) an evaluation of the outcome of the project measured against performance criteria.</p> <p>6610-490—Reappropriation, California State University. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified,</p>	

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provided for in the appropriations and shall be available for expenditure until June 30, 2001:

0001—General Fund

(1) Item 6610-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)

Provisions:

1. Of the funds reappropriated in this item from Item 6610-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999), up to \$15,000,000 shall be available for the general support of the California State University. This \$15,000,000 limitation applies only to reappropriations generated from systemwide allocations. As of June 30, 2000, the balance generated from systemwide allocations in excess of \$15,000,000 shall revert to the General Fund.
2. The California State University shall, by September 30, 2000, report to the Department of Finance and the Joint Legislative Budget Committee the amount of the balance as of June 30, 2000, of Item 6610-001-0001 of the Budget Act of 1999 (Ch. 50, Stats. 1999), and a proposed expenditure plan for that balance. The California State University shall report by September 30, 2001, and September 30, 2002, on the expenditures made pursuant to this item.

0498—Higher Education Fees and Income, CSU Fund

(1) Item 6610-001-0498, Budget Act of 1999 (Ch. 50, Stats. 1999).

6870-001-0001—For support of Board of Governors of the California Community Colleges.....

13,207,000

Schedule:

- (a) 10-Appportionments 1,220,000
- (b) 20-Special Services and Operations 18,050,000
- (c) 30.01-Administration 4,786,000
- (d) 30.02-Administration—Distributed -4,786,000
- (e) Reimbursements -6,063,000

Provisions:

1. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a per-

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son who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:	
(a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the commission.	
(b) The service provided under the contract does not result in the displacement of any represented civil service employee.	
(c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Personnel Administration for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the Department of Personnel Administration.	
6870-001-0574—For support of Board of Governors of the California Community Colleges, Program 20.40.010-Facilities Planning, payable from the Higher Education Capital Outlay Bond Fund of 1998.....	963,000
6870-001-0909—For support for the Board of Governors of the California Community Colleges, Program 20.30.020-Instructional Improvement and Innovation, payable from the Grant Cash Account of the Fund for Instructional Improvement	10,000
6870-001-0925—For support of Board of Governors of the California Community Colleges, Program 20.30.050-Economic Development, payable from the California Business Resources and Assistance Innovation Network Fund	13,000
6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)	2,706,014,000
Schedule:	
(a) 10.10.010-Apportionments	1,648,654,000
(b) 10.10.020-Basic Skills, CalWORKs, Apprenticeship	41,606,000

Item	Amount
(c) 10.10.030-Growth for Apportionment.....	135,871,000
(d) 10.10.040-Partnership for Excellence.....	300,000,000
(e) 20.10.005-Student Financial Aid Administration	7,356,000
(f) 20.10.010-Extended Opportunity Programs and Services and Special Services	86,258,000
(fx) 20.10.013-Teacher and Reading Development Partnership.....	10,000,000
(g) 20.10.020-Disabled Students.....	76,049,000
(h) 20.10.040-Fund for Student Success	18,518,000
(i) 20.10.045-Special Services for CALWORKS Recipients.....	65,000,000
(j) 20.10.060-Foster Care Education Program.....	1,866,000
(m) 20.10.070-Matriculation.....	72,066,000
(n) 20.20.020-Academic Senate for the Community Colleges.....	497,000
(o) 20.20.040-Faculty and Staff Diversity	1,859,000
(p) 20.20.050-Part-Time Faculty Health Insurance	1,000,000
(q) 20.20.055-Part-Time Faculty Office Hours	7,500,000
(r) 20.30.010-Faculty and Staff Development	5,233,000
(s) 20.30.011-Telecommunications and Technology Infrastructure	44,300,000
(t) 20.30.012-California Virtual University	2,900,000
(u) 20.30.020-Instructional Improvement, for transfer to the Community Colleges Fund for Instructional Improvements	1,630,000
(ux) 20.30.040-High-Cost Programs	10,000,000
(v) 20.30.050-Economic Development.	45,172,000
(w) 20.30.070-Transfer Education and Articulation.....	3,879,000
(wx) 20.30.091-Noncredit Courses	12,800,000
(x) 20.40.025-Scheduled Maintenance/Special Repairs	49,000,000

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(y) 20.40.035-Instructional Equipment and Library Materials Replacement.....	49,000,000
(z) 20.40.040-Hazardous Substances....	8,000,000

Provisions:

1. The funds appropriated in Schedules (a), (b), (c), (d), (e), (f), (g), (i), (j), (m), (o), (p), (q), (r), (s), (v), and (y) are for transfer by the Controller during the 2000–01 fiscal year to Section B of the State School Fund.
2. Of the funds appropriated in Schedule (a), Apportionments, up to \$100,000 is for a maintenance allowance, pursuant to regulations adopted by the board of governors. Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date. \$37,500,000 is to provide equalization of district apportionments on a FTES basis and \$7,500,000 is to provide equalization of district apportionments on a program improvement basis.
3. Notwithstanding any other provision of law, \$25,017,000 of the funds appropriated in Schedule (b) shall be for allocation to community college districts in the 2000–01 fiscal year for the purposes of funding FTES in courses in basic skills, including English-as-a-second-language courses and workforce preparation courses for newly legalized immigrants, to the extent the total FTES claimed by a district for the 2000–01 fiscal year exceeds the level of total FTES funded for that district in the 2000–01 fiscal year. The Chancellor of the California Community Colleges shall develop criteria for allocating these funds.
4. (a) Of the amount appropriated in Schedule (b), up to \$8,589,000 shall be available as necessary upon certification by the Chancellor of the California Community Colleges for the purpose of funding community college-related and supplemental instruction pursuant to Section 3074 of the Labor Code as provided in Section 8152 of the Education Code. No community college district shall use funds available under this provision to offer any new apprenticeship training program or the

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- expansion of any existing program unless the new program or expansion has been approved by the chancellor.
- (b) Notwithstanding Section 8152 of the Education Code, each 60-minute hour of teaching time devoted to each indentured apprentice enrolled in and attending classes of related and supplemental instruction as provided under Section 3074 of the Labor Code shall be reimbursed at the rate of four dollars and eighty-six cents (\$4.86) per hour. For purposes of this provision, each hour of teaching time may include up to 10 minutes for passing time and breaks.
5. Notwithstanding any other provision of law, the funds appropriated in Schedule (c) of this item shall only be allocated for growth in FTES, on a district-by-district basis, as determined by the Chancellor of the California Community Colleges.
 6. Funds provided in Schedule (d) are for the Partnership for Excellence Program established pursuant to Section 84754 of the Education Code. It is the intent of the Legislature that community college districts increase the level of instruction and student services provided to meet the system-wide goal for student transfer. The goal for the California Community Colleges is to increase the number of "transfer ready" students to provide enough applicants to increase by at least 6 percent annually the number of transfer students eligible to enroll at the University of California through the year 2005–06. The goal is also to increase the number of "transfer ready" students to provide enough eligible applicants to increase by at least 5 percent annually the number of transfer students eligible to enroll at the California State University through the year 2005–06. The community college districts shall also seek to increase the number of student transfers from low-transfer community colleges by an average of 15 percent annually.
 7. Of the funds appropriated in Schedules (b) and (e), the funds not required for the 2000–01 fiscal year to meet the demand for the programs funded under those schedules shall be made available on a one-time basis for general apportionment under

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<p>Schedule (a) of this item, provided that no transfer shall occur prior to May 15, 2001.</p> <p>8. Of the funds appropriated in Schedule (f), \$82,933,000 is for Extended Opportunity Programs and Services in accordance with Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of the Education Code. Of this amount \$6 million represents an augmentation and may only be allocated to serve 10,000 additional students over the number served in the 1999–2000 fiscal year. Funds provided in this item for Extended Opportunity Programs and Services (EOPs) shall be available to students on all campuses within the California Community College system, including those students on new campuses or in new districts. \$11,125,000 is for funding, at all colleges, the Cooperative Agencies Resources for Education (CARE) program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of the Education Code. The board of governors shall allocate funds on a priority basis and to local programs on the basis of need for student services.</p> <p>8.5. Of the funds appropriated in Schedule (f), at least \$5,000,000 shall only be available to increase the amount of grants to students for purchasing books. In addition, these funds shall not supplant the amount of resources used for book grants by the community colleges in Extended Opportunity Programs and Services.</p> <p>9. (a) The funds appropriated in Schedule (g) are for local assistance for funding the excess direct instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges, and for state hospital programs.</p> <p>(aa) Of the amount appropriated in Schedule (g), \$4,876,000 shall be used to address deficiencies identified by the federal Office of Civil Rights (OCR) as follows:</p> <p>(1) \$1,286,000 to provide access to print information to visually impaired students by creating and printing Braille versions of written materials. Of this amount \$689,000 for Braille printers and other production equipment are one-time costs.</p>	

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- (2) \$3,590,000 to provide accessibility to hearing impaired distance education students by having closed captioning on telecourses and other video and Internet related instructions. Of this amount \$1,070,000 for editing decks at each college are one-time costs.
- (b) Of the amount appropriated in Schedule (g) at least \$943,000 shall be used for support of the High Tech Centers for activities including, but not limited to, training of district employees, staff and students in the use of specialized computer equipment for the disabled. All High Tech Centers shall meet standards developed by the chancellor's office. Colleges that receive these augmentations shall not supplant existing resources provided to the centers.
- (c) Notwithstanding any other provision of law, of the funds appropriated in Schedule (g) of this item, \$1,529,000 shall be for state hospital adult education programs at the hospitals served by the Coast, Kern, and West Valley Community College Districts since the 1986–87 fiscal year. The amount provided includes the level of funding provided for these state hospital programs in the 1986–87 fiscal year, plus subsequent cost-of-living adjustments if provided. If adult education services at any of the three hospitals are not supported by the community colleges in the 2000–01 fiscal year, the associated funds shall, upon order of the Department of Finance, after 30 days' notice to the Chairperson of the Joint Legislative Budget Committee, be transferred to the State Department of Developmental Services (DDS). For any transfer of funds to DDS during the 2000–01 fiscal year, the Proposition 98 base funding levels for community colleges and DDS shall be adjusted accordingly.
10. The funds for the Fund for Student Success in Schedule (h), with the exception of the funds identified in subdivisions (c) and (d) of this provision, shall be used for competitive grants to increase student success based on an analysis of student outcomes. The funds used for these

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grants shall be available for a limited duration, after which colleges shall institutionalize the programs within their budgets. The chancellor shall develop criteria for allocation of the competitive grants. Of the funds appropriated in Schedule (h):

- (a) \$1,000,000 shall be available for small planning grants of up to one year duration.
- (b) \$8,985,000 shall be available for the initial year of two or three year projects where the state share shall be no greater than 75% of the costs of the first year and no more than 25% in the last.
- (c) Up to \$4,244,000 is for the Puente Project. \$944,000 continues the 1999–2000 level of funding to support 40 colleges and is available if these funds are matched by \$100,000 of private funds and the participating community colleges and University of California campuses maintain their 1995–96 support level for the Puente Project. \$1,000,000 shall be used to expand the Puente Project to at least an additional 35 colleges. These funds will be subject to the same local match agreement as existing programs. These funds are not required to be allocated on a temporary basis and may be allocated on a permanent basis to support a Puente Project that meets the conditions of the Puente Project contract agreement. All funding shall be allocated directly to participating districts in accordance with their participation agreement.
- (d) Up to \$2,489,000 is for the Mathematics, Engineering and Science Achievement/Minority Engineering (MESA/MEP) Programs. These funds are not required to be allocated on a temporary basis and may be allocated on a permanent basis provided the conditions for receipt of funds continue to be met. For each dollar allocated, the recipient district shall provide one dollar in matching funds.
- (e) No less than \$1.8 million is reserved for expansion of middle colleges pursuant to the Governor’s initiative. Of the funds provided herein, the chancellor shall have the discre-

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tion to extend the grant period beyond the normal pattern for the Fund for Student Success as necessary to meet the goals of the initiative.

- (f) With the exception of special part-time students at the community colleges pursuant to Section 48802 of the Education Code, student workload based on participation in the Middle College High School Program shall not be eligible for community college state apportionment.

As a condition of receipt of funds pursuant to subdivisions (a) and (b), colleges must submit to the chancellor's office a yearly report including: an expenditure plan, a progress report detailing number of students served, and the ability of the college to increase student success based on an analysis of student outcomes. It is the intent that the chancellor's office submit an annual report to the Legislature and Department of Finance by November 1, of each year. The report shall include an analysis of the programs funded at each campus, including the effects on student outcomes. The chancellor shall also identify any colleges which did not continue operation of the program after state funds have ceased and the reasons therefore.

11. The funds appropriated in Schedule (i) are for the purpose of assisting welfare recipient students and those in transition off of welfare to achieve long-term self-sufficiency through coordinated student services offered at community colleges including: work study; other educational related work experience; job placement services; child care services; and coordination with county welfare offices to determine eligibility and availability of services. All services funded in this schedule shall be for current CalWORKs recipients or prior CalWORKs recipients who are in transition off of cash assistance for no more than two years. Current cash assistance recipients may utilize these services until their initial educational objectives are met. Former recipients in transition off of cash assistance may utilize these services for a period of up to two years after leaving cash assistance subject to the conditions of this provision. These

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funds shall be used to supplement and not supplant existing funds and services provided for CalWORKs recipients attending community colleges. The chancellor shall develop an equitable method for allocating funds to all districts and colleges based on the relative numbers of CalWORKs recipients in attendance and shall allocate funds for the following purposes:

- (a) Job placement.
- (b) Coordination with county welfare offices and other local agencies, including private industry councils, or local workforce investments boards.
- (c) Curriculum development and redesign.
- (d) Child care and work study.
- (e) Instruction.
- (f) Postemployment skills training and related skills.

Of the amount appropriated in Schedule (i) of this item, at least \$49,500,000 shall be allocated for the purposes identified in subdivision (a) and (d) of this provision and, of this amount, not less than \$15,000,000 shall be for child care. Funds utilized for subsidized child care shall be for children of CalWORKs recipients through campus-based centers or parental choice vouchers at rates and with rules consistent with those applied to related programs operated by the State Department of Education, including parental contribution schedules. Subsidized campus child care for CalWORKs recipients may be provided during the period they are engaged in qualifying state and federal work activities through attainment of their initial education and training plan and for up to three months thereafter or until the end of the academic year, whichever period of time is greater.

Funds utilized for work study shall be used solely for payments to employers that currently participate in campus-based work-study programs or are providing work experiences that are directly related to and in furtherance of student educational programs, provided that those payments may not exceed 75 percent of the wage for the work study positions; the employers shall pay at least 25 percent of the wage for the work study position. These funds may be expended

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only if the total hours of education, employment, and work study for the student are sufficient to meet both state and federal minimum requirements for qualifying work-related activities.

The balance of funds allocated for (a) and (d) of this provision shall provide either job placement, instructional services, work study or child care for CalWORKs students. Funds can be used to provide credit or noncredit classes for CalWORKs students if a district has committed all of its funded FTES and is unable to offer the additional instructional services to meet the demand for CalWORKs students. This determination shall be based on fall enrollment information. Districts shall make application to the chancellor's office by October 15. If the chancellor approves the use of funds for direct instructional workload, the chancellor's office shall submit a report to the Joint Legislative Budget Committee by November 15, 2000, that (a) identifies the enrollment of new CalWORKs students, (b) states whether and why additional classes were needed to accommodate the needs of CalWORKs students, and (c) sets forth an expenditure plan for the balance of funds.

As a condition of receipt of the funds appropriated in Schedule (i), by the fourth week following the end of the semester or quarter term commencing in January 2001, each participating community college shall submit to the chancellor's office a report, in the format specified by the chancellor, in consultation with the Department of Social Services, that includes but may not be limited to the funded components, the number of hours of child care provided, average monthly enrollment of CalWORKs dependents served in child care, the number of work study hours provided, the hourly salaries and type of jobs, the number of students being case managed, the short-term programs available, student participation rates, and other outcome data. It is intended that, to the extent practical, reporting from colleges utilize data gathered for federal reporting requirements at the state and local level. Further, it is intended that the chancellor's office compile the information for annual reports to the Legislature, the Governor, the Legislative

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Analyst, and the Departments of Finance and Social Services by October 15 of each year as specified in the annual Budget Act.

First priority for expenditures of any funds appropriated in Schedule (i) shall be in support of current CalWORKs recipients. However, if caseloads are insufficient to fully utilize all of the funding in this schedule in a cost beneficial way, it is intended that up to \$10,000,000 may be allocated for providing postemployment services to former CalWORKs recipients who have been off of cash assistance for no longer than two years to assist them in upgrading skills, job retention, and advancement. Allowable services include direct instruction that cannot be funded under available growth funding, child care to support attendance in these classes consistent with this provision, job development and placement services, and career counseling and assessment activities which cannot be funded through other programs. Child care services may only be provided for periods commensurate with a student's need for postemployment training within the two-year transitional period.

Prior to allocation of funds for post-employment services, the chancellor shall first secure the approval of the Department of Finance for the allocations; complete a cumulative report on the outcomes, activities, and cost effectiveness of the program no later than October 15, 2000, in compliance with the Budget Acts of 1998 and 1999 (Ch. 324, Stats. 1998 and Ch. 50, Stats. 1999) and this act, and shall provide the rationale and justification for the proposed allocation of postemployment services to districts for transitional students.

12. Of the funds appropriated in Schedule (b) \$8,000,000 is to fund additional fixed, variable, and one-time costs for providing support services and instruction for CalWORKs students which include but are not limited to: job placement and coordination; curriculum development and redesign; child care and work study; and instruction. As a condition for funding, colleges are required to submit a plan to the chancellor's office on how the funds will be utilized which shall be based on collaboration with county wel-

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- fare offices about the services and instruction that is needed for CalWORKs recipients. The funds matched by federal TANF block grant funds and scheduled in Item 6870-111-0001(a) are also subject to all these same conditions.
13. Nonfederal funds appropriated in Schedules (b) and (i) of this item have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance of effort requirement pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) and may not be expended in any way that would cause their disqualification as a federally allowable maintenance of effort expenditure.
 14. The funds in Schedule (j) of this item shall be allocated to provide foster parent training. Funds shall be allocated in such a manner as to ensure priority for training required by Chapter 1016, Statutes of 1996. Districts shall make services available to foster parents to satisfy the requirements of Chapter 1016 of the Statutes of 1996 as a first priority. Remaining funds may be used for services to foster child relative caretakers and for additional parenting skills, thereafter.
 15. The funds provided in Schedule (fx) of this item are for the purpose of initiating the Governor's Community College Teacher and Reading Development Partnerships grants initiative designed to both encourage promising students to pursue a career in teaching through development of an articulated internship program with school districts and California State University institutions and to assist elementary school pupils develop improved reading skills. Acceptance of grants shall constitute concurrence by the district to collect and provide all information specified by the chancellor. The board of governors shall implement the program in accordance with the plan approved by the Office of the Secretary of Child Development and Education.
 17. (a) The funds appropriated in Schedule (m) are for the purpose of student matriculation, as specified in Article 1 (commencing with Section 78210) of Chapter 2 of Part 48 of the Education Code.

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<p>(b) Of the amount appropriated in Schedule (m), an amount equal to 15.64 percent of that amount shall be allocated to community college districts on a one-to-one matching fund basis to provide matriculation services to include, but not be limited to, orientation, assessment, and counseling for students enrolled in designated noncredit classes and programs who may benefit most, as determined by the Chancellor of the California Community Colleges pursuant to Sections 78216 to 78218, inclusive, of the Education Code.</p>	
<p>18. (a) \$15,600,000 of the funds provided in Schedule (s) shall be for the purpose of providing allocations to all districts. It is the intent that colleges receiving these funds shall maintain all of the capabilities specified in the Budget Acts of 1996 through 1999 for the Telecommunications and Technology Infrastructure program. The funds appropriated in this item shall be allocated by the chancellor, shall not supplant existing funds used for technology and networking purposes, and shall be subject to established fiscal controls, annual reporting and accountability requirements specified by the chancellor. It is the intent that this allocation shall enable further development of networks. Therefore, colleges shall match maintenance and ongoing costs with other funds, after installation, for the following required purposes: (1) maintenance of communication lines, software and other costs associated with connecting to the collaborative California State University/California Community College telecommunications wide area network (4C Net); (2) video conference connectivity, transport, maintenance, and training; (3) local planning and development for improving library technology including library automation, connections to college local area networks and connections to external data bases; (4) digital satellite systems and the following optional purposes: (A) the development, expansion, and maintenance of local area networks both within and between buildings:</p>	

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(B) development, expansion, and maintenance of districtwide wide area networks for interconnecting multiple campuses and off-campus centers within a district; and (C) implementation of local technology applications that are intended to improve student learning and other services.

The chancellor shall allocate the \$15,600,000 by providing \$124,416 for each of the 109 colleges and \$45,000 for each of the 20 governing sites that are not colocated with the colleges. \$1,138,650 of that amount shall be used to fund three new colleges and three new district sites with one-time startup costs of \$289,775 per college and \$89,775 per district site. New colleges are not eligible for ongoing and one-time funds until accreditation. If accreditation does not occur in the 2000–01 year, the funds are to be distributed evenly among the remaining colleges. All provisions related to technology standards and telecommunication plans as specified in Provision 17(a) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1996 (Ch. 162, Stats. 1996) and Provision 14(a) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997), shall apply.

- (b) \$14,700,000 of the funds provided in Schedule (s) of this item shall be for the purpose of supporting technical and application innovations and for coordination of activities that serve to maximize the utility of the technology investments of the community college system toward improving learning outcomes. Allocations shall be made by the chancellor, based on criteria and guidelines as developed by the chancellor, on a competitive basis through the RFA/RFP application process as follows:
- (1) At least \$700,000 shall be available for technical and application pilot projects that improve intercollege relationships in the areas of: (a) learning and instructional services; (b) student services; and (c) administrative services, however not

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- more than 25 percent of the amount shall be allocated for this purpose.
- (2) All provisions as specified in Provision 17(b)(2) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1996 (Ch. 162, Stats. 1996) shall apply to Provision (1) above.
 - (3) Not more than \$12,000,000 shall be available for centers to provide regional coordination for technical assistance and planning, cooperative purchase agreements, and faculty and staff development. All other provisions as specified in Provision 17(b)(3) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1996 (Ch. 162, Stats. 1996) shall apply. \$4.0 million of the increase from the 1999–2000 fiscal year for this subdivision is intended to fund the segment’s share of upgrading the 4C Net backbone from an OC-3 to an OC-12 Network and shall be matched dollar for dollar by the CSU. If this condition is not met, the chancellor shall report the reasons the expenditure should still be made on any other use of the funds using the reporting provisions of the Section 28.00 process. \$2.3 million of the increase from the 1999–2000 fiscal year is for the development and implementation of a systemwide audio bridging and telephony capability of the 4C Net backbone to facilitate collaboration of faculty, students, and staff in instruction, student services, and shared governance activities.
 - (4) \$2,000,000, or as much as necessary, shall be available for a statewide digital uplink for the purpose of delivering statewide satellite services to system colleges and districts related to instruction, student support, and administration.
- (c) \$14,000,000 of the funds provided in Schedule (s), shall be for allocations to community college districts to fund faculty and staff training in the use of technology to assist

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learning (including distance education and online courses), expand access, and contribute to student success. The chancellor shall develop an allocation formula that reflects the number of faculty and provides a minimum grant for small sites. The disbursement of funds shall be contingent upon inclusion of a satisfactory staff development component by each district within its telecommunications and technology use plan, as specified by the chancellor. Districts may not use these funds to supplant existing training and staff development efforts related to technology; the chancellor shall ensure that these funds are used for additional training and development in the use of technology. The use of technology training allocations shall be included in reports required for this program.

- (d) The chancellor shall submit an annual report to the Legislative Analyst, the budget and fiscal committees of the Legislature, and the Department of Finance no later than November 1, 2000, identifying any changes to the standards developed pursuant to the control provisions for this program in the Budget Act of 1997 (Ch. 282, Stats. 1997), the status of the implementation of the telecommunication and technology infrastructure program to date and any additional needs, including the reasons therefore.
19. The funds provided in Schedule (t) of this item shall be available for grants to districts to fund California Virtual University distance education centers, for instructing faculty in teaching courses online, and other expenses for conversion of courses for distance education. The funds appropriated in this item shall not supplant existing funds and shall be subject to established fiscal controls, annual reporting and accountability requirements specified by the chancellor. The chancellor shall develop criteria for the allocation of these funds. As a condition of receipt of the funds, colleges are required to submit to the chancellor's office reports in a format specified by the chancellor sufficient to document the value and productivity of this program including

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but not limited to numbers and nature of courses converted, and the amount of distance education instructional workload services provided as a result of these courses. It is intended that the chancellor's office further develop the reporting criteria for participating colleges and submit that for review along with an annual progress report on program implementation to the Legislative Analyst, the Secretary of Child Development and Education, and the Department of Finance no later than November 1, 2000, for review and comment.

- 19.5. Funds appropriated in Schedule (ux) shall be available on a full-time equivalent student basis to districts for the expansion of Associate Degree Registered Nursing programs. The chancellor's office shall allocate funding to encourage districts to expand high cost programs to address current student demands and workplace needs and to increase the number of graduates in the most expeditious manner possible. The chancellor's office shall submit progress reports to the Senate and Assembly Budget Committees, the Department of Finance, and the Joint Legislative Budget Committee by March 15, 2001, and November 15, 2001, to report on the status of implementation for the expansion of nursing programs.
20. Of the funds provided in Schedule (v) of this item for the Economic Development Program:
 - (a) No more than \$17,536,000 shall be allocated for grants for regional business resources assistance and innovation Network Centers.
 - (b) No less than \$16,387,000 shall be allocated for Industry Driven Regional Education and Training Collaboratives. These grants shall be made on a competitive basis and the award amounts shall not be restricted to any predetermined limit, but rather shall be funded on their individual merits.
 - (c) No more than \$4,149,000 shall be allocated for statewide network leadership, organizational development, coordination, information and support services, or other program purposes.
 - (d) \$5 million shall be available for Job Development Incentive Training programs fo-

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- cused on job creation for public assistance recipients. Any annual savings from this subdivision shall only be available for expenditure for one-time activities listed under subsection (j) of Section 15379.653 of the Government Code.
- (e) No more than \$2.1 million shall be allocated for 17 Mexican International Trade Centers established pursuant to Section (a) of Ch. 959, Statutes of 1999.
- (f) The following provisions apply to the expenditure of funds within subdivisions (a) and (b) above: Funds allocated for centers and regional collaboratives shall seek to maximize the use of state funds for subdivisions (g) through (j) of Section 15379.653 of the Government Code. Funds allocated to districts for purposes of subdivisions (g) and (i) of Section 15379.653 of the Government Code for performance-based training and student internships shall be matched by a minimum of one dollar of private business and industry funding for each one dollar of state funds. Funds allocated for purposes of subdivision (h) of Section 15379.653 of the Government Code for credit and noncredit instruction may be transferred to Schedules (a) or (c) to facilitate distribution at the chancellor's discretion. Any funds that become available from Network Centers due to savings, discontinuance or reduction of amounts shall first be made available for additional allocations in subdivision (b) above to increase the level of subsidized training otherwise available.
- (g) Funds allocated by the board of governors under this provision shall not be used by community college districts to supplant existing courses or contract education offerings. The chancellor shall ensure that funds are spent only for expanded services and shall implement accountability reporting for districts receiving these funds to ensure that training, credit, and noncredit programs remain relevant to business needs. Programs that do not demonstrate continued relevance

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and support by business shall not be eligible for continued funding. The board of governors shall consider the level of involvement and financial commitments of business and industry as primary factors in making awards. The chancellor shall incorporate grant requirements into its guidelines for audits of Economic Development grants.

- (h) If the reports provided for in Provision 20(g) of Item 6870-101-0001 of the Budget Act of 1999 (Ch. 50, Stats. of 1999) have not been completed and approved by the agencies specified to receive those reports, the chancellor shall report by September 1, 2000, on the reasons for delay and, if agreement on new measures has not been reached, a revised set of measures which addresses the concerns of those agencies shall be provided for their review and approval.
21. Of the funds appropriated in Schedule (w), \$589,000 is for Project Assist, \$835,000 is for the California Articulation Number (CAN) system, \$550,000 is for faculty articulation workshops through fiscal year 2004–05, and \$1,905,000 is for clarification of the general education requirements and certification process through fiscal year 2000–01.
 22. The funds appropriated in Schedule (x) of this item shall be distributed by the Chancellor of the California Community Colleges to community college districts on a project-by-project basis based on priority of need for the project. As a condition of receiving these funds, a district shall certify that it will increase its operations and maintenance spending from 1995–96 fiscal year actual levels by the amount of the allocation plus an amount to be provided from district discretionary funds equivalent to \$1 for each \$1 of state funds. The chancellor may waive all or a portion of the matching requirement, case-by-case, based upon a review of a district's financial condition. The question of whether a district has complied with its resolution shall be reviewed under the annual audit of that district.
 23. The funds appropriated in Schedule (y) are available for the purpose of providing community

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college districts with funds to replace high priority instructional equipment, and library materials. The Chancellor of the California Community Colleges shall allocate these funds on the basis that, for every \$3 of funds allocated from Schedule (y) of this item, the recipient district shall provide \$1 in matching funds. These funds shall not be used for personal services costs or operating expense.

Of the funds appropriated in Schedule (y), \$5 million is available only to institute competitive matching grants for workforce development instructional equipment based on the ability of the grant to leverage the best industry match, at a minimum \$1 industry for every \$2 allocated by the state. Up to 10% of these grants may be authorized for staff training in the use of new equipment.

24. Of the funds appropriated in Schedules (x), (y) and (z) of this item, the Chancellor of the California Community Colleges shall have the discretion to transfer funds among these schedules to fund the highest infrastructure priorities of the system. Funds from Schedules (x) and (z) of this item may be used to fund architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act of 1990 and seismic retrofit projects limited to \$400,000. Districts that receive funds for architectural barrier removal projects shall provide a \$1 match for every \$1 provided by the state. The amounts in Schedule (x) shall be available for expenditure until June 30, 2002.
25. Pursuant to Sections 69648.5, 78216, and 84850 of the Education Code, the Board of Governors of the California Community Colleges may allocate funds appropriated in Schedules (f), (g), and (m) of this item by grant or contract, or through the apportionment process, to one or more districts for the purpose of providing program evaluation, accountability, monitoring, or program development services, as appropriate under the applicable statute.

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6870-101-0814—For local assistance, Board of Governors of the California Community Colleges, for allocation by the Controller in accordance with the provisions of Section 8880.5 of the Government Code as enacted by the voters in Proposition 37 at the November 1984 general election, payable from the California State Lottery Education Fund.....	120,979,000
Provisions:	
1. All funds received pursuant to Proposition 37 that are allocable to community college districts pursuant to Section 8880.5 of the Government Code, that are in excess of the amount appropriated in this item, are hereby appropriated in augmentation of this item.	
6870-101-0909—For local assistance, Board of Governors of the California Community Colleges, Program 20.30.020—Instructional Improvement and Innovation, payable from the Community College Fund for Instructional Improvement	1,975,000
Provisions:	
(a) Instructional Improvement Grants ..	1,630,000
(b) Instructional Improvement Loans...	345,000
6870-101-0925—For local assistance, Board of Governors of the California Community Colleges, Program 20.30.050-Economic Development, payable from California Business Resources and Assistance Innovation Network Fund	15,000
6870-101-0959—For local assistance, Board of Governors of the California Community Colleges, for Program 20.10.060-Student Services-Foster Parent Training Program, payable from the Foster Children and Parent Training Fund pursuant to Section 903.7 of the Welfare and Institutions Code	2,967,000
6870-103-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), to allow selected community colleges to make the required lease-purchase payments.....	66,550,000
Schedule:	
(a) Rental and administration	68,165,000
(b) Reimbursements.....	-1,615,000
6870-111-0001—For local assistance, Board of Governors of the California Community Colleges.....	0
Schedule:	
(a) 10.20-CalWORKs Services Match ..	8,000,000
(b) 20.10.015-AmeriCorps Program.....	0
(c) 20.10.016-America Reads	755,000
(d) 20.10.060-Foster Parent Training ...	2,466,000

Item	Amount
(e) 20.30.030-Vocational Education	54,471,000
(g) Reimbursements	-65,692,000
Provisions:	
1. The amounts appropriated in Schedules (a) and (e) of this item are for transfer by the Controller to Section B of the State School Fund.	
6870-295-0001—For local assistance, Board of Governors of the California Community Colleges, (Proposition 98), for reimbursement, in accordance with provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandate by statute or executive order, for disbursement by the Controller	1,691,000
Schedule:	
(1) 98.01.000.184—Health Fees (Ch. 1, Stats. 1984, 2nd Ex. Sess.)	1,691,000
Provisions:	
1. Except as provided in Provision 2 of this item, allocation of funds appropriated in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated by this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.	
2. If the scheduled amount is insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of Item 6110-295-0001 of this act. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.	

Item	Amount
6870-301-0574—For capital outlay, Board of Governors of the California Community Colleges to be allocated by the Board of Governors to community college districts for expenditure as set forth in the schedule below, payable from the 1998 Higher Education Capital Outlay Bond Fund	307,277,000
Schedule:	
Systemwide	
(1) 40.01.002-Planning and Studies	108,000
Antelope Valley Community College District Antelope Valley College	
(2) 40.03.113-Technology Building— Construction	4,796,000
Barstow Community College District Barstow College	
(3) 40.04.101-Library/Learning Resource Center—Construction	6,638,000
Butte-Glenn Community College District Butte College	
(4) 40.05.105-Allied Health and Public Service—Construction.....	16,572,000
Cabrillo Community College District Cabrillo College	
(5) 40.06.108-Horticulture Facilities Replacement—Construction.....	1,644,000
Cerritos Community College District Cerritos College	
(5.1) 40.07.113-Seismic Retrofit- Administration—Preliminary plans and working drawings.....	101,000
(5.2) 40.07.114-Seismic Retrofit-Lib- eral Arts—Preliminary plans and working drawings	78,000
(5.3) 40.07.115-Seismic Retrofit-Social Science—Preliminary plans and working drawings	177,000
Chaffey Community College District Chaffey College	
(6) 40.08.108-Child Development Center—Equipment.....	257,000
Citrus Community College District Citrus College	
(7) 40.09.121-Library Addition/ Reconstruction—Equipment	950,000

Item	Amount
Coast Community College District	
Orange Coast College	
(8) 40.11.301-Art Center—Equipment .	2,151,000
(9) 40.11.311-Seismic Retrofit Library—Construction.....	2,308,000
Compton Community College District	
Compton College	
(10) 40.12.107-Seismic Replacement/ Expansion LRC—Construction.....	9,484,000
(11) 40.12.109-Child Development Center—Construction.....	2,554,000
Contra Costa Community College District	
Contra Costa College	
(12) 40.13.105-Child Development Center—Equipment.....	206,000
Los Medanos College	
(13) 40.13.311-Child Development Center—Equipment.....	209,000
El Camino Community College District	
El Camino College	
(14) 40.14.109-Science Complex Renovation Health and Safety— Preliminary plans and working drawings.....	1,031,000
Foothill-DeAnza Community College District	
DeAnza College	
(15) 40.15.105-Child Development Center—Equipment.....	284,000
Fremont-Newark Community College District	
Ohlone College	
(16) 40.16.108-Child Development Center—Equipment.....	245,000
(17) 40.16.110-Instructional Comput- ing Laboratory—Equipment	3,675,000
Gavilan Joint Community College District	
Gavilan College	
(18) 40.17.104-Adaptive Physical Education—Construction.....	2,551,000
(19) 40.17.105-Child Development Center—Equipment.....	229,000
Grossmont-Cuyamaca Community College District	
Cuyamaca College	
(20) 40.19.114-Child Development Center—Equipment.....	208,000
(21) 40.19.115-Remodel Vocational Technology Building N—Con- struction and equipment	1,040,000

Item	Amount
Grossmont College	
(22) 40.19.206-LRC Addition— Construction	13,724,000
Kern Community College District	
Bakersfield College	
(23) 40.22.105-Child Development Center—Equipment.....	296,000
Cerro Coso College	
(24) 40.22.214-Library/Media Center Addition—Construction.....	8,274,000
Eastern Sierra Center	
(25) 40.22.501-Off/On Site Develop- ment—Construction	3,548,000
(26) 40.22.502-Initial Buildings— Construction	11,598,000
Lake Tahoe Community College District	
Lake Tahoe Community College	
(27) 40.23.110-Phase II Facilities South—Construction	7,620,000
Lassen Community College District	
Lassen Community College	
(28) 40.24.103-Child Development Center—Equipment.....	196,000
Long Beach Community College District	
Long Beach City College (Liberal Arts College)	
(29) 40.25.116-Child Development Center—Construction.....	2,935,000
Los Angeles Community College District	
East Los Angeles College	
(30) 40.26.105-Technology Building— Preliminary plans and working drawings.....	1,271,000
Los Angeles Harbor College	
(31) 40.26.301-Fire Alarm Correc- tion—Construction.....	2,800,000
Los Angeles Pierce College	
(32) 40.26.502-Remodel for Effi- ciency—Construction	3,193,000
Los Angeles Southwest College	
(33) 40.26.606-Seismic Replacement- Student Services—Construction....	6,595,000
Los Angeles Valley College	
(34) 40.26.802-Ventilation Phase II— Construction	1,380,000
West Los Angeles College	
(35) 40.26.905-Child Development Center—Equipment.....	230,000

Item	Amount
Los Rios Community College District American River College	
(36) 40.27.101-Child Development Center—Equipment.....	319,000
Cosumnes River College	
(37) 40.27.208-Child Development Center—Equipment.....	398,000
Marin Community College District College of Marin: Kentfield Campus	
(38) 40.28.206-Child Development Center—Equipment.....	172,000
Merced Community College District Merced College	
(39) 40.30.115-Child Development Center—Equipment.....	149,000
Mira Costa Community College District Mira Costa College	
(40) 40.31.107-Child Development Center—Equipment.....	220,000
(41) 40.31.108-Learning and Informa- tion Hub—Construction	11,128,000
Monterey Peninsula Community College District Monterey Peninsula College	
(42) 40.32.101-Library and Technology Center—Construction	15,799,000
Mt. San Jacinto Community College District Mt. San Jacinto College	
(43) 40.34.111-Child Development Center—Equipment.....	174,000
Menifee Valley Center	
(44) 40.34.209-Child Development Center—Equipment.....	252,000
Peralta Community College District Laney College	
(45) 40.40.304-Concrete Deck/ Protective Membrane Replace- ment—Construction	4,994,000
Rancho Santiago Community College District Santa Ana College	
(46) 40.41.119-Seismic Retrofit, Auto Diesel—Preliminary plans and working drawings	59,000
(47) 40.41.120-Seismic Retrofit, Li- brary A—Preliminary plans and working drawings	72,000

Item	Amount
(48) 40.41.121-Seismic Retrofit, Library B—Preliminary plans and working drawings	86,000
(49) 40.41.122-Seismic Retrofit, Men’s Physical Education—Preliminary plans and working drawings.....	53,000
(50) 40.41.123-Seismic Retrofit, Women’s Physical Education—Preliminary plans and working drawings.....	50,000
Redwoods Community College District College of the Redwoods	
(51) 40.42.105-Child Development Center—Equipment.....	186,000
South Orange Community College District Saddleback College	
(52) 40.45.200-Building A Demolition and Replacement—Preliminary plans, working drawings, and construction	1,244,000
San Bernardino Community College District San Bernardino Valley College	
(53) 40.46.206-Seismic Replacement-Life Science Building—Construction	2,858,000
(54) 40.46.207-Seismic Replacement-Campus Center/Administration—Construction	3,081,000
(55) 40.46.208-Seismic Replacement-Learning Resource Center—Construction	2,242,000
(56) 40.46.209-Replace Art Building Seismic/FEMA—Working drawings	52,000
(57) 40.46.210-Seismic Retrofit Auditorium Building—Preliminary plans and working drawings.....	281,000
(58) 40.46.211-Seismic Retrofit Business Education Building—Preliminary plans and working drawings.....	169,000
(59) 40.46.212-Seismic Retrofit Technical Building—Preliminary plans and working drawings.....	79,000

Item	Amount
San Diego Community College District	
San Diego City College	
(59.5) 40.47.102-Indoor Gym/Physical Education—Construction.....	9,912,000
Centre City Center	
(60) 40.47.501-Seismic Retrofit-Building 136, Snyder Campus—Preliminary plans and working drawings.....	278,000
San Joaquin Delta Community College District	
San Joaquin Delta Community College	
(60.5) 40.49.105-Electron Microscopy Technology Center—Construction.	6,771,000
San Jose-Evergreen Community College District	
Evergreen Valley College	
(61) 40.50.103-Biology/Nursing Addition—Equipment	593,000
San Jose City College	
(62) 40.50.201-Learning Resource Center—Construction.....	11,606,000
San Luis Obispo County Community College District	
Cuesta College	
(63) 40.51.110-Child Development Center—Equipment.....	227,000
San Mateo County Community College District	
Districtwide	
(64) 40.52.004-Seismic Upgrade Phase I—Construction	4,166,000
Cañada College	
(65) 40.52.101-Child Development Center—Construction.....	2,430,000
Skyline College	
(66) 40.52.306-Center for Advanced Learning Technology—Equipment	398,000
Santa Barbara Community College District	
Santa Barbara City College	
(67) 40.53.118-Life Science/Geology Renovation—Construction.....	7,314,000
Santa Clarita Community College District	
College of the Canyons	
(68) 40.54.110-Performing Arts Center—Construction.....	8,291,000
(69) 40.54.111-Seismic Retrofit, Bonelli Center—Preliminary plans and working drawings.....	163,000

Item	Amount
Santa Monica Community College District Santa Monica College (70) 40.55.108-Seismic Retrofit/ Library—Equipment	2,418,000
Sequoias Community College District College of the Sequoias (71) 40.56.113-Seismic Retrofit Ad- ministration Building—Prelim- inary plans, working drawings and construction	1,781,000
Sierra Joint Community College District Western Nevada County Center (72) 40.58.205-Child Development Center—Equipment.....	189,000
Siskiyou Joint Community College District College of the Siskiyou (73) 40.59.102-Districtwide Distance Learning—Construction	1,840,000
Sonoma County Community College District Santa Rosa Junior College Criminal Justice Training Center (74) 40.61.400-Training Center Facili- ties Phase I—Equipment	700,000
Southwestern Community College District Southwestern College (75) 40.63.103-Learning Resource Center—Construction.....	19,678,000
Ventura County Community College District Moorpark College (76) 40.65.108-Learning Resources and Telecommunications Center— Construction	10,793,000
Ventura College (77) 40.65.304-Learning Resource Center—Construction.....	20,252,000
Victor Valley Community College District Victor Valley Community College (78) 40.66.109-Child Development Center—Equipment.....	97,000
West Hills Community College District Kings County Center (79) 40.67.202-Off/On Site Develop- ment—Construction	3,699,000

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(80) 40.67.203-Initial Buildings— Construction and equipment	14,393,000
West Valley Mission Community College District Mission College	
(81) 40.69.206-Child Development Center—Equipment.....	136,000
(82) 40.69.207-Science and Technol- ogy Complex—Construction	8,929,000
Yosemite Community College District Columbia College	
(83) 40.70.103-Learning Resources/ Media Technology Center— Construction	4,950,000
Provisions:	
1. By September 30 of each year, the Chancellor shall report to the Department of Finance identifying the projects, purposes and impact on the projects for which funds in Schedule (1) of this item were used.	
2. Of the funds provided in Schedule (11) of this item, \$44,000 shall be available for construction management to ensure coordination and oversight between this project and other state funded projects currently authorized at Compton College. The construction management firm shall have a direct reporting responsibility to both the Compton Community College District and the Office of the Chancellor of the California Community Colleges and shall provide monthly status reports of all overseen projects.	
6870-490—Reappropriation, California Community Colleges. The unencumbered balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the respective appropriations:	
0658—1996 Higher Education Capital Outlay Bond Fund, Item 6870-301-0658, Budget Act of 1997 (Ch. 282, Stats. 1997)	
Foothill-DeAnza Community College District Foothill College	
(25) 40.15.203—Child Care/Development Center (H&S)—Construction	

Item	Amount
0574—1998 Higher Education Capital Outlay Bond Fund, Item 6870-301-0574, Budget Act of 1998 (Ch. 324, Stats. 1998) Redwoods Community College District College of the Redwoods (19) 40.42.104—Library and Media Services— Construction	
0574—1998 Higher Education Capital Outlay Bond Fund, Item 6870-301-0574, Budget Act of 1999 (Ch. 50, Stats. 1999) Chaffey Community College District Chaffey College (7) 40.08.108—Child Development Center— Construction	
Citrus Community College District Citrus College (8) 40.09.121—Library Addition/Remodel— Construction	
Contra Costa Community College District Contra Costa College (13) 40.13.105—Child Development Center— Construction	
Los Medanos College (17) 40.13.311—Child Development Center— Construction	
Foothill-DeAnza Community College District DeAnza College (18) 40.15.105—Child Development Center— Construction	
Fremont-Newark Community College District Ohlone College (19) 40.16.108—Child Development Center— Construction	
Glendale Community College District Glendale College (24) 40.18.121—Science Building Renovation (H&S)—Construction	
Kern Community College District Bakersfield College (28) 40.22.105—Child Development Center— Construction	
(29) 40.22.109—Seismic Retrofit Student Services/ Library—Construction	
(30) 40.22.110—Concrete Damage Restoration Phase I—Construction	

Item	Amount
Los Rios Community College District American River College	
(43) 40.27.101—Child Development Center— Construction	
Cosumnes River College	
(44) 40.27.208—Child Development Center— Construction	
Marin Community College District College of Marin	
(46) 40.28.206—Child Development Center— Working drawings and construction	
(47) 40.28.208—Seismic Retrofit/Fine Arts— Working drawings and construction	
Merced Community College District Merced College	
(48) 40.30.115—Child Development Center— Construction	
Mira Costa Community College District Mira Costa College	
(49) 40.31.107—Child Development Center— Construction	
Mt. San Jacinto Community College District Mt. San Jacinto Community College	
(52) 40.34.111—Child Development Center— Construction	
Manifee Valley Center	
(53) 40.34.209—Child Development Center— Construction	
Redwoods Community College District College of the Redwoods	
(57) 40.42.105—Child Development Center— Construction	
San Bernardino Community College District San Bernardino Valley College	
(59) 40.46.206—Seismic Replacement/Life Science—Working drawings	
(60) 40.46.207—Seismic Replacement/Campus Center/Administration—Working drawings	
(61) 40.46.208—Seismic Replacement/Learning Resource Center—Working drawings	
San Joaquin Delta Community College District San Joaquin Delta College	
(64) 40.49.105—Electron Microscopy Technology Center—Working drawings	

Item	Amount
San Jose-Evergreen Community College District San Jose City College (66) 40.50.201—Library/Learning Resource Center—Working drawings	
San Luis Obispo County Community College Dis- trict Cuesta College (69) 40.51.110—Child Development Center— Construction	
San Mateo Community College District College of San Mateo (70) 40.52.004—Seismic Upgrade Phase I— Working drawings	
Canada College (71) 40.52.101—Child Development Center— Working drawings	
Skyline College (72) 40.52.306—Center for Advanced Learning— Working drawings and construction	
Santa Clarita Community College District College of the Canyons (73) 40.54.110—Performing Arts Center—Working drawings	
Santa Monica Community College District Santa Monica College (74) 40.55.108—Seismic Retrofit/Library Addition—Construction	
Chabot-Lee Positas Community College District Chabot College (79) 40.62.113—Ceramics/Sculpture Building Reconstruction/Addition—Construction	
Victor Valley Community College District Victor Valley College (84) 40.66.109—Child Development Center— Construction	
Yosemite Community College District Columbia College (91) 40.70.103—Learning Resources/Media Tech- nology Center—Working drawings	
6870-491—Reappropriation, Board of Governors of the California Community Colleges. Notwithstanding any other provision of law, the following appropri- ations are reappropriated to extend the liquidation pe- riod until the following dates:	
0001—General Fund	
(1) The encumbered balance as of June 30, 2000, from Schedule (n) (20.40.040-Hazardous Sub-	

Item	Amount
<p>stances) and Schedule (s) (20.40.025-Scheduled Maintenance/Special Repairs) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997) to extend the liquidation period until June 30, 2001.</p> <p>(2) The encumbered balance as of June 30, 2000, of subdivision (e) of Section 41 of Chapter 299 of the Statutes of 1997 to extend the liquidation period until June 30, 2001.</p> <p>(3) The encumbered balance as of June 30, 2001, from Schedule (v) (20.40.025-Scheduled Maintenance/Special Repairs) and Schedule (x) (20.40.040-Hazardous Substances) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998) to extend the liquidation period until June 30, 2002.</p> <p>(4) The encumbered balance as of June 30, 2001, of subdivision (c) of Section 42 of Chapter 330 of the Statutes of 1998 to extend the liquidation period until June 30, 2002.</p> <p>(5) The encumbered balance as of June 30, 2002, from Schedule (x) (20.40.025-Scheduled Maintenance/Special Repairs) and Schedule (z) (20.40.040-Hazardous Substances) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) to extend the liquidation period until June 30, 2003.</p> <p>(6) The encumbered balance as of June 30, 2002, of Section 71 of Chapter 78 of the Statutes of 1999 to extend the liquidation period until June 30, 2003.</p> <p>6870-495—Reversion, California Community Colleges (Proposition 98). The balance as of June 30, 1999, specified herein, of the appropriations provided for in the following citations shall revert to the Proposition 98 Reversion Account:</p> <p>(1) \$5,329,000 from Item 6870-103-0001, Budget Act of 1999 (Ch. 50, Stats. 1999), based on a reduced estimate of lease-purchase payment needs.</p> <p>(2) \$12,098,000, or whatever lesser or greater amount reflects the surplus in property taxes from the estimate used to calculate apportionments for the Budget Act of 1999, as certified by the Department of Finance, from Schedule (a) 10.10.010-Apportionments of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999).</p>	

Item	Amount
6870-496—Reversion, California Community College. As of June 30, 2000, the unencumbered balance of the appropriation provided in the following citation shall revert to the fund balance of the fund from which the appropriation was made: 0574-Higher Education Capital Outlay Bond Fund of 1998 Item 6870-301-0574 Budget Act of 1999 (Ch. 50, Stats. 1999) (11) 40.12.106-Compton CCD, Compton College: Demolitions Phase 2 (H&S)—Preliminary plans, working drawings, and construction phases.	
7980-001-0001—For support of Student Aid Commission.....	10,797,000
Schedule:	
(a) 15-Financial Aid Grants Program...	10,843,000
(b) 50-California Loan Program	1,253,000
(c) 80.01-Administration and Support Services	3,152,000
(d) 80.02-Distributed Administration and Support Services.....	-3,152,000
(e) Reimbursements	-1,299,000
Provisions:	
1. Of the amount appropriated in Schedule (a), upon 30-day written notification of the Chairperson of the Joint Legislative Budget Committee, or his or her designee, the Department of Finance may approve the expenditure of up to \$1,000,000 to address workload or other expenses related to the enhancement of the Grant Delivery System. The Department of Finance may not provide expenditure approval prior to the approval of the appropriate documentation for this project, including a feasibility study report, by both the Department of Information Technology and the Department of Finance’s Technology Investment Review Unit. Any funds provided through this provision shall be used solely for activities consistent with those described in the approved feasibility study report.	
7980-101-0001—For local assistance, Student Aid Commission.....	571,216,000
Schedule:	
(a) 15-Financial Aid Grants Program...580,780,000	
(b) Reimbursements.....	-5,640,000
(c) Amount payable from the Federal Trust Fund (Item 7980-101-0890) ..	-3,924,000

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Provisions:

1. Funds appropriated in Schedule (a) are for the purposes of all of the following:
 - (a) Awards in the Cal Grant Program under Article 3 (commencing with Section 69530) of Chapter 2 of Part 42 of the Education Code.
 - (b) Graduate fellowship renewal awards under former Article 9 (commencing with Section 69670) of Chapter 2 of Part 42 of the Education Code.
 - (c) Grants under Section 4709 of the Labor Code.
 - (d) California Student Opportunity and Access Program contract agreements under Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of the Education Code.
 - (e) The purchase of loan assumptions under Article 5 (commencing with Section 69612) of Chapter 2 of Part 42 of the Education Code. 6,500 warrants shall be issued to California students pursuant to the purchase of loan assumptions.
 - (f) Grants under the California State Work-Study Program, Article 18 (commencing with Section 69950) of Chapter 2 of Part 42 of the Education Code.
 - (g) The purchase of loan assumptions under Article 5.5 (commencing with Section 69618) of Chapter 2 of Part 42 of the Education Code.
 - (h) New and renewal Cal Grant awards in amounts not to exceed award levels comparable to those in effect for the 1999–00 award year except as otherwise provided by law.
2. If federal trust funds for the 2000–01 fiscal year exceed budgeted levels, the funds appropriated shall, to the extent allowable by federal law, be reduced on a dollar-for-dollar basis.
3. Eligibility for money appropriated by this item is limited to students who demonstrate financial need according to the nationally accepted needs analysis methodology, who meet other Student Aid Commission eligibility criteria, and whose income or family's gross income does not exceed \$74,100 for the purposes of determining recipients for the 2000–01 award year.
4. Notwithstanding any other provision of law, of the amount appropriated in Schedule (a), \$76,600,000 shall be used to increase the number

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of new Cal Grant awards above the number awarded in 1999–00. These funds shall be used to provide approximately 9,281 new Cal Grant A awards, 9,281 new Cal Grant B awards, and 3,987 new Cal Grant C awards; or a different number of awards as determined by the Student Aid Commission to be consistent with the funding provided in this item for new Cal Grant A, Cal Grant B, and Cal Grant C awards. Of the amount in this provision, \$16,900,000 is contingent on the enactment of legislation that becomes effective on or before January 1, 2001, revising the Cal Grant program to reflect the level of awards anticipated by this provision. If that legislation is not enacted, the \$16,900,000 shall revert to the General Fund. If legislation is enacted that requires some lesser amount than provided in this provision, the Director of Finance shall determine the appropriate amount to be reverted to the General Fund, and shall certify the amount to the Controller's office.

5. Notwithstanding any other provision of law, of the amount appropriated in Schedule (a), \$2,200,000 shall be available to increase to \$9,703 the maximum award for new recipients attending private and independent institutions.
6. Notwithstanding any other provision of law, of the amount appropriated in Schedule (a), \$11,500,000 shall be used to increase the maximum Cal Grant A, Cal Grant B, Cal Grant C, and Cal Grant T awards to cover approximately one-half of campus-based fees for all recipients attending the California State University and the University of California; \$45,300,000 shall be used to increase the Cal Grant B subsistence award for all recipients to \$2,322; \$3,400,000 shall be used to increase the maximum Cal Grant C award for new recipients to \$3,659; and \$1,200,000 shall be used to increase the Cal Grant C book and supply award for all recipients to \$810. These funds are contingent on the enactment of legislation that becomes effective on or before January 1, 2001, revising the program to reflect the level of benefits anticipated by this provision. If legislation is enacted that requires some lesser amount than provided in this provision, the Director of Finance shall determine the appropriate amount to be reverted to the General Fund,

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and shall certify the amount to the Controller's office.	
7980-101-0890—For local assistance, Student Aid Commission, for payment to Item 7980-101-0001, payable from the Federal Trust Fund	3,924,000
7980-102-0001—For local assistance, Student Aid Commission (Proposition 98), for the California Student Opportunity and Access Program (Cal-SOAP)	990,000

GENERAL GOVERNMENT

8100-001-0001—For support of Office of Criminal Justice Planning	4,358,000
Schedule:	
(a) 20.01-Administration	3,240,000
(b) 20.02-Distributed Administration ...	-3,240,000
(c) 50-Criminal Justice Projects.....	14,643,000
(d) Reimbursements	-310,000
(e) Amount payable from the Local Public Prosecutors and Public Defenders Training Fund (Item 8100-001-0241)	-67,000
(f) Amount payable from the Victim Witness Assistance Fund (Item 8100-001-0425)	-1,510,000
(g) Amount payable from the High Technology Theft Apprehension and Prosecution Program Trust Fund (Item 8100-001-0597).....	-102,000
(h) Amount payable from the Federal Trust Fund (Item 8100-001-0890).	-8,296,000
8100-001-0241—For support of Office of Criminal Justice Planning, for payment to Item 8100-001-0001, payable from the Local Public Prosecutors and Public Defenders Training Fund.....	67,000
Provisions:	
1. Notwithstanding any other provision of law restricting the costs of administering individual programs, the full amount of this appropriation may be used by the Office of Criminal Justice Planning for administrative costs.	
8100-001-0425—For support of Office of Criminal Justice Planning, for payment to Item 8100-001-0001, payable from the Victim Witness Assistance Fund ..	1,510,000

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8100-001-0597—For support of Office of Criminal Justice Planning, for payment to Item 8100-001-0001, payable from the High Technology Theft Apprehension and Prosecution Program Trust Fund	102,000
Provisions:	
1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555, Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code.	
8100-001-0890—For support of Office of Criminal Justice Planning, for payment to Item 8100-001-0001, payable from the Federal Trust Fund.....	8,296,000
8100-012-0001—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund.....	66,000
Provisions:	
1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555, Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code.	
8100-012-0890—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund.....	36,000
Provisions:	
1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code.	
8100-101-0001—For local assistance, Office of Criminal Justice Planning.....	194,492,000
Schedule:	
(1) 50.20.102-Victims Legal Resources Center	173,000

Item	Amount
(2) 50.20.151-Domestic Violence Program.....	1,460,000
(3) 50.20.152-Family Violence Prevention.....	194,000
(4) 50.20.301-Rape Crisis Program	101,000
(5) 50.20.351-Homeless Youth Project.....	883,000
(6) 50.20.352-Youth Emergency Telephone Referral	388,000
(7) 50.20.353-Child Sexual Abuse and Exploitation Program	3,000
(8) 50.20.354-Child Sexual Abuse Prevention and Training	672,000
(8.1) 50.20.358-Child Abuse and Abduction Prevention	495,000
(9) 50.30.501-California Community Crime Resistance Program, to be allocated pursuant to Chapter 5 (commencing with Section 13840) of Title 6 of Part 4 of the Penal Code.....	923,000
(10) 50.30.511-California Career Criminal Apprehension Program...	2,308,000
(11) 50.30.512-California Career Criminal Prosecution Program, to be allocated pursuant to Chapter 2.2 (commencing with Section 999b) of Title 6 of Part 2 of the Penal Code.....	3,987,000
(12) 50.30.513-Major Narcotic Vendors Prosecution Program	2,641,000
(13) 50.30.514-Serious Habitual Offender.....	547,000
(14) 50.30.515-Vertical Prosecution of Statutory Rape	8,361,000
(15) 50.30.516-Elder Abuse Vertical Prosecution	2,000,000
(16) 50.30.521-Child Sexual Assault Prosecution Program	1,304,000
(17) 50.30.522-Evidentiary Medical Training.....	1,364,000
(18) 50.30.531-Vertical Defense	692,000
(19) 50.30.541-Public Prosecutors and Public Defenders.....	29,000
(20) 50.30.651-Suppression of Drug Abuse in Schools Program	3,263,000
(21) 50.30.661-California Gang Violence Suppression Program.....	5,615,000

Item	Amount
(22) 50.30.672-Multi-Agency Gang Enforcement Consortium.....	248,000
(22.1) 50.30.700-Special Projects— Public Safety	155,999,000
(23) 50.30.815- Rural Crime Preven- tion Program.....	3,541,000
(26) Reimbursements	-2,699,000

Provisions:

1. Notwithstanding any other provision of law, the Office of Criminal Justice Planning may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cash-flow problems according to the criteria set forth by the Office of Criminal Justice Planning.
2. To maximize the use of program funds and demonstrate the commitment of the grantees to program objectives, the Office of Criminal Justice Planning shall require all grantees for funds from the Gang Violence Suppression-Curfew Enforcement Strategy program to provide local matching funds of at least 10 percent for the first and each subsequent year of operation. This match requirement applies to each agency that is to receive grant funds. An agency may meet its match requirements with an in-kind match, if approved by the Office of Criminal Justice Planning.
3. Of the funds appropriated in this item, \$49,695,000 appropriated in Schedule 22.1 for the purposes of the DNA Profiling program shall be available for three years. The Office of Criminal Justice Planning shall prepare a plan detailing the method for distributing these funds to local law enforcement agencies and the breakdown of planned expenditures by program element (screening, profiling, case entry and processing, hit confirmation, and quality control assurance). An expenditure of funds under this item shall be made not sooner than 30 days after this plan has been submitted to the Chairperson of the Senate Committee on Budget and Fiscal Review, the Chairperson of the Assembly Budget Committee, and the Chairperson of the Joint Legislative Budget Committee or not sooner than whatever lesser

Item	Amount
time the Chairperson of the Joint Legislative Budget Committee may determine.	
4. Of the amount appropriated in this item, \$96,000,000 appropriated in Schedule 22.1 shall be available for a regional crime laboratory to serve criminal justice agencies in Southern California.	
8100-101-0241—For local assistance, Office of Criminal Justice Planning payable from the Local Public Prosecutors and Public Defenders Training Fund.....	727,000
Schedule:	
(a) 50.30.541-Public Prosecutors and Public Defenders.....	727,000
Provisions:	
1. Notwithstanding any other provision of law, the Office of Criminal Justice Planning may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cash-flow problems according to the criteria set forth by the Office of Criminal Justice Planning.	
8100-101-0425—For local assistance, Office of Criminal Justice Planning payable from the Victim Witness Assistance Fund	15,519,000
Schedule:	
(a) 50.20.101-Victim-Witness Assistance Program.....	10,871,000
(b) 50.20.301-Rape Crisis Program	3,670,000
(c) 50.20.353-Child Sexual Abuse and Exploitation Program	978,000
Provisions:	
1. Notwithstanding any other provision of law, the Office of Criminal Justice Planning may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cash-flow problems according to the criteria set forth by the Office of Criminal Justice Planning.	
8100-101-0597—For local assistance, Office of Criminal Justice Planning payable from the High Technology Theft Apprehension and Prosecution Program Trust Fund	3,683,000

Item	Amount
Schedule:	
(a) 50.30.562-High Technology Theft Apprehension and Prosecution Program.....	3,683,000
Provisions:	
1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555, Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code.	
2. All grantees receiving funds appropriated in this item shall be required to provide matching funds equal to 25 percent of the amount of grant funding received by them from the High Technology Theft Apprehension and Prosecution Program Trust Fund.	
3. Of the funds appropriated in this item, up to \$318,000 is provided for support of the high technology crime data base within the Department of Justice.	
8100-101-0890—For local assistance, Office of Criminal Justice Planning payable from the Federal Trust Fund	159,897,000
Schedule:	
(a) 50.20.151-Domestic Violence Program.....	6,729,000
(b) 50.20.161-Violence Against Women Act	12,990,000
(c) 50.20.302-Rape Prevention	5,571,000
(d) 50.20.451-Victims of Crime Act (VOCA)	39,267,000
(e) 50.30.525-Child Justice Act	745,000
(f) 50.30.550-Byrne State/Local Law Enforcement Assistance.....	52,118,000
(g) 50.30.555-Residential Substance Abuse Treatment.....	6,545,000
(h) 50.30.556-Local Law Enforcement Block Grants	732,000
(i) 50.30.661-Gang Violence Suppression Program	1,005,000
(j) 50.30.701-Juvenile Justice and Delinquency Prevention.....	6,310,000

Item	Amount
(k) 50.30.703-Community Delinquency Prevention Program.....	5,002,000
(l) 50.30.705-Juvenile Accountability Incentive.....	21,769,000
(m) 50.30.706-Juvenile Justice—Project Challenge.....	1,114,000
Provisions:	
1. Notwithstanding any other provision of law, the Office of Criminal Justice Planning may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cash-flow problems according to the criteria set forth by the Office of Criminal Justice Planning.	
2. Of the funds appropriated in this item, \$224,000 of the amount allocated for the Victims of Crime Act program (50.20.451) shall be provided for support of the Office of Victims Services within the Department of Justice.	
8100-112-0001—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund	3,465,000
Provisions:	
1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555 of the Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code.	
8100-112-0890—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund.....	218,000
Provisions:	
1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code.	

Item	Amount
8100-295-0001—For local assistance, Office of Criminal Justice Planning, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	808,000
Schedule:	
(1) 98.01.124.992-Threats Against Peace Officers (Ch. 1249, Stats. 1992, and Ch. 666, Stats. 1995) ...	5,000
(2) 98.01.041.195-Crime Victims' Rights (Ch. 411, Stats. 1995)	803,000
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.	
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.	
8120-001-0268—For support of Commission on Peace Officer Standards and Training, payable from the Peace Officers' Training Fund.....	12,045,000

Item	Amount
Schedule:	
(a) 10-Standards	6,102,000
(b) 20-Training	29,383,000
(c) 30-Peace Officer Training	95,000
(d) 40.01-Administration.....	4,695,000
(e) 40.02-Distributed Administration ...	-4,695,000
(ex) Reimbursements	-1,259,000
(f) Amount payable from the Peace Of- ficers' Training Fund (Item 8120- 011-0268)	-20,720,000
(g) Amount payable from the Peace Of- ficers' Training Fund (Item 8120- 012-0268)	-1,556,000
8120-011-0268—For support of Commission on Peace Officer Standards and Training, for payment to Item 8120-001-0268, payable from the Peace Officers' Training Fund.....	20,720,000
Provisions:	
1. Funds appropriated in this item are to be used for contractual services in support of local training programs, pursuant to Section 13503(c) of the Pe- nal Code.	
2. Funds may be transferred between this item and Item 8120-101-0268 to meet the needs of local training programs.	
8120-012-0268—For support of Commission on Peace Officer Standards and Training, for payment to Item 8120-001-0268, payable from the Peace Officers' Training Fund.....	1,556,000
Provisions:	
1. The funds appropriated in this item are to be used for implementation of the "Tools for Tolerance" training program for law enforcement personnel operated by the Simon Wiesenthal Center- Museum of Tolerance. Eligibility to receive funds appropriated by this item as reimbursements is limited to law enforcement agencies authorized by law to receive training reimbursements from the Peace Officers' Training Fund. Both sworn of- ficers and nonsworn personnel who have contact with the public shall, at the discretion of the head of the law enforcement agency seeking reim- bursement under this provision, be eligible for re- imbursement, provided that the Museum of Tol- erance gives priority to training sworn officers.	
8120-101-0001—For local assistance, Commission on Peace Officer Standards and Training.....	20,000

Item	Amount
8120-101-0268—For local assistance, Commission on Peace Officer Standards and Training, Program 30, for allocation to cities, counties, and cities and counties pursuant to Section 13523 of the Penal Code, payable from the Peace Officers’ Training Fund Provisions: 1. Funds may be transferred between this item and Item 8120-011-0268 to meet the needs of local training programs. 2. The Director of Finance may authorize the augmentation of the total amount available for expenditure under this item in the amount of revenue received by the Peace Officers’ Training Fund that is in addition to the revenue appropriated by this item, not sooner than 30 days after notification in writing to the chairpersons of the respective fiscal committees and the Chairperson of the Joint Legislative Budget Committee or his or her designee.	26,062,000
8120-102-0268—For local assistance, Commission on Peace Officer Standards and Training, Program 30, payable from the Peace Officers’ Training Fund Provisions: 1. Funds appropriated in this item are to be used for implementation of the “Tools for Tolerance” training program for law enforcement personnel operated by the Simon Wiesenthal Center-Museum of Tolerance. Eligibility to receive funds appropriated by this item as reimbursements is limited to law enforcement agencies authorized by law to receive training reimbursements from the Peace Officers’ Training Fund. Both sworn officers and nonsworn personnel who have contact with the public shall, at the discretion of the head of the law enforcement agency seeking reimbursement under this provision, be eligible for reimbursement, provided that the Museum of Tolerance gives priority to training sworn officers.	444,000
8120-295-0001—For local assistance, the Commission on Peace Officer Standards and Training, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller.	6,781,000

Item	Amount
Schedule:	
(1) 98.01.024.695—Domestic Violence Arrest Policies and Standards (Ch. 246, Stats. 1995)	6,781,000
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandate costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.	
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.	
8140-001-0001—For support of State Public Defender..	11,694,000
Schedule:	
(a) 10-State Public Defender	11,694,000
Provisions:	
1. Any federal funds received by the Office of the State Public Defender as reimbursements for legal services provided for capital cases shall revert to the unappropriated surplus of the General Fund.	
2. The Office of the State Public Defender shall prepare a report and make recommendations, by October 1, 2000, on the safeguards that exist in California to ensure that the innocent are not executed. The report shall investigate issues, including the impact of waiting for appointment of appellate counsel on cases, and the amount of funding pro-	

Item	Amount
<p>vided for investigation of cases at the appellate level. The office shall provide the report to the Department of Justice for a response no later than January 1, 2001. The response shall be incorporated into a final report and delivered to the Legislature no later than February 12, 2001.</p>	
<p>8180-101-0001—For local assistance, Payment to Counties for Costs of Homicide Trials, for payment by the State Controller</p>	6,000,000
<p>Provisions:</p>	
<p>1. This item is for payment to counties for costs of homicide trials pursuant to Sections 15201 to 15203, inclusive, of the Government Code, provided that expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the Controller.</p>	
<p>2. The Controller shall reimburse counties for reasonable and necessary expenses incurred pursuant to Section 15202 of the Government Code except that reimbursements to a county shall not exceed: (a) for attorney services, an hourly rate equal to that county's average hourly cost for public defenders, the hourly rate paid to appointed counsel, or the hourly rate charged state agencies by the Attorney General for attorney services, whichever rate is less; (b) for investigators, an hourly rate equal to that county's average hourly cost for county-employed investigators or the hourly rate charged state agencies by the Attorney General for investigators, whichever rate is less; and (c) for expert witnesses, the hourly rate that the county generally pays for these services.</p>	
<p>8260-001-0001—For support of California Arts Council</p>	3,166,000
<p>Schedule:</p>	
<p>(a) 05-Arts in Education</p>	125,000
<p>(b) 10-Artists in Residence</p>	982,595
<p>(c) 20-Organizational Support Grants ..</p>	1,413,025
<p>(d) 25-Performing Arts Touring/ Presenting Program</p>	367,775
<p>(e) 30-Special Initiatives Program</p>	123,640
<p>(f) 40-Statewide Projects</p>	644,965
<p>(g) 45-California Challenge Program...</p>	74,000
<p>(h) 50.01-Administration</p>	1,128,000
<p>(i) 50.02-Distributed Administration</p>	-1,128,000
<p>(ix) 70-Cultural Institutions Program...</p>	350,000
<p>(j) Reimbursements.....</p>	-10,000

Item	Amount
(k) Amount payable from the Graphic Design License Plate Account (Item 8260-001-0078)	-288,000
(l) Amount payable from the Federal Trust Fund (Item 8260-001-0890).	-617,000
8260-001-0078—For support of California Arts Council, for payment to Item 8260-001-0001, payable from the Graphic Design License Plate Account	288,000
8260-001-0890—For support of California Arts Council, for payment to Item 8260-001-0001, payable from the Federal Trust Fund.....	617,000
8260-101-0001—For local assistance, California Arts Council, for grants and subventions	40,215,000
Schedule:	
(a) 05-Arts in Education	10,000,000
(b) 10-Artists in Residence	4,404,000
(c) 20-Organizational Support Grants ..	19,810,000
(d) 25-Performing Arts Touring/ Presenting Program	1,121,000
(e) 30-Special Initiatives Program	1,059,000
(f) 40-Statewide Projects.....	4,352,000
(g) Reimbursements.....	-31,000
(h) Amount payable from the Graphic Design License Plate Account (Item 8260-101-0078)	-500,000
Provisions:	
1. Funds appropriated for the Small- and Mid-size Organizations element and the Large Budget Organizations element of the Organizational Grants program shall not be expended unless the grant recipient provides at least a dollar-for-dollar cash match. No matching funds shall be required for grants to individual artists.	
3. Of the funds appropriated in Schedule (c), \$7,500,000 is for the Multicultural Arts Development program. These funds shall be for culturally specific organizations or artists who have a demonstrated commitment to cultural art. This funding shall be limited to organizations that have traditionally not received significant grants from the California Arts Council.	
4. Of the \$7,500,000 appropriated for the Multicultural Arts Development program, up to \$225,000 can be used for state operations for the cost of administering the grants and transferred to Item 8260-001-0001.	

Item	Amount
8260-101-0078—For local assistance, California Arts Council, for payment to Item 8260-101-0001, payable from the Graphic Design License Plate Account	500,000
8260-101-0890—For local assistance, California Arts Council, payable from the Federal Trust Fund.....	170,000
Schedule:	
(a) 10-Artists in Residence.....	74,000
(b) 25-Performing Arts Touring/ Presenting Program.....	12,000
(c) 40-Statewide Projects	84,000
Provisions:	
1. Any organization applying for a grant under the Large Budget Organizations element of the Organizational Grants program may not receive a grant under the Small- and Mid-size Organizations element of the Organizational Grants program.	
2. Any organization applying for a grant under the Small- and Mid-size Organizations element of the Organizational Grants program may not receive a grant under the Large Budget Organizations element of the Organizational Grants program.	
3. Funds appropriated for the Small- and Mid-size Organizations element and the Large Budget Organizations element of the Organizational Grants program shall not be expended unless the grant recipient provides at least a dollar-for-dollar cash match. No matching funds shall be required for grants to individual artists.	
8260-102-0001—For local assistance, California Arts Council	5,000,000
Schedule:	
(a) 70-Cultural Institutions Program	5,000,000
Provisions:	
1. Of the funds appropriated in this item, \$2,000,000 is for allocation to the Simon Wiesenthal Center, Museum of Tolerance to provide teacher training on tolerance and diversity to California educators in K–12 public schools. In making this appropriation, it is the intent of the Legislature to establish an ongoing system of local assistance for the Simon Wiesenthal Center, Museum of Tolerance.	
2. For purposes of this item, teacher training on tolerance and diversity may include programs designed to: a) build greater awareness among educators about issues of tolerance and diversity; b) expose working professionals to the dynamics of prejudice and discrimination that impede effec-	

Item

Amount

tive learning and threaten school safety; c) provide a broad range of multicultural viewpoints which may influence their relationship with co-workers, parents and pupils; d) explore ways of integrating the teaching of tolerance into the curriculum and infusing it into the ethos of the school community; and e) acquaint educators with the facilities and resources available at the Museum of Tolerance and the Simon Wiesenthal Center which can serve their needs.

- 3. Of the funds appropriated in this item, \$3,000,000 is for allocation to the Simon Wiesenthal Center, Museum of Tolerance for the project, "Finding Our Family, Finding Ourselves." Notwithstanding Section 2.00 of this act, funds appropriated for this project may be expended from July 1, 2000, to June 30, 2002, inclusive.

8260-103-0001—For local assistance, California Arts Council 45,795,400

Provisions:

- 3. Of the funds appropriated in this item, \$5,000,000 shall be allocated to the Performing Arts Center of Los Angeles County for construction of the Walt Disney Concert Hall in the City of Los Angeles.
- 4. The funds specified in Provision 3 of this item are for one-time grants to the Performing Arts Center of Los Angeles County.
- 5. Of the funds appropriated in this item, \$40,795,400 shall be for the following projects:
 - (1) City of La Habra: Outreach Program at the Children's Museum of La Habra..... 410,000
 - (2) Natural History Museum of Los Angeles County..... 1,000,000
 - (3) New Conservatory Theatre: Children's Safe School Arts Project..... 50,000
 - (4) San Francisco Mexican Museum: Construction of a permanent facility 500,000
 - (5) National Maritime Museum Association: Maritime Educational Program for Northern California schoolchildren 250,000
 - (6) City of San Francisco: DeYoung Museum 4,500,000

Item	Amount
(7) Bayview Opera House: Renovation and structural improvements	400,000
(8) Filipino American National Heritage Society, Sacramento: Documentary "An Untold Triumph"	25,000
(9) Kids Write Plays Program.....	65,000
(10) Armenian Film Foundation	78,400
(11) San Mateo and Los Angeles County Offices of Education: Civil Rights Project "Sojourn to the Past"	350,000
(12) DQ University	300,000
(13) County of San Luis Obispo: Dan Adobe Rehabilitation Project.....	200,000
(14) City of San Luis Obispo: Children's Museum Expansion Project.....	200,000
(15) City of Arroyo Grande: South County Performing Arts Building	400,000
(16) Port San Luis Marine Institute: Floating Marine Laboratory.....	150,000
(17) Hurst Historical Ranch Foundation: Hurst Ranch Historical Foundation Education Program	500,000
(18) City of La Mirada: Performing and Cultural Arts Center	400,000
(19) Historical Society of West Covina: Heritage House and Heritage Gardens Park	85,000
(20) Fender Museum Foundation: Fender Museum of the Arts and Music.....	250,000
(21) Italian Cultural Society: Italian Cultural Center and Museum ..	1,000,000
(22) Elk Grove Historical Society: Old Stage Stop and Hotel Museum Project.....	100,000
(23) Galt Area Historical Society: McFarland Living History Ranch Project.....	100,000
(24) Santa Clarita International Film Festival: Educational and Cultural Outreach Program.....	110,000

Item	Amount
(25) Edwards Flight Test Museum: Blackbird Park Capitol Outlay Project.....	100,000
(26) Allied Arts Association: Facility purchase and improvements	250,000
(27) City of Poway: Kumeyaay Indian Cultural Center.....	400,000
(28) City of San Diego: Sikes Adobe State Point of Historic Interest Restoration	350,000
(29) The Wall Memorial: Completion of memorial to victims of HIV and AIDS.....	400,000
(30) Natural History Museum: Border Environment Education Program	1,000,000
(31) 100th/442nd/MIS WWI Memorial Foundation.....	500,000
(32) Jewish Federation Zimmer Museum	2,900,000
(33) Los Angeles Children's Museum	4,000,000
(34) ADL: Stop the Hate.....	1,000,000
(35) National Coalition for Redress/Reparations: NCRR Educational Program and Museum Display.....	50,000
(36) Hollywood Entertainment Museum: Education Center for Entertainment Arts	1,000,000
(37) Skirball Museum of Tolerance: Completion of Karen and Gary Winnick Family Heritage Hall.	2,000,000
(38) Long Beach Museum of Art....	300,000
(39) Redondo Beach Performing Arts Center: Replace lavatory equipment in Performing Arts Center	300,000
(40) Torrance Cultural Arts Center: Construction of a black-box stage.....	275,000
(41) City of Lomita: Expansion of Railroad Museum	250,000

Item	Amount
(42) African American Historical and Cultural Museum of the San Joaquin Valley: Construction and renovation of museum in Central Valley.....	250,000
(43) El Pueblo de Los Angeles: Street scape improvements and restoration of historic buildings in Pico and Garnier blocks.....	4,000,000
(44) San Francisco Ballet	500,000
(45) Wajumbe Cultural Institution: \$45,000 for Summer Cultural Arts and Education Camp; \$84,000 for Multimedia and Community Television Lab for equipment.....	129,000
(46) City of Lancaster: Relocation of the Antelope Valley African American Museum.....	500,000
(47) Explorit! Science Center: Capital outlay assistance	200,000
(48) Fresno Art Museum: Construction of the Sculpture Plaza Park	200,000
(49) Fresno Museum: Legion of Valor, data base, and related projects	150,000
(50) Chinese Historical Society of America: Construction of the Chinese American National Museum and Learning Center .	200,000
(51) The Asian Art Museum of San Francisco: Museum renovation.	500,000
(52) City of Inglewood: Annual Inglewood Celebrates the Arts.	28,000
(53) City of Los Angeles: Support for the African American Marketplace.....	300,000
(54) Pan African Film and Arts Festival.....	300,000
(55) City of Santa Rosa: Sonoma County Museum Project.....	250,000
(56) Napa County Museum: Museum expansion	100,000
(57) Oakland Museum of California: Distribution of materials to high school students.....	150,000

Item	Amount
(58) Atwater Historical Society: Bloss Home Restorations and Repair	100,000
(59) Miners Foundry Board: Miners Foundry Cultural Center	500,000
(60) Modoc Arts Council: Modoc Amphitheater	200,000
(61) Nevada County Fair Board: Music in the Mountains Joint Use Facility	350,000
(62) Tulare County: Tulare County International Agri-Center.....	750,000
(63) City of Dana Point: Ocean Edu- cation Center	800,000
(64) City of Oceanside: Historic San Luis Rey Mission Restoration .	500,000
(65) Central Sierra Historical Soci- ety: Museum of the Central Si- erra development	125,000
(66) City of Clovis: Clovis Botani- cal Gardens Museum Educa- tional Program.....	150,000
(67) City of Visalia: Visalia Arts Center	50,000
(68) Youth Science Institute: Youth Science Institute Education Fa- cility expansion	300,000
(69) Sutter County: Yuba-Sutter lo- cal film commission project	40,000
(70) East Bay Regional Park: Black Diamond Mines Education Center	400,000
(71) County of San Bernardino: San Bernardino County Museum Mineral Exhibit	50,000
(72) City of Westminster: Commu- nity Theater equipment	250,000
(73) City of Anaheim: Mother Colony House historical site expansion project.....	500,000
(74) Palos Verdes Symphony Or- chestra	25,000
(75) Long Beach Museum of Art....	300,000

Item	Amount
(76) Legion of Valor Museum in Fresno: Creation of archival system for the purpose of establishing a permanent data base of original citations.....	150,000
(77) Latino Museum of History, Art, and Culture.....	1,000,000
6. The funds appropriated by this item are for one-time grants to museums and cultural institutions to provide educational services to public school students and for one-time grants to museum and cultural institutions for capital outlay. In making this appropriation, it is the intent of the Legislature to provide a simple system for allocating funds to museums and cultural institutions that ensures accountability of public funds. It is not the intent of the Legislature to establish an ongoing system of local assistance for museums and cultural institutions.	
7. (a) For purposes of this item, educational services may include teacher training, curriculum development, schoolsite presentations or workshops, distance learning, and reduced price or free admissions. No funds appropriated by this item may be expended for hiring of permanent staff, purchase of vehicles, or the general operating expenses of these museums. Funds appropriated by this item shall be used to supplement, and not supplant, current funding for educational services for public school students from other funding sources.	
(b) On or before November 1, 2000, each museum and cultural institution shall submit to the California Arts Council a detailed expenditure plan on the proposed uses of the funds appropriated to it by this item for educational services. Notwithstanding Section 2.00 of this act, funds appropriated in this item for educational services may be expended only for educational services provided from July 1, 2000, to June 30, 2003, inclusive.	
(c) The California Arts Council shall review and approve each expenditure plan to ensure that (1) funds are proposed to be expended for educational purposes consistent with paragraph (a) of this provision and (2) the expen-	

Item

Amount

- diture plan proposes a cost-effective use of the funds. The council shall develop a process for reviewing, approving, and paying grantees in a timely fashion. To ensure financial accountability, the council shall develop a reporting process and specify information to be reported by grantees on a regular basis.
- (d) The California Arts Council shall report to the Joint Legislative Budget Committee by October 1, 2001, detailing expenditures made and programmatic outcomes achieved by each grant funded pursuant to this item during the 2000–01 fiscal year, and by October 1 for each subsequent fiscal year during which funds are expended, including, but not limited to, the number of students and teachers served, evidence of student achievement, curriculum materials developed, and evidence of professional growth among teachers trained.
8. (a) For purposes of this item, capital outlay includes expenditures for planning, working drawings, and repair, renovation, and construction of museum and cultural institution facilities. No funds appropriated by this item for purposes of capital outlay may be used for hiring of permanent staff, operating expenses, or non-capital-outlay-related expenditures.
- (b) On or before November 1, 2000, each museum and cultural institution shall submit to the California Arts Council a detailed expenditure plan on the proposed uses of the funds appropriated to it by this item for capital outlay. Notwithstanding Section 2.00 of this act, funds appropriated in this item for capital outlay may be expended only for capital outlay purposes from July 1, 2000, to June 30, 2003, inclusive.
- (c) The California Arts Council shall review and approve each expenditure plan to ensure that (1) funds are expended for the capital outlay purposes consistent with paragraph (a) of this provision and (2) the expenditure plan proposes a cost-effective use of the funds. The council shall develop a process for reviewing, approving, and paying grantees in a timely fashion. To ensure financial accountability, the council shall develop a reporting process

Item	Amount
<ul style="list-style-type: none"> and specify information for grantees to report on a regular basis. (d) The California Arts Council shall report to the Joint Legislative Budget Committee by October 1, 2001, detailing expenditures made and the outcome in terms of facilities repaired, renovated, or constructed for the 2000–01 fiscal year, and by October 1 for each subsequent fiscal year during which funds appropriated by this item are expended. 	
<ul style="list-style-type: none"> 9. Of the funds appropriated in Schedule (ix) of Item 8260-001-0001, \$350,000 shall be used by the California Arts Council to defray its expenses for support and related expenses for performing its responsibilities under this item. The council may enter into an interagency agreement to obtain personnel services relating to the review and approval of capital outlay expenditure plans. 	
<p>8260-111-0001—For local assistance, California Arts Council</p> <p>Provisions:</p> <ul style="list-style-type: none"> 1. Funds appropriated for the California Challenge Program shall not be expended unless the grant recipient provides matching funds through new and increased private contributions based on criteria established by the California Arts Council specifically for this program. 	759,000
<p>8260-490—Reappropriation, California Arts Council. Notwithstanding any other provision of law, the balances of the appropriations in the following citations are hereby reappropriated to the California Arts Council for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations, and shall be available for expenditure until June 30, 2001:</p> <p>0001—General Fund</p> <ul style="list-style-type: none"> (a) Item 8260-001-0001, Budget Act of 1998 (Ch. 324, Stats. 1998); the balance of the \$300,000 in Cultural Institutions Program. This \$300,000 was transferred from Item 8260-102-0001 Budget Act of 1998, Provision 6, and is reappropriated for the support and related expenses of administering and reporting on the expenditures made by specified museums. (b) Item 8260-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999); the balance of the \$200,000 in Cultural Institutions Program. This 	

Item	Amount
\$200,000 was transferred from Item 8260-103-0001 Budget Act of 1999, Provision 5, and is re-appropriated for the support and related expenses of administering and reporting on the expenditures made by specified museums.	
8300-001-0001—For support of Agricultural Labor Relations Board	4,846,000
Schedule:	
(a) 10-Board Administration.....	2,328,000
(b) 20-General Counsel Administration.....	2,518,000
(c) 30.01-Administrative Services.....	289,000
(d) 30.02-Distributed Administrative Services	-289,000
8320-001-0001—For support of Public Employment Relations Board	5,835,000
Schedule:	
(a) 11-Public Employment Relations ...	5,847,000
(b) Reimbursements	-12,000
8350-001-0001—For support of Department of Industrial Relations	147,385,000
Schedule:	
(1) 10-Regulation of Workers' Compensation Self-Insurance Plans.....	2,815,000
(2) 20-Conciliation of Employer-Employee Disputes.....	1,959,000
(3) 30-Workers' Compensation Administration	98,565,810
(4) 35-Industrial Medical Council	3,889,000
(5) 36-Commission on Health and Safety and Workers' Compensation.	1,820,460
(6) 40-Prevention of Industrial Injuries and Deaths of California Workers..	74,479,930
(7) 50-Enforcement and Promulgation of Laws Relating to Wages, Hours, and Conditions of Employment, and Licensing and Adjudication	40,338,850
(8) 60-Promotion, Development, and Administration of Apprenticeship and other On-the-Job Training	5,441,380
(9) 70-Labor Force Research and Data Dissemination	4,276,570
(10) 80-Payment of Claims, Wages, and Contingencies	22,632,000
(11) 94.01-Administration	21,162,000
(12) 94.02-Distributed Administration	-21,162,000
(13) Reimbursements	-3,406,000

Item	Amount
(14) Amount payable from the Farm Labor Contractors Special Account (Item 8350-001-0023)	-27,000
(15) Amount payable from the Industrial Medicine Fund (Item 8350-001-0079)	-1,726,000
(16) Amount payable from the Cal-OSHA Targeted Inspection and Consultation Fund (Item 8350-001-0096)	-7,641,000
(17) Amount payable from the Workers' Compensation Managed Care Fund (Item 8350-001-0132)	-220,000
(18) Amount payable from the Industrial Relations Construction Industry Enforcement Fund (Item 8350-001-0216)	-52,000
(19) Amount payable from the Workplace Health and Safety Revolving Fund (Item 8350-001-0222)	-1,821,000
(20) Amount payable from the Workers' Compensation Administration Revolving Fund (Item 8350-001-0223)	-18,733,000
(21) Amount payable from the Loss Control Certification Fund (Item 8350-001-0284)	-794,000
(22) Amount payable from the Asbestos Consultant Certification Account (Item 8350-001-0368)	-324,000
(23) Amount payable from the Asbestos Training Approval Account (Item 8350-001-0369)	-238,000
(24) Amount payable from the Self-Insurance Plans Fund (Item 8350-001-0396)	-2,723,000
(25) Amount payable from the Elevator Safety Inspection Account (Item 8350-001-0452)	-7,241,000
(26) Amount payable from the Pressure Vessel Inspection Account (Item 8350-001-0453)	-3,525,000
(27) Amount payable from the Garment Manufacturers Special Account (Item 8350-001-0481)	-50,000

Item	Amount
(28) Amount payable from the Employment Training Fund (Item 8350-001-0514)	-3,137,000
(29) Amount payable from the Uninsured Employers' Account, Uninsured Employers' Fund (Item 8350-001-0571)	-22,566,000
(30) Amount payable from the Federal Trust Fund (Item 8350-001-0890).....	-27,131,000
(31) Amount payable from the Industrial Relations Unpaid Wage Fund (Item 8350-001-0913)	-958,000
(32) Amount payable from the Workers' Compensation Administration Revolving Fund (Item 8350-015-0223).....	-510,000
(33) Amount payable from the Industrial Relations Unpaid Wage Fund (Sec. 96.6, Labor Code).....	-500,000
(34) Amount payable from the Electrician Certification Fund (Item 8350-001-3002).....	-405,000
(35) Amount payable from the Permanent Amusement Ride Safety Inspection Fund (Item 8350-001-3003)	-2,063,000
(36) Amount payable from the Garment Industry Regulations Fund (Item 8350-001-3004).....	-3,042,000

Provisions:

1. Of the funds appropriated in this item, \$688,000 is provided to the Industrial Welfare Commission for the purpose of printing and distributing wage orders relating to overtime policy reform, the minimum wage, and the construction industry. These funds shall not be used for any other purpose. Any unexpended funds appropriated for the purpose of these specific wage orders shall revert to the General Fund.
2. The department shall prepare a report on the feasibility and costs of developing, operating and maintaining an automated data base system to assist the Division of Labor Standards Enforcement tracking labor infractions and carrying out its investigative and enforcement activities for submittal to the Legislature by January 1, 2001.

Item	Amount
3. Of the amount appropriated in this item, \$500,000 shall be used to support staff in the Division of Labor Standards Enforcement, Bureau of Field Enforcement, who are primarily devoted to the enforcement of labor laws and regulations in the janitorial and building maintenance industry.	
4. Of the amount appropriated in this item, \$500,000 shall be used to support staff in the Division of Occupational Safety and Health who are primarily devoted to enforcing the laws and regulations governing the protection of the life, safety, and health of farm laborers.	
8350-001-0023—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Farm Labor Contractors Special Account.....	27,000
8350-001-0079—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Industrial Medicine Fund.....	1,726,000
8350-001-0096—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Cal-OSHA Targeted Inspection and Consultation Fund	7,641,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
8350-001-0132—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Workers’ Compensation Managed Care Fund	220,000
8350-001-0216—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Industrial Relations Construction Industry Enforcement Fund.....	52,000
8350-001-0222—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Workplace Health and Safety Revolving Fund	1,821,000
Provisions:	
1. Funds appropriated in this item are for the purpose of supporting the activities of the Commission on Health and Safety and Workers’ Compensation within the Department of Industrial Relations, as established by Chapter 227 of the Statutes of 1993.	

Item	Amount
8350-001-0223—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Workers’ Compensation Administration Revolving Fund	18,733,000
8350-001-0284—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Loss Control Certification Fund.....	794,000
8350-001-0368—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Asbestos Consultant Certification Account.....	324,000
8350-001-0369—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Asbestos Training Approval Account.	238,000
8350-001-0396—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Self-Insurance Plans Fund	2,723,000
8350-001-0452—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Elevator Safety Account	7,241,000
8350-001-0453—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Pressure Vessel Account	3,525,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.	
8350-001-0481—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Garment Manufacturers Special Account.....	50,000
8350-001-0514—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Employment Training Fund	3,137,000
Provisions:	
1. Notwithstanding Section 1611 of, and Chapter 3.5 (commencing with Section 10200) of Part 1 of Division 3 of the Unemployment Insurance Code, \$3,145,000 from the interest earned from money in the Employment Training Fund shall be transferred by the State Controller to the Department of Industrial Relations for the support of the Division of Apprenticeship Standards.	

Item	Amount
8350-001-0571—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Uninsured Employers’ Account, Uninsured Employers’ Fund	22,566,000
8350-001-0890—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Federal Trust Fund	27,131,000
8350-001-0913—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Industrial Relations Unpaid Wage Fund	958,000
Provisions:	
1. Notwithstanding any other provision of law, funds appropriated by this item shall be expended by the Department of Industrial Relations Division of Labor Standards Enforcement to administer the Targeted Industries Partnership Program to increase enforcement and compliance in the agricultural, garment, and restaurant industries.	
2. It is the intent of the Legislature that the Targeted Industries Partnership Program result in increased enforcement of, and compliance by, the agricultural, garment, and restaurant industries regarding wages, hours, conditions of employment, licensing, registration, child labor laws and regulations.	
8350-001-3002—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Electrician Certification Fund	405,000
8350-001-3003—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Permanent Amusement Ride Safety Inspection Fund	2,063,000
8350-001-3004—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Garment Industry Regulations Fund..	3,042,000
8350-011-0001—For transfer by the Controller to the Uninsured Employers’ Account, Uninsured Employers’ Fund	16,603,000
8350-012-0001—For transfer to the Garment Industry Regulations Fund.....	(1,594,000)
Provisions:	
1. The amount appropriated in this item is a loan from the General Fund to the Department of Industrial Relations for activities related to the implementation of the Division of Labor Standards Enforcement’s Garment Manufacturers Inspection Program during the 2000–01 fiscal year.	

Item	Amount
<p>At the beginning of each quarter, the Controller shall transfer the amount requested by the Director of the Department of Industrial Relations from this item to the Garment Industry Regulations Fund. Principal and interest, at the rate earned in the Pooled Money Investment Account, shall be repaid to the General Fund no later than June 30, 2002.</p>	
<p>8350-013-0001—For transfer to the Electrician Certification Fund</p>	(405,000)
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The amount appropriated in this item is a loan from the General Fund to the Department of Industrial Relations for the Electricians Standards and Training Program during the 2000–01 fiscal year. At the beginning of each quarter, the Controller shall transfer the amount requested by the Director of the Department of Industrial Relations from this item to the Electrician Certification Fund. Principal and interest, at the rate earned in the Pooled Money Investment Account, shall be repaid to the General Fund no later than June 30, 2006. It is the intent of the Legislature that the Department of Industrial Relations report no later than March 1, 2001, regarding the impact of the repayment of a startup loan provided in Item 8350-013-0001, Budget Act of 2000 on the fees for the Electricians Standards and Training Program. This information shall include the impact of a 2, 3, 4, and 5 year loan repayment schedule. 	
<p>8350-014-0001—For transfer to the Permanent Amusement Ride Inspection Fund</p>	(2,063,000)
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The amount appropriated in this item is a loan from the General Fund to the Department of Industrial Relations for activities related to implementation of the Permanent Amusement Ride Inspection Program of the Division of Occupational Safety and Health during the 2000–01 fiscal year. At the beginning of each quarter, the Controller shall transfer the amount requested by the Director of Industrial Relations from this item to the Permanent Amusement Ride Inspection Fund. Principal and interest, at the rate earned in the Pooled Money Investment Account, shall be repaid to the General Fund no later than June 30, 2002. 	

Item	Amount
8350-015-0223—For support of Department of Industrial Relations, for payment to Item 8350-001-0001, payable from the Workers’ Compensation Administration Revolving Fund.....	510,000
8350-295-0001—For local assistance, Department of Industrial Relations, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	1,467,000
Schedule:	
(1) 98.01.117.189-Peace Officer’s Cancer Presumption (Ch. 1171, Stats. 1989).....	748,000
(2) 98.01.156.882-Firefighter’s Cancer Presumption (Ch. 1568, Stats. 1982).....	719,000
(3) 98.01.999.001-Personal alarm devices (8 Cal. Code Regs. Sec. 3401(c)).....	0
(4) 98.01.999.002-Structural and wildland firefighter safety clothing and equipment (8 Cal. Code Regs. Secs. 3401 to 3410, incl.)	0
Provisions:	
1. Except as provided in Provision 2 of this item, allocations of funds appropriated in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.	
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notification of the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any	

Item	Amount
<p>other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.</p> <p>3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year:</p> <p>(a) Personal alarm devices (8 Cal. Code Regs. Sec. 3401(c)).</p> <p>(b) Structural and wildland firefighter safety clothing and equipment (8 Cal. Code Regs. Secs. 3401 to 3410, incl.).</p>	
<p>8350-490—Reappropriation, Department of Industrial Relations. Notwithstanding any other provision of law, as of June 30, 2000, the balances of the appropriations provided in the following citation is reappropriated for the purposes specified and shall be available for expenditure until June 30, 2001.</p> <p>0001—General Fund</p> <p>(1) Up to \$227,000 appropriated from Item 8350-001-0001, Budget Act of 1999 (Ch. 50, Stats. 1999) for Industrial Welfare Commission wage orders.</p>	
<p>8380-001-0001—For support of Department of Personnel Administration</p>	7,146,000
<p>Schedule:</p> <p>(a) 10-Policy Operations 4,712,000</p> <p>(b) 20-Labor Relations..... 2,643,000</p> <p>(c) 25-Legal 4,550,000</p> <p>(d) 40.01-Administration..... 3,498,000</p> <p>(e) 40.02-Distributed Administration ... -3,073,000</p> <p>(f) 54-Benefits Administration..... 14,547,000</p> <p>(g) 56-Training and Development..... 3,393,000</p> <p>(h) Reimbursements.....-15,715,000</p> <p>(hx) Amount payable from the Indian Gaming Special Distribution Fund (Item 8380-001-0367) -400,000</p> <p>(i) Amount payable from the Flexelect Benefit Fund (Item 8380-001-0821)..... -758,000</p>	

Item	Amount
(j) Amount payable from the Deferred Compensation Plan Fund (Item 8380-001-0915)	-6,251,000
8380-001-0367—For support of Department of Personnel Administration for payment to Item 8380-001-0001, payable from the Indian Gaming Special Distribution Fund.....	400,000
8380-001-0821—For support of Department of Personnel Administration, for payment to Item 8380-001-0001, payable from the Flexelect Benefit Fund.....	758,000
8380-001-0915—For support of Department of Personnel Administration, for payment to Item 8380-001-0001, payable from the Deferred Compensation Plan Fund	6,251,000
8380-004-0001-For support of Department of Personnel Administration.....	20,406,000
Schedule:	
(a) 54-Benefits Administration	20,406,000
Provisions:	
1. Notwithstanding subdivision (a) of Section 2.00 of this act, the funds appropriated in this item are available for expenditure until January 1, 2005.	
8380-011-0001—For transfer by the Controller to the Indian Gaming Special Distribution Fund.....	(400,000)
Provisions:	
1. The transfer made by this item is a loan to the Indian Gaming Special Distribution Fund for disbursement to the Tribal Labor Panel to provide support for its arbitration duties and other responsibilities pursuant to the Tribal-State Gaming compacts ratified by Chapter 874 of the Statutes of 1999. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account applicable at the time of the transfer. Principal and interest shall be repaid in full no later than June 30, 2003.	
8385-001-0001—For support of California Citizens Compensation Commission, Program 10	25,000
8450-001-0001—For support of Workers’ Compensation Benefit Program, for payment of the additional compensation for subsequent injuries provided for by Article 5 (commencing with Section 4750) of Chapter 2 of Part 2 of Division 4 of the Labor Code.....	5,507,000
Schedule:	
(a) Payment of Claims	7,570,000
(b) Support, State Compensation Insurance Fund.....	379,000

Item	Amount
(c) Prelitigation Expenses	170,000
(d) Support, Department of Industrial Relations	688,000
(e) Amount payable from Subsequent Injuries Moneys Account (Item 8450-001-0016)	-3,300,000
Provisions:	
1. This item shall not be construed as a limitation on funds appropriated by Item 8450-001-0016.	
2. The funds appropriated in this item shall not be available for expenditure at any time that funds appropriated by Item 8450-001-0016 are available for expenditure.	
3. At the end of the 2000-01 fiscal year, any expenditures made from the General Fund against this item shall be reduced by any amounts remaining available from the funds appropriated by Item 8450-001-0016.	
8450-001-0016—For payment of Workers’ Compensation Benefits for Subsequent Injuries, for payment to Item 8450-001-0001, payable from the Subsequent Injuries Moneys Account	3,300,000
Provisions:	
1. The Director of Finance may authorize the augmentation of the total amount available for expenditure under this item in the amount of revenue received by the Subsequent Injuries Moneys Account that is in addition to the amount appropriated by this item, not sooner than 30 days after notification in writing to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee. The director may authorize these augmentations only up to the amount required for payment of the additional compensation for subsequent injuries provided by Article 5 (commencing with Section 4750) of Chapter 2 of Part 2 of Division 4 of the Labor Code.	
8460-101-0001—For local assistance, Workers’ Compensation Benefits for Disaster Service Workers	663,000
Provisions:	
1. Funds appropriated by this item are for furnishing workers’ compensation to disaster service workers and their dependents, in accordance with Division 4 (commencing with Section 3200) of the Labor Code, including the reimbursement of the	

Item	Amount
<p>State Compensation Insurance Fund for the cost of services as adjusting agent, for the Governor's Office of Emergency Services. The State Compensation Insurance Fund may draw from the State Treasury any funds appropriated by this item, without at the time presenting vouchers and itemized statements, to be used as a cash revolving fund. Expenditures made from the revolving fund in payment of claims for workers' compensation and adjusting services are exempted from Section 925.6 of the Government Code. Reimbursement of the revolving fund for those expenditures shall be made upon presentation to the State Controller of an abstract or statement of the expenditures. The abstract or statement shall be in such form as the State Controller requires.</p>	
<p>8500-001-0152—For support of Board of Chiropractic Examiners, payable from the State Board of Chiropractic Examiners Fund</p>	1,810,000
<p>Schedule:</p>	
<p>(a) 10-Board of Chiropractic Examiners</p>	1,851,000
<p>(b) Reimbursements</p>	-41,000
<p>Provisions:</p>	
<p>1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.</p>	
<p>8510-001-0264—For support of Osteopathic Medical Board of California payable from the Osteopathic Medical Board of California Contingent Fund</p>	899,000
<p>Schedule:</p>	
<p>(a) 10-Osteopathic Medical Board of California</p>	915,000
<p>(b) Reimbursements</p>	-16,000
<p>Provisions:</p>	
<p>1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.</p>	
<p>8530-001-0290—For support of Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, payable from the Board of Pilot Commissioners' Special Fund</p>	1,183,000
<p>Schedule:</p>	
<p>(a) 10.01 Support</p>	544,000
<p>(b) 10.02 Training</p>	639,000

Item	Amount
Provisions:	
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.	
8550-001-0191—For support of California Horse Racing Board, payable from the Fair and Exposition Fund	7,681,000
Schedule:	
(a) 10-California Horse Racing Board	7,944,000
(c) Amount payable from the Racetrack Security Account, Special Deposit Fund (Item 8550-001-0942)	-263,000
8550-001-0942—For support of California Horse Racing Board, for payment to Item 8550-001-0191, payable from the Racetrack Security Account, Special Deposit Fund	263,000
8550-011-0942—Notwithstanding paragraph (1) of subdivision (b) of Section 19641 of the Business and Professions Code, there is hereby transferred to the General Fund the unencumbered balance of the Racetrack Security Account, Special Deposit Fund, as of June 30, 2001	(2,000,000)
8570-001-0001—For support of Department of Food and Agriculture	71,782,000
Schedule:	
(a) 11-Agricultural Plant and Animal, Pest and Disease Prevention	78,997,000
(b) 21-Marketing, Commodities, and Agricultural Services	19,125,000
(c) 31-Assistance to Fairs and County Agricultural Activities	2,115,000
(d) 41.01-Executive, Management, and Administrative Services	11,636,000
(e) 41.02-Distributed Executive, Management, and Administrative Services	-10,331,000
(f) Reimbursements	-8,199,000
(g) Amount payable from the Department of Agriculture Account, Department of Agriculture Fund (Item 8570-001-0111)	-12,850,000
(h) Amount payable from the Fair and Exposition Fund (Item 8570-001-0191)	-2,055,000

Item	Amount
(i) Amount payable from the Harbors and Watercraft Revolving Fund (Item 8570-001-0516)	-951,000
(j) Amount payable from the Agriculture Building Fund (Item 8570-001-0601)	-1,361,000
(k) Amount payable from the Federal Trust Fund (Item 8570-001-0890)	-3,971,000
(l) Amount payable from the Agricultural Pest Control Research Account (Item 8570-011-0112)	-5,000
(m) Amount payable from the Satellite Wagering Account (Item 8570-012-0192)	-368,000

Provisions:

1. Funds appropriated to Schedule (a) from Item 8570-001-0111 are in lieu of the appropriation provided by subdivision (b) of Section 224 of the Food and Agricultural Code for emergency detection, eradication, or research of agricultural plant or animal pests or diseases. Any unencumbered balance of these funds shall be available for transfer to local assistance for payment to counties during the 2000-01 fiscal year, as provided in subdivision (c) of Section 224 of the Food and Agricultural Code. In addition, notwithstanding any other provision of law, up to an additional \$800,000 of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code shall be available for use by the Department of Food and Agriculture for emergency projects to augment Schedule (a) of this item. The Secretary of Food and Agriculture may expend the funds identified in this provision with the approval of the Director of Finance. The funds that are so appropriated are not subject to Section 26.00, 27.00, 28.00, or 28.50 of this act.
2. Funds appropriated from Item 8570-001-0111 are in lieu of the appropriation provided by subdivision (a) of Section 224 of the Food and Agricultural Code. In addition, notwithstanding any other provision of law, of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code, \$650,000 shall be available for use by the Department of Food and Agriculture for departmental overhead expenses.

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3.	Notwithstanding any other provision of law, of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code, \$179,000 shall be available for use by the Department of Food and Agriculture for the County/State Liaison Director. The Secretary of Food and Agriculture may augment Schedule (c) of this item with the approval of the Director of Finance. The funds that are so appropriated are not subject to Section 26.00, 27.00, 28.00, or 28.50 of this act.
4.	Of the amount appropriated in this item, \$750,000 shall be allocated by the Department of Food and Agriculture to the University of California Small Farm Center for applied research by small farm advisers, extension outreach in marketing, and small-scale, value-added food processing.
5.	Of the amount appropriated in this item, \$1,750,000 shall be allocated by the Department of Food and Agriculture to the Center for Biological Control at the University of California, Berkeley for on-farm research, extension outreach, and maintenance of insectary and quarantine rooms.
6.	Of the amount appropriated in this item, \$750,000 shall be allocated by the Department of Food and Agriculture to the Center for Biological Control at the University of California, Riverside for on-farm research and testing of parasite, predator, and pathogen biological control practices.
7.	Of the amount appropriated in this item, \$3,000,000 shall be allocated by the Department of Food and Agriculture to the Center for Agroecology and Sustainable Food Systems at the University of California, Santa Cruz for needed replacement or upgrades of existing inadequate laboratories and office space.
8.	Of the amount appropriated in this item, \$500,000 shall be allocated by the Department of Food and Agriculture to the Center for Agroecology and Sustainable Food Systems at the University of California, Santa Cruz for applied research and outreach.
9.	The allocations made pursuant to provisions 4 through 8 shall be implemented by contracts between the Department of Food and Agriculture and the University of California. The contracts

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<p>shall include provisions to ensure that the department can adequately oversee the use of the funds and the results of the projects supported by those funds. The department shall provide fiscal oversight and shall allocate all program funds received except that the department may retain no more than 2 percent of the contracted amounts for purposes of implementing this provision.</p>	
<p>8570-001-0111—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Department of Agriculture Account, Department of Agriculture Fund</p>	12,850,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18. 	
<p>8570-001-0191—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Fair and Exposition Fund.....</p>	2,055,000
<p>8570-001-0516—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Harbors and Watercraft Revolving Fund</p>	951,000
<p>8570-001-0601—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Agriculture Building Fund.....</p>	1,361,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. Funds appropriated in this item are in lieu of the appropriation made by Section 624 of the Food and Agricultural Code. 	
<p>8570-001-0890—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Federal Trust Fund.....</p>	3,971,000
<p>Provisions:</p> <ol style="list-style-type: none"> 1. The Department of Finance may authorize the augmentation of this item in an amount not to exceed a cumulative total of \$1,500,000. Any augmentation pursuant to this provision shall be made only if the Department of Food and Agriculture has a valid federal contract or grant. These funds shall not be used for state or federal cooperative fruit fly eradication projects. The augmentations pursuant to this authority are not subject to Section 26.00 or 28.00 of this act. 	

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8570-002-0001—For support of Department of Food and Agriculture, Program 11, for sterile medfly release program in the Los Angeles Basin	8,621,000
8570-003-0001—For support of Department of Food and Agriculture for rental payments on lease revenue bonds	1,499,000
Schedule:	
(a) Base Rental and Fees	1,620,000
(b) Insurance	7,000
(c) Reimbursements	-128,000
8570-003-0111—For support of Department of Food and Agriculture, for rental payments on lease revenue bonds, payable from the Department of Agriculture Account, Department of Agriculture Fund	40,000
8570-003-0601—For support of Department of Food and Agriculture, for rental payments on lease revenue bonds, payable from the Agriculture Building Fund. Schedule:	230,000
(a) Base rental and fees	228,000
(b) Insurance	2,000
8570-004-0001—For transfer by the Controller to the Pierce’s Disease Management Account (3010).....	6,900,000
Provisions:	
1. Of the funds appropriated in this item, \$6,900,000 shall be deposited in the Pierce’s Disease Management Account in the Food and Agricultural Fund and shall be available for expenditure without regard to fiscal year for the purpose of combating Pierce’s Disease and its vectors.	
2. If funds pursuant to this item and SB 671 (Chapter 21, Statutes of 2000) are used for the application of pesticides to combat Pierce’s Disease and its vectors, the department shall do all of the following by January 1, 2001:	
(a) The department shall consult with a task force comprised, at a minimum, of the Department of Pesticide Regulation, the State Water Resources Control Board, the Department of Fish and Game, a university-affiliated researcher, a grower, a County Agricultural Commissioner and an environmental or public health nongovernmental organization. These entities shall provide input concerning the potential adverse effects on public health and the environment of the application of pesticides, including, but not limited to, their effects on species and pollinators such as hon-	

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eybees. These entities shall also suggest measures that, in their opinion, would reduce possible harm to public health and the environment while effectively and expeditiously managing this pest threat. This input shall be provided with sufficient lead-time prior to January 1, 2001, for the effective use of the information. After receiving this consultation, the department shall consider refinements to the program based upon the information provided and the guiding principle of least possible harm to public health and the environment while effectively and expeditiously managing this pest threat. In making its recommendations, the task force shall recognize that time is of the essence. Delays in offering suggestions to the department to deal with this emergency will increase the financial, environmental, and public health impact of the pest and those of any management program.

- (b) The department shall hold at least one duly noticed public meeting in the region in which any application of pesticides will take place, in order to provide the public with notice and an opportunity to review and comment on the application.
- (c) The department shall ensure that all pesticide applications result in the least harm to public health and the environment, including the application of the least-toxic pesticide, while effectively and expeditiously combating Pierce's Disease and its vectors.
- (d) The department shall review each Pierce's Disease Workplan submitted by a local public entity in light of the information provided pursuant to subparagraph (a) of this provision and work with the local entity to refine and update the work plan in accordance with subparagraph (a) of this provision. Treatment programs undertaken by the department and/or local public entities shall follow all applicable laws and regulations, and shall be conducted in an environmentally responsible manner while effectively and expeditiously combating Pierce's Disease and its vectors.

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8570-011-0112—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Agricultural Pest Control Research Account	5,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.	
8570-011-0191—For transfer by the State Controller from the Fair and Exposition Fund to the General Fund, for health benefits for retired employees of district agricultural associations.....	(246,000)
8570-012-0192—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Satellite Wagering Account	368,000
8570-101-0001—For local assistance, Department of Food and Agriculture.....	20,590,000
Schedule:	
(a) 11-Agricultural Plant and Animal, Pest and Disease Prevention.....	19,015,000
(b) 31-Assistance to Fairs and County Agricultural Activities.....	2,908,000
(c) Amount payable from the Fair and Exposition Fund (Item 8570-101-0191).....	-950,000
(d) Amount payable from the General Fund (Item 8570-111-0001).....	-383,000
Provisions:	
1. Of the funds appropriated in this item, \$75,000 from program 31 shall be allocated to the San Benito County Fair Board for repair of the roof and to paint the main exhibit hall.	
2. Of the funds appropriated in this item, \$1,500,000 from program 31 shall be allocated to the 50th Agriculture Fair District for the new fairgrounds exhibit hall.	
8570-101-0191—For local assistance, Department of Food and Agriculture, for payment to Item 8570-101-0001, payable from the Fair and Exposition Fund	950,000
Provisions:	
1. The funds appropriated in this item are for unemployment insurance at local fairs.	
2. The funds appropriated in this item are for the contributions, or the cost of benefits in lieu of contributions, payable from the Fair and Exposi-	

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tion Fund to the Unemployment Fund by all entities conducting fairs, including county, district, combined county and district, and citrus fruit fairs receiving funds pursuant to Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, as a result of unemployment insurance coverage pursuant to Section 605 of the Unemployment Insurance Code.	
8570-111-0001—For local assistance, Department of Food and Agriculture, for payment to Item 8570-101-0001	383,000
Provisions:	
1. The funds appropriated in this item are also available for compensation for services performed for agricultural departments and are to be expended in accordance with the provisions of Sections 2221 to 2224, inclusive, of the Food and Agricultural Code.	
8570-301-0001—For capital outlay, Department of Food and Agriculture.....	1,358,000
Schedule:	
(1) 90.18.001-Relocation: Yermo Agriculture Inspection Station—Working drawings.....	780,000
(2) 90.80.010-Relocation: Truckee Agriculture Inspection Station—Working drawings.....	380,000
(3) 90.90.010-Statewide: Minor Projects	198,000
8570-301-0042—For capital outlay, Department of Food and Agriculture, payable from the State Highway Account	578,000
Schedule:	
(1) 90.04.010-Relocation: Dorris Agriculture Inspection Station—Acquisition	425,000
(2) 90.80.010-Relocation: Truckee Agriculture Inspection Station—Working drawings.....	153,000
8570-401—For support of Department of Food and Agriculture: Notwithstanding any other provision of law, \$2,900,000 of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code shall be allocated to counties in a manner prescribed by the secretary for pest detection/trapping programs. These funds are intended to supplement funds available for pest	

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<p>detection/trapping in Item 8570-101-0001. As a condition of receiving these funds, counties shall not reduce their level of support from any other funds for pest detection/trapping programs. If a county declines to participate in a pest detection/ trapping program, or fails to conduct the program to the state's satisfaction, the secretary shall reduce, by the amount that would otherwise be allocated to the county, funds available pursuant to subdivision (c) of Section 224 and other state allocations from Item 8570-101-0001. These funds are hereby appropriated to the Department of Food and Agriculture Item 8570-001-0001 for purposes of operating the pest detection/trapping programs in the counties.</p>	
<p>8570-402—For local assistance, Department of Food and Agriculture: The remaining funds available pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code, after allocation in accordance with Item 8570-401 and Provisions 1 and 2 of Item 8570-001-0001, shall be apportioned to the counties as follows: In relation to each county's expenditures to the total amount expended by all counties for the preceding fiscal year for agricultural programs that are supervised by the department and for pesticide use enforcement programs supervised by the Department of Pesticide Regulation. This item shall not be effective if a later enacted statute amends subdivision (c) of Section 224 of the Food and Agricultural Code.</p>	
<p>8570-403—For Department of Food and Agriculture. Notwithstanding any other provision of law, 30 days prior to the Department of Food and Agriculture's entering into interim financing or long-term financing, including bond agreements, pursuant to Article 9 (commencing with Section 19590) of Chapter 4 of Division 8 of the Business and Professions Code, the department shall submit a report to the Chairperson of the Joint Legislative Budget Committee with copies to the Chairpersons of Senate Budget and Fiscal Review Subcommittee Number 2, Assembly Ways and Means Subcommittee Number 3, the Senate Select Committee on Fairs and Rural Issues, and the Subcommittee on Fairs and Expositions of the Assembly Committee on Agriculture. The report shall list: (a) proposed individual satellite wagering expansion projects at fairs, (b) costs for constructing, operating, and maintaining individual satellite wa-</p>	

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gering projects, (c) net revenue projections for individual satellite wagering projects, and (d) projected effect on net Satellite Wagering Account revenue resulting from individual satellite wagering projects and satellite wagering-related projects. Additional notification is not required for financing proposals unless refinancing will result in the expenditure of additional funds, in which case the report shall include the above-requested information relating only to the new debt. Reporting shall be required only for satellite wagering projects that are funded by interim financing or long-term financing, including bond agreements.	
8570-495—Reversion, Department of Food and Agriculture. The unencumbered balance as of June 30, 2000, of the appropriation provided in the following citation shall revert to the General Fund:	
0001—General Fund	
Item 8570-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(2) 90.80.010—Relocation: Truckee Agriculture Inspection Station—Working Drawings.	
8620-001-0001—For support of Fair Political Practices Commission	2,728,000
Schedule:	
(a) 10.10-Local enforcement	1,136,000
(b) 10.20-Legal, technical assistance and state enforcement	1,592,000
8640-001-0001—For support of Political Reform Act of 1974, the following sums are appropriated to, and in augmentation of, the following agencies and officers for the administration, investigation and regulation of political campaigns, officials, and lobbyists.....	2,251,000
Schedule:	
(1) 10-Secretary of State	733,000
For transfer by the State Controller to Item 0890-001-0001 as follows:	
(a) Personal Services ...	507,000
(b) Operating expenses and equipment	226,000
(2) 20-Franchise Tax Board.....	1,304,000
For transfer by the State Controller to Item 1730-001-0001 as follows:	
(c) 30-Political Reform Audit.....	1,304,000
(3) 30-Department of Justice.....	222,000

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For transfer by the State Controller to Item 0820-001-0001 as follows:	
(d) 40-Criminal Law ...	80,000
(e) 50-Law Enforcement.....	142,000
(4) 40-Fair Political Practices Commission	(3,360,000)
(5) Reimbursements.....	-8,000
For transfer by the State Controller to Item 0890-001-0001(d)	
Provisions:	
1. The Controller shall transfer funds as specified above, including any allocations made by the Department of Finance, on January 1, 2001.	
8660-001-0042—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the State Highway Account, State Transportation Fund.....	2,402,000
8660-001-0046—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Public Transportation Account, State Transportation Fund.....	2,217,000
8660-001-0412—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Transportation Rate Fund	1,719,000
8660-001-0461—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Public Utilities Commission Transportation Reimbursement Account.....	6,835,000
8660-001-0462—For support of Public Utilities Commission, payable from the Public Utilities Commission Utilities Reimbursement Account.....	59,186,000
Schedule:	
(a) 10-Regulation of Utilities	82,721,000
(b) 20-Regulation of Transportation.....	13,396,000
(c) 30.01-Administration	15,433,000
(d) 30.02-Distributed Administration ...	-15,433,000
(e) Reimbursements	-22,730,000
(f) Amount payable from the State Highway Account, State Transportation Fund (Item 8660-001-0042).	-2,402,000
(g) Amount payable from the Public Transportation Account, State Transportation Fund (Item 8660-001-0046).....	-2,217,000

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(h) Amount payable from the Transportation Rate Fund (Item 8660-001-0412).....	-1,719,000
(i) Amount payable from the Public Utilities Commission Transportation Reimbursement Account (Item 8660-001-0461)	-6,835,000
(j) Amount payable from the Federal Trust Fund (Item 8660-001-0890).	-1,028,000
Provisions:	
1. The Public Utilities Commission shall require any public utility requesting a merger to reimburse the commission for those necessary expenses that the commission incurs in its consideration of the proposed merger.	
2. In order to enhance electricity transmission and distribution system reliability, the commission and the California Independent System Operator shall complete their joint effort to develop and adopt outage protocols to ensure that, in the event of power outages, coordinated, systemwide investigations are undertaken in a manner that allows the commission and the California Independent System Operator to fulfill their respective responsibilities in a timely, effective, and efficient manner that promotes consistency and minimizes confusion and duplication of effort.	
3. The Public Utilities Commission may investigate issues associated with multiple qualified exchanges. If the commission determines that allowing electrical corporations to purchase from multiple qualified exchanges is in the public interest, the commission shall submit its findings and recommendations to the Legislature on June 1, 2001. Prior to June 1, 2001, the commission shall not implement the part of any decision authorizing electrical corporations to purchase from exchanges other than the Power Exchange (Section 355 of the Public Utilities Code). The portion of any decision adopted prior to the effective date of this provision, but after June 1, 2000, authorizing electrical corporations to purchase from multiple qualified exchanges shall not be implemented.	
8660-001-0890—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Federal Trust Fund	1,028,000

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8660-003-0412—For support of Public Utilities Commission payable from the Transportation Rate Fund, for rental payments on lease revenue bonds.....	151,000
Schedule:	
(a) Base Rental and Fees	150,000
(b) Insurance	1,000
8660-003-0461—For support of Public Utilities Commission, payable from the Public Utilities Commission Transportation Reimbursement Account for rental payments on lease revenue bonds	556,000
Schedule:	
(a) Base Rental Fees	552,000
(b) Insurance	4,000
8660-003-0462—For support of Public Utilities Commission, payable from the Public Utilities Commission Utilities Reimbursement Account for rental payments on lease revenue bonds	4,337,000
Schedule:	
(a) Base Rental and Fees	4,309,000
(b) Insurance	28,000
8690-001-0001—For support of Seismic Safety Commission.....	821,000
Schedule:	
(a) 10-Seismic Safety Commission.....	1,001,000
(b) Reimbursements	-75,000
(c) Amount payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 (Item 8690-011-0768).....	-105,000
8690-011-0001—For transfer by the Controller to the Earthquake Emergency Investigations Account	100,000
8690-011-0768—For support of Seismic Safety Commission, for payment to Item 8690-001-0001, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990.....	105,000
8700-001-0001—For support of Board of Control.....	1,341,000
Schedule:	
(a) 11-Citizens Indemnification	54,194,000
(b) 21-Disaster Relief Claim Program.....	19,000
(c) 31-Civil Claims Against the State ..	941,000
(d) 41-Citizens Benefiting the Public...	20,000
(e) 51.01-Administration	3,821,000
(f) 51.03-Executive Office	917,000
(g) 51.04-Revenue Recovery and Compliance Branch.....	5,895,000

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- (h) 51.02-Distributed Administration
Executive Office and Revenue Re-
covery and Compliance Branch-10,633,000
- (i) Reimbursements..... -19,000
- (j) Amount payable from the Restitu-
tion Fund (Item 8700-001-0214)...-35,748,000
- (k) Amount payable from the Federal
Trust Fund (Item 8700-001-
0890).....-18,046,000
- (l) Amount payable from the Restitu-
tion Fund (Item 8700-002-0214)... -20,000

Provisions:

1. The Board of Control shall not routinely notify all local agencies and school districts regarding its proceedings. However, for each of its meetings, the board shall notify all parties whose claims or proposals are scheduled for consideration and any party requesting notice of the proceedings.
2. Of the amount appropriated in this item \$400,000 shall be available to establish a Victim of Crime Recovery Center three-year pilot program with the University of California, San Francisco pursuant to an interagency agreement with the Board of Control and the University of California, San Francisco. These funds shall be used to reimburse the program for start-up expenses and evaluation costs. The Board of Control and San Francisco General Hospital shall conduct an evaluation of the program and report their findings to the Legislature no later than March 1, 2005.

8700-001-0214—For support of Board of Control, for support services pursuant to Chapter 5 (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code, for payment to Item 8700-001-0001, payable from the Restitution Fund 35,748,000

Provisions:

1. It is the intent of the Legislature that counties which contract with the Board of Control as part of joint powers agreements or criminal restitution compacts are reimbursed for their costs. Notwithstanding any other provision of law, the Department of Finance may authorize expenditure from the Restitution Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity is provided to the chairperson of the committee in each house of the

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Legislature that considers appropriations, the chairpersons of the committees and the appropriate subcommittees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee.	
2. Of the amount appropriated in this item, \$125,000 shall be available annually to provide the resources needed to support the Victims of Crime Recovery Center three-year pilot project.	
8700-001-0890—For support of the Board of Control, for payment to Item 8700-001-0001, payable from the Federal Trust Fund	18,046,000
8700-002-0214—For support of Board of Control, for support services pursuant to subdivision (e) of Section 13973 of the Government Code, for payment to Item 8700-001-0001, payable from the Restitution Fund	20,000
8700-101-0001—For local assistance, Board of Control, for reimbursement of special election costs pursuant to Chapter 1102 of the Statutes of 1996, as amended by Chapter 790 of the Statutes of 1999	1,104,000
Provisions:	
1. All expenses authorized and necessarily incurred in the preparation for and conduct of elections pursuant to Chapter 1102 of the Statutes of 1996, as amended by Chapter 790 of the Statutes of 1999, shall be reimbursed at a maximum rate of up to \$1.37 per registered voter or the actual amount claimed for nonconsolidated elections, whichever is less, and a maximum rate of up to \$0.66 per registered voter or the actual amount claimed for consolidated elections, whichever is less.	
2. The Board of Control may approve claims of counties in which fewer than 20,000 registered voters were eligible to participate in a special election in amounts greater than the maximums specified in Provision 1.	
8700-295-0001—For local assistance, Board of Control, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	0

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Schedule:	
(1) 98.01.112.377-Adult Felony Restitution (Ch. 1123, Stats. 1977).....	0
Provisions:	
1. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year:	
(a) Adult Felony Restitution (Chapter 1123 of the Statutes of 1977).	
8770-001-0462—For support of Electricity Oversight Board, payable from the Public Utilities Commission Utilities Reimbursement Account.....	1,800,000
Schedule:	
(a) 30-Administration.....	2,297,000
(b) Amount payable from the Energy Resources Programs Account (Item 8770-001-0465)	-497,000
8770-001-0465—For support of Electricity Oversight Board, for payment to Item 8770-001-0462, payable from the Energy Resources Programs Account	497,000
8780-001-0001—For support of Milton Marks “Little Hoover” Commission on California State Government Organization and Economy	714,000
Schedule:	
(a) 10-Milton Marks Commission on California State Government Organization and Economy.....	716,000
(b) Reimbursements.....	-2,000
8800-001-0001—For support of Memberships in Interstate Organizations, to be allocated by the State Controller	1,696,000
Schedule:	
(a) 10-Council of State Governments	393,000
(b) 20-National Conference of State Legislatures.....	410,000
(c) 30-Western States Legislative Forestry Task Force	22,000
(d) 35-Pacific Fisheries Legislative Task Force	22,000
(e) 50-State and Local Legal Center...	8,000
(f) 60-National Governors’ Association	151,000
(g) 80-Coastal States’ Organization.....	14,000

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(h) 90-Western Governors' Association	36,000
(i) 91-National Center for State Courts	351,000
(j) 92-Western Interstate Commission for Higher Education	88,000
(k) 93-Interstate Compact for Educa- tion	126,000
(l) 94-For the Sake of the Salmon	75,000
8820-001-0001—For support of Commission on the Sta- tus of Women	430,000
Schedule:	
(a) 10-Administration, Legislation, Re- search and Information.....	432,000
(b) Reimbursements	-2,000
8830-001-0001—For support of California Law Revision Commission	627,000
Schedule:	
(a) 10-Law Revision Commission	642,000
(b) Reimbursements	-15,000
8840-001-0001—For support of California Commission on Uniform State Laws.....	134,000
8855-001-0001—For support of Bureau of State Audits, for transfer to the State Audit Fund.....	11,075,000
Schedule:	
(a) 10-State Auditor	11,075,000
8860-001-0001—For support of Department of Finance	26,077,000
Schedule:	
(a) 10-Annual Financial Plan	16,550,000
(b) 20-Program and Information Sys- tem Assessments	6,726,000
(c) 30-Supportive Data.....	9,939,000
(d) 40.01-Administration.....	5,302,000
(e) 40.02-Distributed Administration ...	-4,827,000
(f) Reimbursements	-7,613,000
Provisions:	
1. The funds appropriated in this item for CAL- STARS shall be transferred by the Controller, upon order of the Department of Finance, or made available by the Department of Finance as a re- imbursement, to other items and departments for CALSTARS-related activities by the Department of Finance.	
2. The funds appropriated in this act for purposes of CALSTARS-related data-processing costs may be transferred between any items in this act by the Controller upon order of the Director of Finance. Any funds so transferred shall be used only for	

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support of CALSTARS-related data-processing costs incurred.	
8860-025-0001—For support of Department of Finance, Program 25—School Attendance Audit Contract.....	3,000,000
Provisions:	
1. The funds appropriated in this item are for a contract with the Controller’s office to perform audits of school attendance records.	
8885-001-0001—For support of Commission on State Mandates, Program 10	1,712,000
Provisions:	
1. The Commission on State Mandates shall provide, in applicable parameters and guidelines, as follows:	
(a) If a local agency or school district contracts with an independent contractor for the preparation and submission of reimbursement claims, the costs reimbursable by the state for that purpose shall not exceed the lesser of (1) 10 percent of the amount of the claims prepared and submitted by the independent contractor, or (2) the actual costs that necessarily would have been incurred for that purpose if performed by employees of the local agency or school district.	
(b) The maximum amount of reimbursement authorized by subdivision (a) may be exceeded only if the local agency or school district establishes, by appropriate documentation, that the preparation and submission of these claims could not have been accomplished without the incurring of the additional costs claimed by the local agency or school district.	
2. In the case where the commission receives one or more county applications for a finding of significant financial distress pursuant to Section 17000.6 of the Welfare and Institutions Code, and where the commission files a request under Section 27.00 of the Budget Act in order to carry out its duties with respect to those applications, then, notwithstanding the provisions of Section 17000.6 of the Welfare and Institutions Code, the time limit imposed on the commission to reach its preliminary and final decisions shall be tolled until such time as the commission has received spending authorization.	

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8910-001-0001—For support of Office of Administrative Law	2,286,000
Schedule:	
(a) 10-Regulatory Oversight.....	2,426,000
(b) Reimbursements.....	-140,000
8940-001-0001—For support of Military Department....	28,099,000
Schedule:	
(a) 10-Army National Guard.....	39,294,000
(b) 20-Air National Guard	13,364,000
(c) 30.01-Office of the Adjutant General.....	6,438,000
(d) 30.02-Distributed Office of the Adjutant General	-6,438,000
(e) 35-Military Support to Civil Authority	1,624,000
(f) 40-Military Retirement.....	2,888,000
(g) 50-California Cadet Corps	1,528,000
(h) 55-California State Military Reserve.....	220,000
(i) 65-California National Guard youth programs	6,404,000
(j) Reimbursements.....	-2,164,000
(k) Amount payable from the Armory Discretionary Improvement Account (Item 8940-001-0485).....	-150,000
(l) Amount payable from the Federal Trust Fund (Item 8940-001-0890)	-34,909,000
Provisions:	
1. No expenditures shall be made from the funds appropriated in this item as a substitution for personnel, equipment, facilities, or other assistance, or for any portion thereof, that, in the absence of the expenditure, or of this appropriation, would be available to the Adjutant General of the State Military Forces, the California National Guard, or the California National Guard Reserve from the federal government.	
2. The funds appropriated in Schedule (f) shall be for military retirements, in accordance with Sections 228 and 256 of the Military and Veterans Code.	
8940-001-0485—For support of Military Department, for payment to Item 8940-001-0001, payable from the Armory Discretionary Improvement Account.....	150,000

Item	Amount
Provisions:	
1. No expenditures shall be made from this appropriation until sufficient revenues or income from armories have been deposited into the State Treasury to the credit of the General Fund pursuant to subdivision (c) of Section 431 of the Military and Veterans Code.	
8940-001-0890—For support of Military Department, for payment to Item 8940-001-0001, payable from the Federal Trust Fund	34,909,000
8940-101-0001—For local assistance, Military Department.....	250,000
8940-301-0001—For capital outlay, Military Department.....	2,006,000
Schedule:	
(1.5) 70.10.100-Advanced Plans and Studies—Study and Construction..	125,000
(2.1) 70.68.070-CSLO: Modified Record Fire Range—Preliminary Plans	134,000
(2.2) 70.68.080-CSLO: Qualified Combat Pistol Range—Preliminary Plans	117,000
(3) 70.90.030-Statewide: Minor Projects.....	1,630,000
8940-301-0890—For capital outlay, Military Department, payable from the Federal Trust Fund	36,000
Schedule:	
(1.1) 70.10.100-Advanced Plans and Studies—Study and Construction..	36,000
8940-490—Reappropriation—Military Department. The balance of the appropriations in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for by the appropriations.	
0001—General Fund	
Item 8940-301-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)	
(1) 70.10.010-Statewide—Project planning, working drawings, and supervision of construction.	
(3) 70.80.010-Bakersfield—Union Armory: Acquisition and environmental study.	
8955-001-0001—For support of Department of Veterans Affairs.....	2,573,000
Schedule:	
(a) 10-Farm and Home Loans to Veterans	1,296,000

Item	Amount
(b) 20-Veterans Claims and Rights	1,506,000
(c) 30-Care of Sick and Disabled Veterans.....	1,408,000
(d) 50.01-General Administration	2,838,000
(e) 50.02-Distributed General Administration.....	-2,838,000
(f) Reimbursements	-316,000
(g) Amount payable from the Veterans Service Office Fund (Item 8955-001-0083)	-25,000
(h) Amount payable from the Veterans' Farm and Home Building Fund of 1943 (Item 8955-001-0592).....	-1,296,000
Provisions:	
1. The amounts appropriated in this item and Item 8960-011-0001 (Yountville Home), Item 8965-001-0001 (Barstow Home), and Item 8966-001-0001 (Chula Vista Home) include full-year funding to support 129.3 new positions for the Department of Veterans Affairs. On June 30, 2001, those funds not utilized to support these new positions due to position vacancies shall revert to the General Fund. The department shall fill all vacant registered nurse, licensed vocation nurse, and certified nursing assistant positions that exist at each veterans' home on June 30, 2000, before filling any new equivalent positions at each home. The department shall submit reports to the Joint Legislative Budget Committee and the Legislature's fiscal committees on January 15, 2001, and July 15, 2001, on the amounts of money expended to support the 129.3 new positions and any funds reverted to the General Fund as a consequence of this Provision 1.	
8955-001-0083—For support of Department of Veterans Affairs, for payment to Item 8955-001-0001, payable from the Veterans Service Office Fund	25,000
8955-001-0592—For support of Department of Veterans Affairs, for payment to Item 8955-001-0001, payable from the Veterans' Farm and Home Building Fund of 1943.....	1,296,000
8955-101-0001—For local assistance, Department of Veterans Affairs, for contribution to counties toward compensation and expenses of county veteran services offices, to be expended in accordance with Section 972 and following of the Military and Veterans Code	2,350,000

Item	Amount
Schedule:	
(a) 20-Veterans Claims and Rights	3,188,000
(b) Reimbursements	-838,000
8955-101-0083—For local assistance, Department of Veterans Affairs, county veteran services offices, payable from the Veterans Service Office Fund	314,000
8955-102-0001—For local assistance, Department of Veterans Affairs	545,000
Schedule:	
(b) Santa Clarita Historical Veterans Memorial	250,000
(c) City of Shafter Chamber of Commerce	20,000
(d) American Merchant Marines Memorial	100,000
(e) Veterans Charities of Orange County	175,000
8960-011-0001—For support of Veterans’ Home of California—Yountville	35,469,000
Schedule:	
(a) 30-Care of Sick and Disabled Veterans	67,786,000
(b) Reimbursements	-21,290,000
(c) Amount payable from the Federal Trust Fund (Item 8960-011-0890)	-11,027,000
Provisions:	
1. A loan from the General Fund, in an amount not to exceed the level of reimbursements appropriated in Schedule (b) of this item, shall be made available to the Veterans’ Home of California by the Controller to meet cash needs resulting from the delay in receipt of federal funds or reimbursements for medical services provided. The loan is short term, and shall be repaid within six months. Interest charges shall be waived pursuant to subdivision (e) of Section 16314 of the Government Code.	
2. Any loan authorized pursuant to this item shall require approval by the Department of Finance. Provisions 2, 3, and 4 of Item 9840-011-0001 shall also apply to any loan authorized pursuant to this item.	
3. Of the funds appropriated in Schedule (a), the amount of \$500,000 is available for special projects that provide a direct benefit to the members of the Veterans’ Home of California at	

Item	Amount
<p>Yountville, including the maintenance of facilities used by members and the public. The Allied Council at the Veterans' Home of California may submit special project requests to the administrator for consideration. After consultation with the Allied Council, a budget for expenditure of these funds shall be approved by the administrator, and the Secretary of Veterans Affairs.</p> <p>4. Provision 1 of Item 8955-001-0001 applies to this item.</p> <p>5. The Department of Veterans' Affairs shall report to the fiscal and policy committees of the Legislature by January 1, 2001, on the status of the staff, including all classifications needed for the provision of quality dietary and food services at the Veterans' Home of California at Yountville.</p>	
8960-011-0890—For support of Veterans' Home of California—Yountville, for payment to Item 8960-011-0001, payable from the Federal Trust Fund.....	11,027,000
8960-301-0001—For capital outlay, Veterans' Home of California—Yountville	4,410,000
Schedule:	
(.5) 80.20.115-Correct Code Deficiencies in Section L—Construction ...	2,994,000
(1) 80.20.271-Lincoln Theater Renovation—Preliminary plans, working drawings, and construction.....	10,390,000
(1.2) 80.20.280-Veterans Home Cemetery Restoration—Preliminary plans.....	62,000
(1.6) 80.20.295-Hospital Emergency Notification System—Preliminary plans, working drawings, and construction	764,000
(2) Reimbursements	-9,800,000
Provisions:	
1. The Department of Veterans Affairs shall make available to the fiscal and policy committees of the Legislature a comprehensive plan and design of the Veterans' Home Cemetery Restoration project, including architectural renderings of the proposed kiosk, toilet, and maintenance facilities by January 15, 2001.	
8960-301-0701—For capital outlay, Veterans' Home of California—Yountville payable from the Veterans' Home Fund	0

Item	Amount
Provisions:	
1. The Department of Veterans Affairs shall complete a report of a capital outlay plan for a comprehensive renovation of the Veterans' Home at Yountville as mandated by the Veterans' Home Bond Act of 2000. This report shall include plans to render the Veterans' Home at Yountville accessible to persons with disabilities in compliance with the Americans with Disabilities Act. The department shall provide copies of the report to the fiscal and policy committees of the Legislature by January 1, 2001.	
8960-301-0768—For capital outlay, Veterans' Home of California-Yountville, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990.....	656,000
Schedule:	
(1) 80.20.271-Lincoln Theater Renovation—Preliminary plans, working drawings, and construction	656,000
8965-001-0001—For support of the Veterans' Home of California—Barstow	12,413,000
Schedule:	
(a) 30-Care of Sick and Disabled Veterans	20,903,000
(b) Reimbursements	-5,001,000
(c) Amount payable from the Federal Trust Fund (Item 8965-001-0890) ..	-3,489,000
Provisions:	
1. A General Fund loan, in an amount not to exceed the level of reimbursements appropriated in Schedule (b) of this item, shall be made available to the Veterans' Home of California by the Controller to meet cash needs resulting from the delay in receipt of federal funds or reimbursements for medical services provided. The loan is short term, and shall be repaid within six months. Interest charges shall be waived pursuant to subdivision (e) of Section 16314 of the Government Code.	
2. Any loan authorized pursuant to this item shall require approval by the Department of Finance. Provisions 2, 3, and 4 of Item 9840-011-0001 shall also apply to any loan authorized pursuant to this item.	
3. Provision 1 of Item 8955-001-0001 applies to this item.	

Item	Amount
4. The Department of Veterans Affairs shall provide the fiscal and policy committees of the Legislature by January 15, 2001, an overall comprehensive plan and design description of the pilot program. The Department of Veterans Affairs shall, in conjunction with the Department of Alcohol and Drug Programs and the Department of Health Services, evaluate program effectiveness, documented need, and workload justification, of the Behavior Management and Maintenance Pilot Program at the Veterans Home of California-Barstow. The department shall provide copies of the evaluation to the fiscal and policy committees of the Legislature by April 1, 2001.	
8965-001-0890—For support of the Veterans’ Home of California—Barstow, for payment to Item 8965-001-0001, payable from the Federal Trust Fund	3,489,000
8965-003-0001—For support of the Veterans’ Home of California—Barstow for rental payments on lease revenue bonds	1,078,000
Schedule:	
(a) Base rental and fees	1,127,000
(b) Insurance	50,000
(c) Reimbursements	-99,000
8965-301-0001—For capital outlay, Veterans’ Home of California-Barstow.....	254,000
Schedule:	
(1) 80.30.100-Modified Assisted Living Space—Preliminary plans, working drawings, and construction.....	254,000
(2) 80.30.045-Minor Projects	127,000
(3) Reimbursements	-127,000
8966-001-0001—For support of the Veterans’ Home of California—Chula Vista	10,380,000
Schedule:	
(a) 30-Care of Sick and Disabled Veterans.....	17,793,000
(b) Reimbursements.....	-3,956,000
(c) Amount payable from the Federal Trust Fund (Item 8966-001-0890). ..	-3,457,000
Provisions:	
1. A General Fund loan, in an amount not to exceed the level of reimbursements appropriated in Schedule (b) of this item, shall be made available to the Veterans’ Home of California by the Controller to meet cash needs resulting from the delay	

Item	Amount
<p>in receipt of federal funds or reimbursements for medical services provided. The loan is short term, and shall be repaid within six months. Interest charges shall be waived pursuant to subdivision (e) of Section 16314 of the Government Code.</p> <p>2. Any loan authorized pursuant to this item shall require approval by the Department of Finance. Provisions 2, 3, and 4 of Item 9840-011-0001 shall also apply to any loan authorized pursuant to this item.</p> <p>3. Provision 1 of Item 8955-001-0001 applies to this item.</p>	
8966-001-0890—For support of the Veterans’ Home of California—Chula Vista, for payment to Item 8966-001-0001, payable from the Federal Trust Fund.....	3,457,000
8966-003-0001—For support of the Veterans’ Home of California—Chula Vista for rental payments on lease revenue bonds	466,000
Schedule:	
(a) Base rental and fees	434,000
(b) Insurance	32,000
9100-101-0001—For local assistance, Tax Relief.....	721,104,000
Schedule:	
(a) 10-Senior Citizens’ Property Tax Assistance.....	56,438,000
(b) 20-Senior Citizens’ Property Tax Deferral Program	17,510,000
(c) 30-Senior Citizen Renters’ Tax Assistance.....	200,462,000
(d) 50-Homeowners’ Property Tax Relief.....	408,750,000
(e) 60-Subventions for Open Space	37,900,000
(f) 90-Substandard Housing	44,000
Provisions:	
1. Schedule (a) is for property tax assistance to homeowner claimants in accordance with the Senior Citizens Property Tax Assistance and Postponement Law, as set forth in Part 10.5 (commencing with Section 20501) of Division 2 of the Revenue and Taxation Code.	
Any unexpended balance in Schedule (a) may be used to make payments to senior citizen renter claimants under Schedule (c).	
2. Schedule (b) is for property tax postponement and assistance to claimants in accordance with the Senior Citizens Property Tax Assistance and Postponement Law, as set forth in Part 10.5 (com-	

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mencing with Section 20501) of Division 2 of the Revenue and Taxation Code. The appropriation made by this schedule shall be in lieu of the appropriation for the same purpose contained in Section 16100 of the Government Code.

3. Schedule (c) is for property tax assistance to renter claimants in accordance with the Senior Citizens Property Tax Assistance and Postponement Law, as set forth in Part 10.5 (commencing with Section 20501) of Division 2 of the Revenue and Taxation Code.

Any unexpended balance in Schedule (c) may be used to make payments to senior citizen homeowner claimants under Schedule (a).

4. Schedule (d) is for reimbursement to local taxing authorities for revenue lost by reason of the homeowners' property tax exemption granted pursuant to subdivision (k) of Section 3 of Article XIII of the California Constitution. The appropriation made by this schedule shall be in lieu of the appropriation required pursuant to Section 25 of Article XIII of the California Constitution and the appropriation for the same purposes contained in Section 16100 or 16120 of the Government Code.
5. Schedule (e) is for providing reimbursement to local taxing authorities for revenue lost by reason of the assessment of open-space lands under Sections 423, 423.3, 423.4, and 423.5 of the Revenue and Taxation Code, and in accordance with Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code. The appropriation made by this schedule shall be in lieu of the appropriation for the same purpose contained in Section 16100 or 16140 of the Government Code.
6. Schedule (f) is for transfer by the Controller to the Local Agency Code Enforcement and Rehabilitation Fund, for the purpose of providing funds to defray costs incurred in the enforcement of local housing code provisions and to fund housing rehabilitation programs for persons and families of low and moderate income, as defined in Section 50093 of the Health and Safety Code, to be allocated to local agencies, prorated on the basis of their share of disallowed deductions that resulted from the agencies' proceedings. Notwithstanding

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Section 27 of this act, the Director of the Department of Finance, upon notification by the Franchise Tax Board, may revise the estimated appropriation of substandard housing abatement revenues to reflect the actual revenues received in 1999–00 pursuant to Sections 17299 and 24436.5 of the Revenue and Taxation Code.

This amount is in lieu of any statutory requirement.

9100-102-0001—For local assistance, Tax Relief..... 1,700,000,000
Provisions:

- 1. The funds appropriated in this item shall be available for providing a one-time sales tax rebate, with allocation to be determined in subsequent legislation.

9100-295-0001—For local assistance, Tax Relief, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller..... 1,007,000

Schedule:

- (1) 98.01.124.277-Senior Citizens’ Property Tax Deferral Program (Ch. 1242, Stats. 1977) 277,000
- (2) 98.01.092.187-Countywide Tax Rates (Ch. 921, Stats. 1987)..... 368,000
- (3) 98.01.069.792-Allocation of Property Tax Revenue (Ch. 697, Stats. 1992)..... 362,000
- (4) 98.01.105.183-Senior Citizen’s Mobilehome Property Tax Deferral (Ch. 1051, Stats. 1983) 0
- (5) 98.01.004.887-Property Tax-Family Transfers (Ch. 48, Stats. 1987)..... 0

Provisions:

- 1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjust-

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ments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.

- 2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.
- 3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2000–01 fiscal year:
 - (a) Senior Citizen’s Mobilehome Property Tax Deferral (Ch. 1051, Stats. 1983)
 - (b) Property Tax-Family Transfers (Ch. 48, Stats. 1987)

9210-103-0001—For local assistance, Local Government Financing. For assistance to redevelopment agencies, to be allocated by the State Controller..... Provisions:

1,600,000

- 1. The appropriation made in this item shall be in lieu of any appropriation required pursuant to Chapter 1.5 (commencing with Section 16110) of Part 1 of Division 4 of Title 2 of the Government Code.
- 2. The Controller shall allocate funds appropriated in this item to redevelopment agencies that have pledged, pursuant to bond instruments and supporting documents, special supplemental subventions as security for payment of the principal and interest on bonds, and have demonstrated that gross tax increment revenues allocated to them in the 1999–00 fiscal year (as reported for inclusion in the Controller’s “Annual Report of Financial Transactions Concerning Community Redevelop-

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ment Agencies of California, Fiscal Year 1999–00”), less housing set-aside amounts not available for debt service, and less any reserve requirement deficiency existing as of December 31, 2000, would be insufficient to cover their maximum annual debt service requirements on bonds to which special supplemental subventions have been pledged. The amount allocated to any redevelopment agency shall not exceed the lesser of: (a) the amount that the redevelopment agency would otherwise be entitled to receive pursuant to paragraph (3) of subdivision (c) of Section 16111 of the Government Code, or (b) the amount required by the redevelopment agency to cover its maximum annual debt service requirements on bonds to which special supplemental subventions have been pledged, plus any reserve requirement deficiency existing as of December 31, 2000, less the amount of gross tax increment revenues allocated to it in the 1999–00 fiscal year, less housing set-aside amounts not available for debt service.

3. If the allocation required pursuant to Provision 2 would exceed the amount of the appropriation in this item, the Controller shall prorate the allocation to those redevelopment agencies that meet the requirements of Provision 2.
4. Notwithstanding Section 2.00 of this act, the Controller shall allocate up to 50 percent of the appropriation in this item on or before December 31, 2000, and up to the remaining amount of the appropriation in this item on or before July 31, 2001. Expenditure of the amount to be allocated on July 31, 2001, shall be accounted by the Controller as an expenditure of the 2001–02 fiscal year.

9210-104-0001—For local assistance, Local Government Financing, local public safety services..... 12,150,000
 Provisions:

1. The funds appropriated in this item are for the following:
 - (a) City of San Diego—Point Loma Fire Station #22, new apparatus bay and remodeling 750,000
 - (b) Orange County—Orange County Coroner..... 10,000,000

Item	Amount
(c) Imperial County—Consolidation of fire department, sheriff’s office and the Heber Utility District	400,000
(d) City of Belmont—Renovation and rehabilitation of the Belmont police station	1,000,000
9210-105-0001—For local assistance, Local Government Financing, Local Services	4,898,167
Provisions:	
1. The funds appropriated in this item are for the following:	
(a) City of Santa Ana—Santa Ana Zoo Commissary	40,000
(b) City of Antioch—Capital improvements	282,167
(c) City of Rialto—Imaging system.	65,000
(d) San Bernardino County Registrar of Voters—Creation of remote early voting sites.....	100,000
(e) Santa Barbara County—Expand Cascade La Raza Family Service Center	100,000
(f) Mendocino County—Mobile spay/neuter, disaster preparedness, and pet adoption van	100,000
(g) Marin County—Construction of a permanent detoxification facility	250,000
(h) San Joaquin County—Mary Graham Children’s Complex for abused children	2,650,000
(i) City of Downey—Animal shelter renovation for the Southeast Area Animal Control Agency	561,000
(j) City of Avalon—Purchase of storm water diverters	300,000
(k) City of Azusa—Fund an economic impact study on traffic change.....	200,000
(l) City of Santa Clarita—Diapers recycling facility	250,000
9210-106-0001—For local assistance, Local Government Financing, law enforcement grants	75,000,000
Provisions:	
1. The funds appropriated in this item for allocation by the State Controller are intended to be for one-	

Item	Amount
time grants to local law enforcement agencies for purchase of high-technology equipment.	
2. Of the amount appropriated in this item, the State Controller shall allocate a minimum grant of \$100,000 to each city police chief, county sheriff, and to the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District and the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, and the Kensington Police Protection and Community Services District within Contra Costa County.	
3. The balance of any remaining funds shall be allocated to county sheriffs and city police chiefs in accordance with the proportionate share of the state's total population that resides in each county, city, and city and county, as determined on the basis of the most recent January population estimate developed by the Department of Finance.	
9210-110-0001—For local assistance, Local Government Financing	147,000
Provisions:	
1. The funds appropriated in this item are for allocation by the Controller, by October 1, 2000, to counties that do not contain incorporated cities. The allocation to the affected counties shall be made in proportion to the population of those counties as of January 1, 2000.	
9210-295-0001—For local assistance, Local Government Financing, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller	6,072,000
Schedule:	
(1) 98.01.048.675-Test Claims and Reimbursement Claims (Ch. 486, Stats. 1975).....	3,023,000
(2) 98.01.064.186-Open Meetings Act Notices (Ch. 641, Stats. 1986).....	2,896,000
(3) 98.01.084.578-Filipino Employee Surveys (Ch. 845, Stats. 1978)	0
(4) 98.01.088.981-Lis Pendens (Ch. 889, Stats. 1981).....	0

Item	Amount
(5) 98.01.098.084-Proration of Fines and Court Audits (Ch. 980, Stats. 1984).....	0
(6) 98.01.099.991-Rape Victim Counseling Ctr. Notices (Ch. 999, Stats. 1991).....	153,000
(7) 98.01.128.180-Involuntary Lien Notices (Ch. 1281, Stats. 1980).....	0
(8) 98.01.160.984-Domestic Violence Information (Ch. 1609, Stats. 1984).....	0
(9) 98.01.133.487-CPR Pocket Masks (Ch. 1334, Stats. 1987).....	0

Provisions:

1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.
3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of \$0 and included in the language of this provision are

Item	Amount
<ul style="list-style-type: none"> specifically identified by the Legislature for suspension during the 2000–01 fiscal year: <ul style="list-style-type: none"> (a) Filipino Employee Surveys (Ch. 845, Stats. 1978) (b) Lis Pendens (Ch. 889, Stats. 1981) (c) Proration of Fines and Court Audits (Ch. 980, Stats. 1984) (d) Involuntary Lien Notices (Ch. 1281, Stats. 1980) (e) Domestic Violence Information (Ch. 1609, Stats. 1984) (f) CPR Pocket Masks (Chapter 1334, Stats. 1987) 	
9620-001-0001—For Payment of Interest on General Fund loans, upon order of the Director of Finance, for any General Fund loan	14,100,000
Provisions:	
<ul style="list-style-type: none"> 1. The Director of Finance, the Controller, and the State Treasurer shall satisfy any need of the General Fund for borrowed funds in a manner consistent with the Legislature’s objective of conducting General Fund borrowing in a manner that best meets the state’s interest. The state fiscal officers may, among other factors, take into consideration the costs of external versus internal borrowings and potential impact on other borrowings of the state. 2. In the event that interest expenses related to internal borrowing exceed the amount appropriated by this item, there is hereby appropriated any amounts necessary to pay the interest. Funds appropriated by this item shall not be expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee of the amount(s) necessary or not sooner than such lesser time as the Chairperson of the Joint Legislative Budget Committee may determine. 	
9625-001-0001—For Interest Payments to the Federal Government arising from the federal Cash Management Improvement Act of 1990	15,200,000
Provisions:	
<ul style="list-style-type: none"> 1. Expenditures from the funds appropriated by this item shall be made by the Controller, subject to the approval of the Department of Finance, and shall be charged to the fiscal year in which the disbursement is issued. 	

Item	Amount
<p>2. In the event that expenditures for interest payments to the federal government arising from the federal Cash Management Improvement Act of 1990 exceed the amount appropriated by this item, the Director of Finance may allocate an additional amount not to exceed \$10,000,000 over the amount appropriated by this item. This allocation shall be made no sooner than 30 days after notification to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the fiscal committees in each house.</p>	
<p>9625-001-0042—For Interest Payment to the Federal Government arising from the Cash Management Improvement Act of 1990, payable from the State Highway Account, State Transportation Fund.....</p>	500,000
<p>Provisions:</p>	
<p>1. Provision 1 of Item 9625-001-0001 also applies to this item.</p>	
<p>2. In the event that expenditures for interest payments to the federal government arising from the Cash Management Improvement Act of 1990 exceed the amount appropriated by this item, the Director of Finance may allocate an additional amount not to exceed \$1,000,000 over the amount appropriated by this item. This allocation shall be made no sooner than 30 days after notification to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the fiscal committees in each house.</p>	
<p>9625-001-0494—For Interest Payments to the Federal Government arising from the Cash Management Improvement Act of 1990, payable from the appropriate special fund.....</p>	1,000
<p>Provisions:</p>	
<p>1. Provision 1 of Item 9625-001-0001 and Provision 2 of Item 9625-001-0042 also apply to this item.</p>	
<p>9625-001-0988—For interest payments to the Federal Government arising from the Cash Management Improvement Act of 1990, payable from the appropriate nongovernmental cost fund</p>	1,000
<p>Provisions:</p>	
<p>1. Provision 1 of Item 9625-001-0001 and Provision 2 of Item 9625-001-0042 also apply to this item.</p>	
<p>9650-001-0001—For support of Health and Dental Benefits for Annuitants. For the state’s contribution for the cost of a health benefits plan and dental care premiums, for annuitants and other employees, in ac-</p>	

Item			Amount
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	cordance with Sections 22825.7, 22828, 22829, and 22952 of the Government Code, which cost is not chargeable to any other appropriation.....		386,904,000
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Schedule:

(a) Health benefit premiums.....345,799,000

(b) Dental care premiums 41,105,000

Provisions:

1. The maximum transfer amounts specified in subdivision (b) of Section 26.00 of this act do not apply to this item.
2. Notwithstanding Section 22819 of the Government Code or any other provision of law, annuitants and their family members who were employed by the California State University, and who become eligible for Part A and Part B of Medicare during the 1999–00 fiscal year, shall not be enrolled in a basic health benefits plan during the 1999–00 fiscal year. If the annuitant or family member is enrolled in Part A and Part B of Medicare, he or she may enroll in a supplement to the Medicare plan. This provision does not apply to employees and family members who are specifically excluded from enrollment in a supplement to the Medicare plan by federal law or regulation.
3. The maximum monthly contribution for an annuitant’s health benefits plan shall be \$181 for a single enrollee, \$344 for an enrollee and one dependent, and \$441 for an enrollee and two or more dependents.

9670-001-0001—	For equity claims before the State Board of Control and for settlements and judgments in cases in which the state is represented by the Department of Justice for the administration and payment of tort liability claims, settlements, compromises and judgments against the state, its officers, servants and employees of state agencies, departments, boards, bureaus or commissions supported from the General Fund, for expenditure by the Department of Justice, subject to approval of the Department of Finance in its discretion		1,000
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Provisions:

1. In the event that expenditures for purposes of Item 9670-001-0001 exceed the amount appropriated in this item, the Director of Finance may allocate sufficient amounts, not to exceed \$1,200,000, from the Special Fund for Economic Uncertainties to this item.

Item	Amount
<ol style="list-style-type: none"> 2. There is hereby appropriated from each fund, other than the General Fund, an amount sufficient for payment of tort liability claims, settlements, compromises, and judgments against the state, its officers, servants and employees of state agencies, departments, boards, bureaus, or commissions arising from activities supported from that fund. No expenditure from any appropriation from a fund other than the General Fund for payment of tort liability claims, settlements, compromises, and judgments shall be made unless approved by the Department of Finance in its discretion. 3. Expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the State Controller. 4. Payment under this item is limited in amount to claims, settlements, compromises, and judgments which do not exceed \$70,000, exclusive of interest, and no payment from this item exceeding that amount shall be approved by the Department of Finance or made by the Department of Justice. 5. No payment shall be approved by the Department of Finance or made by the Department of Justice from this item except in full and final satisfaction of the claim, settlement, compromise, or judgment upon which the payment is based. 6. Funding for the payment of tort liability claims, settlements, compromises, and judgments which require the approval of the Director of Finance shall first be considered from within the affected agency, department, board, bureau, or commission's existing budgeted resources. Payment pursuant to this item (from the General Fund or funds other than the General Fund) shall be made only after the affected agency, department, board, bureau, or commission has demonstrated to the Department of Finance that insufficient funds are available for payment of all or a portion of the claim. <p>9670-401—For maintenance of accounting records by the State Controller's office or any other agency maintaining these records, appropriations made in this act for Organization Code 9670 (Equity Claims of Board of Control and Settlements and Judgments by Department of Justice) are to be recorded under Organization Code 9671 (Equity Claims of Board of</p>	

Item	Amount
Control) and Organization Code 9672 (Settlements and Judgments by Department of Justice).	
9800-001-0001—For Augmentation for Employee Compensation.....	26,054,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to the General Fund, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.	
3. It is the intent that funds available in this item shall be available to address salary compaction issues within the Department of Corrections.	
9800-001-0494—For Augmentation for Employee Compensation, payable from other unallocated special funds.....	15,194,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to special funds, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining in accordance with salary and benefit schedules es-	

Item	Amount
tablished by the Department of Personnel Administration.	
9800-001-0988—For Augmentation for Employee Compensation, payable from other unallocated nongovernmental cost funds.....	7,641,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to nongovernmental cost funds, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations for support, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining in accordance with salary and benefit schedules established by the Department of Personnel Administration.	
9800-003-0001—For Augmentation for Employee Compensation, Information Technology	3,946,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to the General Fund, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.	

Item	Amount
9800-003-0494—For Augmentation for Employee Compensation, Information Technology, payable from other unallocated special funds	4,586,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, for which compensation or a portion thereof is chargeable to special funds, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.	
9800-003-0988—For Augmentation for Employee Compensation, Information Technology, payable from other unallocated nongovernmental cost funds.....	2,579,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to nongovernmental cost funds, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations for support, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining in accordance with salary and benefit schedules established by the Department of Personnel Administration.	
9840-001-0001—For Augmentation for Contingencies or Emergencies	2,000,000

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Amount

Provisions:

1. The funds appropriated for the augmentation for contingencies or emergencies are to be expended only on written authorization of the Department of Finance for contingencies or emergencies.
2. Contingencies, within the meaning of these funds, are defined as proposed expenditures arising from unexpected conditions or losses for which no appropriation, or insufficient appropriation, has been made by law and which, in the judgment of the Director of Finance, constitute cases of actual necessity. Emergencies, within the meaning of this item, are defined as expenditures incurred in response to conditions of disaster or extreme peril which threaten the health or safety of persons or property within the state.
3. Emergency and contingency expenditure authorizations and deficiency expenditure authorizations shall be limited to purposes which have been specifically approved by the Legislature in Budget Acts or other legislation, except that not more than \$500,000 of each fund may be expended for purposes for which no such specific prior authorizations exist.
4. Authorizations for expenditures or deficiency expenditures arising from a contingency shall become effective no sooner than 30 days after notification in writing to the Joint Legislative Budget Committee, or no sooner than such lesser time as the committee, or its designee, may in each instance determine.
5. For expenditure authorizations or deficiency expenditure authorizations arising from an emergency, the Director of Finance shall file with the Joint Legislative Budget Committee, within 10 days after approval, copies of all executive orders for emergency-related encumbrance or expenditure authorizations, stating the reasons for, and the amount of, all such authorizations, except that any emergency augmentation from this item to any program in excess of 10 percent of the amount authorized for expenditure in the 2000–01 fiscal year for such program shall become effective no sooner than 30 days after notification in writing to the Joint Legislative Budget Committee or no sooner than such lesser time as the committee, or its designee, may in each instance determine, ex-

Item	Amount
<p>cept that no such limit shall apply if the Director of Finance states in writing to the Chairperson of the Joint Legislative Budget Committee the necessity and urgency for the allocation which, in the judgment of the director, makes prior approval impractical.</p> <p>6. For purposes for which the Governor previously vetoed funding, allocation of funds or authorization for deficiency expenditures shall not be made under the emergency provisions.</p>	
<p>9840-001-0494—For Augmentation for Contingencies or Emergencies, payable from unallocated special funds.....</p>	1,500,000
<p>Provisions:</p> <p>1. Provisions 1, 2, 3, 4, 5, and 6 of Item 9840-001-0001 also apply to this item.</p> <p>2. For the Augmentation for Contingencies or Emergencies, payable from special funds, there are appropriated from each special fund sums necessary to meet contingencies or emergencies, to be expended only on written authorization of the Director of Finance. No deficiencies shall be authorized by the Director of Finance in any appropriation of money from special funds made by this act for the 2000–01 fiscal year under the provisions of Section 11006 of the Government Code. Accounts, special accounts, and funds in the General Fund, that are treated as other governmental cost funds for accounting and budgeting purposes in accordance with Section 13303 of the Government Code, shall be considered to be special funds within the meaning of this item.</p>	
<p>9840-001-0988—For Augmentation for Contingencies or Emergencies, payable from unallocated nongovernmental cost funds</p>	1,500,000
<p>Provisions:</p> <p>1. Provisions 1, 2, 3, 4, 5, and 6 of Item 9840-001-0001 also apply to this item.</p> <p>2. For Reserve for Contingencies or Emergencies, payable from nongovernmental cost funds, there is appropriated from each nongovernmental cost fund that is subject to control or limited by this act, sums necessary to meet contingencies or emergencies, to be expended only on written authorization of the Director of Finance. No deficiencies shall be authorized by the Director of Finance in any appropriation of money from</p>	

Item		Amount
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nongovernmental cost funds made by this act for the 2000–01 fiscal year under the provisions of Section 11006 of the Government Code.

9840-011-0001—	For Augmentation for Contingencies or Emergencies (Loans)	(2,500,000)
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Provisions:

1. This appropriation is for loans that may be made to state agencies which derive their support from the General Fund or from sources other than the General Fund, upon terms and conditions for repayment as may be prescribed by the Department of Finance. Any sum so loaned shall, if ordered by the Department of Finance, be transferred by the State Controller to the fund from which the support of the agency is derived.
2. No loan shall be made which requires repayment from a future legislative appropriation.
3. Authorizations for loans shall become effective no sooner than 30 days after notification in writing to the Joint Legislative Budget Committee, or no sooner than a lesser time which the committee, or its designee, may in each instance determine, except that this limit shall not apply if the Director of Finance states in writing to the Chairperson of the Joint Legislative Budget Committee the necessity and urgency for the loan which, in the judgment of the director, makes prior approval impractical.
4. Within 10 days after approval, the Director of Finance shall file with the Joint Legislative Budget Committee copies of all executive orders for loans stating the reasons for, and the amount of, all of these authorizations.

9840-490—Reappropriation, Augmentation for Contingencies or Emergencies. As of June 30, 2000, the balances of the appropriations made by Items 9840-001-0001, 9840-001-0494 and 9840-001-0988, Budget Act of 1999, shall revert to the unappropriated surplus of the General Fund, special funds, and nongovernmental cost funds, respectively.

As of July 1, 2000, the amounts reverted as of June 30, 2000, for Items 9840-001-0001, 9840-001-0494 and 9840-001-0988, Budget Act of 1999, are reappropriated and shall be available until June 30, 2001, and may be expended on written authorization of the Department of Finance issued on or before said date, for contingencies and emergencies, within the

Item	Amount
<p>meaning of those items, occurring during the 1999–00 fiscal year.</p> <p>9860-301-0001—For Unallocated Capital Outlay (10.10.010).....</p>	2,000,000
<p>Provisions:</p> <p>1. The funds appropriated in this item are to be allocated by the Department of Finance to state agencies to develop design and cost information for new projects for which funds have not been appropriated previously, but which are anticipated to be included in the 2001–02 or 2002–03 Governor’s Budget or 2002–03 five-year capital outlay plans. The amount appropriated in this item shall not be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future fiscal year.</p>	
<p>9905-001-0001—For allocation by Department of Finance for projects awarded by the Information Technology Innovation Council in support of information technology innovation activities for state entities</p>	10,000,000
<p>Provisions:</p> <p>5. An allocation by the Department of Finance shall be made not sooner than 30 days after written notification thereof is provided to the Chairperson of the Senate Committee on Budget and Fiscal Review, the Chairperson of the Assembly Budget Committee and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairman of the Joint Legislative Budget Committee may determine.</p> <p>6. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for allocation and expenditure during the 2000–01, 2001–02, and 2002–03 fiscal years.</p> <p>7. The funding provided in this item shall be available for expenditure contingent upon enactment of legislation relating to an Information Technology Innovation Fund. Funding shall be expended consistent with any requirements of that legislation.</p>	
<p>9906-001-0001—For allocation by the Department of Finance, for projects addressing accessibility of state buildings by the disabled</p>	20,000,000
<p>Provisions:</p> <p>1. The Department of Finance shall make allocations from the funds appropriated in this item for the 2000–01 fiscal year for projects addressing the</p>	

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Amount

accessibility of state buildings to the disabled. Projects shall be for the purpose of removing architectural barriers at buildings owned by the state. Before the Department of Finance allocates the funds, projects must be reviewed and approved by the Americans with Disabilities Act Interagency Task Force, whose members shall be appointed by the Governor and that shall be chaired by the Department of Rehabilitation.

- 2. An allocation approved by the Department of Finance shall not be made sooner than 30 days after written notification thereof is provided to the Chairperson of the Senate Committee on Budget and Fiscal Review, the Chairperson of the Assembly Budget Committee, and the Chairperson of the Joint Legislative Budget Subcommittee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee may determine.
- 3. The funds appropriated in this item shall be available for encumbrance until June 30, 2002.

9906-001-0494—For allocation by the Department of Finance, for projects addressing accessibility of state buildings by the disabled, payable from unallocated special funds 20,000,000

Provisions:

- 1. The Department of Finance shall make allocations from funds appropriated in this item for the 2000–01 fiscal year for projects addressing the accessibility of state buildings to the disabled. Projects shall be for the purpose of removing architectural barriers at buildings owned by the state. Before the Department of Finance allocates the funds, projects must be reviewed and approved by the Americans with Disabilities Act Interagency Task Force, whose members shall be appointed by the Governor and that shall be chaired by the Department of Rehabilitation.
- 2. An allocation approved by the Department of Finance shall not be made sooner than 30 days after written notification thereof is provided to the Chairperson of the Senate Committee on Budget and Fiscal Review, the Chairperson of the Assembly Budget Committee, and the Chairperson of the Joint Legislative Budget Subcommittee, or not sooner than whatever lesser time the Chairperson

Item	Amount
<p>of the Joint Legislative Budget Committee may determine.</p> <p>3. The funds appropriated in this item shall be available for encumbrance until June 30, 2002.</p>	
<p>9906-001-0988—For allocation by the Department of Finance, for projects addressing accessibility of state buildings by the disabled, payable from unallocated nongovernmental cost funds.....</p>	20,000,000
<p>Provisions:</p> <p>1. The Department of Finance shall make allocations from the funds appropriated in this item for the 2000–01 fiscal year for projects addressing the accessibility of state buildings to the disabled. Projects shall be for the purpose of removing architectural barriers at buildings owned by a state agency. Before the Department of Finance allocates the funds, projects must be reviewed and approved by the Americans with Disabilities Act Interagency Task Force, whose members shall be appointed by the Governor and that shall be chaired by the Department of Rehabilitation.</p> <p>2. An allocation approved by the Department of Finance shall not be made sooner than 30 days after written notification thereof is provided to the Chairperson of the Senate Committee on Budget and Fiscal Review, the Chairperson of the Assembly Budget Committee, and the Chairperson of the Joint Legislative Budget Subcommittee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee may determine.</p> <p>3. The funds appropriated in this item shall be available for encumbrance until June 30, 2002.</p>	
<p>9907-001-0001—For allocation by the Department of Finance in support of consultation services for e-Government projects to improve efficiency of governmental operations and delivery of services to the public.....</p>	1,200,000
<p>Provisions:</p> <p>1. An allocation by the Department of Finance shall be made not sooner than 30 days after written notification is provided to the Chairperson of the Senate Committee on Budget and Fiscal Review, the Chairperson of the Assembly Budget Committee, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever</p>	

Item	Amount
lesser time the Chairperson of the Joint Legislative Budget Committee may determine. 9908-001-0001—For janitorial contract services, for allocation by the Department of Finance.....	3,000,000
Provisions: <ol style="list-style-type: none"> 1. The funds appropriated in this item are to fund the increased costs of providing to janitors, housekeepers, custodians, food service workers, laundry workers, window cleaners, and security guards employee benefits at a level valued at not less than 85 percent of the state employer cost of comparable benefits provided to state employees for performing similar duties. 2. Notwithstanding any other provision of law, the Director of Finance may augment this item for the purposes of this item in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity thereof is provided to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house of the Legislature that considers appropriations, or not sooner than whatever lesser time as the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. 	
9908-001-0494—For janitorial contract services, for allocation by the Department of Finance.....	1,500,000
Provisions: <ol style="list-style-type: none"> 1. Provisions 1 and 2 of Item 9908-001-0001 shall also apply to allocations authorized by this item. 	
9908-001-0988—For janitorial contract services, for allocation by the Department of Finance.....	1,500,000
Provisions: <ol style="list-style-type: none"> 1. Provisions 1 and 2 of Item 9908-001-0001 shall also apply to allocations authorized by this item. 	

GENERAL SECTIONS
STATEWIDE

SEC. 3.00. Whenever herein an appropriation is made for support, it shall include salaries and all other proper expenses, including repairs and equipment, incurred in connection with the institution, department, board, bureau, commission, officer, employee, or other agency for which the appropriation is made.

Each item appropriating funds for salaries and wages includes the additional funds necessary to continue the payment of the amount of

salaries in effect on June 30, 2000, for the state officers whose salaries are specified by statute.

Whenever herein an appropriation is made for capital outlay, it shall include acquisition of land or other real property, major construction, improvements, equipment, designs, working plans, specifications, repairs, and equipment necessary in connection with a construction or improvement project.

Whenever herein any item of appropriation contains provisions for acquisition of land or other real property, it shall include all necessary expenses in connection with the acquisition of the property.

Whenever herein an appropriation is made in accordance with a schedule set forth after the appropriation, the expenditures from that item for each category, program, or project included in the schedule shall be limited to the amount specified for that category, program, or project, except as otherwise provided in this act. Each schedule is a restriction or limitation upon the expenditure of the respective appropriation made by this act, does not itself appropriate any money, and is not itself an item of appropriation.

As used in this act in reference to the schedules "category", "program", or "project" means a class of expenditure such as, but not limited to:

(a) "Personal services," which shall include all expenditures for payment of officers and employees of the state, including: salaries and wages, workers' compensation, compensation paid to employees on approved leave of absence on account of sickness, unemployment compensation benefits, insurance premiums for workers' compensation coverage, industrial disability leave and payments, nonindustrial disability benefits and payments, the state's contributions to the Public Employees' Retirement Fund, the Teachers' Retirement Fund, the University of California Retirement Fund to provide for that portion of retirement costs to be provided for Hastings College of the Law in Item 6600-001-0001 of this Budget Act, the Old Age and Survivors' Insurance Revolving Fund, the Public Employees' Contingency Reserve Fund, and the state's cost of health benefits plans; but do not include compensation of independent contractors rendering personal services to the state under contract.

(b) "Operating expenses and equipment," which shall include all expenditures for purchase of materials, supplies, equipment, services (other than services of state officers and employees), departmental services (services provided by other organizational units within a department, including indirect distributed costs), and all other proper expenses.

(c) "Preliminary plans" are defined as a site plan, architectural floor plans, elevations, outline specifications, and a cost estimate. For each utility, site development, conversion and remodeling project, the drawings shall be sufficiently descriptive to accurately convey the location, scope, cost, and the nature of the improvement being proposed.

(d) “Working drawings” are defined as a complete set of plans and specifications showing and describing all phases of a project, architectural, structural, mechanical, electrical, civil engineering, and landscaping systems to the degree necessary for the purposes of accurate bidding by contractors and for the use of artisans in constructing the project. All necessary professional fees and administrative service costs are included in the preparation of these drawings.

(e) “Construction,” when used in connection with a capital outlay project, shall include all such related things as fixtures, installed equipment, auxiliary facilities, contingencies, project construction, management, administration and associated costs.

(f) “Minor projects” include planning, working drawings, construction, improvements, and equipment projects not specifically set forth in the schedule.

(g) “Programs” include all expenditures, regardless of category, required to carry out the objectives of the named activity.

For the purpose of further interpreting the meaning of the words, terms and phrases, and uniform codes used in the schedules, reference is hereby made to those documents entitled, “State of California Governor’s Budget for 2000–01,” submitted by the Governor to the Legislature at the 2000 portion of the 1999–00 Regular Session, the uniform accounting system prescribed by the Department of Finance under the provisions of Section 13300 and following of the Government Code, the Uniform Codes Manual, and the appropriate portions thereof. The Department of Finance shall establish interpretations necessary to carry out the provisions of this section and shall furnish the same to the State Controller and to every state agency to which appropriations are made under this act.

SEC. 3.50. Whenever herein an appropriation is made for support or other expenses for an institution, department, board, bureau, commission, officer, employee, or other agency, there shall be charged to the appropriation from which salaries and wages are paid: workers’ compensation, compensation paid to employees on approved leave of absence on account of sickness, unemployment compensation benefits, industrial disability leave and payments, nonindustrial disability benefits and payments, the administrative costs of the Merit Award Program provided by Section 19823 of the Government Code, the state’s contribution to the Public Employees’ Retirement Fund as provided by Sections 20822 and 20824 of the Government Code, the state’s contribution to the Teachers’ Retirement Fund as provided by Sections 22950, 22951, and 23000 of the Education Code, the state’s contribution to the Old Age and Survivors Insurance Revolving Fund as provided by Sections 20862 and 20863 of the Government Code, the state’s contribution to the Old Age and Survivors Insurance Revolving Fund for payment of hospital insurance taxes imposed by the Internal Revenue Code, the state’s contribution to the Public Employees’ Contingency Reserve Fund, the state’s contribution for the cost of health benefits plans as provided by Sections 22825.1, 22828 and 22829 of

the Government Code, and the state’s contribution for costs of other employee benefits and the administrative costs associated with the provision of benefits established by any state agency legally authorized to negotiate and set salary and benefit levels.

As of the effective date of this act, the state’s contributions as provided by Sections 22825.1, 22828 and 22829 of the Government Code and for costs of any other employee benefits and the administrative costs associated with the provisions of these benefits established by any state agency legally authorized to negotiate and set salary and benefit levels for any month shall be charged to the same appropriations used for payment of salaries and wages from which the employee premium contributions for such month are deducted.

The appropriations made by Sections 20822, 20824, 20862, 20863, 22825.1, 22828, and 22829 of the Government Code and by Sections 22950, 22951, and 23000 of the Education Code, shall continue to be available for expenditure, and shall be charged for any expenditure that is not chargeable to an appropriation for support or other expenses as provided in this section. This transfer may be chargeable to such appropriation for a previous fiscal year if there are no funds available from that fiscal year.

The Controller may transfer to the State Payroll Revolving Fund the contributions required by Sections 20822, 20824, 20862, 20863, 22825.1, 22828, and 22829 of the Government Code, contributions required for payment of the hospital insurance tax, and upon certification by the Board of Administration of the Public Employees’ Retirement System as required by Section 20826 of the Government Code, may transfer from the State Payroll Revolving Fund to the Public Employees’ Retirement Fund and the Old Age and Survivors Insurance Revolving Fund the amounts of contributions.

SEC. 3.60. (a) Notwithstanding any other provision of law, the employers’ retirement contributions for the 2000–01 fiscal year that are chargeable to an appropriation made in this act, with respect to each state officer and employee who is a member of the Public Employees’ Retirement System (PERS) and who is in that employment or office, including university members as provided by Section 20751 of the Government Code, shall be the percentage of salaries and wages by state member category as follows:

Miscellaneous, First Tier.....	0.000%
Miscellaneous, Second Tier.....	0.000%
State Industrial	0.026%
State Safety	6.808%
Highway Patrol	13.711%
Peace Officer/Firefighter.....	2.729%

The Department of Finance may adjust amounts in any appropriation item, or in any category thereof, in this act as a result of changes from amounts budgeted for employer contribution for 2000–01 fiscal year retirement benefits.

(b) Notwithstanding any other provisions of law, the Department of Finance shall require retirement contributions computed pursuant to subdivision (a) to be offset by the Controller with surplus funds in the Public Employees' Retirement Fund, employer surplus asset accounts.

(c) Notwithstanding any other provision of law, for purposes of calculating the "appropriations subject to limitation" as defined in Section 8 of Article XIII B of the California Constitution, the appropriations in this act shall be deemed to be the amounts remaining after the reductions required by subdivisions (a) and (b) are made.

(d) Pursuant to Section 20163 of the Government Code, PERS shall credit the state's 2000–01 retirement contribution by the overpayment of the state's 1999–00 retirement obligation plus interest. The calculation of interest shall include (1) interest on the overpayment and (2) interest on the amount owed but paid in advance of the standard schedule of paying one quarter in arrears. Interest shall be calculated from September 30, 1999, to September 30, 2000, and adjusted on December 31, 1999, March 31, 2000, and June 30, 2000, for the contribution amount that would have been paid if not paid in advance. Interest shall be calculated using the current Pooled Money Investment Account rate.

To the extent that the state's total 2000–01 retirement contribution is less than the amount to be credited, as calculated pursuant to this paragraph, PERS shall fully credit the state's 2000–01 retirement obligation and repay the balance of the overpayment to the state no later than June 30, 2001.

SEC. 4.20. Notwithstanding any other provision of law, the employer's contributions to the Public Employees' Contingency Reserve Fund, as required by Section 22826 of the Government Code, shall be 0.5 percent of the gross health insurance premiums paid by the employer and employee for administrative expenses.

SEC. 4.60. Notwithstanding any other provision of law, the Department of Finance shall augment any item of appropriation in Section 2.00 of this act, as appropriate, to fund the costs of increased rent in state office buildings, no sooner than 30 days after notification in writing to the Joint Legislative Budget Committee, or no sooner than a lesser time that the committee, or its designee, may in each instance determine.

SEC. 4.80. In the event bonds authorized for issuance by the State Public Works Board are not sold and interim financing costs for: (1) preconstruction activities or (2) construction activities performed by departmental staff or inmate day labor have been incurred, departments that have incurred those costs shall commit a sufficient portion of their support appropriations to repay such interim financing costs. It is the intent of the Legislature that this commitment shall be included in future Budget Acts until outstanding loans are repaid either through the sale of bonds or from an appropriation.

SEC. 5.25. (a) Payment of the attorney fees specified below arising from actions in state courts against the state, its officers, and officers and employees of state agencies, departments, boards, bureaus,

or commissions, shall be paid from items of appropriation in this act that support the state operations of the affected agency, department, board, bureau, or commission:

(1) state court actions filed pursuant to Section 1021.5 of the Code of Civil Procedure, the “private attorney general” doctrine, or the “substantial benefit” doctrine, or for

(2) writ of mandate actions filed pursuant to Section 10962 of the Welfare and Institutions Code.

(b) Expenditures pursuant to subdivision (a) shall be made by the State Controller, subject to the approval of the Department of Finance, and shall be charged to the fiscal year in which the disbursement is issued.

(c) No payment shall be made by the State Controller for expenditures pursuant to subdivision (a) except in full and final satisfaction of the claim, settlement, compromise, or judgment for attorney’s fees incurred in connection with a single action.

(d) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, the Chairperson of the Senate Committee on Budget and Fiscal Review, and the Chairperson of the Assembly Budget Committee pursuant to Section 27.00 of this act when there are insufficient funds appropriated in this act in support of the state operations of the affected agency, department, board, bureau, or commission to satisfy the claim completely.

SEC. 6.00. No more than \$100,000 of the funds appropriated for support purposes under Section 2.00 or any other sections of this act may be encumbered for preliminary plans, working drawings, or construction of any project for the alteration of a state facility unless the Director of Finance determines that the proposed alteration is critical and that it is necessary to proceed using funds appropriated for support purposes. The maximum cost of any such project shall not exceed \$400,000, and any approved critical project costing more than \$100,000, but not greater than \$400,000, shall be reported to the Chairperson of the Joint Legislative Budget Committee or his or her designee, not less than 30 days prior to requesting bids for the project. The report shall detail those factors that make the project so critical that it must proceed using support funds.

SEC. 8.50. (a) In making appropriations to state agencies that are eligible for federal programs, it is the intent and understanding of the Legislature that applications made by the agencies for federal funds under federal programs shall be for the maximum amount allowable under federal law. Therefore, any amounts received from the federal government are hereby appropriated from federal funds for expenditure or for transfer to, and disbursement from, the State Treasury fund established for the purpose of receiving the federal assistance subject to any provisions of this act that apply to the expenditure of these funds, including Section 28.00 of this act.

(b) However, if federal funds for block grant programs assumed by the state or for any item receiving federal funds are reduced by more

than 5 percent of the amount appropriated in this act, the Director of Finance shall notify the chairperson of the committee in each house which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee, in writing within 30 days after notification by the federal government that federal funds have been reduced, and shall include an estimate of the amount of the available or anticipated federal funds, the 2000–01 fiscal year expenditures of each program affected by the reduction, the effect of reduced funding on service levels authorized by this act, and a plan of reduced expenditures for each program affected by the reduction. The plan shall be operational on an interim basis for up to 45 days pending legislative review, after which time the plan shall become permanent.

SEC. 8.51. Each state agency shall, by certification to the State Controller, identify the account within the Federal Trust Fund when charges are made against any appropriation made herein from the Federal Trust Fund.

SEC. 9.20. Notwithstanding Section 15860 of the Government Code, the amount of funds expended for administrative costs associated with any appropriation contained in this act for acquisition of property pursuant to the Property Acquisition Law shall be limited to the amount specified for those costs in the Supplemental Report of the Budget Act of 2000. Amounts for administrative costs may be augmented by no more than 5 percent by the State Public Works Board. Notwithstanding the foregoing, any amounts needed for administrative costs associated with acquisition through the condemnation authority of the State Public Works Board shall be provided through augmentation of the affected appropriations as authorized by existing law.

SEC. 9.30. In the event that federal courts issue writs of execution for the levy of state funds and such writs are executed, the State Controller shall so notify the Department of Finance. The Department of Finance shall then notify the State Controller of the specific appropriation or fund to be charged. Federal writs of execution for the levy of state funds may only be charged against appropriations or funds having a direct programmatic link to the circumstances under which the federal writ was issued. If the appropriate department or agency no longer exists, or no linkage can be identified, the federal writ shall be charged to the unappropriated surplus of the General Fund. In the event that an appropriation in the act is made deficient by such a charge, funding augmentations must follow the regular budget processes including Section 27.00 of the Budget Act. However, the 30-day notification requirement is waived for payments mandated by federal courts.

SEC. 9.50. For minor capital outlay projects for which, pursuant to Sections 10108 and 10108.5 of the Public Contract Code, the services of the Department of General Services are not required and a state agency or department is authorized to carry out its own project, the amount of the unencumbered balance of the project shall be determined in accordance with Section 14959 of the Government Code. Upon re-

ceipt of bids for the project, an estimate of any amount necessary for the completion of the project, including supervision, engineering, and other items, if any, shall be deemed a valid encumbrance and shall be included with any other valid encumbrance in determining the amount of an unencumbered balance.

SEC. 11.00. (a) A state agency to which state funds are appropriated by one or more statutes, including this act, for an information technology project may not enter into one or more contracts, or agree to one or more contract amendments, in the 2000–01 fiscal year that result, in the aggregate, in an increase in the budgeted cost of the project exceeding five hundred thousand dollars (\$500,000), or 10 percent of the budgeted cost of the project, whichever is less, unless the approval of the Department of Finance is first obtained and written notification of that approval is provided by the department to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the budget committee of each house of the Legislature, not less than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. Each notification required by this section shall (1) explain the necessity and rationale for the proposed contract or amendment, (2) identify the cost savings, revenue increase, or other fiscal benefit of the proposed contract or amendment, and (3) identify the funding source for the proposed contract or amendment.

(b) Subdivision (a) does not apply to a resulting increase in the budgeted cost of a project that is less than one hundred thousand dollars (\$100,000), or that is funded by an augmentation authorized pursuant to Section 26.00 of this act.

(c) The following definitions apply for the purposes of this section:

(1) “Budgeted cost of a project” means the total cost of the project as identified in the most recent feasibility study report, special project report, or equivalent document submitted to the Legislature in connection with its consideration of a bill that appropriated any state funding for that project.

(2) “State agency” means each agency of the state that is subject to both Chapter 7 (commencing with Section 11700) of Part 1 of, and Article 2 (commencing with Section 13320) of Chapter 3 of Part 3 of, Division 3 of Title 2 of the Government Code.

SEC. 11.11. In order to protect the privacy of state employees and ensure the security of the payment of public funds, all departments, boards, offices, and other agencies and entities of the state shall distribute pay warrants and direct deposit advice to employees in a manner that ensures that personal and confidential information contained on the warrants and direct deposit advice is protected from unauthorized access. The Department of Personnel Administration shall advise all departments, boards, offices, and other agencies and entities of state government of the requirements contained in this section.

SEC. 11.20. All state departments, agencies, and legislative bodies shall be required to post a privacy policy regarding the implementation and adherence to the following principles:

(a) Personally identifiable information may only be obtained through lawful means.

(b) The purposes for which personally identifiable data are collected shall be specified at or prior to the time of collection, and any subsequent use of the data shall be limited to and consistent with the fulfillment of those purposes previously specified.

(c) Personal data may not be disclosed, made available, or otherwise used for a purpose other than those specified, except with the consent of the subject of the data, or as required by law or regulation.

(d) Personal data collected shall be relevant to the purpose for which it is needed.

(e) The general means by which personal data is protected against loss, unauthorized access, use, modification, or disclosure shall be posted, unless the disclosure of those general means would compromise legitimate agency objectives or law enforcement purposes.

(f) Each department, agency, and legislative body shall designate which position is responsible for the privacy policy within that agency, department, or legislative body.

(g) The Legislature shall enact a permanent privacy policy, that includes, but is not limited to, provisions to allow an individual to access to, and the ability to correct, amend, or delete, the data that is collected about that individual, and provisions that create an entity to enforce the state's privacy policy.

SEC. 11.52. Notwithstanding any other provision of law, the State Controller shall transfer to the General Fund the unencumbered balance, as of June 30, 2000, from the following funds: (a) State Construction Program Fund; (b) Special Account for Capital Outlay; (c) Energy and Resources Fund; and (d) Capital Outlay Fund for Public Higher Education.

SEC. 11.60. Notwithstanding Article 12 (commencing with Section 16429.30) of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, or any other provision of law, all moneys deposited in the California Unitary Fund during the 2000–01 fiscal year and all expenditures, disbursements, and transfers from the California Unitary Fund shall be budgeted and accounted for at the fund level. No expenditure, disbursement, or transfer shall be made from the California Unitary Fund except in accordance with this act.

SEC. 11.61. Notwithstanding Article 12 (commencing with Section 16429.30) of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, or any other provision of law, all moneys deposited in the California Unitary Fund during the 2000–01 fiscal year shall be transferred to the General Fund on a quarterly basis.

SEC. 12.00. For the purposes of Article XIII B of the California Constitution, there is hereby established a state “appropriations limit”

of fifty-four billion seventy-three million dollars (\$54,073,000,000) for the 2000–01 fiscal year.

Any judicial action or proceeding to attack, review, set aside, void, or annul the “appropriations limit” for the 2000–01 fiscal year shall be commenced within 45 days of the effective date of this act.

SEC. 12.20. The Controller shall transfer from the General Fund to the Special Deposit Fund for the 2000–01 fiscal year the sum of forty-eight million fifty-five thousand thirty-nine dollars (\$48,055,039), which is hereby appropriated to satisfy in full the state’s obligation to special funds pursuant to the Stipulations For Settlement and Entry of Judgment in the Hathaway v. Wilson and the consolidated cases of Malibu Video v. Brown and Abramovitz v. Wilson. As directed by the Department of Finance and pursuant to the stipulations, the Controller shall transfer from the Special Deposit Fund, to each identified special fund, an amount to satisfy the final repayment obligation, including an adjustment for interest.

SEC. 12.30. There is hereby appropriated from the General Fund for transfer to the Special Fund for Economic Uncertainties by the Controller, upon order of the Director of Finance, an amount necessary to bring the balance of this special fund up to the amount stated in the 2000–01 Final Change Book for the 2000–01 fiscal year ending balance in the Special Fund for Economic Uncertainties. The amount so transferred shall be reduced by the amount of excess revenues subject to Section 2 of Article XIII B of the California Constitution, as determined by the Director of Finance.

SEC. 12.32. (a) It is the intent of the Legislature that appropriations that are subject to Section 8 of Article XVI of the California Constitution be designated with the wording “Proposition 98.” In the event these appropriations are not so designated, they may be designated as such by the Department of Finance, where that designation is consistent with legislative intent, within 30 days after notification in writing of the proposed designation to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or within a lesser time that the chairperson of the joint committee, or his or her designee, determines.

(b) Pursuant to the Proposition 98 funding requirements established in Chapter 2 (commencing with Section 41200) of Part 24 of the Education Code, the total appropriations for Proposition 98 for the 2000–01 fiscal year are thirty billion six hundred thirty-seven million fifty-seven thousand one hundred sixty-five dollars (\$30,637,057,165) or 38.6 percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for school districts are twenty-seven billion seven hundred sixty-three million three hundred sixty-six thousand one hundred sixty-five dollars (\$27,763,366,165) or 35.0 percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for community college districts are two billion

seven hundred seventy-four million two hundred fifty-five thousand dollars (\$2,774,255,000) or 3.5 percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for other state agencies that provide direct elementary and secondary level education, as defined in Section 41302.5 of the Education Code, are ninety-nine million four hundred thirty-six thousand dollars (\$99,436,000), or 0.1 percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for partial repayment of emergency loans are three hundred fifty million dollars (\$350,000,000), or 0.5 percent of total General Fund revenues and transfers subject to the state appropriations limit.

SEC. 12.40. (a) Notwithstanding any other provision of law, not more than 20 percent of the amount apportioned to any school district, county office of education, or other educational agency under the programs funded in this act that were funded in Item 6110-230-0001 of Section 2.00 of SB 160 of the 1999–00 Regular Session, as introduced on January 8, 1999, may be expended by that recipient for the purposes of any other program for which the recipient is eligible for funding under those items, except that the total amount of funding allocated to the recipient under this item that is expended by the recipient for the purposes of any of those programs shall not exceed 125 percent of the amount of state funding allocated pursuant to the appropriations to that recipient for those programs in this act for the 2000–01 fiscal year. Notwithstanding any other provision of law, for the 2000–01 fiscal year, local education agencies may also use this authority to provide the funds necessary to initiate a conflict resolution program pursuant to Chapter 2.5 (commencing with Section 32260) of Part 19 of the Education Code, and to continue to support following the three-to-five year state grant period, or to expand, a Healthy Start Program pursuant to Chapter 5 (commencing with Section 8800) of Part 6 of the Education Code.

(b) The education programs that are eligible for the flexibility provided in subdivision (a) include the following items: Items 6110-108-0001, 6110-111-0001, 6110-114-0001, 6110-115-0001, 6110-116-0001, 6110-119-0001, 6110-120-0001, 6110-122-0001, 6110-124-0001, 6110-126-0001, 6110-127-0001, 6110-128-0001, 6110-131-0001, 6110-146-0001, 6110-151-0001, 6110-163-0001, 6110-167-0001, 6110-180-0001, 6110-181-0001, 6110-193-0001, 6110-197-0001, 6110-203-0001, 6110-224-0001, and 6110-209-0001 of this act.

(c) As a condition of receiving the funds provided for the programs identified in subdivision (b), local education agencies shall report to the State Department of Education by October 15, 2001, on any amounts shifted between these programs pursuant to the flexibility provided in subdivision (a). The Department of Education shall collect and provide this information to the Joint Legislative Budget Committee, chairs and vice-chairs of the fiscal committees for education of the Legislature and the Department of Finance, by February 1, 2002.

SEC. 12.50. Notwithstanding any other provision of law, the Controller, upon order of the Director of Finance, shall transfer funds to Item 6110-211-0001 of this act from any of the Budget Act items for categorical programs identified in the Charter School Funding Model established pursuant to Chapter 78, Statutes of 1999. The transfers shall be based on the average daily attendance (ADA) calculations made by the Superintendent of Public Instruction, as specified in the Charter School Funding Model, and reported to the Director of Finance by October 1, 2001.

SEC. 13.00. (a) Notwithstanding any other provision of law, expenditures under Item 0160-001-0001 of Section 2.00 of this act or any appropriation in augmentation of that item shall be exempt from Chapter 7 (commencing with Section 11700) of Part 1 of, and Article 2 (commencing with Section 13320) of Chapter 3 of Part 3 of, Division 3 of Title 2 of the Government Code, Division 2 (commencing with Section 1100) of the Public Contract Code, and subdivision (a) of Section 713 of Title 2 of the California Code of Regulations, and may be expended as set forth in the Governor's Budget, or for other purposes, including expenditures for the number of positions in various classifications authorized by the Joint Rules Committee.

(b) Notwithstanding any other provision of law, the unencumbered balances as of June 30, 2000, of the appropriations made by Items 0160-001-0001 and 8840-001-0001 of the Budget Act of 1999 are re-appropriated and shall be available for encumbrance until June 30, 2001, for the same programs and purposes for which appropriations for these items have been made by this act.

(c) Notwithstanding any other provision of law, all money that is received as payment for the sale of services or personal property by the agency that has not been taken into consideration in the schedule of Item 0160-001-0001 or is in excess of the amount so taken into consideration is to be credited to that item and is hereby appropriated in augmentation of that item for the same programs and purposes for which appropriations for that item have been made by this act.

(d) Notwithstanding any other provision of law, the Legislative Counsel Bureau may convert or reclassify positions in the bureau, as deemed appropriate by the Legislative Counsel, for inclusion, or redesignation, in the career executive assignment band, to the extent that the total number of positions in the career executive band in the bureau does not exceed 3 percent of the positions in the bureau. Any position that is converted or reclassified shall not be subject to review or approval by the Department of Personnel Administration or State Personnel Board.

SEC. 14.00. (a) Notwithstanding any other provision of law, if the Director of the Department of Consumer Affairs determines in writing that there is insufficient cash in a special fund under the authority of a board, commission, or bureau of the department to make one or more payments currently due and payable, the director may order the transfer of moneys to that special fund, in the amount necessary to

make the payment or payments, as a loan from a special fund under the authority of another board, commission, or bureau of the department. That loan shall be subject to all of the following conditions:

(1) No loan from a special fund shall be made that would interfere with the carrying out of the object for which the special fund was created.

(2) The loan shall be repaid as soon as there is sufficient money in the recipient fund to repay the amount loaned, but no later than a date 18 months after the date of the loan. Interest on the loan shall be paid from the recipient fund at the rate accruing during the loan period to moneys in the Pooled Money Investment Account.

(3) The amount loaned shall not exceed the amount that the appropriate board, commission, or bureau is statutorily authorized at the time of the loan to expend during the 2000–01 fiscal year from the recipient fund.

(4) The terms and conditions of the loan are approved, prior to the transfer of funds, by the Department of Finance pursuant to appropriate fiscal standards.

(b) (1) Notwithstanding any other provision of law, the Department of Consumer Affairs, during the 2000–01 fiscal year, may order the release of moneys from the clearing account in the Consumer Affairs Fund in an amount exceeding the amount advanced to the clearing account from a special fund within the department, as a loan to make one or more payments on behalf of that special fund that are currently due and payable. To the extent that the amount of moneys currently in the clearing account is insufficient to make the payment or payments on behalf of that special fund, the department may transfer additional moneys to the clearing account from any other special fund under the authority of a board, commission, or bureau of the department to include in the loan. A loan made to a special fund under this subdivision shall be subject to all of the following conditions:

(A) The loan shall not be made if it would reduce the amount advanced to the clearing account from another special fund, or the amount contained in that special fund, as applicable, to an extent that would interfere with the carrying out of the object for which that special fund was created.

(B) The loan shall be repaid as soon as there is sufficient money in the recipient fund to repay the amount loaned, but no later than a date 60 days after the date of the loan.

(C) The amount loaned shall not exceed the amount that the appropriate board, commission, or bureau is statutorily authorized at the time of the loan to expend during the 2000–01 fiscal year from the recipient fund.

(2) For purposes of this subdivision, the “clearing account” in the Consumer Affairs Fund is the account established in that fund, consisting of moneys advanced from the various special funds within the department, from which the Department of Consumer Affairs pays oper-

ating and other expenses of each special fund in an amount ordinarily not exceeding the amount advanced from that special fund.

(c) The Director of the Department of Consumer Affairs shall provide a report by March 1, 2001, on all loans initiated or repayments made pursuant to subdivision (a) or (b) within the preceding 12-month period to the chairperson of the budget committee, and the chairperson of the appropriate legislative oversight committee, of each house of the Legislature.

(d) At least 10 days prior to initiating a loan to be made pursuant to subdivision (a) or (b), the Director of the Department of Consumer Affairs shall provide written notification to the Joint Legislative Budget Committee if either (1) any loan from any one fund exceeds \$200,000 or (2) the aggregate amount of loans from any one fund exceeds \$200,000.

SEC. 24.00. For the 2000–01 fiscal year, the donations and oil and mineral revenues from federal lands that are deposited in the State School Fund shall be divided between Section A and Section B of the State School Fund, with 85 percent of these revenues to be credited to Section A of the fund exclusively for regular apportionments for school districts serving pupils in kindergarten or any of grades 1 to 12, inclusive, and 15 percent to Section B of the fund exclusively for community college district regular apportionments. The amounts accruing to the State School Fund under this section shall be disbursed fully before any General Fund transfers to Section A or Section B of the State School Fund are disbursed for regular apportionments.

SEC. 24.03. Notwithstanding any other provision of law, funds appropriated by Section 2.00, Section 8.50, Section 28.00, Section 28.50, or any other provision of this act may not be expended for the support of any program, network, or material, with the exception of instruction to pupils who are identified as deaf or hearing impaired pursuant to 34 C.F.R. 300.7(b) paragraphs (3) and (4), that promotes or uses reading instruction methodologies that emphasize contextual clues in lieu of fluent decoding.

SEC. 24.10. (a) Notwithstanding Section 1464 of the Penal Code or Section 41304 of the Education Code, the first one million sixty-two thousand dollars (\$1,062,000) received by the Driver Training Penalty Assessment Fund for the 2000–01 fiscal year shall be available for the purposes of Item 6110-001-0178 of Section 2.00 of this act. The amount retained by the Driver Training Penalty Assessment Fund for the purposes of Item 6110-001-0178 may be adjusted by the Department of Finance for actions pursuant to any control section of this act.

(b) After moneys are retained by the Driver Training Penalty Assessment Fund pursuant to subdivision (a), the Controller shall transfer any remaining balances as follows: 11.054 percent to the Victim Witness Assistance Fund, up to an annual total of \$4,121,000; 37.555 percent to the Peace Officers' Training Fund, up to an annual total of \$14,000,000; and 17.436 percent to the Corrections Training Fund, up to an annual total of \$6,500,000. Any remaining unallocated moneys in

the Driver Training Penalty Assessment Fund shall be transferred to the General Fund.

SEC. 24.60. (a) From the funds appropriated in Items 4300-003-0814, 4440-011-0814, 5460-001-0831, 6110-006-0814, 6110-101-0814, 6440-001-0814, 6600-001-0814, and 6870-101-0814 of this act, the State Department of Developmental Services, the State Department of Mental Health, the Department of the Youth Authority, the State Special Schools, the Regents of the University of California, the Board of Directors of Hastings College of the Law, the Board of Trustees of the California State University, and community college districts through the Chancellor of the California Community Colleges shall report to the Governor and the Legislature no later than January 15, 2002, the amount of lottery funds that each entity received and the purposes for which those funds were expended in the 2000–01 fiscal year, including administrative costs, and proposed expenditures and purposes for expenditure for the 2001–02 fiscal year. If applicable, the amount of lottery funds received on the basis of adult education average daily attendance (ADA) and the amount of lottery funds expended for adult education also shall be reported.

(b) The State Department of Education shall conduct a survey of a representative sample of 100 local education agencies to determine the patterns of use of lottery funds in those agencies. The sample shall be drawn to include all local education agencies having more than 200,000 ADA and representative local education agencies randomly selected by size, range, type, and geographical dispersion. On or before May 15, 2001, the State Department of Education shall report to the Legislature and the Governor the results of the survey for the 1999–00 fiscal year.

SEC. 24.70. From the funds appropriated to the State Department of Education for local assistance, the department shall ensure that the expenditure of funds allocated to a local education agency (LEA), through a contract between the department and the LEA or through a grant from the department to the LEA, shall be subject to the LEA's fiscal accountability policies and procedures. If it is necessary for the LEA to establish a separate entity to complete the work scope of the contract or grant, the fiscal accountability policies and procedures for that entity shall be the same as those of the LEA, or amended only with the approval of both the superintendent of schools of the LEA and a fiscal representative of the department designated by the Superintendent of Public Instruction. Further, the department shall have the authority to provide for an audit of the expenditures under the contract or grant between the department and the LEA to verify conformance with appropriate fiscal accountability policies and procedures. The cost of the audit, if required, shall be charged to the audited contract or grant.

SEC. 26.00. (a) It is the intent of the Legislature, in enacting this section, to provide flexibility for the administrative approval of intra-schedule transfers within individual items of appropriation in those instances where the transfers are necessary for the efficient and cost-effective implementation of the programs, projects, and functions

funded by this act. No transfer shall be authorized under this section to either eliminate any program, project, or function, except when implementation is found to be no longer feasible in light of changing circumstances or new information, or establish any new program, project, or function.

(b) The Director of Finance may, pursuant to a request by the officer, department, division, bureau, board, commission, or other agency to which an appropriation is made by this act, authorize the augmentation of the amount available for expenditure in any schedule set forth for that appropriation, by making a transfer from any of the other designated programs, projects, or functions within the same schedule. No intraschedule transfer may be made under this section to fund any capital outlay purpose, regardless of whether budgeted in a capital outlay or a local assistance appropriation. Upon the conclusion of the 2000–01 fiscal year, the Director of Finance shall furnish the chairpersons of the committees in each house of the Legislature that consider appropriations and the budget, and the Chairperson of the Joint Legislative Budget Committee, with a report on all authorizations given pursuant to this section during that fiscal year.

(c) Intraschedule transfers of the amounts available for expenditure for a program, project, or function designated in any line of any schedule set forth for that appropriation by transfer from any of the other designated programs, projects, or functions within the same schedule shall not exceed, during any fiscal year:

(1) 20 percent of the amount so scheduled on that line for those appropriations made by this act that are \$2,000,000 or less.

(2) \$400,000 of the amount so scheduled on that line for those appropriations made by this act that are more than \$2,000,000 but equal to or less than \$4,000,000.

(3) 10 percent of the amount so scheduled on that line for those appropriations made by this act that are more than \$4,000,000.

(4) The Department of Transportation Highway Program shall be limited to a schedule change of 10 percent.

(d) Any transfer in excess of \$200,000 may be authorized pursuant to this section not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

(e) Any transfer in excess of the limitations provided in subdivision (c) may be authorized not sooner than 30 days after notification in writing of the necessity to exceed the limitations is provided to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee, may in each instance determine.

SEC. 27.00. (a) Approval by the Department of Finance of the creation of deficiencies pursuant to Section 11006 of the Government

Code or approval to expend at rates that, in the opinion of the Director of Finance, will require a deficiency appropriation may be granted only in cases of actual necessity. It is the intent of the Legislature that authorization for deficiency spending under this section should be limited to cases of unanticipated expenses incurred in the operation of existing programs, where it is necessary to incur those expenses during the 2000–01 fiscal year. No deficiency authorization may be made under this section for any expenditure for capital outlay.

(b) The Director of Finance may not approve any deficiency authorization unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine, except for an approval for an emergency expenditure. “Emergency expenditure,” for this purpose, means an expenditure incurred in response to conditions of disaster or extreme peril that threaten the health or safety of persons or property within the state. This notification requirement is not applicable to caseload increases in Medi-Cal, California Work Opportunity and Responsibility to Kids (CalWORKs), and Supplemental Security Income/State Supplementary Program (SSI/SSP). All notifications shall include: (1) the date a deficiency request was received by the Department of Finance, (2) the reason for the proposed deficiency, (3) the approved amount, and (4) the basis of the department’s determination that the expenditure for which the deficiency authorization is approved is required by a case of actual necessity.

(c) Approval for any emergency expenditure shall be made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 10 days after the effective date of the approval. All notices shall state the reason for and the amount of the deficiency, together with the director’s determination that the expenditure for which the deficiency authorization is approved satisfies the criteria for emergency expenditures set forth in this section, and the basis for that determination.

(d) Each notification of deficiency or emergency expenditure shall include a determination by the Director of Finance as to whether the expenditure was considered in a legislative budget committee and formal action was taken to not approve the expenditure within the previous fiscal year.

(e) The Department of Finance shall provide copies of all requests from agencies to spend at rates that will result in a deficiency appropriation, in an aggregate amount for the 2000–01 fiscal year that exceeds five hundred thousand dollars (\$500,000), to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations. The department shall submit these copies within 15 working days of receipt. The trans-

mittal of this information to the Legislature shall not be construed by the requesting agency as approval of the deficiency request.

(f) The Department of Finance shall provide deficiency bill updates to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations if requested by the Legislature or as deemed necessary by the Department of Finance.

SEC. 28.00. (a) It is the intent of the Legislature in enacting this section to provide flexibility for administrative approval of augmentations for the expenditure of unanticipated federal funds or other non-state funds in cases that meet the criteria set forth in this section. However, this section is not intended to provide an alternative budget process, and proposals for additional spending ordinarily should be considered in the annual State Budget or other state legislation.

(b) The Director of Finance may authorize the augmentation of the amount available for expenditure for any program, project, or function in the schedule set forth for any appropriation in this act or any additional program, project, or function in the amount of any additional, unanticipated funds that he or she estimates will be received by the state during the 2000–01 fiscal year from any agency of local government or the federal government, or from any other nonstate source, provided that the additional funding meets all of the following requirements:

(1) The funds will be expended for a purpose that is consistent with state law.

(2) The funds are made available to the state under conditions permitting their use only for a specified purpose, and the additional expenditure proposed under this section would apply to that specified funding purpose.

(3) Acceptance of the additional funding does not impose on the state any requirement to commit or expend new state funds for any program or purpose.

(4) The need exists to expend the additional funding during the 2000–01 fiscal year.

(c) The Director of Finance also may reduce any program, project, or function whenever he or she determines that funds to be received will be less than the amount taken into consideration in the schedule.

(d) Any augmentation or reduction that exceeds either (1) two hundred thousand dollars (\$200,000) or (2) 10 percent of the amount available for expenditure in the affected program, project, or function may be authorized not sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees, and the appropriate subcommittees, in each house that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. With regard to any proposed augmentation, the notification shall state the basis for the determination by

the Director of Finance that the augmentation meets each of the requirements set forth in subdivision (b). This notification requirement does not apply to federal funds related to caseload increases in Medi-Cal, California Work Opportunity and Responsibility to Kids (Cal-WORKs), and Supplemental Security Income/State Supplementary Program (SSI/SSP).

(e) Any personnel action that is dependent on funds subject to this section shall not be effective until after the provisions of this section have been complied with. Any authorization made pursuant to this section shall remain in effect for the period the director may determine in each instance, but in no event after June 30, 2001.

SEC. 28.50. (a) Except as otherwise provided by law, an officer, department, division, bureau, or other agency of the state may expend for the 2000–01 fiscal year all money received as reimbursement from another officer, department, division, bureau, or other agency of the state that has not been taken into consideration by this act or any other statute, upon the prior written approval of the Director of Finance. The Department of Finance may also reduce any reimbursement amount and related program, project, or function amount if funds received from another officer, department, division, bureau, or other agency of the state will be less than the amount taken into consideration in the schedule.

(b) For any expenditure of reimbursements or any transfer for the 2000–01 fiscal year that exceeds two hundred thousand dollars (\$200,000), the Director of Finance shall provide notification in writing of any approval granted under this section, not less than 30 days prior to the effective date of that approval, to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees and the appropriate subcommittees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. Increases to reimbursements are not reportable under this section if the funding for the other officer, department, division, bureau, or other agency of the state providing the reimbursement has already been approved by the Legislature. These adjustments are considered technical in nature and are authorized in Section 1.50 of this act.

SEC. 29.00. The Department of Finance shall calculate and publish a listing of total personnel-years and estimated salary savings for each department and agency. These listings shall be published by the Department of Finance at the same time as the publication of (a) the Governor's Budget, (b) the May Revision and (c) the Final Change Book.

(a) The listing provided at the time of the publication of the Governor's Budget shall contain estimates of personnel-years for the prior year, current year, and budget year.

(b) The listing provided at the time of publication of the May Revision shall contain estimates of personnel-years proposed for the budget year.

(c) The listing provided at the time of the publication of the Final Change Book shall contain estimates of personnel-years for the budget year just enacted.

SEC. 30.00. Section 13340 of the Government Code is amended to read:

13340. (a) Except as provided in subdivision (b), on and after July 1, 2001, no moneys in that fund that, by any statute other than a Budget Act, is continuously appropriated without regard to fiscal years, may be encumbered unless the Legislature, by statute, specifies that the moneys in the fund are appropriated for encumbrance.

(b) Subdivision (a) does not apply to any of the following:

(1) The scheduled disbursement of any local sales and use tax proceeds to an entity of local government pursuant to Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code.

(2) The scheduled disbursement of any transactions and use tax proceeds to an entity of local government pursuant to Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code.

(3) The scheduled disbursement of any funds by a state or local agency or department that issues bonds and administers related programs for which funds are continuously appropriated as of June 30, 2001.

(4) Moneys that are deposited in proprietary or fiduciary funds of the California State University and that are continuously appropriated without regard to fiscal years.

(5) The scheduled disbursement of any motor vehicle license fee revenues, including the General Fund appropriations made pursuant to Sections 11000 and 11000.1 of the Revenue and Taxation Code, to an entity of local government pursuant to the Vehicle License Fee Law (Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code).

SEC. 31.00. (a) The appropriations made by this act shall be subject, unless otherwise provided by law, to Section 13320 of, and Article 2.5 (commencing with Section 13332) of Chapter 3 of Part 3 of Division 3 of Title 2 of, the Government Code, requiring expenditures to be made in accordance with the allotments and other provisions of fiscal year budgets approved by the Department of Finance.

(b) The fiscal year budget shall authorize, in the manner that the Department of Finance shall prescribe, all established positions whose continuance for the year is approved and all new positions. No new position shall be established unless authorized by the Department of Finance on the basis of work program and organization.

(c) The Director of Finance, or his or her authorized designee, shall notify the Chairperson of the Joint Legislative Budget Committee within 30 days of authorizing any position not authorized for that fiscal year by the Legislature or any reclassification to a position with a minimum step per month of six thousand thirty-two dollars (\$6,032) as of July 1, 2000. He or she also shall report all transfers to blanket authorizations and the establishment of any permanent positions out of a blanket authorization.

(d) All positions administratively established pursuant to this section during the 2000–01 fiscal year shall terminate on June 30, 2001, except for those positions that have been (a) included in the Governor’s Budget for the 2001–02 fiscal year as proposed new positions, or (b) approved by the Department of Finance and reported to the Legislature after the 2001–02 Governor’s Budget submission to the Legislature. The positions identified in (a) and (b) above may be reestablished by the Department of Finance during the 2001–02 fiscal year, provided these positions are shown in the Governor’s Budget for the 2002–03 fiscal year as submitted to the Legislature, or in subsequent Department of Finance letters to the Legislature, and provided that these positions do not result in the establishment of positions deleted by the Legislature through the budget process for the 2001–02 fiscal year.

(e) No money in any 2000–01 fiscal year appropriation not appropriated for that purpose may be expended for increases in salary ranges or any other employee compensation action unless the Department of Finance certifies to the salary and other compensation-setting authority, prior to the adoption of the action, that funds are available to pay the increased salary or employee compensation resulting from the action. Prior to certification, the Department of Finance shall determine whether the increase in salary range or employee compensation action will require supplemental funding in the 2001–02 fiscal year. If the Department of Finance determines that supplemental funding will be required, no certification shall be issued unless notification in writing is given by the Department of Finance, at least 30 days before certification is made, to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or a lesser time which the chairperson of the joint committee, or his or her designee, determines.

(f) A certification on a payroll claim that expenditures therein are in accordance with current budgetary provisions as approved by the Department of Finance shall be sufficient evidence to the Controller that these expenditures comply with the provisions of this section.

SEC. 31.50. (a) The following departments shall abolish the number of vacant positions shown in the list below. A list of the actual positions to be abolished and the Change in Established Positions, Form 607, documents necessary to eliminate the positions from the State Controller’s payroll roster shall be submitted to the Department of Finance no later than September 1, 2000. The Department of Fi-

nance shall forward the Form 607 documents to the State Controller after review and approval.

Department of Justice	144.1
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Department of General Services.....	93.8
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Department of Toxic Substances Control	25.0
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Department of Rehabilitation	3.0
State Department of Social Services.	150.0
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California Youth Authority	66.5
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Department of Food and Agriculture.	50.0

(b) It is the intent of the Legislature that vacant positions that already have been eliminated or redirected to other activities through amendments to the Budget Bill adopted pursuant to the May Revision of the 2000–01 Governor’s Budget be counted toward the number of positions listed above. Where positions have been eliminated through these May Revision amendments but the specific positions to be eliminated have not been identified, departments shall submit the Form 607 documents abolishing specific positions to the Department of Finance by September 1, 2000.

SEC. 32.00. The officers of the various departments, boards, commissions, and institutions, for whose benefit and support appropriations are made in this act, are expressly forbidden to make any expenditures in excess of these appropriations unless the consent of the Department of Finance is first obtained, and a certificate in writing is duly signed by the director of the department seeking authority for the expenditure, certifying the unavoidable necessity of the expenditure. Any indebtedness attempted to be created against the state in violation of this section shall be null and void, and shall not be allowed by the Controller nor paid out of any state appropriation. Any member of a department, board, commission, or institution who shall vote for any expenditure, or create any indebtedness against the state in excess of the respective appropriations made by this act, unless the consent of the Department of Finance and the director’s signature on the certificate, as required by this section, are first obtained, shall be liable both personally and on his or her official bond for the amount of the indebtedness, to be recovered in any court of competent jurisdiction by the person or persons, firm, or corporation to which the indebtedness is owing.

SEC. 33.00. If any item of appropriation in this act is vetoed, eliminated, or reduced by the Governor under Section 10 of Article IV of the California Constitution, while approving portions of this act, such veto, elimination, or reduction shall not affect the other portions of this act, and these other portions of this act, so approved, shall have the same effect in law as if any vetoed or eliminated items of appropriation had not been present in this act, and as if any reduced item of appropriation had not been reduced.

SEC. 34.00. If any portion of this act is held unconstitutional, that decision shall not affect the validity of any other portion of this act. The Legislature hereby declares that it would have passed this act, and each portion thereof, irrespective of the fact that any other portion be declared unconstitutional.

SEC. 36.00. This act, inasmuch as it provides for appropriations for the usual and current expenses of the state, shall, under the provisions of Section 8 of Article IV of the California Constitution, take effect immediately.

SEC. 37.00. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

This act makes appropriations and contains related provisions for support of state and local government for the 2000–01 fiscal year and provides for capital outlay appropriations in continuance of existing programs and to promote and sustain the economy of the state. It is imperative that these appropriations be made available for expenditure not later than July 1, 2000. It is therefore necessary that this act go into immediate effect.

INDEX BY BUDGET TITLE

SEC. 99.00. The following provides an index to the appropriations and related provisions of this act, by organization in alphabetical order, with the code number of the affected organization. The organization code is the first four numbers of any item number in this act. For ease of reference, the appropriation items in this act are organized in numerical order, and all of the appropriation items for any one organization are adjacent to one another.

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Alcohol and Drug Programs, Department of.....	4200
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Consumer Affairs-Regulatory Boards, Department of	1120-1600
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SEC. 99.50. The following is an index to the general sections of this act. These sections serve to define terms and identify restrictions concerning the appropriations contained in this act.

- 1.00 Budget Act Citation
- 1.50 Intent and Format
- 2.00 Availability of Appropriations
- 3.00 Defines purposes of Appropriations
- 3.50 Benefit Charges against Salaries and Wages
- 3.60 Contribution to Public Employees' Retirement Benefits
- 4.20 Contribution to Public Employees' Contingency Reserve Fund
- 4.60 Rent Increase
- 4.80 State Public Works Board Interim Financing
- 5.25 Attorneys' Fees
- 6.00 Project Alterations Limits
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- 11.00 EDP/Information Technology Reporting Requirements
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- 11.60 Accounting of, and Allocations from, California Unitary Fund
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- 12.00 State Appropriations Limit (SAL)
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CHAPTER 53

An act to amend Sections 19606.1 and 19620.1 of the Business and Professions Code, relating to fairs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 30, 2000. Filed with
Secretary of State June 30, 2000.]

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

SECTION 1. Section 19606.1 of the Business and Professions Code is amended to read:

19606.1. (a) Except as otherwise provided in Section 19606.3, all revenues distributed to the state as license fees from satellite wagering facilities shall be deposited in a separate account in the fund and, notwithstanding Section 13340 of the Government Code, are continuously appropriated from that account to the Department of Food and Agriculture, for allocation by the Secretary of Food and Agriculture, at his or her discretion, for the purposes set forth in paragraphs (1) to (6), inclusive. The concurrence of the Director of Finance shall be required for allocations pursuant to paragraphs (1) and (2). Allocations pursuant to paragraphs (3) to (6), inclusive, shall be made with the concurrence of the Joint Committee on Fairs Allocation and Classification.

(1) For the repayment of the principal of, interest on, and costs of issuance of, and as security, including any coverage factor, pledged to the payment of, bonds issued or to be issued by a joint powers agency or other debt service or expense, including repayment of any advances made or security required by any provider of credit enhancement or liquidity for those bonds or other indebtedness or expenses of maintaining that credit enhancement or liquidity, incurred for the purpose of constructing or acquiring improvements at a fair's racetrack inclosure, satellite wagering facilities at fairs, health and safety repair projects, or handicapped access compliance projects at fairs or for the purpose of refunding bonds or other indebtedness incurred for those purposes. As used in this paragraph, "coverage factor" means revenues in excess of the amount necessary to pay debt service on the bonds or other indebtedness, up to an amount equal to 100 percent more than the amount of that debt service, which a joint powers agency, pursuant to the resolution or indenture under which the bonds or other indebtedness are or will be issued, pledges as additional security for the payment of that debt service or is required to have or maintain as a condition to the issuance of additional bonds or other indebtedness. Notwithstanding any other provision of law, the department may also commit any funds available for allocation under Article 10 (commencing with Section

19620) to complete projects funded under this paragraph in the priority described in this paragraph.

(2) For payment to the State Race Track Leasing Commission to be pledged for the repayment of debt necessary to construct a racetrack grandstand at the 22nd District Agricultural Association fairgrounds. This payment shall be made only if the Secretary of Food and Agriculture determines, annually, that all other pledged revenues have been applied to the repayment of that debt and have been determined by the secretary to be inadequate for that purpose.

(3) For the payment of expenses incurred in establishing and operating satellite wagering facilities at fairs.

(4) For the support of an equipment and operating fund to produce and display a consolidated California signal at satellite wagering facilities and fairs.

(5) For health and safety repair projects at fairs, which includes fire and life safety improvement projects, California Code of Regulations compliance projects, and long-term deferred maintenance projects.

(6) For the development and payment of revenue generating projects, the establishment of pilot projects to restructure the current fair system, and for projects realizing a cost savings for more efficient utilization of existing fair resources.

(b) The Secretary of Food and Agriculture may not make an allocation for purposes of paragraphs (2) to (6), inclusive, of subdivision (a) until the payments required in any fiscal year pursuant to paragraph (1) of subdivision (a) have been funded.

(c) Pursuant to subdivision (a), the Joint Committee on Fairs Allocation and Classification shall review and concur, or not concur, with the secretary's determination of the allocations to be made pursuant to paragraphs (3) to (6), inclusive, of subdivision (a) in total, and the committee may not add to, or delete projects or line items from, the proposed allocations.

(d) Approval of the Joint Committee on Fairs Allocation and Classification is deemed complete when one of the following conditions is met:

(1) The annual budget act is enacted.

(2) If the secretary's recommendations are received by the Joint Committee on Fairs Allocation and Classification after the enactment of the annual budget act, the recommendations shall be deemed approved 30 days after they are received unless they are rejected by the committee.

(e) If the Joint Committee on Fairs Allocation and Classification does not concur with the secretary's recommendations, the secretary may submit another set of recommendations to the committee pursuant to this section.

(f) The payments required in any fiscal year for the purposes of paragraphs (1) to (3), inclusive, of subdivision (a) shall be made before any transfer is made pursuant to subdivision (g).

(g) Except as otherwise provided in subdivision (f), when the revenues deposited in the separate account exceed eleven million dollars (\$11,000,000) in any fiscal year, 98 percent of the amount in excess of eleven million dollars (\$11,000,000) shall be transferred to the Fair and Exposition Fund for allocation in accordance with Sections 19620.1 and 19630.

(h) All of the costs of administering the accounts created by subdivision (a) and Section 19606.3 shall be charged to the respective accounts.

SEC. 2. Section 19620.1 of the Business and Professions Code is amended to read:

19620.1. (a) From the total revenue received by the board, including revenues transferred from the Satellite Wagering Account pursuant to subdivision (g) of Section 19606.1, but excluding money received pursuant to Sections 19640 and 19641, the sum of two hundred sixty-five thousand dollars (\$265,000) plus an amount equal to $\frac{63}{100}$ of 1 percent of the gross amount of money handled in the annual parimutuel pool generated within this state, or the maximum amount received by the state from the parimutuel pool of a racing meeting held in this state, whichever is less, shall be paid into the State Treasury to the credit of the Fair and Exposition Fund. If the revenues paid into the Fair and Exposition Fund under this section are in excess of thirteen million dollars (\$13,000,000) in any fiscal year, one-half of the amount in excess of the thirteen million dollars (\$13,000,000) shall be transferred to the General Fund.

(b) From the total revenue received by the board, exclusive of money received pursuant to Sections 19640 and 19641, and in addition to the funds paid into the State Treasury to the credit of the Fair and Exposition Fund as specified in subdivision (a), the Legislature shall annually appropriate and the board shall deposit to the credit of the Fair and Exposition Fund, such sums as it deems necessary for the following purposes:

(1) For the support of the board, including any costs and expenses incurred by the Attorney General in the enforcement of this chapter as shall be authorized by the board, including, compensation including any fringe benefits paid to stewards and to the official veterinarian, and an amount not less than the amount expended in the 1994–95 fiscal year for the costs of laboratory testing related to horse racing pursuant to Section 19580.

(2) To the Department of Food and Agriculture for the oversight of the network of California fairs receiving money from the fund.

(3) To the Department of Food and Agriculture for the contributions, or the cost of benefits in lieu of contributions, payable to the Unemployment Fund by the network of California fairs receiving funds pursuant to this article, as a result of unemployment insurance coverage pursuant to Section 605 of the Unemployment Insurance Code.

(4) To the Department of Food and Agriculture for the auditing of all district agricultural association fairs, county fairs, and citrus fruit fairs.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to rectify a mistake in existing law that would create an eleven million dollar (\$11,000,000) windfall in the "Satellite Wagering Fund" and an eleven million dollar (\$11,000,000) shortfall in the "Fairs and Expositions Fund" it is necessary for this act to take effect immediately so that the Joint Committee on Fairs Allocation and Classification can include the changes from this act in the fairs budget.

CHAPTER 54

An act to amend Section 139.2 of the Labor Code, relating to workers' compensation.

[Approved by Governor June 30, 2000. Filed with
Secretary of State June 30, 2000.]

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

SECTION 1. Section 139.2 of the Labor Code is amended to read:
139.2. (a) The Industrial Medical Council shall appoint qualified medical evaluators in each of the respective specialties as required for the evaluation of medical-legal issues. The appointments shall be for two-year terms.

(b) The council shall appoint or reappoint as a qualified medical evaluator a physician, as defined in Section 3209.3, who is licensed to practice in this state and who demonstrates that he or she meets the requirements in paragraphs (1), (2), (6), and (7), and, if the physician is a medical doctor, doctor of osteopathy, doctor of chiropractic, or a psychologist, that he or she also meets the applicable requirements in paragraph (3), (4), or (5).

(1) Prior to his or her appointment as a qualified medical evaluator, passes an examination written and administered by the Industrial Medical Council for the purpose of demonstrating competence in

evaluating medical-legal issues in the workers' compensation system. Physicians shall not be required to pass an additional examination as a condition of reappointment. A physician seeking appointment as a qualified medical evaluator on or after January 1, 2001, shall also complete prior to appointment, a course on disability evaluation report writing approved by the Industrial Medical Council. The Industrial Medical Council shall specify the curriculum to be covered by disability evaluation report writing courses, which shall include, but is not limited to, 12 or more hours of instruction.

(2) Devotes at least one-third of total practice time to providing direct medical treatment, or has served as an agreed medical evaluator on eight or more occasions in the 12 months prior to applying to be appointed as a qualified medical evaluator.

(3) Is a medical doctor or doctor of osteopathy and meets one of the following requirements:

(A) Is board certified in a specialty by a board recognized by the council and either the Medical Board of California or the Osteopathic Medical Board of California.

(B) Has successfully completed a residency training program accredited by the American College of Graduate Medical Education or the osteopathic equivalent.

(C) Was an active qualified medical evaluator on June 30, 2000.

(D) Has qualifications that the council and either the Medical Board of California or the Osteopathic Medical Board of California, as appropriate, both deem to be equivalent to board certification in a specialty.

(4) Is a doctor of chiropractic and meets either of the following requirements:

(A) Has completed a chiropractic postgraduate specialty program of a minimum of 300 hours taught by a school or college recognized by the council, the Board of Chiropractic Examiners and the Council on Chiropractic Education.

(B) Has been certified in California workers' compensation evaluation by a provider recognized by the council. The certification program shall include instruction on disability evaluation report writing that meets the standards set forth in paragraph (1).

(5) Is a psychologist and meets one of the following requirements:

(A) Is board certified in clinical psychology by a board recognized by the council.

(B) Holds a doctoral degree in psychology, or a doctoral degree deemed equivalent for licensure by the Board of Psychology pursuant to Section 2914 of the Business and Professions Code, from a university or professional school recognized by the council and has not less than

five years' postdoctoral experience in the diagnosis and treatment of emotional and mental disorders.

(C) Has not less than five years' postdoctoral experience in the diagnosis and treatment of emotional and mental disorders, and has served as an agreed medical evaluator on eight or more occasions prior to January 1, 1990.

(6) Does not have a conflict of interest as determined under the regulations promulgated by the administrative director pursuant to subdivision (o).

(7) Meets any additional medical or professional standards adopted pursuant to paragraph (6) of subdivision (j).

(c) The council shall promulgate standards for appointment of physicians who are retired or who hold teaching positions who are exceptionally well qualified to serve as a qualified medical evaluator even though they do not otherwise qualify under paragraph (2) of subdivision (b). In no event shall a physician whose full-time practice is limited to the forensic evaluation of disability be appointed as a qualified medical evaluator under this subdivision.

(d) The qualified medical evaluator, upon request, shall be reappointed if he or she meets the qualifications of subdivision (b) and meets all of the following criteria:

(1) Is in compliance with all applicable regulations and evaluation guidelines adopted by the council.

(2) Has not had more than five of his or her evaluations which were considered by a workers' compensation judge at a contested hearing rejected by the judge or the appeals board pursuant to this section during the most recent two-year period during which the physician served as a qualified medical evaluator. If the judge or the appeals board rejects the qualified medical evaluator's report on the basis that it fails to meet the minimum standards for those reports established by the Industrial Medical Council or the appeals board, the judge or the appeals board, as the case may be, shall make a specific finding to that effect, and shall give notice to the medical evaluator and to the Industrial Medical Council. Any rejection shall not be counted as one of the five qualifying rejections until the specific finding has become final and time for appeal has expired.

(3) Has completed within the previous 24 months at least 12 hours of continuing education in impairment evaluation or workers' compensation-related medical dispute evaluation approved by the Industrial Medical Council.

(4) Has not been terminated, suspended, placed on probation, or otherwise disciplined by the council during his or her most recent term as a qualified medical evaluator.

If the evaluator does not meet any one of these criteria, the Industrial Medical Council may in its discretion reappoint or deny reappointment according to regulations promulgated by the council. In no event may a physician who does not currently meet the requirements for initial appointment or who has been terminated under subdivision (e) because his or her license has been revoked or terminated by the licensing authority be reappointed.

(e) The council may, in its discretion, suspend or terminate a qualified medical evaluator during his or her term of appointment without a hearing as provided under subdivision (k) or (l) whenever: (1) the evaluator's license to practice in California has been suspended by the relevant licensing authority so as to preclude practice, or has been revoked or terminated by the licensing authority; or, (2) the evaluator has failed to timely pay the fee required by the council pursuant to subdivision (n).

(f) The Industrial Medical Council shall furnish a physician, upon request, a written statement of its reasons for termination of or for denying appointment or reappointment as a qualified medical evaluator. Upon receipt of a specific response to the statement of reasons, the Industrial Medical Council shall review its decision not to appoint or reappoint the physician or to terminate the physician and shall notify the physician of its final decision within 60 days after receipt of the physician's response.

(g) The council shall establish agreements with qualified medical evaluators to assure the expeditious evaluation of cases assigned to them for comprehensive medical evaluations.

(h) When the injured worker is not represented by an attorney, the medical director appointed pursuant to Section 122, shall assign three-member panels of qualified medical evaluators within five working days after receiving a request for a panel. If a panel is not assigned within 15 working days, the employee shall have the right to obtain a medical evaluation from any qualified medical evaluator of his or her choice. The medical director shall use a random selection method for assigning panels of qualified medical evaluators. The medical director shall select evaluators who are specialists of the type selected by the employee. The medical director shall advise the employee that he or she should consult with his or her treating physician prior to deciding which type of specialist to request. The Industrial Medical Council shall promulgate a form which shall notify the employee of the physicians selected for his or her panel. The form shall include, for each physician on the panel, the physician's name, address, telephone number, specialty, number of years in practice, and a brief description of his or her education and training, and shall advise the employee that he or she is entitled to receive transportation expenses and temporary disability

for each day necessary for the examination. The form shall also state in a clear and conspicuous location and type: "You have the right to consult with an information and assistance officer at no cost to you prior to selecting the doctor to prepare your evaluation, or you may consult with an attorney. If your claim eventually goes to court, the judge will consider the evaluation prepared by the doctor you select to decide your claim." When compiling the list of evaluators from which to select randomly, the medical director shall include all qualified medical evaluators who: (1) do not have a conflict of interest in the case, as defined by regulations adopted pursuant to subdivision (o); (2) are certified by the council to evaluate in an appropriate specialty and at locations within the general geographic area of the employee's residence; and, (3) have not been suspended or terminated as a qualified medical evaluator for failure to pay the fee required by the council pursuant to subdivision (n) or for any other reason. When the medical director determines that an employee has requested an evaluation by a type of specialist which is appropriate for the employee's injury, but there are not enough qualified medical evaluators of that type within the general geographic area of the employee's residence to establish a three-member panel, the medical director shall include sufficient qualified medical evaluators from other geographic areas and the employer shall pay all necessary travel costs incurred in the event the employee selects an evaluator from another geographic area.

(i) The medical director appointed pursuant to Section 122, shall continuously review the quality of comprehensive medical evaluations and reports prepared by agreed and qualified medical evaluators and the timeliness with which evaluation reports are prepared and submitted. The review shall include, but not be limited to, a review of a random sample of reports submitted to the division, and a review of all reports alleged to be inaccurate or incomplete by a party to a case for which the evaluation was prepared. The medical director shall submit to the administrative director an annual report summarizing the results of the continuous review of medical evaluations and reports prepared by agreed and qualified medical evaluators and make recommendations for the improvement of the system of medical evaluations and determinations.

(j) After public hearing pursuant to Section 5307.4, the council shall promulgate rules and regulations concerning the following medical issues:

(1) Standards governing the timeframes within which medical evaluations shall be prepared and submitted by agreed and qualified medical evaluators. Except as provided in this subdivision, the timeframe for initial medical evaluations to be prepared and submitted shall be no more than 30 days after the evaluator has seen the employee

or otherwise commenced the medical evaluation procedure. The council shall develop regulations governing the provision of extensions of the 30-day period in cases: (A) where the evaluator has not received test results or consulting physician's evaluations in time to meet the 30-day deadline; and, (B) to extend the 30-day period by not more than 15 days when the failure to meet the 30-day deadline was for good cause. For purposes of this subdivision, "good cause" means: (i) medical emergencies of the evaluator or evaluator's family; (ii) death in the evaluator's family; or, (iii) natural disasters or other community catastrophes that interrupt the operation of the evaluator's business. The council shall develop timeframes governing availability of qualified medical evaluators for unrepresented employees under Sections 4061 and 4062. These timeframes shall give the employee the right to the addition of a new evaluator to his or her panel, selected at random, for each evaluator not available to see the employee within a specified period of time, but shall also permit the employee to waive this right for a specified period of time thereafter.

(2) Procedures to be followed by all physicians in evaluating the existence and extent of permanent impairment and limitations resulting from an injury. In order to produce complete, accurate, uniform, and replicable evaluations, the procedures shall require that an evaluation of anatomical loss, functional loss, and the presence of physical complaints be supported, to the extent feasible, by medical findings based on standardized examinations and testing techniques generally accepted by the medical community.

(3) Procedures governing the determination of any disputed medical issues.

(4) Procedures to be used in determining the compensability of psychiatric injury. The procedures shall be in accordance with Section 3208.3 and shall require that the diagnosis of a mental disorder be expressed using the terminology and criteria of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Third Edition-Revised, or the terminology and diagnostic criteria of other psychiatric diagnostic manuals generally approved and accepted nationally by practitioners in the field of psychiatric medicine.

(5) Guidelines for the range of time normally required to perform the following:

(A) A medical-legal evaluation that has not been defined and valued pursuant to Section 5307.6. However, the council may recommend guidelines for evaluations that have been defined and valued pursuant to Section 5307.6 for the purpose of governing the appointment, reappointment, and discipline of qualified medical evaluators. The guidelines shall establish minimum times for patient contact in the

conduct of the evaluations, and shall be consistent with regulations adopted pursuant to Section 5307.6.

(B) Any treatment procedures that have not been defined and valued pursuant to Section 5307.1.

(C) Any other evaluation procedure requested by the administrative director, the Insurance Commissioner, or the council itself.

If, without good cause, the council fails to adopt the guidelines required by subparagraph (A) or (B) by March 31, 1994, or fails, without good cause, to adopt a guideline pursuant to subparagraph (C) within six months after a request by the administrative director or the Insurance Commissioner, then the administrative director shall have the authority to adopt the guideline.

(6) Any additional medical or professional standards which a medical evaluator shall meet as a condition of appointment, reappointment, or maintenance in the status of a medical evaluator.

(k) Except as provided in this subdivision, the Industrial Medical Council may, in its discretion, suspend or terminate the privilege of a physician to serve as a qualified medical evaluator if the council, after hearing pursuant to subdivision (l), determines, based on substantial evidence, that a qualified medical evaluator:

(1) Has violated any material statutory or administrative duty.

(2) Has failed to follow the medical procedures or qualifications established by the council pursuant to paragraph (2), (3), (4), or (5) of subdivision (j).

(3) Has failed to comply with the timeframe standards established by the council pursuant to subdivision (j).

(4) Has failed to meet the requirements of subdivision (b) or (c).

(5) Has prepared medical-legal evaluations that fail to meet the minimum standards for those reports established by the Industrial Medical Council or the appeals board.

(6) Has made material misrepresentations or false statements in an application for appointment or reappointment as a qualified medical evaluator.

No hearing shall be required prior to the suspension or termination of a physician's privilege to serve as a qualified medical evaluator when the physician has: (A) failed to timely pay the fee required by the council pursuant to subdivision (n); or, (B) had his or her license to practice in California suspended by the relevant licensing authority so as to preclude practice, or had the license revoked or terminated by the licensing authority.

(l) The council shall cite the qualified medical evaluator for a violation listed in subdivision (k) and shall set a hearing on the alleged violation within 30 days of service of the citation on the qualified medical evaluator. In addition to the authority to terminate or suspend

the qualified medical evaluator upon finding a violation listed in subdivision (k), the council may, in its discretion, place a qualified medical evaluator on probation subject to appropriate conditions, including ordering continuing education or training. The council shall report to the appropriate licensing board the name of any qualified medical evaluator who is disciplined pursuant to this subdivision.

(m) The council shall terminate from the list of medical evaluators any physician where licensure has been terminated by the relevant licensing board, or who has been convicted of a misdemeanor or felony related to the conduct of his or her medical practice, or of a crime of moral turpitude. The council shall suspend or terminate as a medical evaluator any physician who has been suspended or placed on probation by the relevant licensing board. If a physician is suspended or terminated as a qualified medical evaluator under this subdivision, a report prepared by the physician that is not complete, signed, and furnished to one or more of the parties prior to the date of conviction or action of the licensing board, whichever is earlier, shall not be admissible in any proceeding before the appeals board nor shall there be any liability for payment for the report and any expense incurred by the physician in connection with the report.

(n) Each qualified medical evaluator shall pay a fee, as determined by the Industrial Medical Council, for appointment or reappointment. Any qualified medical evaluator appointed prior to January 1, 1993, shall also pay the same fee as specified herein. These fees shall be based on a sliding scale as established by the council. All revenues from fees paid under this subdivision shall be deposited into the Industrial Medicine Fund, which is hereby created for the administration of the Industrial Medical Council. Moneys paid into the Industrial Medicine Fund for the activities of the Industrial Medical Council shall not be used by any other department or agency or for any purpose other than administration of the council. The funds provided to the council from the Industrial Medicine Fund shall not supplant any funds appropriated to the council from the Workers' Compensation Administration Revolving Fund, the General Fund, or any other governmental source. Any future annual appropriation to the council from the Workers' Compensation Administration Revolving Fund, the General Fund, or any other governmental source shall not be less than the amount appropriated or provided during the 1991-92 fiscal year.

(o) An evaluator may not request or accept any compensation or other thing of value from any source that does or could create a conflict with his or her duties as an evaluator under this code. The administrative director, after consultation with the council and the Commission on

Health and Safety and Workers' Compensation, shall adopt regulations to implement this subdivision on or before July 1, 1994.

CHAPTER 55

An act to amend Sections 1405, 6220, 6420, 6421, 6422, 6640, 6641, 6642, 6643, 6842, 6843, 6844, 6845, 9116, 9118, 9214, 9215, 9310, 9311, and 15375 of, and to repeal Sections 9117 and 9225 of, the Elections Code, relating to elections.

[Approved by Governor June 30, 2000. Filed with
Secretary of State June 30, 2000.]

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

SECTION 1. Section 1405 of the Elections Code is amended to read:

1405. (a) Except as provided below, the election for a county, municipal, or district initiative that qualifies pursuant to Section 9116, 9214, or 9310 shall be held not less than 88 nor more than 103 days after the date of the order of election.

(1) When it is legally possible to hold a special election on an initiative measure that has qualified pursuant to Section 9116, 9214, or 9310 within 180 days prior to a regular or special election occurring wholly or partially within the same territory, the election on the initiative measure may be held on the same date as, and be consolidated with, that regular or special election.

(2) To avoid holding more than one special election within any 180-day period, the date for holding the special election on an initiative measure that has qualified pursuant to Section 9116, 9214, or 9310, may be fixed later than 103 days but at as early a date as practicable after the expiration of 180 days from the last special election.

(3) Not more than one special election for an initiative measure that qualifies pursuant to Section 9116, 9214, or 9310 may be held by a jurisdiction during any period of 180 days.

(b) The election for a county initiative that qualifies pursuant to Section 9118 shall be held at the next statewide election occurring not less than 88 days after the date of the order of election. The election for a municipal or district initiative that qualifies pursuant to Section 9215 or 9311 shall be held at the jurisdiction's next regular election occurring not less than 88 days after the date of the order of election.

SEC. 2. Section 6220 of the Elections Code is amended to read:

6220. The Secretary of State shall, not later than the 32nd day after the election, compile and file in his or her office a statement of the canvassed returns filed with him or her by the county elections officials.

The compiled statement shall show for each candidate and uncommitted delegation the total of the votes received, and the votes received in each county.

SEC. 3. Section 6420 of the Elections Code is amended to read:

6420. The Secretary of State shall, not later than the 32nd day after the election, compile and file in his or her office a statement of the canvassed returns filed with him or her by the county elections officials.

The compiled statement shall show for each candidate the total of the votes received and the votes received in each county.

SEC. 4. Section 6421 of the Elections Code is amended to read:

6421. The Secretary of State shall, not later than the 32nd day after the election, issue a certificate of election to the candidate who received the largest vote cast of that party, that person thereby being the party's presidential nominee candidate from California.

SEC. 5. Section 6422 of the Elections Code is amended to read:

6422. The Secretary of State shall, not later than the 32nd day after the election, issue a certification to each person selected as a delegate.

SEC. 6. Section 6640 of the Elections Code is amended to read:

6640. The Secretary of State shall, not later than the 32nd day after the election, compile and file in his or her office a statement of the canvassed returns filed with him or her by the election officials.

The compiled statement shall show for each group the total of the votes received, the votes received in each county, and the names of the candidates comprising that group.

SEC. 7. Section 6641 of the Elections Code is amended to read:

6641. The Secretary of State shall, not later than the 32nd day after the election, issue a certificate of election to each person who is a member of the group that received the largest vote cast for any group of that party, the person thereby being elected as delegate to his or her national party convention.

SEC. 8. Section 6642 of the Elections Code is amended to read:

6642. Any person who receives, by write-in vote, a plurality of the votes cast in the delegate selection primary shall, within 37 days after the primary election, file a list of delegates to the national convention with the Secretary of State in the manner prescribed in Sections 6563 and 6564.

SEC. 9. Section 6643 of the Elections Code is amended to read:

6643. If the candidate fails to file a list of delegates, the state central committee of the party shall, within 10 days of the end of the 37-day period required in Section 6642, file a list of delegates with the Secretary

of State. The delegation shall go to the convention unpledged to any candidate.

SEC. 10. Section 6842 of the Elections Code is amended to read:

6842. Each group of candidates for delegate shall meet or confer after the presidential primary and by majority vote shall determine the order in which members of the group shall be certified as elected by the Secretary of State. The order so determined shall commence with a resident of either the northern or the southern territories, and the names thereafter shall alternate between residents of the northern and southern territories until the alternation is no longer possible. The order so determined shall be certified to the Secretary of State by the chairperson of the committee forming the group not later than the 28th day after the election.

SEC. 11. Section 6843 of the Elections Code is amended to read:

6843. The Secretary of State shall, not later than the 32nd day after the election, file in her or his office a statement of the canvassed returns for the Peace and Freedom Party presidential preferential primary and the national convention delegate selection election, compiled from the returns filed with the Secretary of State by the county elections officials. The compiled statement shall show, for each candidate or group, the total of the votes received, the votes received in each county, and, in the case of a group, the names of the candidates comprising that group.

SEC. 12. Section 6844 of the Elections Code is amended to read:

6844. The Secretary of State shall, not later than the 32nd day after the election, issue a certificate of election to as many persons in each group as are entitled to be declared elected from that group pursuant to Section 6840. The names certified from each group shall be certified in the order in which they were specified by the group pursuant to Section 6842. If no order was specified, the Secretary of State shall certify as many persons from the group as are entitled to be elected from the order in which the names of the candidates appeared on the nomination paper of the group, with the additional requirement that an equal number of names be selected of persons residing in the northern and the southern territories, or, if the number to be selected is odd, that one more person residing in the territory with the greater portion of the state's registered Peace and Freedom Party voters shall be certified than the number of persons certified residing in the other territory. Certification of any delegates to which a write-in candidate is entitled shall be made within three business days of the receipt of the names of those delegates pursuant to Sections 6846 and 6847.

SEC. 13. Section 6845 of the Elections Code is amended to read:

6845. Any person who receives, by write-in vote, a sufficient number of votes in the national convention delegate selection portion of the Peace and Freedom Party presidential primary to be entitled to one

or more convention delegates pursuant to Section 6840, shall, within 37 days after the primary election, file a list of as many delegates as the person is entitled to with the Secretary of State. The delegates selected shall meet the residence distribution requirement specified in Section 6763 and shall be voters registered as affiliated with the Peace and Freedom Party in California.

SEC. 14. Section 9116 of the Elections Code is amended to read:

9116. If the initiative petition is signed by voters not less in number than 20 percent of the entire vote cast within the county for all candidates for Governor at the last gubernatorial election preceding the publication of the notice of intention to circulate an initiative petition, and contains a request that the ordinance be submitted immediately to a vote of the people at a special election, the board of supervisors shall do one of the following:

(a) Adopt the ordinance without alteration either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Immediately call a special election pursuant to subdivision (a) of Section 1405, at which the ordinance, without alteration, shall be submitted to a vote of the voters of the county.

(c) Order a report pursuant to Section 9111 at the regular meeting at which the certification of the petition is presented. When the report is presented to the board of supervisors, it shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

SEC. 15. Section 9117 of the Elections Code is repealed.

SEC. 16. Section 9118 of the Elections Code is amended to read:

9118. If the initiative petition is signed by voters not less in number than 10 percent of the entire vote cast in the county for all candidates for Governor at the last gubernatorial election preceding the publication of the notice of intention to circulate an initiative petition, the board of supervisors shall do one of the following:

(a) Adopt the ordinance without alteration at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented

(b) Submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405.

(c) Order a report pursuant to Section 9111 at the regular meeting at which the certification of the petition is presented. When the report is presented to the board of supervisors, it shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

SEC. 17. Section 9214 of the Elections Code is amended to read:

9214. If the initiative petition is signed by not less than 15 percent of the voters of the city according to the last report of registration by the county elections official to the Secretary of State pursuant to Section 2187, effective at the time the notice specified in Section 9202 was published, or, in a city with 1,000 or less registered voters, by 25 percent of the voters or 100 voters of the city, whichever is the lesser number, and contains a request that the ordinance be submitted immediately to a vote of the people at a special election, the legislative body shall do one of the following:

(a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Immediately order a special election, to be held pursuant to subdivision (a) of Section 1405, at which the ordinance, without alteration, shall be submitted to a vote of the voters of the city.

(c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

SEC. 18. Section 9215 of the Elections Code is amended to read:

9215. If the initiative petition is signed by not less than 10 percent of the voters of the city, according to the last report of registration by the county elections official to the Secretary of State pursuant to Section 2187, effective at the time the notice specified in Section 9202 was published, or, in a city with 1,000 or less registered voters, by 25 percent of the voters or 100 voters of the city, whichever is the lesser number, the legislative body shall do one of the following:

(a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405.

(c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

SEC. 19. Section 9225 of the Elections Code is repealed.

SEC. 20. Section 9310 of the Elections Code is amended to read:

9310. (a) If the initiative petition is signed by voters not less in number than 10 percent of the voters in the district, where the total

number of registered voters is less than 500,000, or not less in number than 5 percent of the voters in the district, where the total number of registered voters is 500,000 or more, and the petition contains a request that the ordinance be submitted immediately to a vote of the people at a special election, the district board shall do either of the following:

(1) Adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(2) Immediately order that the ordinance be submitted to the voters, without alteration, pursuant to subdivision (a) of Section 1405.

(b) The number of registered voters referred to in subdivision (a) shall be calculated as of the time of the last report of registration by the county elections official to the Secretary of State made prior to publication or posting of the notice of intention to circulate the initiative petition.

SEC. 21. Section 9311 of the Elections Code is amended to read:

9311. If the initiative petition does not request a special election, the district board shall do either of the following:

(a) Adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Submit the ordinance to the voters, without alteration, pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405.

SEC. 22. Section 15375 of the Elections Code is amended to read:

15375. The elections official shall send to the Secretary of State within 35 days of the election in the manner requested one complete copy of all results as to all of the following:

(a) All candidates voted for statewide office.

(b) All candidates voted for the following offices:

(1) Member of the Assembly.

(2) Member of the Senate.

(3) Member of the United States House of Representatives.

(4) Member of the State Board of Equalization.

(5) Justice of the Courts of Appeal.

(6) Judge of the superior court.

(7) Judge of the municipal court.

(c) All persons voted for at the presidential primary. The results for all persons voted for at the presidential primary for delegates to national conventions shall be canvassed and shall be sent within 28 days after the election. The results at the presidential primary for candidates for President to whom delegates of a political party are pledged shall be reported according to the number of votes each candidate received from all voters and separately according to the number of votes each candidate

received from voters affiliated with each political party qualified to participate in the presidential primary election, and from voters who have declined to affiliate with a qualified political party.

(d) The vote given for persons for electors of President and Vice President of the United States. The results for presidential electors shall be endorsed "Presidential Election Returns."

(e) All statewide measures.

CHAPTER 56

An act to amend Section 316.2 of the Welfare and Institutions Code, relating to paternity.

[Approved by Governor June 30, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 316.2 of the Welfare and Institutions Code is amended to read:

316.2. (a) At the detention hearing, or as soon thereafter as practicable, the court shall inquire of the mother and any other appropriate person as to the identity and address of all presumed or alleged fathers. The presence at the hearing of a man claiming to be the father shall not relieve the court of its duty of inquiry. The inquiry shall include at least all of the following, as the court deems appropriate:

- (1) Whether a judgment of paternity already exists.
 - (2) Whether the mother was married or believed she was married at the time of conception of the child or at any time thereafter.
 - (3) Whether the mother was cohabiting with a man at the time of conception or birth of the child.
 - (4) Whether the mother has received support payments or promises of support with respect to the child or in connection with her pregnancy.
 - (5) Whether any man has formally or informally acknowledged or declared his possible paternity of the child, including by signing a voluntary declaration of paternity.
 - (6) Whether paternity tests have been administered and the results, if any.
 - (7) Whether any man otherwise qualifies as a presumed father pursuant to Section 7611, or any other provision, of the Family Code.
- (b) If, after the court inquiry, one or more men are identified as an alleged father, each alleged father shall be provided notice at his last and usual place of abode by certified mail return receipt requested alleging

that he is or could be the father of the child. The notice shall state that the child is the subject of proceedings under Section 300 and that the proceedings could result in the termination of parental rights and adoption of the child. Judicial Council form Paternity-Waiver of Rights (JV-505) shall be included with the notice. Nothing in this section shall preclude a court from terminating a father's parental rights even if an action has been filed under Section 7630 or 7631 of the Family Code.

(c) The court may determine that the failure of an alleged father to return the certified mail receipt is not good cause to continue a hearing pursuant to Section 355, 358, 360, 366.21, or 366.22.

(d) If a man appears in the dependency action and files an action under Section 7630 or 7631 of the Family Code, the court shall determine if he is the father.

(e) After a petition has been filed to declare a child a dependent of the court, and until the time that the petition is dismissed, dependency is terminated, or parental rights are terminated pursuant to Section 366.26 or proceedings are commenced under Part 4 (commencing with Section 7800) of Division 12 of the Family Code, the juvenile court which has jurisdiction of the dependency action shall have exclusive jurisdiction to hear an action filed under Section 7630 or 7631 of the Family Code.

(f) After any inquiry, proceeding, or determination made pursuant to this section, the juvenile court shall note its findings in the minutes of the court.

CHAPTER 57

An act to amend Section 31754 of the Food and Agricultural Code, relating to animal shelters.

[Approved by Governor June 30, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 31754 of the Food and Agricultural Code, as added by Section 16 of Chapter 752 of the Statutes of 1998, is amended to read:

31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by pounds or shelters shall be held for two full business days, not including the day of impoundment. The animal shall be available for owner redemption for the first day, not including the day of impoundment, and shall be available for owner redemption or adoption for the second day.

After the second required day, the animal may be held longer, killed, or relinquished to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal adoption organization under the same conditions and circumstances provided for stray dogs and cats in Sections 31108 and 31752.

(b) Notwithstanding subdivision (a), kittens or puppies relinquished by the purported owner, or brought in by any other person with authority to relinquish them, to pounds or shelters may immediately be available for adoption.

(c) This section shall become operative on July 1, 1999. This section shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute that is enacted before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 31754 of the Food and Agricultural Code, as added by Section 16.5 of Chapter 752 of the Statutes of 1998, is amended to read:

31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by pounds or shelters shall be held for the same holding periods, with the same requirements of care, applicable to stray dogs and cats in Sections 31108 and 31755, except that the period for owner redemption shall be one day, not including the day of impoundment, and the period for owner redemption or adoption shall be the remainder of the holding period.

(b) Notwithstanding subdivision (a), kittens or puppies relinquished by the purported owner, or brought in by any other person with authority to relinquish them, to pounds or shelters may immediately be available for adoption.

(c) This section shall become operative on July 1, 2001.

CHAPTER 58

An act to amend Sections 38772, 38773.2, 38773.6, and 38773.7 of the Government Code, relating to nuisances.

[Approved by Governor June 30, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 38772 of the Government Code is amended to read:

38772. (a) The legislative body of a city, county, or city and county may provide for the summary abatement of any nuisance resulting from the defacement of the property of another by graffiti or any other inscribed material at the expense of the minor or other person creating, causing, or committing the nuisance and by ordinance may make the expense of abatement of the nuisance a lien against property of the minor or other person and a personal obligation against the minor or other person pursuant to Section 38773.2 or 38773.6.

(b) The parent or guardian having custody and control of the minor shall be jointly and severally liable with the minor. The legislative body of a city, county, or city and county may make the expense of abatement of any nuisance, resulting from the defacement by a minor of the property of another by graffiti or any other inscribed material, a lien against the property of a parent or guardian, having custody and control of the minor, and a personal obligation against the parent or guardian having custody and control of the minor pursuant to Section 38773.2 or 38773.6.

(c) Notwithstanding any other provision of law, the names and addresses of the parent or guardian having custody and control of the minor, if known, shall be reported by the probation officer of the county to the city clerk or other official designated by the legislative body of the city, county, or city and county in which the defaced property is located.

(d) As used in this section, the following terms have the following meanings:

(1) "Expense of abatement" includes, but is not limited to, court costs, attorney's fees, costs of removal of the graffiti or other inscribed material, costs of repair and replacement of defaced property, and the law enforcement costs incurred by the city, county, or city and county in identifying and apprehending the minor or other person.

(2) "Graffiti or other inscribed material" means any unauthorized inscription, word, figure, mark, or design that is written, marked, etched, scratched, drawn, or painted on any real or personal property.

(3) "Minor" or "other person" means a minor or other person who has confessed to, admitted to, or pled guilty or nolo contendere to a violation of Section 594, 594.3, 640.5, 640.6, or 640.7 of the Penal Code, or a minor convicted by final judgment of a violation of Section 594, 594.3, 640.5, 640.6, or 640.7 of the Penal Code, or a minor declared a ward of the Juvenile Court pursuant to Section 602 of the Welfare and Institutions Code by reason of the commission of an act prohibited by Section 594, 594.3, 640.5, 640.6, or 640.7 of the Penal Code.

SEC. 2. Section 38773.2 of the Government Code is amended to read:

38773.2. (a) The legislative body of a city, county, or city and county may, by ordinance, establish a procedure to collect abatement and

related administrative costs incurred in the summary abatement of any nuisance resulting from the defacement by a minor or other person of the property of another by graffiti or any other inscribed material. The ordinance shall require notice to the minor or other person prior to the recordation of a lien on the parcel of land owned by the minor or other person. The ordinance shall require notice to the parent or guardian having custody and control of the minor prior to the recordation of a lien on the parcel of land owned by the parent or guardian having custody and control of the minor.

(b) The notice shall be served in the same manner as a summons in a civil action pursuant to Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of Civil Procedure. If the minor or other person, after diligent search, cannot be found, the notice may be served by posting a copy of the notice upon the property owned by the minor or other person, in a conspicuous place, for a period of 10 days. The notice shall also be published pursuant to Section 6062 in a newspaper of general circulation that is published in the county in which the property is located. If the parent or guardian having custody and control of the minor, after diligent search, cannot be found, the notice may be served by posting a copy of the notice upon the property owned by the parent or guardian having custody and control of the minor, in a conspicuous place, for a period of 10 days. The notice shall also be published pursuant to Section 6062 in a newspaper of general circulation that is published in the county in which the property is located.

(c) A graffiti nuisance abatement lien shall be recorded in the county recorder's office in the county in which the parcel of land is located. From the date of recording, the lien shall have the force, effect, and priority of a judgment lien.

(d) A graffiti nuisance abatement lien authorized by this section shall specify the amount of the lien; the name of the agency on whose behalf the lien is imposed; the date of the abatement order; the street address, legal description, and assessor's parcel number of the parcel on which the lien is imposed; and the name and address of the recorded owner of the parcel.

(e) If the lien is discharged, released, or satisfied, either through payment or foreclosure, notice of the discharge containing the information specified in subdivision (d) shall be recorded by the governmental agency. A graffiti nuisance abatement lien and the release of the lien shall be indexed in the grantor-grantee index.

(f) A graffiti nuisance abatement lien may be satisfied through foreclosure in an action brought by the city.

(g) Notwithstanding Section 6103, Section 27383, or any other provision of law, the county recorder may impose a fee on the city, county, or city and county to reimburse the costs of processing and

recording the lien and providing notice to the property owner. The city, county, or city and county may recover from the property owner any costs incurred regarding the processing and recording of the lien and providing notice to the property owner as part of its foreclosure action to enforce the lien.

(h) As used in subdivision (a), “abatement and related administrative costs” include, but are not limited to, court costs, attorney’s fees, costs of removal of the graffiti or other inscribed material, costs of repair and replacement of defaced property, and the law enforcement costs incurred by the city, county, or city and county in identifying and apprehending the minor or other person.

(i) The terms “graffiti or other inscribed material,” “minor,” and “other person” have the same meaning as specified in Section 38772.

SEC. 3. Section 38773.6 of the Government Code is amended to read:

38773.6. (a) As an alternative to the procedure specified in Section 38773.2, the legislative body of a city, county, or city and county may, by ordinance, establish a procedure for the abatement of any nuisance resulting from the defacement by a minor or other person of property of another by graffiti or other inscribed material and make the abatement and related administrative costs a special assessment against a parcel of land owned by the minor or other person or by the parent or guardian having custody and control of the minor. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection, and enforcement of municipal taxes shall be applicable to the special assessment. However, if any real property to which the abatement and related administrative costs relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon prior to the date on which the first installment of the taxes would become delinquent, then the abatement and related administrative costs shall not result in a lien against the real property but shall instead be transferred to the unsecured roll for collection. Notices or instruments relating to the abatement proceeding or special assessment may be recorded.

(b) The terms “abatement and related administrative costs,” “graffiti or other inscribed material,” “minor,” and “other person” have the same meaning as specified in Sections 38772 and 38773.2.

SEC. 4. Section 38773.7 of the Government Code is amended to read:

38773.7. The legislative body, by ordinance, may provide that upon entry of a second or subsequent civil or criminal judgment within a

two-year period finding that an owner of property or a person described in paragraph (3) of subdivision (d) of Section 38772 is responsible for a condition that may be abated in accordance with an ordinance enacted pursuant to Sections 38773.5 and 38773.6, except for conditions abated pursuant to Section 17980 of the Health and Safety Code, the court may order that person to pay treble the costs of the abatement.

CHAPTER 59

An act to amend Section 990 of the Welfare and Institutions Code, relating to juvenile correctional facilities and youth centers.

[Approved by Governor June 30, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 990 of the Welfare and Institutions Code is amended to read:

990. As used in this article:

(a) "Acquiring" means obtaining ownership of an existing facility in fee simple for use as a youth center.

(b) "Altering" or "renovating" means making modifications to an existing facility that are necessary for cost-effective use as a youth center, including restoration, repair, expansion, and all related physical improvements.

(c) "Applicant" means a nonprofit agency that serves youth, including, but not limited to, organizations such as Boys and Girls Clubs, YMCA, Girl Scouts, Boy Scouts, Camp Fire, Inc., California 4-H Programs, the California Police Activities League, and camping organizations that have been operating in California for a period of not less than two years. An applicant does not have to be operating in the county of application in order to be a qualified applicant.

(d) "Constructing" means the purchase or building of a new facility, including the costs of land acquisition and architectural and engineering fees.

(e) "Department" means the Department of the Youth Authority.

(f) "Nonprofit organization" means an agency or organization that serves youth that is exempt under Section 501(c)(3) of the Internal Revenue Code and is owned and operated by one or more corporations or associations with no part of the net earnings benefiting any private shareholder or individual.

(g) "Programs" means services and activities provided in a youth center, including, but not limited to, recreation, health and fitness, citizenship and leadership development, job training, delinquency prevention such as antigang programs, teen pregnancy prevention programs, and counseling for problems such as drug and alcohol abuse.

CHAPTER 60

An act to amend Sections 20543, 20544, and 20563 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 30, 2000. Filed with Secretary of State July 3, 2000.]

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

SECTION 1. Section 20543 of the Revenue and Taxation Code is amended to read:

20543. (a) (1) The amount of assistance for a claimant owning his or her residential dwelling shall be based on claimant's household income for the period set forth in Section 20503.

(2) Except as provided in paragraph (3), the percentage of assistance for which each claimant owning his or her residential dwelling shall be eligible shall be based on the following scale:

If the total household income (as defined in this part) is not more than:	The percentage of tax on the first \$34,000 of full value (as determined for tax purposes) used to provide assistance is:
\$3,300	96%
3,520	94
3,740	92
3,960	90
4,180	88
4,400	86
4,620	84
4,840	82
5,060	80
5,280	78
5,500	76
5,720	73

5,940	69
6,160	65
6,380	61
6,600	57
6,820	53
7,040	49
7,260	45
7,480	41
7,700	37
7,920	34
8,140	31
8,360	28
8,580	25
8,800	22
9,020	20
9,240	18
9,460	16
9,680	14
9,900	12
10,450	10
11,000	8
11,550	7
12,100	6
12,650	5
13,200	4

(3) For claims filed with respect to the 2000 calendar year, the percentage of assistance for which each claimant owning his or her residential dwelling shall be eligible shall be based on the following scale:

If the total household income (as defined in this part) is not more than:	The percentage of tax on the first \$34,000 of full value (as determined for tax purposes) used to provide assistance is:
\$8,498	240%
9,065	235
9,631	230
10,198	225
10,765	220
11,331	215
11,897	210

12,464	205
13,031	200
13,598	195
14,164	190
14,730	183
15,297	173
15,864	163
16,430	153
16,997	143
17,563	133
18,129	123
18,697	113
19,263	103
19,830	93
20,396	85
20,962	78
21,530	70
22,096	63
22,662	55
23,229	50
23,795	45
24,362	40
24,929	35
25,495	30
26,912	25
28,328	20
29,745	18
31,161	15
32,578	13
33,993	10

(b) With respect to assistance that is provided by the Franchise Tax Board pursuant to this chapter for the 1999 calendar year, the household income figures set forth in paragraph (2) of subdivision (a) shall be multiplied by a factor of 2.51.

(c) With respect to assistance that is provided by the Franchise Tax Board pursuant to this chapter for the 2000 calendar year and each year thereafter, the household income figures that apply to assistance provided by the Franchise Tax Board during that period shall be the household income figures that applied to assistance provided by the

Franchise Tax Board in the same period in the immediately preceding year, multiplied by an inflation factor calculated as follows:

(1) On or before February 1 of each year, the Department of Industrial Relations shall transmit to the Franchise Tax Board the percentage change in the California Consumer Price Index for all items from June of the second preceding calendar year to June of the immediately preceding calendar year.

(2) The Franchise Tax Board shall add 100 percent to the percentage change figure that is furnished pursuant to paragraph (1) and divide the result by 100.

(3) The Franchise Tax Board shall multiply the immediately preceding household income figure by the inflation adjustment factor determined in paragraph (2), and round off the resulting product to the nearest one dollar (\$1).

SEC. 2. Section 20544 of the Revenue and Taxation Code is amended to read:

20544. (a) (1) The amount of assistance for a claimant renting his or her residence shall be based on the claimant's household income for the time period set forth in Section 20503.

(2) Except as provided in paragraph (3), the percentage of assistance for which each claimant renting his or her residence shall be eligible shall be based on the following scale:

If the total household income (as defined in this part) is not more than:	The statutory property tax equivalent is:	The percentage of the statutory property tax equivalent used to provide assistance is:
\$3,300	\$250	96%
3,520	250	94
3,740	250	92
3,960	250	90
4,180	250	88
4,400	250	86
4,620	250	84
4,840	250	82
5,060	250	80
5,280	250	78
5,500	250	76
5,720	250	73
5,940	250	69
6,160	250	65
6,380	250	61
6,600	250	57

6,820	250	53
7,040	250	49
7,260	250	45
7,480	250	41
7,700	250	37
7,920	250	34
8,140	250	31
8,360	250	28
8,580	250	25
8,800	250	22
9,020	250	20
9,240	250	18
9,460	250	16
9,680	250	14
9,900	250	12
10,450	250	10
11,000	250	8
11,550	250	7
12,100	250	6
12,600	250	5
13,200	250	4

(3) For claims filed with respect to the 2000 calendar year, the percentage of assistance for which each claimant renting his or her residence shall be eligible shall be based on the following scale:

If the total household income (as defined in this part) is not more than:	The statutory property tax equivalent is:	The percentage of the statutory property tax equivalent used to provide assistance is:
\$8,498	\$625	96%
9,065	625	94
9,631	625	92
10,198	625	90
10,765	625	88
11,331	625	86
11,897	625	84
12,464	625	82
13,031	625	80
13,598	625	78
14,164	625	76

14,730	625	73
15,297	625	69
15,864	625	65
16,430	625	61
16,997	625	57
17,563	625	53
18,219	625	49
18,697	625	45
19,263	625	41
19,830	625	37
20,396	625	34
20,962	625	31
21,530	625	28
22,096	625	25
22,662	625	22
23,229	625	20
23,795	625	18
24,362	625	16
24,929	625	14
25,495	625	12
26,912	625	10
28,328	625	8
29,745	625	7
31,161	625	6
32,578	625	5
33,993	625	4

(b) With respect to assistance that is provided by the Franchise Tax Board pursuant to this chapter for the 1999 calendar year, the household income figures set forth in paragraph (2) of subdivision (a) shall be multiplied by a factor of 2.51.

(c) With respect to assistance that is provided by the Franchise Tax Board pursuant to this chapter for the 2000 calendar year and each year thereafter, the household income figures that apply to assistance provided by the Franchise Tax Board during that period shall be the household income figures that applied to assistance provided by the Franchise Tax Board in the same period in the immediately preceding year, multiplied by an inflation factor calculated as follows:

(1) On or before February 1 of each year, the Department of Industrial Relations shall transmit to the Franchise Tax Board the percentage change in the California Consumer Price Index for all items from June

of the second preceding calendar year to June of the immediately preceding calendar year.

(2) The Franchise Tax Board shall add 100 percent to the percentage change figure that is furnished pursuant to paragraph (1) and divide the result by 100.

(3) The Franchise Tax Board shall multiply the immediately preceding household income figure by the inflation adjustment factor determined in paragraph (2), and round off the resulting product to the nearest one dollar (\$1).

SEC. 3. Section 20563 of the Revenue and Taxation Code is amended to read:

20563. (a) The claim on which the assistance is based shall be filed after July 1 of the fiscal year for which assistance is claimed but on or before October 15 succeeding the fiscal year for which assistance is claimed. The Franchise Tax Board may thereafter accept claims through June 30 succeeding the fiscal year for which assistance is claimed.

(b) The state shall assist the claimant after July 15 and before November 15 of the calendar year in which the claim is filed, except that if the claim is defective, assistance shall be made as promptly as is practicable after the claim has been perfected.

(c) A claimant who, because of a medical incapacity, is prevented from filing a timely claim, shall be permitted to file a claim within six months after the end of his or her medical incapacity or three (3) years succeeding the end of the fiscal year for which assistance is claimed, whichever date is earlier.

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

In order to provide a one-time increase of property tax assistance payments for low-income seniors and disabled individuals for the 2000–01 fiscal year, it is necessary that this act go into immediate effect.

CHAPTER 61

An act to amend Section 830.1 of the Penal Code, relating to peace officers.

[Approved by Governor June 30, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 830.1 of the Penal Code is amended to read:

830.1. (a) Any sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a county, any chief of police of a city or chief, director, or chief executive officer of a consolidated municipal public safety agency which performs police functions, any police officer, employed in that capacity and appointed by the chief of police or chief, director, or chief executive of a public safety agency, of a city, any chief of police, or police officer of a district (including police officers of the San Diego Unified Port District Harbor Police) authorized by statute to maintain a police department, any marshal or deputy marshal of a municipal court, any port warden or special officer of the Harbor Department of the City of Los Angeles, or any inspector or investigator employed in that capacity in the office of a district attorney, is a peace officer. The authority of these peace officers extends to any place in the state, as follows:

(1) As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision which employs the peace officer.

(2) Where the peace officer has the prior consent of the chief of police or chief, director, or chief executive officer of a consolidated municipal public safety agency, or person authorized by him or her to give consent, if the place is within a city or of the sheriff, or person authorized by him or her to give consent, if the place is within a county.

(3) As to any public offense committed or which there is probable cause to believe has been committed in the peace officer's presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of the offense.

(b) Special agents and Attorney General investigators of the Department of Justice are peace officers, and those assistant chiefs, deputy chiefs, chiefs, deputy directors, and division directors designated as peace officers by the Attorney General are peace officers. The authority of these peace officers extends to any place in the state where a public offense has been committed or where there is probable cause to believe one has been committed.

(c) Any deputy sheriff of a county of the first class, and any deputy sheriff of the County of San Diego, who is employed to perform duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of county custodial facilities, including the custody, care, supervision, security, movement, and transportation of inmates, is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her respective employment and for the purpose of

carrying out the primary function of employment relating to his or her custodial assignments, or when performing other law enforcement duties directed by his or her employing agency during a local state-of-emergency.

CHAPTER 62

An act to add Section 11016.5 to the Government Code, relating to state agencies, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 30, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 11016.5 is added to the Government Code, to read:

11016.5. Each state agency may contract with a joint powers authority that is created pursuant to an agreement entered into pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1, to perform examinations and related services for the state agency with respect to the issuance of professional and vocational licenses, certifications, commissions, permits, or other similar accreditations, subject to the approval of the Director of General Services, or to other approval as required by law. Notwithstanding any other provision of law, the Cooperative Personnel Services Joint Powers Authority is hereby authorized to administer examinations and perform related services for state agencies with respect to the issuance of professional and vocational licenses, certifications, commissions, permits, or other similar accreditations, subject to the approval of the Director of General Services, or to other approval as required by law.

SEC. 2. Due to unique facts and circumstances applicable to the Cooperative Personnel Services Joint Powers Authority, the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution. Therefore, special legislation contained in Section 1 of this act is necessarily applicable only to the Cooperative Personnel Services Joint Powers Authority.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that state agencies may enter into contracts with a joint powers authority as authorized by this act at the earliest time possible and in order that those contracts may be implemented without delay, it is necessary for this act to take effect immediately.

CHAPTER 63

An act to amend Section 21655.12 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 3, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 21655.12 of the Vehicle Code is amended to read:

21655.12. (a) The Department of Transportation shall establish exclusive or preferential use of highway lanes for high-occupancy vehicles on that portion of State Highway Route 10 known as the San Bernardino Freeway, and shall set the minimum occupancy level on those lanes at three persons, including the driver, during the peak commuting hours of 5 a.m. to 9 a.m., inclusive, and 4 p.m. to 7 p.m., inclusive, Monday through Friday, inclusive, and two persons, including the driver, at all other times.

(b) On or before January 1, 2001, the Department of Transportation shall complete, and prepare and submit to the Legislature a report regarding an operational study concerning the use of the lanes established pursuant to subdivision (a). That study shall include, but is not limited to, an analysis of any discernable changes in motorist behavior as a result of the establishment of the lanes. The study and report shall include an assessment of the options available to the department in order to maximize the use of the lanes including, but not limited to, an analysis of opening an additional lane, installing entrances and exits on the lane or lanes, and other feasible proposals to relieve congestion on the San Bernardino Freeway.

(c) This section shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of

Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to relieve congestion on the San Bernardino Freeway at the earliest possible time and to provide additional direction to the Department of Transportation in undertaking the study and report provided for in subdivision (b) of Section 21655.12 of the Vehicle Code, it is necessary that this act take effect immediately.

CHAPTER 64

An act to amend Sections 102405 and 102415 of the Health and Safety Code, relating to vital statistics.

[Approved by Governor July 3, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 102405 of the Health and Safety Code is amended to read:

102405. For live births that occur in a hospital, or a state-licensed alternative birth center, as defined in paragraph (4) of subdivision (b) of Section 1204, the administrator of the hospital or center or a representative designated by the administrator in writing may sign the birth certificate certifying the fact of birth instead of the attending physician and surgeon, certified nurse midwife, or principal attendant if the physician and surgeon, certified nurse midwife, or principal attendant is not available to sign the certificate; and shall be responsible for registering the certificate with the local registrar within the time specified in Section 102400.

SEC. 2. Section 102415 of the Health and Safety Code is amended to read:

102415. For live births that occur outside of a hospital, or outside of a state-licensed alternative birth center, as defined in paragraph (4) of subdivision (b) of Section 1204, the physician in attendance at the birth; or in the absence of a physician, either one of the parents shall be responsible for entering the information on the certificate, securing the required signatures, and registering the certificate with the local registrar.

CHAPTER 65

An act to add and repeal Section 17293.5 of the Education Code, relating to teen parenting education programs, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 3, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 17293.5 is added to the Education Code, to read:

17293.5. (a) Notwithstanding any other provision of law, if a school district leases a building on a temporary basis for the purposes of housing a pregnant and parenting teen education program, the building shall be exempt from this article and Article 6 (commencing with Section 17365).

(b) This section shall remain in effect only until January 1, 2002, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2002, deletes or extends that date.

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

In order to allow school districts to continue offering pregnant and parenting teen education programs in buildings leased on a temporary basis, it is necessary that this act take effect immediately.

CHAPTER 66

An act to amend Sections 61737.04 and 61737.06 of the Government Code, to add Section 5784.40 to, and to repeal Section 5782.5.1 of, the Public Resources Code, relating to districts.

[Approved by Governor July 3, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 61737.04 of the Government Code is amended to read:

61737.04. The board shall appoint a person who shall be known as the finance officer, who shall serve at its pleasure. It shall fix the amount

of his or her compensation. It shall fix the amount of and approve his or her bond. The finance director may be a member of the board, the general manager, or his or her office may be consolidated with that of the secretary.

SEC. 2. Section 61737.06 of the Government Code is amended to read:

61737.06. Warrants shall be drawn by the finance officer and signed by the president and secretary, or one of them and one member of the board, or by the president and the general manager.

SEC. 3. Section 5782.5.1 of the Public Resources Code is repealed.

SEC. 4. Section 5784.40 is added to the Public Resources Code, to read:

5784.40. Notwithstanding Sections 5784.18 and 5784.19, with the prior approval of the supervising authority, a district may establish an alternative depository pursuant to Chapter 6.1 (commencing with Section 61737.01) of Part 5 of Division 3 of Title 6 of the Government Code.

CHAPTER 67

An act to add Section 49069.3 to the Education Code, relating to pupil records.

[Approved by Governor July 3, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 49069.3 is added to the Education Code, to read:

49069.3. Foster family agencies with jurisdiction over currently enrolled or former pupils may access records of grades and transcripts, and any individualized education plans (IEP) that may have been developed pursuant to Chapter 4 (commencing with Section 56300) of Part 30 maintained by school districts or private schools of those pupils.

CHAPTER 68

An act to amend Section 8961.7 of the Health and Safety Code, relating to cemetery districts, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 3, 2000. Filed with
Secretary of State July 3, 2000.]

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

SECTION 1. Section 8961.7 of the Health and Safety Code is amended to read:

8961.7. (a) A district formed prior to the adoption of this section may acquire, and maintain a mausoleum if construction thereof was completed at least 10 years prior to May 1, 1947. However, the district may construct additions to the mausoleum for crypt entombment.

(b) Notwithstanding the provisions of subdivision (a), the Visalia Public Cemetery District may acquire and manage the mausoleum originally constructed by the City of Visalia in 1965. However, the Visalia Public Cemetery District shall comply with all other applicable provisions with respect to the operation and maintenance of the mausoleum.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of the City of Visalia and the Visalia Public Cemetery District. The facts constituting the special circumstances are:

The City of Visalia desires to divest itself of the ownership of a mausoleum and the Visalia Public Cemetery District is willing to acquire and manage that mausoleum. Current law prevents the district from acquiring the mausoleum because it was originally built after the statutory deadline. There is no other private organization or public agency available to manage the city's mausoleum. Accordingly, the Legislature finds that special circumstances exist that require special legislation.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure the mausoleum's uninterrupted maintenance and care by the Visalia Public Cemetery District, it is necessary that this act take effect immediately.

CHAPTER 69

An act to add Section 45023.1 to the Education Code, relating to certificated employees and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 5, 2000. Filed with
Secretary of State July 5, 2000.]

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

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) The minimum annual salary for a classroom teacher who possesses a full credential should be at least thirty-four thousand dollars (\$34,000).

(b) A thirty-four thousand dollars (\$34,000) minimum annual salary for a beginning credentialed classroom teacher is necessary to place the teaching profession in a position where it would be able to effectively compete with other professions for talented individuals who might consider teaching, but who are attracted to other higher paying professions that require similar years of postsecondary education and preservice experience.

(c) Teacher salary schedules in school districts should be designed to accomplish multiple goals, including, but not limited to, all of the following:

(1) The attraction of people with the education and personal characteristics to become career teachers.

(2) The retention of qualified, competent, and experienced teachers.

(3) The achievement of a reasonable annual salary commensurate with a teacher's experience, education, and responsibilities.

(4) The recognition of continuing professional development that is of benefit to the district, a teacher's school, and their pupils.

(d) The state's existing Jack O'Connell Beginning-Teacher Salary Incentive Program, with the minimum salary goal of thirty-two thousand dollars (\$32,000), is a good first effort toward accomplishing a more appropriate goal of an annual minimum beginning teacher salary of thirty-four thousand dollars (\$34,000).

(e) The goal of an annual minimum beginning teacher salary of thirty-four thousand dollars (\$34,000) can be achieved if the state provides the financial support for school districts and county offices of education that adopt the thirty-four thousand dollar (\$34,000) minimum. The state's school districts and county offices of education are of such diverse size and type that two options for state financial support should be made available. The school districts, county offices of education, and

county superintendents of schools should be permitted to choose the option that best meets their conditions in order to achieve a minimum annual beginning teacher salary of thirty-four thousand dollars (\$34,000).

SEC. 2. Section 45023.1 is added to the Education Code, to read:

45023.1. (a) Commencing with the 2000–01 fiscal year, the governing board of a school district, the county superintendent of schools, or the county board of education may increase, for teachers meeting the requirements prescribed by this section, the salary on its adopted certificated employee salary schedule as provided in subdivision (b). For purposes of this section, any teacher for whom the governing board, county superintendent of schools, or county board of education may increase salaries shall meet all of the following criteria:

(1) Hold a valid California teaching credential, not including an emergency permit, intern permit, or waiver.

(2) Possess a baccalaureate or higher degree.

(3) Receive a salary paid through the general fund of the district or county office.

(b) The governing board, county superintendent of schools, or county board of education that increases its salaries pursuant to subdivision (a) shall perform the following computations:

(1) The governing board, county superintendent of schools, or county board of education shall designate as the lowest salary on the salary schedule for a certificated employee meeting the criteria in subdivision (a) an amount that is at least an annual salary of thirty-four thousand dollars (\$34,000) in the 2000–01 fiscal year.

(2) The governing board, county superintendent of schools, or county board of education shall increase to the annual salary amount in paragraph (1) the salary of any certificated employee meeting the criteria in subdivision (a) whose salary on the salary schedule for the 1999–2000 fiscal year was less than the amount computed in paragraph (1) and, notwithstanding Section 45028, shall incorporate that increase into the salary schedule commencing with the 2000–01 fiscal year.

(c) Each school district or county office of education that increases its beginning teacher annual minimum salary to thirty-four dollars (\$34,000) pursuant to subdivision (b) shall elect, except as provided in subdivision (i), to receive reimbursement for the cost of the increase pursuant to only one of the following two options:

(1) Option One:

(A) In fiscal year 2000–01, a school district, county superintendent of schools, or county office of education that increases salaries pursuant to paragraph (2) of subdivision (b) and selects reimbursement Option One shall receive an amount equal to six dollars (\$6) times the district's or county office's second principal apportionment average daily

attendance for the 1999–2000 fiscal year, excluding attendance in adult education programs and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(B) Divide the amount received from the state pursuant to subparagraph (A) for the 2000–01 fiscal year by the school district and county office of education second principal apportionment average daily attendance for the 2000–01 fiscal year, excluding attendance in adult education programs and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(C) For the 2001–02 fiscal year and each fiscal year thereafter, for each school district that increases its salaries pursuant to subdivision (a), the Superintendent of Public Instruction shall sum the results of paragraphs (i) and (ii) and add that figure to the total school district revenue limit computed pursuant to Section 42238:

(i) Annually increase the funding rate per unit of average daily attendance specified in subparagraph (B) by the percentage increase pursuant to subdivision (b) of Section 42238.1 and multiply the resulting product by the school district’s second principal apportionment average daily attendance for the current fiscal year excluding attendance in regional occupational centers/programs, adult education programs, and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(ii) Annually increase the funding rate per unit of average daily attendance specified in subparagraph (B) by the percentage increase pursuant to subdivision (b) of Section 42238.1 and multiply the resulting product by the school district’s second principal apportionment average daily attendance for the current fiscal year in regional occupational centers/programs excluding attendance in charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(D) For the 2001–02 fiscal year and each fiscal year thereafter, for each county office of education that increases its salaries subdivision (a), the Superintendent of Public Instruction shall add the sum of paragraphs (i) and (ii) to the county office of education revenue limit computed pursuant to Section 2550:

(i) Annually increase the funding rate per unit of average daily attendance specified in subparagraph (B) by the percentage increase identified pursuant to Section 2557 and multiply the resulting product by the county office of education’s second principal apportionment average daily attendance for the current fiscal year excluding attendance in regional occupational centers/programs, adult education programs, and charter schools participating in the charter school block grant

pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(ii) Annually increase the funding rate per unit of average daily attendance specified in subparagraph (B) by the percentage increase identified pursuant to Section 2557 and multiply the resulting product by the county office of education's second principal apportionment average daily attendance for the current fiscal year in regional occupational centers/programs excluding attendance in charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(E) The school district, county superintendent of schools, or county office of education shall utilize these incentive funds not only to meet the new beginning teacher annual minimum salary of thirty-four thousand dollars (\$34,000), but may also use the funds to generally enhance teachers' salaries in order to achieve the goals of retention of qualified, competent, and experienced teachers and the attainment of a reasonable salary commensurate with a teacher's experience, education, and responsibilities.

(2) Option Two: A school district, county superintendent of schools, or county office of education may submit a request to the Superintendent of Public Instruction, on a form supplied by the Superintendent of Public Instruction, for state funding computed as follows:

(A) Total the salaries of all certificated employees receiving increased salaries up to a maximum of thirty-four thousand dollars (\$34,000) per person pursuant to subdivision (b) for the 2000–01 fiscal year.

(B) Total all salaries, based on the salary schedule for the 2000–01 fiscal year before the increase made pursuant to subdivision (b), of all certificated employees receiving increased salaries pursuant to subdivision (b).

(C) Subtract the amount in subparagraph (A) from the amount in subparagraph (B).

(D) Multiply the amount in subparagraph (C) by the district's statutory benefit rates.

(E) For the 2000–01 fiscal year, a school district, county superintendent of schools, or county office of education that increases salaries pursuant to paragraph (2) of subdivision (b) and selects reimbursement Option Two shall receive the sum of paragraphs (C) and (D).

(F) Divide the sum of the amounts received pursuant to paragraphs (C) and (D) for the 2000–01 fiscal year by the school district and county office of education average daily attendance for the second principal apportionment for the 2000–01 fiscal year, excluding attendance in adult education programs and charter schools participating in the charter

school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(G) For the 2001–02 fiscal year and each fiscal year thereafter, for each school district that increases its salaries pursuant to subdivision (a), the Superintendent of Public Instruction shall sum the results of paragraphs (i) and (ii) and add that figure to the total school district revenue limit computed pursuant to Section 42238:

(i) Annually increase the funding rate per unit of average daily attendance calculated pursuant to subparagraph (F) by the percentage increase pursuant to subdivision (b) of Section 42238.1 and multiply the resulting product by the school district's second principal apportionment average daily attendance for the current fiscal year excluding attendance in regional occupational centers/programs, adult education programs, and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(ii) Annually increase the funding rate per unit of average daily attendance calculated pursuant to subparagraph (F) by the percentage increase pursuant to subdivision (b) of Section 42238.1 and multiply the resulting product by the school district's second principal apportionment average daily attendance for the current fiscal year in regional occupational centers/programs excluding attendance in charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(H) For the 2001–02 fiscal year and each fiscal year thereafter, for each county office of education that increases its salaries subdivision (a), the Superintendent of Public Instruction shall add the sum of paragraphs (i) and (ii) to the county office of education revenue limit computed pursuant to Section 2550:

(i) Annually increase the funding rate per unit of average daily attendance calculated pursuant to subparagraph (F) by the percentage increase identified pursuant to Section 2557 and multiply the resulting product by the county office of education's second principal apportionment average daily attendance for the current fiscal year excluding attendance in regional occupational centers/programs, adult education programs, and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(ii) Annually increase the funding rate per unit of average daily attendance calculated pursuant to subparagraph (F) by the percentage increase identified pursuant to Section 2557 and multiply the resulting product by the county office of education's second principal apportionment average daily attendance for the current fiscal year in regional occupational centers/programs excluding attendance in charter

schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(d) Any state funds received pursuant to this section and not used pursuant to the conditions of this section shall be returned to the state.

(e) If the funds requested by the school district, the county superintendents of schools, and the county offices of education for the 2000–01 fiscal year exceed the state appropriation for this section, the Superintendent of Public Instruction shall reduce all requests by the application of a single, common percentage factor for apportionment purposes, so as not to exceed the amount appropriated for this purpose.

(f) A school district or county office of education shall receive reimbursement pursuant to subdivision (c) only. However, this section does not prohibit a school district and its employees from negotiating salary schedules.

(g) The adjustments to school district and county office of education revenue limits prescribed in subparagraphs (C) and (D) of paragraph (1) of subdivision (c) and subparagraphs (G) and (H) of paragraph (2) of subdivision (c), respectively, shall continue so long as the increase in the salary schedule made pursuant to paragraph (2) of subdivision (b) or subdivision (i) is maintained.

(h) The Superintendent of Public Instruction shall issue appropriate forms to school districts and county offices of education no later than September 1, 2000. School districts, county superintendents of schools, or county offices of education shall notify the Superintendent of Public Instruction no later than December 31, 2000, regarding which option they wish to exercise for the 2000–01 fiscal year. School districts, county superintendents of schools, or county offices of education shall file their claim form for state funds with the Superintendent of Public Instruction no later than March 1, 2001.

(i) Adjustments made to school district or county office of education revenue limits pursuant to subparagraphs (C) and (D) of paragraph (1) of subdivision (c) and subparagraphs (G) and (H) of paragraph (2) of subdivision (c), respectively, shall not be considered part of the base revenue limit for the purpose of computing equalization adjustments or determining other wealth-related differences in school funding.

(j) Notwithstanding subdivision (c), a school district or county office of education that already has as the annual minimum salary for beginning teachers who meet the criteria in subdivision (a) in an amount equal to or greater than thirty-four thousand dollars (\$34,000) shall be eligible to receive reimbursement pursuant to Option One.

SEC. 3. Section 45023.1 as proposed to be added to the Education Code by Section 2 of this act shall become applicable and available to local educational agencies in the 2000–01 fiscal year only if funding for

purpose of its implementation is appropriated in the Budget Act of 2000 or in another measure.

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

In order to implement the Budget Act of 2000 with respect to public schools, it is necessary that this act take effect immediately.

CHAPTER 70

An act to amend Sections 24216.5, 44386, 44395, 44396, 69532, 69612, 69612.5, 69613, 69613.1, 69613.5, 69613.6, 69614, 69615.4, and 69615.6 of, to amend and renumber Section 44397 of, to add Chapter 3.36 (commencing with Section 44735) and Chapter 3.44 (commencing with Section 44751) to Part 25 of, to add Article 21 (commencing with Section 70000) to Chapter 2 of Part 42 of, and to repeal Sections 69613.3 and 69613.55 of, the Education Code, relating to teachers, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 5, 2000. Filed with
Secretary of State July 5, 2000.]

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

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

(1) California is facing a teacher shortage for the foreseeable future. It is estimated that in the next 10 years 300,000 new teachers will be needed to fill vacancies caused by teacher attrition and pupil growth. The state has increased its capacity to train teachers since 1997 when class size reduction exacerbated existing shortages. Yet, even with the number of teachers being trained on the rise, the number of individuals who immediately enter the classroom after being prepared is estimated to be as low as 50 percent. Left untapped, this pool of trained teachers who are not teaching represents a wasted investment of state resources. In addition, retired teachers are discouraged from reentering the profession due to postretirement earnings limitations.

(2) Low-performing schools with a history of having high teacher turnover and inexperienced staff need more qualified teachers to substantially improve pupil achievement. While no one approach will likely meet the challenge of attracting and retaining individuals into

hard-to-staff schools, financial incentives ought to be an important element in any effective strategy.

(3) Attracting qualified teachers to low-performing schools necessitates that these schools make the hiring of fully credentialed staff a high priority.

(4) Ultimately, school districts are responsible for setting the standard for the quality of teachers that they employ.

(b) It is the intent of the Legislature in enacting this act to accomplish the following:

(1) Provide financial incentives to attract fully credentialed teachers to teach in low-performing schools, to reduce school districts' reliance on emergency permits by rewarding schools that hire credentialed teachers in appropriate assignments. The incentives are designed both to recruit qualified teachers to hard-to-staff schools and to provide low-performing schools with some additional discretionary moneys.

(2) Dissuade school districts, even under the most difficult circumstances, from hiring teachers who hold emergency permits by holding a district accountable through a system of incentives and penalties that obliges school districts to consistently reduce the number of emergency permit teachers it employs.

(3) Provide incentives and support for individuals who pursue traditional and alternative routes to teacher certification through a teaching fellowship, more accessible college loan assumption, and enhanced teaching internships.

SEC. 2. Section 24216.5 of the Education Code is amended to read:

24216.5. (a) The compensation earned by a member who retired for service under this part shall be exempt from subdivisions (d), (f), and (g) of Section 24214, if all of the following conditions are met:

(1) The member retired for service with an effective date on or before January 1, 2000.

(2) The member retired for service is employed by a school district to provide any of the following:

(A) Direct classroom instruction to pupils enrolled in kindergarten or any grades 1 to 12, inclusive.

(B) Support and assessment for new teachers through the Beginning Teacher Support and Assessment program authorized by Section 44279.1.

(C) Support to individuals completing student teaching assignments.

(D) Support to individuals participating in the following programs:

(i) Pre-Internship Teaching Program authorized pursuant to Article 5.6 (commencing with Section 44305) of Chapter 2 of Part 25.

(ii) Alternative certification programs authorized pursuant to Article 11 (commencing with Section 44380) of Chapter 2 of Part 25.

(iii) School Paraprofessional Teacher Training Program established pursuant to Article 12 (commencing with Section 44390) of Chapter 2 of Part 25.

(3) All members retired for service whose employment with a school district meets the conditions specified in this section shall be treated as a distinct class of temporary employees within the existing bargaining unit whose service shall not be included in computing the service required as a prerequisite to attainment of or eligibility for classification as a permanent employee of a school district. The compensation for service performed by this class of employees shall be established in accordance with subdivision (b) of Section 24214 and agreed to in the collective bargaining agreement between the employing school district and the exclusive representative for the existing bargaining unit within which these temporary employees of the school district are treated as a distinct class.

(4) The employing school district submits documentation required by the system to substantiate the eligibility of the temporary employment of a member retired for service for the exemption under this subdivision.

(b) A school district that employs a member retired for service pursuant to this section shall maintain accurate records of the retired member's compensation earned and shall report that compensation monthly to the system regardless of the method of payment or the source of funds from which the compensation is paid.

(c) This section shall not apply to the compensation earned for creditable service performed by a member retired for service for a community college district.

(d) The amendments made to this section by an act enacted in the second year of the 1999–2000 Regular Session shall apply to the 2000–01 school year and all subsequent school years.

(e) This section shall remain in effect only until July 1, 2005, and as of that date is repealed unless a later enacted statute which is enacted before July 1, 2005, deletes or extends that date.

SEC. 3. Section 44386 of the Education Code is amended to read:

44386. (a) From funds appropriated for the purposes of this article, the Commission on Teacher Credentialing shall award incentive grants to qualifying school districts or county offices of education. Each school district or county office of education that receives a grant shall provide matching funds from any available source in an amount equal to 50 percent of the cost of the alternative certification program. Grants shall be awarded by the commission for the remaining 50 percent of the cost of the alternative certification program, but in no event shall the grant amount awarded to any school district or county office of education exceed two thousand five hundred dollars (\$2,500) per intern per year,

except that the commission may require a lesser local contribution, or provide a larger grant per intern per year, in hardship cases.

(b) As determined by the Commission on Teacher Credentialing, funds appropriated in the annual Budget Act for the alternative certification program may also be made available for expenditure on the Pre-Internship Teaching Program authorized pursuant to Article 5.6 (commencing with Section 44305) of Chapter 2 of Part 25.

SEC. 4. Section 44395 of the Education Code is amended to read:

44395. (a) The National Board for Professional Teaching Standards Certification Incentive Program is hereby established to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained certification from the National Board for Professional Teaching Standards. The following awards shall be granted to the extent that funds have been appropriated for this purpose in the annual Budget Act:

(1) A teacher attaining national board certification shall be eligible for a one-time merit award of ten thousand dollars (\$10,000), except as specified in paragraph (2).

(2) In addition to the award specified in subdivision (1), commencing July 1, 2000, any teacher who has attained certification from the National Board for Professional Teaching Standards is eligible to receive an award of up to twenty thousand dollars (\$20,000) if he or she agrees to teach at a low-performing school for at least four years. Teaching service before July 1, 2000, may not be counted towards satisfaction of this four-year commitment. Awards granted pursuant to this subdivision shall be disbursed in annual payments of five thousand dollars (\$5,000) over a four-year period. The annual payment shall be made upon completion of the school year, and upon approval of a district-certified application pursuant to the guidelines of subdivision (c) of Section 44396.

(b) The State Department of Education shall administer the awards authorized by subdivision (a), and shall develop, in consultation with the Commission on Teacher Credentialing, certification and award information, criteria, procedures, and applications, all of which shall be submitted to the State Board of Education for approval. Amendments requested by the State Board of Education to that information, criteria, procedures, and applications shall be made before the dissemination of the material and the granting of any award under this article.

(c) The State Department of Education shall distribute the materials described in subdivision (b) to school districts. Each school district is strongly encouraged to ensure that teachers employed by the district or by charter schools affiliated with the district are informed about the

program and can acquire the necessary application and information materials.

(d) School districts are encouraged to provide for adequate release time and support for a teacher to complete the certification process. As a condition to providing that release time and support, a school district may require that a teacher serve in a mentor teacher capacity.

(e) The State Department of Education may provide fee assistance from funds appropriated in the annual Budget Act for the National Board for Professional Teaching Standards Certification Program to defray the fees of teachers seeking certification from the National Board for Professional Teaching Standards. The State Department of Education may provide fee assistance of up to one thousand dollars (\$1,000) for each teacher, not to exceed a total of two million dollars (\$2,000,000).

(f) For purposes of this article, the following definitions apply:

(1) "School district" means school district, county board of education, county superintendent of schools, a state operated program, such as a special school, or an education program providing instruction in kindergarten or any of grades 1 to 12, inclusive, that is offered by a state agency, including the California Youth Authority and the State Department of Developmental Services.

(2) "Low-performing school" means a school in the bottom half of all schools based on the Academic Performance Index rankings established pursuant to subdivision (a) of Section 52056. This designation shall be determined as of the date of the agreement by the teacher in paragraph (2) of subdivision (a) of this section.

SEC. 5. Section 44396 of the Education Code is amended to read:

44396. (a) (1) To the extent that funds are available for that purpose, a teacher who meets the criteria approved by the State Board of Education pursuant to subdivision (b) of Section 44395 is eligible and may apply for an award by following the procedures and instructions developed pursuant to that subdivision.

(2) A teacher who attained certification from the National Board for Professional Teaching Standards before the effective date of the act adding this section and who was employed by a school district or charter school and assigned to teach in a California public school on the date of certification may apply for an award authorized pursuant to this article if he or she meets all the other requirements for that award specified by this article. For awards pursuant to this subdivision, teaching service before July 1, 2000, may not be counted toward satisfaction of the teacher's four-year agreement to teach in a low-performing school.

(b) Teachers shall submit their applications for an award authorized by this article to the school district employing them. Teachers employed by a charter school shall submit their application through the school district granting the school's charter.

(c) When a school district receives an application for an award authorized by this article, it shall certify that the applicant is employed by the district or a charter school operating under a charter granted by the school district and that the applicant has met all the criteria established pursuant to subdivision (b) of Section 44395. The school district shall then submit the application to the State Department of Education for its review and approval.

(d) The State Department of Education shall approve applications that meet the criteria established pursuant to subdivision (b) of Section 44395. To the extent funds are available, the State Department of Education shall apportion funds to the appropriate school districts in the amount of the award authorized by Section 44395 for each approved application. The school district shall use funds apportioned to it pursuant to this subdivision to provide the amount of the award authorized by subdivision (a) of Section 44395 to each teacher whose application is approved.

SEC. 6. Section 44397 of the Education Code is amended and renumbered to read:

44398. Notwithstanding any provision of law except Sections 44332.6, 44340, 44346.1, and 44830.1, a teacher who is licensed to teach in a state other than California and who is certified by the National Board for Professional Teaching Standards shall be issued a clear teaching credential authorizing the teacher to teach in the subject area in which the teacher has received national certification.

SEC. 7. Chapter 3.36 (commencing with Section 44735) is added to Part 25 of the Education Code, to read:

CHAPTER 3.36. TEACHING AS A PRIORITY BLOCK GRANT

44735. The Teaching As A Priority Block Grant is hereby created to be administered by the State Department of Education with the approval of the State Board of Education. The State Department of Education shall award block grants to school districts on a competitive basis to provide incentives to attract credentialed teachers to be employed and retained in low-performing schools.

(a) Block grant funds may be used at the discretion of a school district for teacher recruitment and retention incentives with the target of reducing the number of teachers on emergency permits. Incentives shall only be used to hire and retain credentialed teachers. Teacher recruitment and retention incentives may include, but are not limited to, all of the following:

- (1) Signing bonuses.
- (2) Improved work conditions.
- (3) Teacher compensation.

(4) Housing subsidies.

(b) Funding shall be allocated to school districts on a per pupil basis for pupils enrolled in schools ranked in the bottom half of the academic performance index pursuant to Article 2 (commencing with Section 52051) of Chapter 6.1. Within the bottom half of the academic performance index, schools ranked in deciles 1, 2, and 3 shall receive 1¹/₂ times the funding per pupil of schools ranked in deciles 4 and 5. No less than the amount of funding generated by pupils in schools ranked in deciles 1, 2, and 3 shall be expended in those schools.

(c) School districts shall apply to the Department of Education on behalf of their schools. The district application shall contain information that is specific to each school. Applications shall contain baseline information on the number of teachers with waivers or emergency credentials at each school in accordance with subdivision (a).

(d) School districts that participate in the program established in this section shall be encouraged to participate in consortia operated regional recruitment centers pursuant to Section 44751.

(e) Funds appropriated for the purposes of this chapter shall supplement, and not supplant, existing efforts to recruit and retain fully credentialed teachers in the school district.

(f) The State Board of Education shall submit an evaluation of the program created by this chapter to the Legislature by January 1, 2004.

SEC. 8. Chapter 3.44 (commencing with Section 44751) is added to Part 25 of the Education Code, to read:

CHAPTER 3.44. TEACHER RECRUITMENT INCENTIVE PROGRAM

44751. (a) The Teacher Recruitment Incentive Program is hereby created, to be administered by the Sacramento County Office of Education. The Superintendent of Public Instruction shall allocate funds appropriated for the purpose of this program to the Sacramento County Office of Education, which shall allocate those funds as specified in Section 44751.5. The Superintendent of Public Instruction may allocate up to 6 percent of the program funds to the Sacramento County Office of Education for the costs of administering the program.

(b) For purposes of this chapter, the following terms have the following meanings:

(1) "Low-performing school" means a school in the bottom half of the Academic Performance Index rankings established pursuant to subdivision (a) of Section 52052 that has applied for participation in the Immediate Intervention Underperforming Schools Program established pursuant to subdivision (a) of Section 52053.

(2) "Regional teacher recruitment center" means an entity operated by a consortium of school districts that may also include county offices

of education, colleges, universities, or other community-based organizations.

44751.5. The Sacramento County Office of Education shall award, by January 1, 2001, six grants on a competitive basis to establish regional teacher recruitment centers. One region shall serve northern California. Two regions shall serve the Los Angeles area. One region shall serve the Central Valley. One region shall serve the Inland Empire. One region shall serve San Diego and Imperial Counties.

44752. Criteria for awarding the grants shall be established by the Sacramento County Office of Education, but shall include, at a minimum, all of the following:

- (a) A plan for collaboration among the consortium members.
- (b) A recruitment plan of highly effective recruitment strategies.
- (c) A focus on recruiting teachers to low-performing schools, especially those with a teaching staff that has more than 20-percent emergency permit teachers.
- (d) Active participation in planning and implementation by school district administrators responsible for certificated personnel.
- (e) The demonstrated need.
- (f) The number of teachers to be hired through recruitment efforts.

44752.5. (a) From funds appropriated for purposes of this chapter, the Sacramento County Office of Education shall award incentive grants to qualifying school districts and county offices of education for the cost of the recruitment plan.

(b) Grant amounts shall not exceed seven hundred dollars (\$700) multiplied by the number of teachers to be hired through the recruitment efforts of regional recruitment centers, as identified in the grant application.

(c) If fewer teachers are hired as a result of recruitment efforts by a regional recruitment center than the number of teachers for which the regional recruitment center was funded pursuant to subdivision (b), funding provided to the regional recruitment center in the immediately subsequent fiscal year shall be reduced by an amount equal to the difference between the number of teachers for which the regional recruitment center was funded and the number of teachers who were hired as a result of recruitment efforts by a regional recruitment center multiplied by the amount per recruit the center received in the prior year.

44753. The Sacramento County Office of Education shall provide statewide oversight and technical assistance for the regional teacher recruitment centers and perform the following responsibilities:

- (a) Provide advice to the CalTeach program within the California State University system regarding the regional media campaign for recruiting teachers.

(b) Consult with the Commission on Teacher Credentialing on delivering technical assistance in credentials counseling through the regional teacher recruitment centers.

(c) Develop, publish, and distribute a guide of all available state-level incentives to attract and retain teachers.

(d) Report teacher placement data to the appropriate fiscal and policy committees of the Legislature, the office of the Secretary for Education, the Department of Finance, the Legislative Analyst's Office, and the Commission on Teacher Credentialing.

(e) Ensure that school districts in consortia funded pursuant to this article receive first priority for a review of personnel hiring practices by the County Office Fiscal Crisis and Management Assistance Team conducted with funds appropriated for this purpose in the annual Budget Act.

44753.5. Regional teacher recruitment centers shall perform the following duties:

(a) Employ full-time recruiters to recruit teachers and provide credential and career counseling to prospective teachers.

(b) Make available information on available state-funded incentives to potential teachers.

(c) Conduct college campus and community-based information sessions on job opportunities in teaching.

(d) Provide outreach to potential teachers using electronic, print, radio, and other forms of advertising.

(e) Screen and distribute applications of prospective teachers to participating schools.

(f) Schedule interviews between prospective teachers and school administrators.

(g) Refer candidates to teacher preparation and alternative certification programs.

(h) Coordinate with the County Office Fiscal Crisis and Management Assistance Team established pursuant to Section 42127.8 on the provision of technical assistance to school districts in methods to streamline the hiring process.

(i) Report regional recruitment data to the Sacramento County Office of Education as specified in the grant award.

44754. School districts, county offices of education, colleges, universities, and community-based organizations participating in the Teacher Recruitment Incentive Program are encouraged to include in their submitted plans a financial commitment to teacher recruitment.

44754.5. The Sacramento County Office of Education shall enter into a contract for an evaluation of the Teacher Recruitment Incentive Program created pursuant to this chapter and report the findings of this outside evaluation to the Legislature by January 1, 2004.

SEC. 9. Section 69532 of the Education Code is amended to read: 69532. Cal Grant Program awards shall be known as “Cal Grant A awards,” “Cal Grant B awards,” “Cal Grant C awards,” and “Cal Grant T awards.” The maximum award in each category shall be determined in the annual Budget Act.

(a) Cal Grant A awards shall be used only for tuition and student fees in an instructional program of no less than two academic years. Commencing as soon as feasible, but no later than the award cycle that provides awards for the 1999–2000 academic year, the eligibility criteria for first-time Cal Grant award recipients who are community college students and transfer to a four-year college or university shall be no more stringent than the eligibility criteria for other first-time Cal Grant award recipients attending a four-year college or university.

(b) Cal Grant B awards shall be used only for tuition, student fees, and subsistence costs in an instructional program of no less than one academic year. Subsistence costs are living expenses, transportation, supplies, and books. Commencing as soon as feasible, but no later than the award cycle that provides awards for the 1999–2000 academic year, the eligibility criteria for first-time Cal Grant award recipients who are community college students and transfer to a four-year college or university shall be no more stringent than the eligibility criteria for other first-time Cal Grant award recipients attending a four-year college or university.

(c) Cal Grant C awards shall be used only for occupational or technical training in a course of no less than four months. There shall be a minimum of 1,570 new Cal Grant C awards each year.

(d) Cal Grant T awards shall be used only for tuition and student fees for a maximum of one academic year of full-time attendance in a program of professional preparation that has been approved by the Commission on Teacher Credentialing. There shall be a minimum of 3,000 new Cal Grant T awards each year. As a condition of receiving a Cal Grant T award, a recipient shall teach for one year in a low-performing school as defined in subdivision (c) of Section 44765 for each two thousand dollar (\$2,000) incentive provided pursuant to Section 69532 through the Cal Grant T Program, for a period not to exceed four years. Any recipient who fails to meet his or her teaching obligation shall repay the Cal Grant T award.

(e) The California Student Aid Commission shall evaluate the Cal Grant T Award program from its inception to determine, of the total number of recipients, the number of recipients who become employed as public school teachers. This evaluation shall be reported on an annual basis to the Governor and the Legislature beginning July 1, 2001.

SEC. 10. Section 69612 of the Education Code is amended to read:

69612. (a) (1) The Legislature hereby recognizes that there is a growing shortage of high-quality classroom teachers, and that there is a need for qualified teachers throughout California. The Legislature finds one of the most important elements in a pupil's success at learning is the quality of the teacher. The teacher shortage is most serious in particular subject areas, partly due to the shortage of students in these fields who enter the teaching profession. The Legislature also recognizes that many school districts have difficulty recruiting and retaining high-quality teachers for low-performing schools, for pupils with special needs, for schools serving rural areas or large populations of pupils from low-income and linguistic minority families, and schools with a high percentage of teachers holding emergency permits.

(2) The Legislature finds that the rising costs of higher education, coupled with a shift in available financial aid from scholarships and grants to loans, make loan repayment options an important consideration in a student's decision to pursue a postsecondary education. The availability of financial aid and loan repayment assistance are important considerations for many students, especially economically disadvantaged students, in making their educational decisions.

(b) It is the intent of the Legislature that the Assumption Program of Loans for Education be designed to encourage persons to enter into the teaching profession in designated subject matter shortage areas and in schools serving large populations of pupils from low-income families, schools serving rural areas, schools with a high percentage of teachers holding emergency permits, or schools with any or all of these characteristics. It is further the intent of the Legislature in enacting this article to do all of the following:

(1) Provide outstanding postsecondary students, particularly economically disadvantaged students, with the assurance of financial assistance to encourage them to complete postsecondary education programs leading to teaching credentials, and to seek employment as teachers.

(2) Provide persons who agree to become teacher trainees or teacher interns in a subject matter shortage area with the assurance of financial assistance to encourage them to complete the additional coursework necessary to obtain a teaching credential.

(3) Identify subject matter areas or schools in which there are shortages of fully credentialed teachers and provide incentives for persons to obtain teaching credentials and seek teaching positions in those areas.

(4) Identify schools serving rural areas, schools serving large populations of students from low-income families, or both, and schools with a high percentage of teachers holding emergency permits, and

provide incentives for persons to obtain teaching credentials and seek teaching positions in those schools.

(5) Identify low-performing schools and provide incentives for persons to obtain teaching credentials and seek teaching positions in those schools. For the purpose of this article, "low-performing school" means a school in the bottom half of the Academic Performance Index rankings established pursuant to subdivision (a) of Section 52056 at the time that a teacher is hired.

SEC. 11. Section 69612.5 of the Education Code is amended to read:

69612.5. Commencing with the 2000–01 school year, all persons eligible to receive conditional warrants for loan assumptions pursuant to this article shall be persons who need to complete training or coursework in order to be fully credentialed and who agree to obtain a credential and teach in a designated subject matter shortage area or in a school that, at the time that the teacher is hired, meets any of the following criteria:

- (a) Serves a large population of pupils from low-income families.
- (b) Has a high percentage of teachers holding emergency permits.
- (c) Is a low-performing school.

SEC. 12. Section 69613 of the Education Code is amended to read:

69613. (a) Any person enrolled in an institution of postsecondary education participating in the loan assumption program set forth in this article, or any person who agrees to participate in a teacher trainee or teacher internship program, may be eligible to receive a conditional warrant for loan assumption, to be redeemed pursuant to Section 69613.2 upon becoming employed as a teacher. In order to be eligible to receive a loan assumption warrant, an applicant shall satisfy all of the conditions specified in either subdivision (b) or (c).

(b) (1) The applicant has completed at least 60 semester units, or the equivalent, and is enrolled in an academic program leading to a baccalaureate degree at a participating institution, or has been admitted to a program of professional preparation that has been approved by the Commission on Teacher Credentialing.

(2) The applicant is currently enrolled, or has been admitted to a program in which he or she will be enrolled on at least a half-time basis, as determined by the participating institution. The applicant shall agree to maintain at least half-time enrollment and to maintain satisfactory academic progress.

(3) The applicant has been judged by his or her postsecondary institution to have outstanding ability on the basis of criteria that may include, but need not be limited to, any of the following:

- (A) Grade point average.
- (B) Test scores.
- (C) Faculty evaluations.

(D) Interviews.

(E) Other recommendations.

(4) In order to meet the costs associated with obtaining a baccalaureate degree, or a California teaching credential, the applicant has received, or is approved to receive, a loan under one or more of the following designated loan programs:

(A) The Federal Family Education Loan Program (20 U.S.C. Sec. 1071 et seq.).

(B) Any loan program approved by the Student Aid Commission.

(5) The applicant has agreed to teach in a public school in this state for at least four consecutive academic years after obtaining a teaching credential.

(c) (1) The applicant holds a baccalaureate degree and agrees to participate in a teacher trainee program or teacher internship program, or is a person who will continue to be employed full time in a field other than teaching while completing the necessary coursework for a teaching credential, or is a noncredentialed teaching paraprofessional, as described in Section 44323, who will continue to serve as a teaching paraprofessional while completing the necessary coursework for a California teaching credential.

(2) (A) The applicant is enrolled in, or has been admitted to, a participating institution and agrees to maintain satisfactory academic progress in an academic program leading to a baccalaureate degree or in a program of professional preparation that has been approved by the Commission on Teacher Credentialing, and the applicant satisfies the conditions specified in paragraphs (3), (4), and (5) of subdivision (b).

(B) No applicant who has completed fewer than 60 units, or the equivalent, shall be eligible under this subdivision to participate in the loan assumption program set forth in this article.

(d) The warrants distributed each year pursuant to subdivisions (b) and (c) at each participating institution shall be awarded by that institution to applicants who meet the criteria specified in Section 69612.5 and agree to teach in a designated shortage area or any of the types of schools that meet the criteria listed in that section. The warrant shall remain valid even if the subject area under which an applicant became eligible for a warrant ceases to be a designated shortage field by the time the applicant becomes a teacher.

(e) A person participating in the program pursuant to this section shall not receive more than one warrant.

(f) The Student Aid Commission shall adopt rules and regulations regarding the reallocation of warrants where a participating institution is unable to utilize its allocated warrants or is unable to distribute them within a reasonable period of time.

SEC. 13. Section 69613.1 of the Education Code is amended to read:

69613.1. The Superintendent of Public Instruction shall furnish the Student Aid Commission with all of the following:

(a) Commencing January 1, 1990, and every January 1 thereafter, a list of teaching fields that have the most critical shortage of teachers. The superintendent shall review this list annually and revise the list as he or she deems necessary.

(b) A list of schools that serve a large population of pupils from low-income families, as designated for purposes of the Perkins Loan Program, or according to other standards the superintendent deems appropriate.

(c) Commencing January 31, 2001, and every January 1, thereafter, a list of schools with a high percentage of teachers holding emergency permits. The list shall be established according to criteria determined by the Superintendent of Public Instruction.

(d) Commencing January 31, 2000, and every January 1, thereafter, a list of schools serving rural areas. The list shall be established according to standards deemed appropriate by the Superintendent of Public Instruction.

(e) Commencing January 31, 2001, and every January 1, thereafter, a list of low-performing schools.

SEC. 14. Section 69613.3 of the Education Code is repealed.

SEC. 15. Section 69613.5 of the Education Code is amended to read:

69613.5. (a) Notwithstanding Sections 69612.5 and 69614, for the purposes of the recruitment of teachers from outside California, the commission may distribute warrants to school districts to be awarded to out-of-state teachers who fulfill the terms of Section 69613.4. A teacher who receives a warrant pursuant to this subdivision shall hold a valid teaching credential, in the subject area of the California teaching position, from the state in which he or she resides.

(b) The commission shall adopt rules and regulations regarding the allocation of warrants to school districts pursuant to this section.

SEC. 16. Section 69613.55 of the Education Code is repealed.

SEC. 17. Section 69613.6 of the Education Code is amended to read:

69613.6. (a) Except as provided in subdivision (b), if a program participant fails to complete a minimum of four consecutive school years of classroom instruction as required by this article, under the terms of the agreement pursuant to paragraph (5) of subdivision (b) of Section 69613, the participant shall assume full liability for all student loan obligations remaining after the commission's assumption of loan liability for the last year of qualifying teaching service pursuant to Section 69613.

(b) Notwithstanding subdivision (a), if a program participant becomes unable to complete one of the four consecutive years of teaching service due to serious illness, pregnancy, or other natural causes, the participant shall receive a deferral of the resumption of full liability for the loan for a period not to exceed one calendar year.

SEC. 18. Section 69614 of the Education Code is amended to read:

69614. (a) The Student Aid Commission shall distribute program information and student applications to participate in the loan assumption program to all school districts and county offices of education operating a district intern program pursuant to Section 44381 and postsecondary institutions eligible to participate in state and federal financial aid programs and having a program of professional preparation that has been approved by the Commission on Teacher Credentialing. Each eligible institution shall receive at least one application, and the remainder shall be distributed to eligible institutions proportionate to the number of teaching candidates from each institution who were fully credentialed during the previous year. In addition, the Student Aid Commission shall reexamine its outreach and marketing strategies to inform both potential undergraduates and persons employed outside of academia about the availability and benefits of the loan assumption program. To this end, the commission shall enlist the advice and support of the California Center on Teaching Careers, the University of California, the California State University, the Association of Independent California Colleges and Universities, and private employers and their associations throughout the state.

(b) Each participating institution shall sign an institutional agreement with the commission, certifying its intent to administer the loan assumption program according to all applicable published rules, regulations, and guidelines, and to make special efforts to notify students regarding the availability of the program, particularly economically disadvantaged students.

(c) To the extent feasible, each participating institution shall coordinate the loan assumption program with other existing programs designed to recruit or encourage students to enter the teaching profession. These programs may include, but need not be limited to, student internships in school districts, courses that provide early exploratory or field work experience in elementary or secondary schools, and work-study employment in elementary or secondary schools.

SEC. 19. Section 69615.4 of the Education Code is amended to read:

69615.4. The commission shall report annually to the Legislature regarding all of the following, on the basis of sex, age, and ethnicity:

(a) The total number of warrants awarded.

(b) The number of warrants allocated each to juniors, seniors, students enrolled in teacher training programs, and persons who agree to enroll in teacher trainee programs or teacher internship programs.

(c) The number of warrants awarded to applicants who pursue a credential in a subject matter shortage area.

(d) The number of warrants awarded to applicants who agree to teach in schools with a high ratio of pupils from low-income families and low-performing schools.

(e) The number of warrants awarded to applicants who agree to teach in schools serving rural areas.

(f) The number of warrants awarded to applicants who agree to teach in schools with a high percentage of teachers holding emergency permits.

(g) The number of warrants that are redeemed by the initial recipients.

SEC. 20. Section 69615.6 of the Education Code is amended to read:

69615.6. (a) Beginning no later than the 1986–87 school year, and each school year thereafter up to and including the 1997–98 school year, the commission shall issue warrants for the assumption of up to 500 student loans for program participants eligible under this article.

(b) For the 1998–99 school year, the commission shall issue warrants for the assumption of up to 4,500 student loans for program participants eligible under this article.

(c) For the 1999–2000 school year the commission shall issue warrants for the assumption of up to 5,500 student loans for program participants eligible under this article.

(d) Commencing with the 2000–01 school year, and each school year thereafter, the following shall apply:

(1) The commission shall issue warrants for the assumption of up to 6,500 student loans for program participants eligible under this article.

(2) Notwithstanding the limitation of 6,500 warrants set forth in paragraph (1), the commission shall issue warrants in a quantity determined by the Governor and the Legislature in the annual Budget Act for the assumption of student loans.

(3) Notwithstanding Sections 69613.5 and 69614, up to 100 of the 6,500 warrants issued pursuant to this subdivision may be issued for the assumption of student loans for applicants who agree to teach in school districts serving rural areas.

(e) The issuance of warrants shall be subject to funding to be provided in the Budget Act for each fiscal year.

SEC. 21. Article 21 (commencing with Section 70000) is added to Chapter 2 of Part 42 of the Education Code, to read:

Article 21. Governor's Teaching Fellowships

70000. (a) The Governor's Teaching Fellowships Program is hereby established to be administered by the Chancellor's office of the California State University. The chancellor's office shall collaborate with the University of California, the California Community Colleges, the Association of Independent California Colleges and Universities, the State Department of Education, and the Commission on Teacher Credentialing to ensure that access to the fellowships is available to students in a variety of teaching preparation programs.

(b) In January 2001, 250 nonrenewable graduate teaching fellowships in the amount of twenty thousand dollars (\$20,000) each shall be awarded, with funds disbursed one-half in January 2001 and one-half in September 2001.

(c) Beginning in the 2001-02 fiscal year, 1,000 nonrenewable, graduate teaching fellowships in the amount of twenty thousand dollars (\$20,000) each shall be awarded annually.

(d) The fellowship award may be used to defer tuition for a teacher certification program at any accredited postsecondary institution in California and for living expenses while enrolled in that program.

70001. (a) The Chancellor's office of the California State University shall have the following duties:

(1) Developing an application process that establishes a merit-based fellowship program for graduate students who agree to teach at a low-performing school for four years.

(2) Establishing a broad and effective outreach effort to promote the availability and the merits of the fellowship program.

(3) Conducting the selection process for fellowship applicants.

(4) Collaborating with the Commission on Teacher Credentialing to develop and implement a system for monitoring program participants through the completion of their four-year teaching obligation.

(5) Determining the criteria for selecting teaching fellowship candidates. The criteria shall include, at a minimum, all of the following:

(A) Previous academic and employment record.

(B) A demonstrated commitment to serve in a low-performing school.

(C) Faculty and employer evaluations.

(D) Interviews.

(E) Letters of recommendation.

(b) For the purposes of this article, a "low-performing school" is a school in the bottom half of the Academic Performance Index rankings established pursuant to subdivision (a) of Section 52056. If a school meets this criteria at the time a teacher is hired, continued employment of the teacher at that school fulfills the commitment made by the teacher,

even if the school improves its rank on the Academic Performance Index.

70002. An intersegmental review committee is hereby established to review all applications for the Governor's Teaching Fellowships. The committee shall recommend teaching fellowship candidates to the Chancellor's office of the California State University. The committee shall consist of 12 members, appointed by the Governor to a term of four years, based on recommendations as follows:

(a) The Chancellor of the California State University shall recommend six members. Two shall be faculty members. One shall be an administrator from higher education. One shall be an administrator from a school maintaining kindergarten or any of grades 1 to 12, inclusive. Two shall be teachers from schools maintaining kindergarten or any of grades 1 to 12, inclusive.

(b) The President of the University of California shall recommend three members. One shall be a faculty member. One shall be an administrator from either higher education or schools maintaining kindergarten or any of grades 1 to 12, inclusive. One shall be an elementary or secondary teacher.

(c) The Chair of the Association of Independent California Colleges and Universities shall recommend three members. One shall be a faculty member. One shall be an administrator from either higher education or schools maintaining kindergarten or any of grades 1 to 12, inclusive. One shall be an elementary or secondary teacher.

70003. (a) A fellowship recipient shall agree to teach in a low-performing school for four years and shall have four years, upon completion of his or her preparation program, to meet that obligation. Except as provided in subdivision (c), a fellowship recipient shall agree to repay the state five thousand dollars (\$5,000) annually for each year the recipient fails to complete either the teacher preparation program or the required teaching service, up to full repayment of twenty thousand dollars (\$20,000).

(b) Nonperformance of the commitment to teach in a low-performing school for four years shall be certified by the Commission on Teacher Credentialing to the chancellor's office.

(c) Any exceptions to the requirement for repayment shall be defined by the chancellor's office.

70004. The Trustees of the California State University shall provide an annual report, for each higher education institution, on the number of fellows receiving funding, the number of fellows completing programs, and the place of employment for each candidate.

70005. (a) The Chancellor's office of the California State University shall adopt any rules and regulations it deems necessary for the administration of this section and the recovery of funds it determines

are owed to the state. The rules and regulations adopted by the chancellor's office pursuant to this section shall also include a provision authorizing the chancellor's office to seek a civil penalty on a recipient of funds under this program, in an amount not to exceed five thousand dollars (\$5,000) per year for each year that the recipient of funds is determined by the Commission on Teacher Credentialing to have failed to fulfill his or her obligation to teach in a low-performing school.

(b) Any moneys derived from the assessment of penalties pursuant to this section shall be deposited into the General Fund.

SEC. 22. This act shall become operative only if Senate Bill 1330 of the 1999–2000 Regular Session is chaptered.

SEC. 23. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to implement the Budget Act of 2000 with respect to the public schools and institutions of higher education, it is necessary that this act take effect immediately.

CHAPTER 71

An act to amend Sections 313, 2550, 8278, 10551, 10554, 10555, 32228, 32228.1, 33050, 41203.1, 47652, 48664, 49550.3, 54743, 54744, 54745, 54746, 54747, 54748, 54749, 54749.5, 76300, 87885, and 92820 of, to add Sections 2568, 42238.23, and 52052.3 to, to add and repeal Chapter 5 (commencing with Section 420) of Part 1 of, and to add Chapter 4 (commencing with Section 14550) to Part 9 of, the Education Code, to amend Section 6516.6 of, to add Chapter 3.10 (commencing with Section 15820.80) to Part 10b of Division 3 of Title 2 of, and to add and repeal Section 15820.84 of, the Government Code, and to add Section 10299 to the Public Contract Code, relating to government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 5, 2000. Filed with
Secretary of State July 5, 2000.]

I am signing Senate Bill 1667. However, I am deleting Section 41, reducing the appropriations made in Section 42 by a total of \$17,566,000, and reducing the appropriations made in Section 43 by a total of \$3,626,000. These appropriations are being eliminated because I have specific concerns with the projects. The specific reductions are as follows:

I am deleting Section 41 of this bill, which appropriates \$8.9 million for county office of education equalization. This augmentation is being eliminated because the 2000–01

Budget continues discretionary funding increases from previous years for county offices of education and provides an increase of \$48,000,000 in discretionary funding by eliminating the county offices of education deficit factor.

I am also reducing Section 42 of this bill from \$32,852,000 to \$15,286,000. The specific reductions are as follows:

I am reducing the appropriation in Section 42 by eliminating paragraph (6) of subdivision (a), which allocates \$300,000 to the San Francisco Unified School District for expansion of arts education in grades K-5. Grants for this purpose are available on a competitive basis through the Department of Education, and I am therefore deleting this appropriation to fund higher competing priorities.

I am reducing the appropriation in Section 42 by reducing paragraph (7) of subdivision (a) from \$500,000 to \$400,000, to the Culver City Unified School District to repair the track at Culver City High School, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (8) of subdivision (a), which allocates \$10,000 to the Los Angeles Unified School District for a school-based/school-linked health program at the Maclay Middle School. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (9) of subdivision (a), which allocates \$10,000 to the Los Angeles Unified School District for a school-based/school-linked health program at the Pacoima Middle School. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (11) of subdivision (a), which allocates \$20,000 to the Manhattan Beach Unified School District for the purchase of equipment for teaching aids to reduce diversity intensity and increase cultural awareness at Mira Costa High School, to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (15) of subdivision (a), which allocates \$100,000 to Ligget Elementary for establishment of a Parent Education Center. Grants are already available for this purpose through the Department of Education, pursuant to the Parental Involvement Program established pursuant to Chapter 734 of the Statutes of 1999. Additional, support for this purpose should be provided from local resources.

I am reducing the appropriation in Section 42 by eliminating paragraph (18) of subdivision (a), which allocates \$200,000 to the Sunnyvale Elementary School District for Project H.E.L.P. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (19) of subdivision (a), which allocates \$250,000 to the Lamont Elementary School District for portable classrooms. Funding for this purpose should be sought through the State Allocation Board process.

I am reducing the appropriation in Section 42 by eliminating paragraph (22) of subdivision (a), which allocates \$450,000 to the Los Angeles Unified School District for the San Fernando High School Health Clinic. I am reducing this appropriation in order to fund competing higher priorities.

I am sustaining the appropriation of \$500,000 in paragraph (23) of subdivision (a) of Section 42 for the Baldwin Park Unified School District's Drama, Reading, English, and Mathematics (DREAM) project, on a one-time basis only, thus any future support for this project should be provided from local resources.

I am reducing the appropriation in Section 42 by reducing paragraph (24) of subdivision (a) from \$500,000 to \$200,000, to the Montebello Unified School District for natural gas powered delivery trucks, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (25) of subdivision (a), which allocates \$150,000 to the Elk Grove Unified School District for a

Japanese language academy. I am deleting this appropriation to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (26) of subdivision (a), which allocates \$500,000 to the Oakland Unified School District for a reading training program. The Budget Bill already includes significant funding for reading staff development, reading programs, and remedial instruction in reading, and I am therefore unable to support this request.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (27) of subdivision (a), from \$350,000 to \$200,000 for allocation to the Burbank Unified School District to continue a literacy program on a one-time basis only, thus any future support for this project should be provided from local resources.

I am sustaining the appropriation of \$300,000 in paragraph (28) of subdivision (a) of Section 42 for the Temple City Unified School District's Arts Academy, on a one-time basis only, future support for this project should be provided from local resources.

I am reducing the appropriation in Section 42 by eliminating paragraph (29) of subdivision (a), which allocates \$400,000 to the Alum Rock Union Elementary School District for a mathematics/science center that would provide training and science/mathematicssupplies to teachers. The 2000–01 Budget already contains \$246 million for the Staff Development Day Buy-Out program and \$108 million for a variety of Professional Development Institutes, including institutes in elementary mathematics and algebra, to help improve teacher's skills and expertise in classroom instruction.

I am reducing the appropriation in Section 42 by eliminating paragraph (30) of subdivision (a), which allocates \$50,000 to the Santa Monica Malibu Unified School District for an after school youth program at Malibu High School. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (32) of subdivision (a), which allocates \$200,000 to the Tahoe-Truckee Unified School District for the North Tahoe Youth Center. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (34) of subdivision (a), which allocates \$675,000 to the Los Alamitos Unified School District for reimbursement for class size reduction costs. Funding for this purpose should be sought through the class size reduction facilities program.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (35) of subdivision (a), from \$10,000,000 to \$5,000,000 for allocation to the Alvord Unified School District for construction costs associated with the Center for Primary Education. The balance of funding required for this project should be sought through the School Facilities Program or from local resources.

I am reducing the appropriation in Section 42 by eliminating paragraph (36) of subdivision (a), which allocates \$900,000 to the Riverside County Office of Education for the purpose of screening and diagnosing pupils for Scotopic Sensitivity Syndrome, to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (37) of subdivision (a), which allocates \$500,000 to the Saugus Union Elementary School District for costs associated with testing air quality in portable classrooms. As indoor air quality in portable classrooms is an important issue, the Budget provides \$1 million to the Air Resources Board and the State Department of Health Services for purposes of conducting a comprehensive study and review of the environmental health conditions, including air quality, in portable classrooms.

I am reducing the appropriation in Section 42 by eliminating paragraph (38) of subdivision (a), which allocates \$275,000 to the Inyo County Office of Education for facilities costs. Funding for this project may be available through the School Facilities Program.

I am reducing the appropriation in Section 42 by eliminating paragraph (39) of subdivision (a), which allocates \$500,000 to the Calaveras Unified School District for swimming pool renovations, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (40) of subdivision (a), which allocates \$27,000 to the Alta-Dutch Flat Union Elementary School District for Afternoon Transportation Services, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (43) of subdivision (a), which allocates \$469,000 to the Mariposa Unified School District for declining ADA. As current law provides sufficient provisions to cushion the loss of ADA for school districts, I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (44) of subdivision (a), from \$568,000 to \$285,000 for the Chatom Union Elementary School District. The original augmentation included funding for declining ADA and for the purchase of school buses. As current law provides sufficient provisions to cushion the loss of ADA for school districts, I am reducing this appropriation maintaining only the funding for the purchase of school buses.

I am reducing the appropriation in Section 42 by eliminating paragraph (45) of subdivision (a), which allocates \$3,700,000 to the Clovis Unified School District for the Central Valley Applied Agriculture and Technology Center. I am deleting this appropriation to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (47) of subdivision (a), which allocates \$112,000 to the Alameda County Office of Education for the Smart Kids, Safe Kids program. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (48) of subdivision (a), which allocates \$475,000 to the Millbrae Elementary School District for declining ADA. As current law provides sufficient provisions to cushion the loss of ADA for school districts, I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (52) of subdivision (a), which allocates \$160,000 to the Soledad Enrichment Charter School for Operation Y.E.S. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (55) of subdivision (a), from \$5,000,000 to \$3,700,000 for the Clovis and Fresno Unified School Districts for the Center for Advanced Research and Technology. I am reducing this appropriation to fund higher competing priorities.

I am also reducing Section 43 of this bill by \$3,626,000, from \$8,576,000 to \$4,950,000. The specific reductions are as follows:

I am reducing the appropriation in Section 43 by eliminating paragraph (1) of subdivision (a) which allocates \$575,000 for preliminary plans, working drawings and construction for the Santa Clarita Community College District, College of the Canyons Welding Technology and Manufacturing Technology Lab. Funding for this project is premature as the project has circumvented the Chancellor's Office review and priority setting process, and has not been identified by the District as a priority on their five-year capital outlay plan.

I am reducing the appropriation in Section 43 by eliminating paragraph (2) of subdivision (a) which allocates \$551,000 for the working drawings phase of the Victor Valley Community College District, Victor Valley College Advanced Technology Building. Funding for this project is premature as the funding of previous phases was

predicated upon the commitment of the District that funding for subsequent phases would not be sought until the 2001–2002 fiscal year.

I am reducing the appropriation in Section 43 by eliminating paragraph (4) of subdivision (a), which allocates \$1,500,000 to the Copper Mountain Community College District for transition and technology costs. Copper Mountain will be fully operational as a district and receive local assistance apportionment funding in the 2000–01 fiscal year. Therefore, the need for additional district-specific funding is unclear.

I am reducing the appropriation in Section 43 by reducing the allocation in paragraph (7) for the acquisition of land for the future construction of the Los Angeles Community College District (LACCD), Los Angeles City College Satellite Center from \$4,000,000 to \$3,000,000. In addition, I am restricting expenditure of the remaining \$3,000,000. The Los Angeles Community College District has not yet demonstrated the programmatic necessity of a satellite center. Prior to the expenditure of these funds the LACCD and the California Community College (CCC) must receive the requisite approvals for the satellite center from the California Postsecondary Education Commission (CPEC). Further, the need for a satellite center must be justified and demonstrated to the Department of Finance (DOF). The proposal submitted to the DOF must identify and demonstrate the programmatic need for the satellite center, the annual enrollment and full time equivalents served, the costs of the center both during development and once fully developed, and the full scope and cost of the acquisition and construction proposal for the center. The submittal to DOF must demonstrate that the center will meet the programmatic needs of both the district and the CCC and additionally substantiate that the space needs for the new center cannot be accommodated in existing facilities and campuses in the district. Finally, the funds will only be available for expenditure upon certification from the seller that the site is an environmentally clean site and that the owner will accept liability for any hazardous waste on the site or ground water contamination. Current and future resources should not be allocated on an ad hoc basis, rather, allocated to projects that have been developed in the context of the Administration's overall priorities, cost standards, guidelines, instructional purposes, enrollment related needs, and scope standards and secured the appropriate programmatic and site review and approval.

GRAY DAVIS, Governor

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

SECTION 1. Section 313 of the Education Code is amended to read:

313. (a) Each school district that has one or more pupils who are English learners shall assess each pupil's English language development in order to determine the level of proficiency for the purposes of this chapter.

(b) The State Department of Education, with the approval of the State Board of Education, shall establish procedures for conducting the assessment required pursuant to subdivision (a) and for the reclassification of a pupil from English learner to proficient in English.

(c) Commencing with the 2000–01 school year, the assessment shall be conducted upon initial enrollment, and annually, thereafter, during a period of time determined by the Superintendent of Public Instruction and the State Board of Education. The annual assessments shall continue until the pupil is redesignated as English proficient. The assessment shall primarily utilize the English language development test identified

or developed by the Superintendent of Public Instruction pursuant to Chapter 7 (commencing with Section 60810) of Part 33. Prior to completion of the English language development test, a school district shall use either an assessment instrument developed by the school district or an assessment recommended by the State Department of Education.

(d) The reclassification procedures developed by the State Department of Education shall utilize multiple criteria in determining whether to reclassify a pupil as proficient in English, including, but not limited to, all of the following:

(1) Assessment of language proficiency using an objective assessment instrument, including but not limited to, the English language development test pursuant to Section 60810.

(2) Teacher evaluation, including, but not limited to, a review of the pupil's curriculum mastery.

(3) Parental opinion and consultation.

(4) Comparison of the pupil's performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age, that demonstrates whether the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

(e) It is the intent of the Legislature that nothing in this section precludes a school district or county office of education from testing English language learners more than once in a school year if the school district or county office of education chooses to do so.

SEC. 2. Chapter 5 (commencing with Section 420) is added to Part 1 of the Education Code, to read:

CHAPTER 5. ENGLISH LANGUAGE AND INTENSIVE LITERACY PROGRAM

420. This chapter shall be known and may be cited as the English Language and Intensive Literacy Program.

421. The English Language and Intensive Literacy Program is hereby established and shall be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction shall develop, and the State Board of Education shall approve, guidelines for implementing this chapter, including, but not limited to, guidelines for reviewing and approving English Learner Literacy grants.

422. (a) A school district, county office of education, or charter school that maintains kindergarten or any of kindergarten or grades 1 to 12, inclusive, may apply for a grant of four hundred dollars (\$400) per pupil to operate a program that provides multiple, intensive English language and literacy opportunities for pupils in any one or combination

of kindergarten and grades 1 to 12, inclusive, with an emphasis on mastery of English language and literacy skills that will allow pupils to significantly improve achievement in the classroom. Funding for the program established pursuant to this chapter shall be provided in Section 37 of the act adding this chapter.

(b) Pupils shall remain eligible for participation in the program established pursuant to this chapter for three calendar months after completing grade 12.

(c) The purposes of the program established pursuant to this chapter include, but are not limited to, both of the following:

(1) To provide pupils who are experiencing difficulty learning English and difficulty in reading with increased instructional opportunities.

(2) To provide stimulating and enriching opportunities for all pupils to increase their English and literacy skills.

(d) (1) Instruction provided pursuant to the program shall be consistent with the standards for a comprehensive English language development instruction program that is research-based, as described in subparagraphs (A) and (B) of paragraph (4) of subdivision (b) of Section 44259, and shall include all of the following components:

(A) The study of organized, systematic, explicit skills, including phonemic awareness, direct, systematic explicit phonics, and decoding skills.

(B) A strong literature, language, and comprehension component with a balance of oral and written language.

(C) Ongoing diagnostic techniques that inform teaching and assessment.

(D) Early intervention techniques.

(2) Instruction provided pursuant to the program shall be consistent with state-adopted academic content standards and with the curriculum framework on English language arts and the English language development standards adopted by the State Board of Education.

(3) As a condition of receiving funds for this program, participants shall use the English Language Development exam, developed pursuant to Section 60811, to evaluate pupil improvement toward becoming fully English proficient, if this assessment is available. To the extent that the English Language Development exam is not available, participants may use other assessment instruments that measure English language proficiency if the instruments have been proven to be valid and reliable.

423. (a) Except as provided in subdivision (b), intensive English and literacy instruction provided pursuant to this chapter shall be offered four hours per day for six continuous weeks during the summer or intersession.

(b) Due to facilities constraints or for other educational reasons, a school may offer intensive instruction before school, after school, on Saturdays, or during intersession, or in a combination of summer school, after school, Saturday, or intersession instruction. Schools that utilize an after-school program to provide these services may establish an age appropriate schedule that still provides 120 hours of instruction.

(c) It is the intent of the Legislature that school districts, county offices of education, or charter schools that operate the program established by this chapter utilize credentialed persons and, to the extent possible, persons holding appropriate authorization to teach limited-English pupils. Tutors and other assistants may provide services to English language learners, if they are working under the supervision of instructors who fulfill the requirements of Sections 44830 and 44831, and who may fulfill the requirements of Section 44253.7. Tutors and other assistants serving English language learners under this chapter shall also have appropriate training in the teaching of English language learners.

(d) Notwithstanding Section 49550 or any other provision of law, a school district, county office of education, or charter school that operates a program pursuant to this chapter is not required to provide a meal or snack to pupils participating in the program.

424. (a) Any school district, county office of education, or charter school that serves English language learners may apply for funding under this chapter if they submit an application and a plan that meets the requirements set forth in subdivision (b) and certifies the English language learners are participating in the program outlined in the school plan.

(b) The application submitted pursuant to subdivision (a) for program participation shall include a plan for a classroom-based program of intensive English language instruction that will provide 120 hours of language and literacy instruction to English language learners enrolled in kindergarten or any of grades 1 to 12, inclusive, that is modeled after the intensive reading program, as authorized by Article 1 (commencing with Section 53025) of Chapter 16 of Part 28, including:

(1) The number and percentage of English language learners in the participating schools.

(2) The proposed schedule for providing 120 hours of instruction. Class schedules should be offered during summer, intersession breaks, after school, Saturdays or during the evening.

(3) A proposed program budget and a proposal that specifies the type of information that will be provided to the State Department of Education to verify that services were provided to English language learners.

(c) School districts, county offices of education, or charter schools that receive funding pursuant to this chapter shall spend at least 90 percent of program funds received for direct services or instructional materials for English language learners.

(d) To the extent possible, the Superintendent of Public Instruction shall provide a mix of grants to elementary schools, middle schools, and high schools in order to ensure that the results of the evaluation are applicable to all grade levels.

(e) Applications from prospective program participants shall be received by October 1, 2000.

(f) To the extent funding is available in subsequent years, applications must be received by October 1, and annually thereafter.

425. (a) The Superintendent of Public Instruction, with input from the Legislative Analyst's office, the Office of the Secretary of Education, and the Department of Finance, shall contract with an independent evaluator for the purpose of determining the effectiveness of this program, including, but not limited to, improving English language proficiency and identifying the most effective practices for teaching English language learners. The evaluation shall be submitted to the appropriate legislative committees, on or before November 1, 2003. If funds are needed for this purpose, it is the intent of the Legislature that funds be appropriated for this purpose in the annual Budget Act.

(b) The State Department of Education shall provide interim reports to the Legislature that include, but are not limited to, the following:

(1) The amount of funding allocated.

(2) The number of schools participating in the program.

(3) The number of English language learners participating in this program.

(c) The first interim report is due March 1, 2001. The second interim report is due March 1, 2002. The final interim report is due March 1, 2003. However, these interim reports shall only be required if funds are available for allocation for this program.

426. (a) The State Librarian, with input from the Legislative Analyst's office, the Office of the Secretary of Education, and the Department of Finance, shall contract with an independent evaluator to evaluate the portion of the English Language and Intensive Literacy Program that is administered by the State Library, as listed in Item 6120-212-0001 of Section 2.00 of the Budget Act of 2000. The evaluation shall determine the effectiveness of this program, including, but not limited to, improving English language proficiency and identifying the most effective practices for teaching English language learners and their families in improving English language proficiency.

(b) The State Librarian shall provide interim reports to the Legislature that include, but are not limited to, the following:

- (1) The amount of funding allocated.
 - (2) The number of libraries or schools participating in the program.
 - (3) The number of English language learners participating in this program.
 - (4) The number of parents participating in the program.
- (c) The first report is due March 1, 2001. The second report is due March 1, 2002. The final interim report is due March 1, 2003. However, these reports shall be required only if funds are available for allocation for this program.

427. (a) It is the intent of the Legislature that data developed through the English Language and Intensive Literacy Program be used to inform curriculum, instruction, assessment, research, and teacher preparation programs regarding use of the most effective practices for teaching English language learners.

(b) It is the intent of the Legislature that, once the most effective programs and processes have been identified, schools be required to incorporate those effective practices into the regular classroom instruction as a condition of receiving funds pursuant to Section 404.

(c) It is further the intent of the Legislature that this program be administered consistent with research-based strategies for teaching English language learners, as well as the English language for immigrant children, set forth in Chapter 3 (commencing with Section 300), as applicable.

428. This chapter shall become inoperative on July 1, 2003, and as of January 1, 2004, is repealed, unless a later enacted statute, that becomes effective on or before January 1, 2004, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. Section 2550 of the Education Code is amended to read:

2550. For each fiscal year, the Superintendent of Public Instruction shall make the following computations to determine the amount to be allocated for direct services and other purposes provided by county superintendents of schools:

(a) For programs operated pursuant to subdivision (a) of Section 14054, the Superintendent of Public Instruction shall:

(1) Determine the allowances that county superintendents received per unit of average daily attendance in the prior fiscal year. The Superintendent of Public Instruction shall increase each amount by a percentage equal to the inflation allowance calculated for the current fiscal year pursuant to Section 2557.

(2) Multiply each amount determined in paragraph (1) by the actual number of units of average daily attendance in the prior fiscal year for programs maintained by each county superintendent. For purposes of this paragraph, the number of units of average daily attendance shall include only units generated by elementary districts with less than 901

units of average daily attendance, high school districts with less than 301 units of average daily attendance, and unified school districts with less than 1,501 units of average daily attendance within each county superintendent's jurisdiction.

(b) For programs operated pursuant to subdivision (b) of Section 14054, the Superintendent of Public Instruction shall:

(1) (A) For the 1999–2000 fiscal year, determine the rate per unit of average daily attendance calculated for each county office of education pursuant to subdivision (b) of Section 2567 and increase each rate by a percentage equal to the inflation allowance calculated in Section 2557.

(B) For the 2000–01 fiscal year, determine the rate per unit of average daily attendance calculated for each county office of education pursuant to subdivision (b) of Section 2568 and increase each rate by a percentage equal to the inflation allowance calculated in Section 2557.

(C) For the 2001–02 fiscal year and each fiscal year thereafter, determine the allowances that county superintendents received per unit of average daily attendance in the prior fiscal year. The Superintendent of Public Instruction shall increase each amount by a percentage equal to the inflation allowance calculated for the current fiscal year pursuant to Section 2557.

(2) Multiply each amount determined in paragraph (1) by the units of average daily attendance in the current fiscal year for programs for kindergarten and grades 1 to 12, inclusive, maintained by each county superintendent. For the purposes of this paragraph, average daily attendance shall include only the total units of average daily attendance credited to all elementary, high school, and unified school districts within each county superintendent's jurisdiction and to the county superintendent.

SEC. 4. Section 2568 is added to the Education Code, to read:

2568. (a) To compute, pursuant to subdivision (b), a rate per unit of average daily attendance for county offices of education for the 2000–01 fiscal year, the Superintendent of Public Instruction shall use the amounts listed below, which amounts shall be used for the purposes of school accountability, pursuant to Chapter 3 of the Statutes of the 1999–2000 First Extraordinary Session; the high school exit examination, pursuant to Chapter 1 of the Statutes of the 1999–2000 First Extraordinary Session; peer assistance and review, pursuant to Chapter 4 of the Statutes of the 1999–2000 First Extraordinary Session; reading development and early intervention, pursuant to Chapter 2 of the Statutes of the 1999–2000 First Extraordinary Session; schoolsite safety, pursuant to Chapter 51 of the Statutes of 1999; education technology, pursuant to Chapter 650 of the Statutes of 1994; and fiscal accountability and oversight, pursuant to Chapter 1213 of the Statutes of 1991 and Chapter 650 of the Statutes of 1994:

Alameda	\$ 214,455
Butte	40,092
Calaveras	37,078
Colusa	36,508
Contra Costa	534,659
El Dorado	44,037
Fresno	825,455
Glenn	12,847
Humboldt	47,121
Imperial	200,468
Kern	43,638
Kings	100,296
Lassen	18,138
Los Angeles	2,225,005
Madera	93,180
Merced	99,068
Nevada	51,991
Orange	553,780
Placer	906
Sacramento	749,990
San Benito	42,240
San Bernardino	767,187
San Joaquin	430,828
Shasta	70,202
Solano	355,421
Stanislaus	413,666
Sutter	99,896
Tehama	44,241
Trinity	5,715
Tulare	526,149
Tuolumne	30,811
Ventura	112,267
Yolo	47,383
Yuba	45,282

\$8,900,000

(b) For purposes of subparagraph (A) of paragraph (1) of subdivision (b) of Section 2550, the Superintendent of Public Instruction shall compute a rate per unit of average daily attendance for each county office of education as follows:

(1) For each county office of education, the sum of the following amounts:

(A) The amount, if any, listed for the county office of education in subdivision (a) to the extent an appropriation is provided for this purpose.

(B) The amounts received by the county office of education in the 1999–2000 fiscal year for the apportionments set forth in paragraph (1) of subdivision (c) of Section 2561.

(2) Divide the amount computed pursuant to paragraph (1) by the 1999–2000 countywide average daily attendance.

SEC. 5. Section 8278 of the Education Code is amended to read:

8278. (a) Notwithstanding any other provision of law, child development appropriations, with the exception of funds appropriated for the After School Learning and Safe Neighborhoods Partnerships Program pursuant to Article 22.5 (commencing with Section 8482) and for CalWORKs child care pursuant to Sections 8353 and 8354, shall be available for expenditure for three years, except that funds remaining unencumbered at the end of the first fiscal year shall revert to the General Fund.

(b) The Superintendent of Public Instruction shall establish criteria and procedures for the reallocation of unearned contract funds in the second and third years of availability, in accordance with the following priorities:

(1) First, for the accounts payable of the State Department of Education.

(2) Second, to reimburse alternative payment programs for the provision of additional services, in accordance with Section 8222.1.

(3) Third, for one-time expenditures that will benefit children in subsidized child care, which include, but are not limited to, the purchase of materials approved by the State Department of Education for deferred and major maintenance of existing facilities, respite care, and implementation of capacity building activities, which include new facilities, training, and technical assistance. Notwithstanding any other provision of law, the allocation for these one-time expenditures may not be made unless approved in the annual Budget Act.

SEC. 6. Section 10551 of the Education Code is amended to read:

10551. (a) For purposes of this chapter, “governing board” means the governing board set forth in subdivision (b) of Section 42127.8.

(b) It is the intent of the Legislature that Section 10550 be implemented by the governing board.

(c) The governing board shall be supported by a team of persons having extensive experience in the development of telecommunications systems, local and statewide area computer networks, as well as knowledge of the data and system needs of school business and

administration. This team shall be operated under the immediate direction and supervision of an appropriate county superintendent of schools selected, in response to an application process, by the Superintendent of Public Instruction.

(d) The State Department of Education shall convene a committee of volunteers, to advise the governing board. This committee shall be composed of individuals who are school district or county office of education personnel and who have knowledge of financial and administrative data processing matters. Members of the committee shall assume their own expenses for service on the committee, and the state shall not provide reimbursement for either the time served by, or the expenses of, the committee members. Two individuals shall be appointed to the committee by each of the following:

(1) The president of the California Association of School Business Officials.

(2) The president of the Association of California School Administrators.

(3) The president of the California School Boards Association.

(4) The president of the California Educational Data Processing Association.

(5) The Superintendent of Public Instruction.

SEC. 7. Section 10554 of the Education Code is amended to read:

10554. (a) In order for the governing board to carry out its responsibilities pursuant to this chapter, there is hereby established the Educational Telecommunication Fund. The amount of moneys to be deposited in the fund shall be the amount of any offset made to the principal apportionments made pursuant to Sections 1909, 2558, 42238, 52616, Article 1.5 (commencing with Section 52335) of Chapter 9 of Part 28, and Chapter 7.2 (commencing with Section 56836) of Part 30, based on a finding that these apportionments were not in accordance with law. The maximum amount that may be annually deposited in the fund from the offset shall be ten million dollars (\$10,000,000). The Controller shall establish an account to receive and expend moneys in the fund. The placement of the moneys in the fund shall occur only upon a finding by the Superintendent of Public Instruction and the Director of Finance that the principal apportionments made pursuant to Sections 1909, 2558, 42238, 52616, and Article 1.5 (commencing with Section 52335) of Chapter 9 of Part 28, and Chapter 7.2 (commencing with Section 56836) of Part 30 were not in accordance with existing law and were so identified pursuant to Sections 1624, 14506, 41020, 41020.2, 41320, 42127.2, and 42127.3, or an independent audit that was approved by the State Department of Education.

(b) Moneys in the fund established pursuant to subdivision (a) shall only be available for expenditure upon appropriation by the Legislature in the Budget Act.

(c) The moneys in the fund established pursuant to subdivision (a) may be expended by the governing board to carry out the purposes of this chapter, including for the following purposes:

(1) To support the activities of the team established pursuant to subdivision (c) of Section 10551.

(2) To assist the school districts and county superintendents of schools in purchasing both hardware and software to allow school districts, county superintendents of schools, and the State Department of Education to be linked for school business and administrative purposes. The governing board shall establish a matching share requirement that applicant school districts and county superintendents of schools must fulfill to receive those funds. It is the intent of the Legislature to encourage the distribution of grants to school districts and county superintendents of schools to the widest extent possible.

(3) To provide technical assistance through county offices of education to school districts in implementing the standards established pursuant to subdivision (a) of Section 10552.

(d) This section shall become inoperative as of January 1, 2002.

SEC. 8. Section 10555 of the Education Code is amended to read:

10555. By March 15 of each year, the governing board shall report to the Governor, the Legislature, the State Board of Education, the Superintendent of Public Instruction, and the Department of Finance on the progress that has been made to meet the objectives of this chapter, the status of activities related to meeting the objectives of this chapter, and any plan of the governing board for subsequent fiscal years to meet the objectives of this chapter.

SEC. 9. Chapter 4 (commencing with Section 14550) is added to Part 9 of the Education Code, to read:

CHAPTER 4. RETENTION OF LOCAL OBLIGATIONS

14550. (a) Notwithstanding any other provision of law, a local education agency's obligations pursuant to law may not be avoided through participation in a joint powers authority.

(b) A local education agency's financial obligations to the state may not be avoided through participation in a joint powers authority.

(c) A local education agency's participation in a joint powers authority may not relieve the local education agency of any financial obligation or responsibility in such a way as to shift costs or liability to the state unless the state entity undertaking the obligation is a party to

the joint powers agreement and expressly agrees in the agreement to undertake the obligation.

(d) A local educational entity retains ultimate responsibility over its obligations in case of default by a joint powers authority in which it participates.

SEC. 10. Section 32228 of the Education Code is amended to read:

32228. (a) It is the intent of the Legislature that public schools serving pupils in kindergarten or any of grades 1 to 12, inclusive, have access to supplemental resources to establish programs and strategies that promote school safety and emphasize violence prevention among children and youth in the public schools.

(b) It is further the intent of the Legislature that schoolsites receiving funds pursuant to this article accomplish all of the following goals:

(1) Teach pupils techniques for resolving conflicts without violence.

(2) Train school staff and administrators to support and promote conflict resolution and mediation techniques for resolving conflicts between and among pupils.

(3) Reduce incidents of violence at the schoolsite.

SEC. 11. Section 32228.1 of the Education Code is amended to read:

32228.1. (a) The School Safety and Violence Prevention Act is hereby established. This statewide program shall be administered by the Superintendent of Public Instruction, who shall provide funds to school districts serving pupils in kindergarten or any of grades 1 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence. As a condition of receiving funds pursuant to this article, an eligible school district shall certify, on forms and in a manner required by the Superintendent of Public Instruction, that the funds will be used as described in this section.

(b) From funds appropriated in the annual Budget Act or any other measure, funds shall be allocated to school districts on the basis of prior year enrollment, as reported by the California Basic Educational Data System, of pupils in kindergarten or any of grades 1 to 12, inclusive, for any one or more of the following purposes:

(1) Providing schools with personnel, including, but not limited to, licensed or certificated school counselors, school social workers, school nurses, and school psychologists, who are trained in conflict resolution. Any law enforcement personnel hired pursuant to this article shall be trained and sworn peace officers.

(2) Providing effective and accessible on-campus communication devices and other school safety infrastructure needs.

(3) Establishing an in-service training program for school staff to learn to identify at-risk pupils, to communicate effectively with those pupils, and to refer those pupils to appropriate counseling.

(4) Establishing cooperative arrangements with local law enforcement agencies for appropriate school-community relationships.

(5) For any other purpose that the school or school district determines that would materially contribute to meeting the goals and objectives of current law in providing for safe schools and preventing violence among pupils.

SEC. 12. Section 33050 of the Education Code is amended to read:

33050. (a) The governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, may request the State Board of Education to waive all or part of any section of this code or any regulation adopted by the State Board of Education that implements a provision of this code that may be waived, except:

(1) Article 1 (commencing with Section 15700) and Article 2 (commencing with Section 15780) of Chapter 4 of Part 10.

(2) Chapter 6 (commencing with Section 16000) of Part 10.

(3) Chapter 12 (commencing with Section 17000), Chapter 12.5 (commencing with Section 17070.10), and Chapter 14 (commencing with Section 17085) of Part 10.

(4) Part 13 (commencing with Section 22000).

(5) Section 35735.1.

(6) Paragraph (8) of subdivision (a) of Section 37220.

(7) The following provisions of Part 10.5 (commencing with Section 17211):

(A) Chapter 1 (commencing with Section 17211).

(B) Article 1 (commencing with Section 17251) to Article 6 (commencing with Section 17365), inclusive, of Chapter 3.

(C) Sections 17416 to 17429, inclusive; Sections 17459 and 17462 and subdivision (a) of Section 17464; and Sections 17582 to 17592, inclusive.

(8) The following provisions of Part 24 (commencing with Section 41000):

(A) Sections 41000 to 41360, inclusive.

(B) Sections 41420 to 41423, inclusive.

(C) Sections 41600 to 41866, inclusive.

(D) Sections 41920 to 42911, inclusive.

(9) Article 3 (commencing with Section 44930) of Chapter 4 of Part 25 and regulations in Title 5 of the California Code of Regulations adopted pursuant to Article 3 (commencing with Section 44930) of Chapter 4 of Part 25.

(10) Part 26 (commencing with Section 46000).

(11) Chapter 6 (commencing with Section 48900) and Chapter 6.5 (commencing with Section 49060) of Part 27.

(12) Section 51513.

(13) Chapter 6.10 (commencing with Section 52120) and Chapter 6.8 (commencing with Section 52080) of Part 28, relating to class size reduction.

(14) Section 52163.

(15) The identification and assessment criteria relating to any categorical aid program, including Sections 52164.1 and 52164.6.

(16) Sections 52165, 52166, and 52178.

(17) Article 3 (commencing with Section 52850) of Chapter 12 of Part 28.

(18) Section 56364.1, except that this restriction shall not prohibit the State Board of Education from approving any waiver of Section 56364 or Section 56364.2, as applicable, relating to full inclusion.

(19) Article 4 (commencing with Section 60640) of Chapter 5 of Part 33, relating to the STAR Program, and any other provisions of Chapter 5 (commencing with Section 60600) of Part 33 that establish requirements for the STAR Program.

(b) Any waiver of provisions related to the programs identified in Section 52851 shall be granted only pursuant to Article 3 (commencing with Section 52850) of Chapter 12 of Part 28.

(c) The waiver of an advisory committee required by law shall be granted only pursuant to Article 4 (commencing with Section 52870) of Chapter 12 of Part 28.

(d) Any request for a waiver submitted by the governing board of a school district or a county board of education pursuant to subdivision (a) shall include a written statement as to both of the following:

(1) Whether the exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, participated in the development of the waiver.

(2) The exclusive representative's position regarding the waiver.

(e) Any request for a waiver submitted pursuant to subdivision (a) relating to a regional occupational center or program established pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28, that is operated by a joint powers entity established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, shall be submitted as a joint waiver request for each participating school district and shall meet both of the following conditions:

(1) Each joint waiver request shall comply with all of the requirements of this article.

(2) The submission of a joint waiver request shall be approved by a unanimous vote of the governing board of the joint powers agency.

(f) The governing board of any school district requesting a waiver under this section of any provision of Article 5 (commencing with Section 39390) of Chapter 3 of Part 23 shall provide written notice of any public hearing it conducted pursuant to subdivision (a), at least 30 days prior to the hearing, to each public agency identified under Section 39394.

SEC. 13. Section 41203.1 of the Education Code is amended to read:

41203.1. (a) For the 1990–91 fiscal year and each fiscal year thereafter, allocations calculated pursuant to Section 41203 shall be distributed in accordance with calculations provided in this section. Notwithstanding Section 41203, and for the purposes of this section, school districts, community college districts, and direct elementary and secondary level instructional services provided by the State of California shall be regarded as separate segments of public education, and each of these three segments of public education shall be entitled to receive respective shares of the amount calculated pursuant to Section 41203 as though the calculation made pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution were to be applied separately to each segment and the base year for the purposes of this calculation under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution were based on the 1989–90 fiscal year. Calculations made pursuant to this subdivision shall be made so that each segment of public education is entitled to the greater of the amounts calculated for that segment pursuant to paragraph (1) or (2) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

(b) If the single calculation made pursuant to Section 41203 yields a guaranteed amount of funding that is less than the sum of the amounts calculated pursuant to subdivision (a), then the amount calculated pursuant to Section 41203 shall be prorated for the three segments of public education.

(c) Notwithstanding any other provision of law, this section shall not apply to the fiscal years between the 1992–93 fiscal year and the 2000–01 fiscal year, inclusive.

SEC. 14. Section 42238.23 is added to the Education Code, to read:

42238.23. Notwithstanding any other provision of law, persons providing services to local education agencies through use of a joint powers authority involving the local education agency who would, in absence of the joint powers authority, otherwise be considered school employees and subject to the Public Employees' Retirement System rate reduction to revenue limits authorized in Section 42238, shall not be excluded from the calculations of the Public Employees' Retirement System reduction authorized in that section.

SEC. 15. Section 47652 of the Education Code is amended to read: 47652. Notwithstanding Section 41330, a charter school in its first year of operation shall be eligible to receive funding for the advance apportionment based on an estimate of average daily attendance for the current fiscal year, as approved by the local educational agency that granted its charter and the county office of education in which the charter-granting agency is located. Not later than five business days following the end of the first 20 school days, a charter school receiving funding pursuant to this section shall report to the Department of Education its actual average daily attendance for that first month, and the Superintendent of Public Instruction shall adjust immediately, but not later than 45 days, the amount of its advance apportionment accordingly.

SEC. 16. Section 48664 of the Education Code is amended to read: 48664. (a) (1) In addition to funds from all other sources, the Superintendent of Public Instruction shall apportion to each school district that operates a community day school four thousand dollars (\$4,000) per year, and for each county office of education that operates a community day school three thousand dollars (\$3,000) per year, for each unit of average daily attendance reported at the annual apportionment for pupil attendance at community day schools, adjusted annually commencing with the 1999–2000 fiscal year for the inflation adjustment calculated pursuant to subdivision (b) of Section 42238.1. Average daily attendance reported for this program shall not exceed 0.375 percent of a district's prior year P2 average daily attendance in an elementary school district, 0.5 percent of a district's prior year P2 average daily attendance in a unified school district, or 0.625 percent of a district's prior year P2 average daily attendance in a high school district. The units of average daily attendance of a community day school operated by a county office of education shall not exceed the unused units of average daily attendance of the community day schools operated by the school districts within the jurisdiction of that county office of education.

(2) The Superintendent of Public Instruction may reallocate to any school district any unexpended balance of the appropriations made for the purposes of this subdivision for actual pupil attendance in excess of the percentage specified in this subdivision for the school district in an amount not to exceed one-half of that percentage. However, the average daily attendance generated by pupils expelled pursuant to subdivision (d) of Section 48915, shall not be subject to these percentage caps on average daily attendance.

(b) The average daily attendance of a community day school shall be determined by dividing the total number of days of attendance in all full school months, by a divisor of 70 in the first period of each fiscal year,

by a divisor of 135 in the second period of each fiscal year, and by a divisor of 180 at the annual time of each fiscal year.

(c) The Superintendent of Public Instruction shall apportion to each school district that operates a community day school an amount equal to four dollars (\$4), adjusted annually commencing with the 2000–01 fiscal year for inflation pursuant to subdivision (b) of Section 42238.1, multiplied by the total of the number of hours each schoolday, up to a maximum of two hours daily, that each community day school pupil remains at the community day school under the supervision of an employee of the school district, or a consortium of school districts pursuant to Section 48916.1, reporting the attendance of the pupils for apportionment funding following completion of the full six-hour instructional day.

(d) It is the intent of the Legislature that districts enter into consortia, as feasible, for the purpose of providing community day school programs. Any school district with fewer than 2,501 units of average daily attendance may request a waiver for any fiscal year of the funding limitations set forth in this section. The Superintendent of Public Instruction shall approve a waiver if he or she deems it necessary in order to permit the operation of a community day school of reasonably comparable quality to those offered in a school district with 2,501 or more units of average daily attendance. In no event shall the amount allocated pursuant to a waiver exceed the amount provided for one teacher pursuant to Section 42284, for pupils enrolled in kindergarten and grades 1 to 6, inclusive, or the amount provided for one teacher pursuant to Section 42284, for pupils enrolled in grades 7 to 12, inclusive. The provisions of this act shall not apply to any school district that applied for a waiver within the funding limits established by this subdivision but was denied funding or not fully funded.

(e) The State Department of Education shall evaluate and report to the appropriate legislative policy committees and budget committees on or before October 1, 1998, and for two years thereafter the following programmatic and fiscal issues:

- (1) The number of expulsions statewide.
- (2) The number of school districts operating community day schools.
- (3) Status of the countywide plans as defined in Section 48926.
- (4) An evaluation of the community day school average daily attendance funding percentage cap.
- (5) Number of small school districts requesting and the number receiving a waiver under this section.
- (6) The effect of hourly accounting under Section 48663 for purposes of receiving the additional funding under Section 48664.
- (7) The number of pupils and average daily attendance served in community day programs, further identified as the number expelled

pursuant to subdivision (b) of Section 48915, subdivision (d) of Section 48915, other expulsion criteria, or referred through a formal district process.

(8) Pupil outcome data and other data as required under Section 48916.1.

(9) Other programmatic or fiscal matters as determined by the State Department of Education.

(f) The additional funds provided in subdivisions (a) (c), and (d) shall only be allocated to the extent that funds are appropriated for this purpose in the annual Budget Act or other legislation, or both, except for pupils expelled pursuant to subdivision (d) of Section 48915. For pupils expelled pursuant to subdivision (d) of Section 48915, the funds apportioned under subdivision (a) are continuously appropriated from the General Fund to Section A of the State School Fund.

(g) A one-time adjustment shall be made to the amount specified in subdivision (a), for the 1998–99 fiscal year and subsequent fiscal years, by increasing that amount by the statewide average quotient resulting from dividing the average daily attendance specified in subparagraph (B) of paragraph (3) of subdivision (a) of Section 42238.8 by the amount specified in subparagraph (C) of paragraph (3) of subdivision (a) of Section 42238.8.

SEC. 17. Section 49550.3 of the Education Code is amended to read:

49550.3. (a) Because a hungry child cannot learn, the Legislature intends, as a state nutrition and health policy, that the School Breakfast Program be made available in all schools where it is needed to provide adequate nutrition for children in attendance.

(b) The State Department of Education shall, in cooperation with school districts and county superintendents of schools, provide information and limited financial assistance to encourage program startup and expansion into all qualified schools, as follows:

(1) Provide information to school districts and county superintendents of schools concerning the benefits and availability of the School Breakfast Program.

(2) Each year, provide additional information and financial assistance to schools in the state, selected on the following criteria:

(A) Twenty percent or more of the school enrollment consists of children who have applied and qualify for free and reduced-price meals.

(B) The school has not been awarded federal startup funds to initiate a school breakfast program or a summer food service program.

(c) The department shall award grants of up to fifteen thousand dollars (\$15,000) per schoolsite on a competitive basis to school districts, county superintendents of schools, or entities approved by the State Department of Education, limited to an amount subject to budget

appropriations each fiscal year, for nonrecurring expenses incurred in initiating or expanding a school breakfast program under this section or a summer food service program pursuant to Article 10.7 (commencing with Section 49547).

(d) Grants awarded under this section shall be used for nonrecurring costs of initiating or expanding a school breakfast program or a summer food service program, including the acquisition of equipment, training of staff in new capacities, outreach efforts to publicize new or expanded school breakfast programs or summer food service programs, minor alterations to accommodate new equipment, computer point-of-service systems for food service, and the purchase of vehicles for transporting food to schools. Funds may not be used for salaries and benefits of staff, food, computers, except computer point-of-service systems, or capital outlay.

(e) In making grant awards under this section in any fiscal year, the department shall give a preference to school districts and county superintendents of schools that do all of the following:

(1) Submit to the department a plan to start or expand school breakfast programs or summer food service programs in the district or the county, including a description of the following:

(A) The manner in which the district or county will provide technical assistance and funding to schoolsites to expand those programs.

(B) Detailed information on the nonrecurring expenses needed to initiate a program.

(C) Public or private resources that have been assembled to carry out expansion of these programs during that year.

(2) Agree to operate the breakfast program or the summer food service program for a period of not less than three years.

(3) Assure that the expenditure of funds from state and local resources for the maintenance of the breakfast program or the summer food service program shall not be diminished as a result of grant awards received under this section.

SEC. 18. Section 52052.3 is added to the Education Code, to read: 52052.3. Test scores of pupils who are in the first year of enrollment in a high school, but who, in the prior year, were enrolled in an elementary school district that normally matriculates to the high school district, shall be included in the Academic Performance Index, as provided in Section 52052.

SEC. 19. Section 54743 of the Education Code is amended to read: 54743. For the purposes of this chapter, the following definitions shall apply:

(a) "Case management" means a process that ensures that the pupil and child receive identified needed services in an efficient, supportive,

and cost-effective manner. The process is interactive, pupil-centered, culturally appropriate, and goal-oriented.

(b) "Child care and development program" means developmentally appropriate learning activities for the children of enrolled teen parents that are provided when the child's teen parent is, or parents are, participating in a school-approved activity both during and outside the school day.

(c) "Intake process" means the interactive process upon entry into the Cal-SAFE program through which academic and service needs are inventoried and demographic data are collected.

(d) "Interventions" means services needed to correct or ameliorate a pupil's health, psychosocial, educational, vocational, daily living, or economic problems, which may impede the pupil from achieving the program goals.

(e) "Local education agency" means a school district or county office of education.

(f) "Support services" means services, as referenced in subdivision (b) of Section 54746, that will enhance the academic ability of the enrolled pupil in order for her or him to earn a high school diploma or its equivalent and for healthy development of their children.

(g) "Title IX of the Education Amendments of 1972 Regulations" refers to federal Public Law 92-318 and the regulations set forth in Section 106.1 and following of Title 34 of the Code of Federal Regulations, which prohibit discrimination against pupils, among other things, because of their pregnant or parenting status.

SEC. 20. Section 54744 of the Education Code is amended to read:

54744. (a) It is the intent of the Legislature that communities implementing new programs or initiatives connect with existing program strategies and build upon existing local collaboratives, when possible, to provide a unified integrated system of service for children and families.

(b) No application for participation in the Cal-SAFE program is complete unless each county superintendent of schools, in conjunction with superintendents of school districts, the Adolescent Family Life Program, the Cal-Learn program, the local child care and development planning council as defined by Section 8499.5, and, as appropriate, other existing organizations such as Healthy Start and local job training councils, have developed a county service coordination plan for providing educational and related support services to pregnant and parenting teens and their children.

(c) The county service coordination plan shall include, at a minimum, all of the following information:

(1) Incidence of live births to teen mothers by a method to be determined by the State Department of Education.

(2) Incidence of pregnant and parenting pupils receiving welfare aid by a method to be determined by the State Department of Education.

(3) Incidence of low birth weight children born to teen mothers by a method to be determined by the State Department of Education.

(4) Educational alternatives for pregnant and parenting teens.

(5) Child care and development resources for the children of teen parents.

(6) Public and private resources providing support services necessary for pregnant and parenting teens to achieve academically.

(7) Gaps and overlaps in educational and support services for pregnant and parenting pupils and their children.

(8) Proposed strategies to address identified gaps and overlaps in services.

(d) The county service coordination plan shall be submitted to the State Department of Education no later than June 1, 2000.

(e) If the county service coordination plan is not submitted to the State Department of Education by June 1, 2000, a local education agency may only operate a Cal-SAFE program on an interim basis until January 1, 2001.

(f) The county superintendent of schools, in conjunction with superintendents of school districts, the Adolescent Family Life Program, the Cal-Learn program, the local child care and development planning council as defined by Section 8499.5, and, as appropriate, other existing organizations such as Healthy Start and local job training councils, shall annually review the county service coordination plan, update the plan as needed, disseminate the revised plan to superintendents of school districts within its jurisdiction, and submit a copy of the revised plan to the State Department of Education.

SEC. 21. Section 54745 of the Education Code is amended to read:

54745. (a) In the administration of the Cal-SAFE program, the following provisions shall apply:

(1) Participation by a school district or county superintendent of schools in the Cal-SAFE program is voluntary.

(2) The governing board of a school district or county superintendent of schools may submit an application to the State Department of Education in the manner, form, and date specified by the department to establish and maintain a Cal-SAFE program.

(3) A school district or county superintendent of schools approved to implement the Cal-SAFE program shall be funded as one program to be operated at one or multiple sites depending upon the need within the service area.

(4) Notwithstanding any other provision of law, a school district or county superintendent of schools operating, by October 1, 1999, a School Age Parent and Infant Development Program pursuant to Article

17 (commencing with Section 8390) of Chapter 2 of Part 6, a Pregnant Minors Program pursuant to Chapter 6 (commencing with Section 8900) of Part 6 and Section 2551.3, or a Pregnant and Lactating Students Program pursuant to Sections 49553 and 49559, as those provisions existed prior to the operative date of the act that adds this article, or any combination thereof, that chooses to participate in the Cal-SAFE program shall have priority for Cal-SAFE program funding for an amount up to the dollar amount provided to each school district or county superintendent of schools under those provisions in the fiscal year prior to participation in the Cal-SAFE program, provided that an application is submitted and approved.

(5) If a school district or county superintendent of schools operating a School Age Parent and Infant Development Program, a Pregnant Minors Program, or a Pregnant and Lactating Students Program, or any combination thereof, chooses not to participate in the Cal-SAFE program, it is the intent of the Legislature that the funding it would have received for the operation of those programs shall be redirected to the Cal-SAFE program and the school district or county superintendent of schools may apply in a subsequent school year to operate a Cal-SAFE program.

(6) A school district or county superintendent of schools that terminates its Cal-SAFE program may reapply to establish a Cal-SAFE program.

(7) In order to continue implementation of the Cal-SAFE program beyond the initial three years of funding, each funded agency shall be reviewed by the department to determine progress towards achieving the goals set forth in Section 54742. Thereafter, funded agencies shall be reviewed and reauthorized every five years based upon a process determined by the department to continue implementation of a Cal-SAFE program.

(b) All of the following requirements shall apply to an application for the Cal-SAFE program:

(1) The governing board of a participating local education agency shall adopt a policy or resolution declaring its commitment to provide a comprehensive, continuous, community-linked program for pregnant and parenting pupils and their children that reflects the cultural and linguistic diversity of the community.

(2) The local education agency shall provide assurance for participation in the development of the County Service Coordination Plan as described in Section 54744.

(3) A school district or county superintendent of schools shall agree to participate in the data collection and evaluation of the Cal-SAFE program.

(c) To implement a Cal-SAFE program, the funded school district, or county superintendent of schools shall meet all of the following criteria:

(1) Be in compliance with Title IX of the Education Amendments of 1972 Regulations.

(2) Ensure that enrolled pupils retain their right to participate in the regular school or educational alternative programs. School placement and instructional strategies shall be based upon the needs and styles of learning of the individual pupils. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the individual parent, child, or both.

(3) Enroll pupils into the Cal-SAFE program on an open entry and open exit basis.

(4) Provide a quality education program to pupils in a supportive and accommodating learning environment with appropriate classroom strategies to ensure school access and academic credit for all work completed.

(5) Provide a parenting education and life skills class to enrolled pupils.

(6) Make maximum utilization of available programs and facilities to serve pregnant and parenting pupils and their children.

(7) Provide a quality child care and development program for the children of enrolled teen parents located on or near the schoolsite.

(8) Make maximum utilization of its local school food service program.

(9) Provide special school nutrition supplements, as defined by subdivision (b) of Section 49553, to pregnant and lactating pupils.

(10) Enter into formal partnership agreements, as necessary, with community-based organizations and other governmental agencies to assist pupils in accessing support services.

(11) Provide staff development and community outreach in order to establish a positive learning environment and school policies supportive of pregnant and parenting pupils' academic achievement and to promote the healthy development of their children.

(12) Maintain an annual program budget and expenditure report to document that funds are expended pursuant to Section 54749.

(13) Assess no fees to enrolled pupils or their families for services provided through the Cal-SAFE program.

(14) Establish and maintain a data base in the manner and form prescribed by the State Department of Education for purposes of program evaluation.

SEC. 22. Section 54746 of the Education Code is amended to read:

54746. (a) In meeting the goals of the program and responding to the individual needs and differences of pupils and their children to be served, the funded agency shall complete an intake procedure regarding

each pupil and child upon entry into the program and periodically as needed thereafter.

(b) Based upon the information provided during the intake procedure pursuant to subdivision (a), the funded agency shall determine appropriate levels and types of services to be provided. These services may not duplicate services currently provided to the pupil by a local Adolescent Family Life Program or Cal-Learn program. In addition to an academic program that meets district standards, necessary support services for pupils shall be funded by the calculation pursuant to paragraph (1) of subdivision (a) of Section 54749. Allowable expenditures for support services are as follows:

- (1) Parenting education and life skills class.
 - (2) Perinatal education and care, including childbirth preparation.
 - (3) Safe home-to-school transportation.
 - (4) Case management services.
 - (5) Comprehensive health education including reproductive health care.
 - (6) Nutrition education, counseling, and meal supplements.
 - (7) School safety and violence prevention strategies targeted to pregnant and parenting teens and their children.
 - (8) Academic support and youth development services, such as tutoring, mentoring, and community service internships.
 - (9) Career counseling, preemployment skills, and job training.
 - (10) Substance abuse prevention education, counseling, and treatment services.
 - (11) Mental health assessment, interventions, and referrals.
 - (12) Crisis intervention counseling services, including suicide prevention.
 - (13) Peer support groups and counseling.
 - (14) Family support and development services, including individual and family counseling.
 - (15) Child and domestic abuse prevention education, counseling, and services.
 - (16) Enrichment and recreational activities, as appropriate.
 - (17) Services that facilitate transition to postsecondary education, training, or employment.
 - (18) Support services for grandparents, siblings, and fathers of babies who are not enrolled in the Cal-SAFE program.
 - (19) Outreach activities to identify eligible pupils and to educate the community about the realities of teen pregnancy and parenting.
- (c) The funded agency shall provide child care and development program services located on or near the schoolsite for the children of teen parents enrolled in the Cal-SAFE program. Program services shall be

funded by the revenue generated pursuant to paragraph (2) of subdivision (a) of Section 54749.

(1) Participation in the child care and development component of the Cal-SAFE program shall be voluntary.

(2) There is no minimum age for enrollment, but the child shall be eligible for enrollment in the child care and development component until the age of five years or the child is enrolled in kindergarten, whichever occurs first, as long as the teen parent is enrolled in the Cal-SAFE program.

(3) Each child shall have a health evaluation form signed by a physician, or his or her designee, before the child is allowed on the school campus or is enrolled in the child care and development program. Health screening and immunizations shall not be required when the custodial parent annually files a written request as provided for in Section 49451 and Section 120365 of the Health and Safety Code.

(4) A developmental profile shall be maintained for each infant, toddler, and child. This development profile shall be utilized by the program staff to design a program that meets the infant's, toddler's, or child's developmental needs.

(5) The arrangement of the child care site environment shall be safe, healthy, and comfortable for children and staff, easily maintained, and appropriate for meeting the developmental needs of the individual child. Child care sites shall meet the health and safety requirements specified in Chapter 1 (commencing with Section 1429) of, and Chapter 2 (commencing with Section 1442) of, Division 12 of Title 22 of the California Code of Regulations.

(6) The child care and development component of the Cal-SAFE program shall operate pursuant to applicable sections of Chapter 2 (commencing with Section 8200) of Part 6. In addition to meeting the requirements of Section 8360, teachers shall have at least three semester units, or the equivalent number of quarter units, of coursework related to the care of infants and toddlers.

(7) The child care site shall be available as a laboratory for parenting or related courses that are offered by the funded agency to pupils whether or not they are enrolled in the Cal-SAFE program.

(d) Inservice training for school staff on teen pregnancy and parenting-related issues may be funded from revenue generated pursuant to paragraphs (1) and (2) of subdivision (a) of Section 54749. However, use of these funds for this purpose shall supplement and, not supplant, existing resources in these areas.

(e) The data base required pursuant to paragraph (14) of subdivision (c) of Section 54745 may be funded from revenue appropriated for purposes of subdivision (a) of Section 54749.

SEC. 23. Section 54747 of the Education Code is amended to read:

54747. (a) A male or female pupil, 18 years of age or younger, may enroll in the Cal-SAFE program and be eligible for all services afforded to pupils enrolled if he or she is an expectant parent, the custodial parent, or the noncustodial parent taking an active role in the care and supervision of the child, and has not earned a high school diploma or its equivalent.

(b) A pupil having an active special education Individualized Education Plan (IEP) shall be eligible until age 22, as long as she or he has an active IEP and meets the eligibility criteria as specified in subdivision (a), and shall continue to receive services identified in the IEP while enrolled in the Cal-SAFE program.

(c) Pupils shall be eligible for enrollment on a voluntary basis for as long as they meet eligibility criteria specified in subdivisions (a) and (b) until they earn a high school diploma or its equivalent.

(d) If an enrolled 18-year-old pupil reaches age 19 without earning a high school diploma or its equivalent, the pupil may be enrolled for one additional semester if the pupil has been continuously enrolled in the Cal-SAFE program since before his or her 19th birthday.

(e) Pupils receiving services under Article 3.5 (commencing with Section 11331) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code are eligible for services under this chapter. Child care provided under this article shall be the primary source of child care for these recipients when participating in a Cal-SAFE program operated by school districts or county superintendents of schools.

(f) The participating school district, or county superintendent of schools and case managers provided pursuant to Section 11332.5 of the Welfare and Institutions Code shall coordinate services to the maximum extent possible.

SEC. 24. Section 54748 of the Education Code is amended to read:

54748. The duties of the State Department of Education include all of the following:

(a) Provision of technical assistance, focused upon transition into the Cal-SAFE program, to school districts and county superintendents of schools currently operating a School Age Parent and Infant Development Program, a Pregnant Minors Program, or a Pregnant and Lactating Students Program, or any combination thereof.

(b) Provision of technical assistance to school districts and county superintendents of schools that do not currently operate a School Age Parent and Infant Development Program, a Pregnant Minors Program, or a Pregnant and Lactating Students Program as defined by subdivision (a) of Section 54745.

(c) Identification and sharing of information on best practices across program sites.

(d) Development of benchmarks to determine to what degree pupils and children enrolled in the Cal-SAFE program attain the program goals.

(e) Consultation with local education agency representatives and others, as appropriate, to develop strategies for implementation of the Cal-SAFE program.

(f) Determination of areas in the state where there are pupils who are most in need or pupils who are least likely to access services on their own if there are not enough resources to serve all eligible pupils.

(g) Development of an application process and approval of local education agencies to implement a Cal-SAFE program.

(h) Development of operating guidelines for implementing an effective Cal-SAFE program.

(i) Development of guidelines for fiscal reporting.

(j) Coordination with other state agencies that administer teen pregnancy prevention and intervention programs.

(k) Development of procedures to conduct program evaluation and monitoring, as appropriate.

(l) Commencing March 1, 2005, and every five years thereafter, preparation and submission of a report to the Joint Legislative Budget Committee and appropriate policy and fiscal committees of the Legislature. The report shall include data, analysis of data, and an evaluation of the Cal-SAFE program.

SEC. 25. Section 54749 of the Education Code is amended to read:

54749. (a) For the 2000–01 fiscal year and each fiscal year thereafter, a school district or county superintendent of schools participating in Cal-SAFE shall be eligible for state funding from funds appropriated for services provided for the purposes of the program as follows:

(1) A support services allowance of two thousand two hundred thirty-seven dollars (\$2,237) for each unit of average daily attendance generated by each pupil who has completed the intake process pursuant to subdivision (a) of Section 54746 and is receiving services pursuant to subdivision (b) of Section 54746. This allowance shall be adjusted annually by the inflation factor set forth in subdivision (b) of Section 42238.1. In no event shall more than one support service allowance be generated by any pupil concurrently enrolled in more than one educational program.

This allowance may not be claimed for units of average daily attendance reported pursuant to the following:

(A) Subdivision (b) of Section 1982 for pupils attending county community schools operated pursuant to Chapter 6.5 of Part 2 (commencing with Section 1980).

(B) Pupils attending juvenile court schools operated pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27.

(C) Pupils attending community day schools operated pursuant to Article 3 (commencing with Section 48660) of Chapter 4 of Part 27.

(D) Pupils attending county operated Cal-SAFE programs pursuant to this article whose attendance is reported pursuant to Section 2551.3.

(2) Average daily attendance and base revenue limit funding for pupils receiving services in the Cal-SAFE program shall be computed pursuant to provisions and regulations applicable to the educational program or programs that each pupil attends, except as provided in paragraph (3).

(3) For attendance not claimed pursuant to paragraph (2), county offices of education may claim the statewide average revenue limit per pupil in average daily attendance of high school districts, payable from Section A of the State School Fund, for the attendance of pupils receiving services in the Cal-SAFE program, provided that no other revenue limit funding is claimed for the same pupil and pupil attendance of no less than 240 minutes per day and is computed and maintained pursuant to Section 46300.

(4) Except as provided in subdivision (c) of Section 54749.5, operators of Cal-SAFE programs shall be reimbursed in accordance with the amount specified in subdivision (b) of Section 8265 and the amounts specified in subdivisions (a) and (b) of Section 8265.5 for each child receiving services pursuant to the Cal-SAFE program who is the child of teen parents enrolled in the Cal-SAFE program. To be eligible for funding pursuant to this paragraph, the operational days of child care and development programs shall be only those necessary to provide child care services to children of pupils participating in Cal-SAFE.

(5) Notwithstanding paragraph (1), pupils for whom attendance is reported pursuant to subdivision (b) of Section 1982, pupils attending juvenile court schools, and pupils attending community day schools may complete the intake process for the Cal-SAFE program and, if the intake process is completed, shall receive services pursuant to subdivision (b) of Section 54746. The children of pupils receiving services in the Cal-SAFE program pursuant to subdivision (b) of Section 54746 and attending juvenile court schools, county community schools, or community day schools shall be eligible for funding pursuant to paragraph (4) and no other provisions of this section.

(b) Funds allocated pursuant to paragraph (1) of subdivision (a) shall be maintained in a separate account and shall be expended only to provide the supportive services enumerated in subdivisions (b) of Section 54746, in service training as specified in subdivision (d) of Section 54746, and expenditures enumerated in subdivision (d) of this section, to pupils enrolled in the Cal-SAFE program as determined pursuant to Section 54746.

(c) Funds allocated pursuant to paragraph (4) of subdivision (a) shall be maintained in a separate account and shall be expended only to provide developmentally appropriate child care and development services pursuant to subdivision (c) of Section 54746 and staff development of child development program staff pursuant to subdivision (d) of Section 54746 for children of teen parents enrolled in the Cal-SAFE program for the purpose of promoting the children's development comparable to age norms, access to health and preventive services, and enhanced school readiness.

(d) Funds generated pursuant to Section 2551.3 and this section shall be maintained in a separate account and shall be expended only to provide the services enumerated in Section 54746 and the following expenditures as defined by the California State School Accounting Manual:

- (1) Expenditures defined as direct costs of instructional programs.
- (2) Expenditures defined as documented direct support costs.
- (3) Expenditures defined as allocated direct support costs.
- (4) Expenditures for indirect charges.
- (5) Expenditures defined as facility costs, including the costs of renting, leasing, lease purchase, remodeling, or improving buildings.

(e) Indirect costs shall not exceed the lesser of the approved indirect cost rate or 10 percent.

(f) Expenditures that represent contract payments to community-based organizations and other governmental agencies pursuant to paragraph (10) of subdivision (b) of Section 54745 for the operation of a Cal-SAFE program shall be included in the Cal-SAFE program account.

(g) To the extent permitted by federal law, any funding made available to a school district or county superintendent of schools shall be subject to all of the following conditions:

- (1) The program is open to all eligible pupils without regard to any pupil's religious beliefs or any other factor related to religion.
- (2) No religious instruction is included in the program.
- (3) The space in which the program is operated is not used in any manner to foster religion during the time used for operation of the program.

(h) A school district or county superintendent of schools implementing a Cal-SAFE program may establish a claims process to recover federal funds available for any services provided that are Medi-Cal eligible.

(i) For purposes of serving pupils enrolled in the Cal-SAFE program in a summer school program or enrolled in a school program operating more than 180 days, reimbursement for providing services pursuant to

subdivision (c) of Section 54746 shall be based upon the pupil's hours of attendance.

(j) To meet startup costs for the opening of child care and development sites, as defined in subdivision (ac) of Section 8208, and applicable regulations, a school district or county office of education may apply for a one-time 15-percent service level exemption from the initial allocation within the amount for the program pursuant to paragraph (4) of subdivision (a) for each site meeting the provision of subdivision (ac) of Section 8208. A school district or county office of education shall submit claims pursuant to this subdivision with other claims submitted pursuant to this section. Funding provided for startup costs shall be utilized for approvable startup costs enumerated in subdivision (a) of Section 8275.

(k) Notwithstanding any other provision of this article, its implementation is contingent upon appropriations in the annual Budget Act for the purpose of its administration and evaluation by the State Department of Education.

(l) Notwithstanding any other provision of law, a charter school may apply for funding pursuant to this article and shall meet the requirements of this article to be eligible for funding pursuant to this section.

SEC. 26. Section 54749.5 of the Education Code is amended to read:

54749.5. (a) County superintendents who operated pregnant minors programs in the 1979–80 fiscal year, or commenced operation during the 1996–97 fiscal year, shall continue to operate pregnant minors programs in the 1980–81 fiscal year, or the 1997–98 fiscal year, as appropriate, and each fiscal year thereafter, and school districts that increased their revenue limit in the 1981–82 fiscal year pursuant to subdivision (d) of Section 42241 shall continue to operate pregnant minors programs in subsequent fiscal years, unless the program is transferred to another local education agency, or unless the county superintendent or district superintendent demonstrates that programs and services for pregnant minors, such as continuation school, home instruction, or independent instruction, are available from other local education agencies in the county, pursuant to rules and regulations adopted by the Superintendent of Public Instruction.

(b) Pregnant minors programs that continue to operate pursuant to subdivision (a) and that continue to operate as Cal-SAFE programs may continue to claim funding pursuant to Section 2551.3 for an amount of average daily attendance up to the amount certified at the 1998–99 annual apportionment for that program. Programs continuing under this section may enroll pupils above the level of average daily attendance certified at the 1998–99 annual apportionment, and that additional average daily attendance shall be eligible for funding pursuant to Section

54749 and provisions that apply to the educational program that the pupil attends.

(c) County offices of education that choose to retain their pregnant minor program revenue limit rather than convert to the Cal-SAFE revenue limit shall provide child care services from funds provided in their pregnant minor program revenue limit pursuant to Section 2551.3 for children of pupils comprising base year average daily attendance as certified at the 1998–99 annual apportionment. Growth funding for child care shall be equal to the proportionate share of child care funding for the specific agency’s program, determined by dividing the authorized growth in pupil average daily attendance by the total authorized average daily attendance.

(d) Nothing in this section shall be construed as allowing a county superintendent to receive funding pursuant to Sections 2551.3 and 54749 for the same average daily attendance, or for average daily attendance generated by the same pupil on the same calendar day.

SEC. 27. Section 76300 of the Education Code is amended to read:

76300. (a) The governing board of each community college district shall charge each student a fee pursuant to this section.

(b) (1) The fee prescribed by this section shall be twelve dollars (\$12) per unit per semester, effective with the fall term of the 1998–99 academic year, and eleven dollars (\$11) per unit per semester effective with the fall term of the 1999–2000 academic year.

(2) The chancellor shall proportionately adjust the amount of the fee for term lengths based upon a quarter system and also shall proportionately adjust the amount of the fee for summer sessions, intersessions, and other short-term courses. In making these adjustments, the chancellor may round the per unit fee and the per term or per session fee to the nearest dollar.

(c) For the purposes of computing apportionments to community college districts pursuant to Section 84750, the chancellor shall subtract from the total revenue owed to each district, 98 percent of the revenues received by districts from charging a fee pursuant to this section.

(d) The chancellor shall reduce apportionments by up to 10 percent to any district that does not collect the fees prescribed by this section.

(e) The fee requirement does not apply to any of the following:

(1) Students enrolled in the noncredit courses designated by Section 84757.

(2) California State University or University of California students enrolled in remedial classes provided by a community college district on a campus of the University of California or a campus of the California State University, for whom the district claims an attendance apportionment pursuant to an agreement between the district and the California State University or the University of California.

(3) Students enrolled in credit contract education courses pursuant to Section 78021, if the entire cost of the course, including administrative costs, is paid by the public or private agency, corporation, or association with which the district is contracting and if these students are not included in the calculation of the average daily attendance of that district.

(f) The governing board of a community college district may exempt special part-time students admitted pursuant to Section 76001 from the fee requirement.

(g) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a recipient of benefits under the Aid to Families with Dependent Children program, the Supplemental Security Income/State Supplementary Program, or a general assistance program or has demonstrated financial need in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid. The governing board of a community college district also shall waive the fee requirements of this section for any student who demonstrates eligibility according to income standards established by the board of governors and contained in Section 58620 of Title 5 of the California Code of Regulations.

(h) The fee requirements of this section shall be waived for any student who, at the time of enrollment is a dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. "Active service of the state," for the purposes of this subdivision, refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(i) (1) It is the intent of the Legislature that sufficient funds be provided to support the provision of a fee waiver for every student who demonstrates eligibility pursuant to subdivisions (g) and (h).

(2) From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to 2 percent of the fees waived pursuant to subdivisions (g) and (h). From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to ninety-one cents (\$0.91) per credit unit waived pursuant to subdivisions (g) and (h) for determination of financial need and delivery of student financial aid services, on the basis of the number of students for whom fees are waived. Funds allocated to a community college district for determination of financial need and delivery of student financial aid

services shall supplement, and shall not supplant, the level of funds allocated for the administration of student financial aid programs during the 1992–93 fiscal year.

(j) The board of governors shall adopt regulations implementing this section.

SEC. 28. Section 87885 of the Education Code is amended to read:

87885. (a) The Part-Time Faculty Office Hours Program Fund is hereby established in the State Treasury.

(b) On or before June 15 of each year, the Chancellor of the California Community Colleges shall apportion to each community college district that establishes a program pursuant to this article an amount equal to two dollars (\$2) for every one dollar (\$1) that the district provides in compensation paid for office hours of part-time faculty, as defined in Section 87882. The chancellor shall distribute funds that are appropriated in the annual Budget Act specifically for this purpose proportionally based on each district's total costs for office hours of part-time faculty pursuant to the verification submitted by the community college district in accordance with subdivision (c) of Section 87884 for that fiscal year. In no event, however, shall the allocation to any district in a fiscal year exceed two-thirds of the total costs of the compensation paid for office hours of part-time faculty pursuant to this article.

(c) It is the intent of the Legislature that funding for the purposes of this article be included in the annual Budget Act.

SEC. 29. Section 92820 of the Education Code is amended to read:

92820. There is hereby established in the Neurology Department at the University of California, San Francisco, a research project on substance abuse. The major goal of this research is to identify new pharmaceutical agents to prevent or treat alcohol and drug addiction. It is the intent of the Legislature that dedicated state funding for this research will be provided for five years, and be appropriated in the annual Budget Act. It is further the intent of the Legislature that the augmentation of one million dollars (\$1,000,000) per year appropriated in the Budget Act of 2000 for this program be used for permanent on-going support of the program.

SEC. 30. Chapter 3.10 (commencing with Section 15820.80) is added to Part 10b of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 3.10. TEACHING HOSPITAL SEISMIC PROGRAM

15820.80. For the purposes of this article, "Regents" means the Regents of the University of California.

15820.81. The Regents of the University of California may acquire, design, construct, or renovate acute care hospital buildings, as defined in subdivision (k) of Section 130005 of the Health and Safety Code, on a site or sites owned by, or subject to a lease or option to purchase held by, the regents to implement the compliance plan developed by the regents pursuant to subdivision (b) of Section 130050 of the Health and Safety Code. The scope and costs of these projects shall be subject to approval and administrative oversight by the State Public Works Board, including augmentations, pursuant to Section 13332.11 of the Government Code.

15820.82. Project financing requests from the regents shall be accompanied by an opinion of bond counsel to the effect that the board's bonds issued for the project will be able to receive a customary approving opinion as to state law and federal income tax law. The costs of obtaining the legal opinion shall not be eligible for reimbursement from the proceeds of the bonds.

15820.83. The board and the regents may borrow funds for project costs, excluding preliminary plans and working drawings, from the Pooled Money Investment Account pursuant to Sections 16312 and 16313. Bond proceeds may be utilized to reimburse the regents for the costs of preliminary plans and working drawings for board approved projects, however, the regents shall provide interim financing for these costs. Project funds expended prior to project approval by the board shall not be reimbursable from the proceeds of the bonds.

15820.85. Notwithstanding Section 15820.84, the amount of revenue bonds, negotiable notes, or negotiable bond anticipation notes to be sold shall equal the following:

(a) The cost of acquisition, design, construction or construction management and supervision, and other costs related to the design and construction of the facilities, including augmentations.

(b) Sums necessary to pay interim financing.

(c) In addition to the amount authorized by Section 15820.84, any additional amount as may be authorized by the board, including, but not limited to, the costs of financing. The costs of financing include, but are not limited to, interest during construction of the project, a reasonably required reserve fund, and the cost of issuance of permanent financing.

15820.86. (a) The board and the regents may lease any properties of the regents to facilitate the financing authorized by this chapter that is mutually agreed by the board and the regents. Accordingly, the property leased between the board and the regents for the purposes of these financings need not be the same property that is acquired, renovated, or improved with the proceeds of the board's bonds.

(b) It is the intent of the Legislature that, to the greatest degree possible, the rental paid by the regents to the board in connection with

these financings shall utilize teaching hospital revenues of the regents, but only to the extent lawfully available to pay that rental.

SEC. 31. Section 15820.84 is added to Chapter 3.10 (commencing with Section 15820.80) of Part 10B of Division 3 of the Government Code, to read:

15820.84. (a) The board may issue up to six hundred million dollars (\$600,000,000) in revenue bonds, negotiable notes, or negotiable bond anticipation notes pursuant to this part, to finance the acquisition, design, or construction, including both new construction or renovation projects, authorized in Section 15820.80. Authorized costs for acquisition, design, construction, and construction related costs, including augmentations pursuant to Section 13332.11, for all projects approved for financing by the board pursuant to Section 15820.81, shall not exceed six hundred million dollars (\$600,000,000).

(b) This section shall become inoperative on June 30, 2010, and, as of January 1, 2011, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2011, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 32. Section 6516.6 of the Government Code is amended to read:

6516.6. (a) Notwithstanding any other provision of law, a joint powers agency established pursuant to a joint powers agreement in accordance with this chapter may issue bonds pursuant to Article 2 (commencing with Section 6540) or Article 4 (commencing with Section 6584), in order to purchase obligations of local agencies or make loans to local agencies, which moneys the local agencies are hereby authorized to borrow, to finance the local agencies' unfunded actuarial pension liability or to purchase, or to make loans to finance the purchase of, delinquent assessments or taxes levied on the secured roll by the local agencies, the county, or any other political subdivision of the state. Notwithstanding any other provision of law, including Section 53854, the local agency obligations or loans, if any, shall be repaid in the time, manner and amounts, with interest, security, and other terms as agreed to by the local agency and the joint powers authority.

(b) Notwithstanding any other provision of law, a joint powers authority established pursuant to a joint powers agreement in accordance with this chapter may issue bonds pursuant to Article 2 (commencing with Section 6540) or Article 4 (commencing with Section 6584), in order to purchase or acquire, by sale, assignment, pledge, or other transfer, any or all right, title, and interest of any local agency in and to the enforcement and collection of delinquent and uncollected property taxes, assessments, and other receivables that have been levied by or on behalf of the local agency and placed for collection on the secured, unsecured, or supplemental property tax rolls. Local agencies,

including, cities, counties, cities and counties, school districts, redevelopment agencies, and all other special districts that are authorized by law to levy property taxes on the county tax rolls, are hereby authorized to sell, assign, pledge, or otherwise transfer to a joint powers authority any or all of their right, title, and interest in and to the enforcement and collection of delinquent and uncollected property taxes, assessments, and other receivables that have been levied by or on behalf of the local agency for collection on the secured, unsecured, or supplemental property tax rolls in accordance with the terms and conditions that may be set forth in an agreement with a joint powers authority.

(c) Notwithstanding Division 1 (commencing with Section 50) of the Revenue and Taxation Code, upon any transfer authorized in subdivision (b), the following shall apply:

(1) A local agency shall be entitled to timely payment of all delinquent taxes, assessments, and other receivables collected on its behalf on the secured, unsecured, and supplemental tax rolls, along with all penalties, interest, costs, and other charges thereon, no later than 30 calendar days after the close of the preceding monthly or four week accounting period during which the delinquencies were paid by or on account of any property owner.

(2) Upon its receipt of the delinquent taxes, assessments, and receivables that it had agreed to be transferred, a local agency shall pay those amounts, along with all applicable penalties, interest, costs, and other charges, to the joint powers authority in accordance with the terms and conditions that may be agreed to by the local agency and the joint powers authority.

(3) The joint powers authority shall be entitled to assert all right, title, and interest of the local agency in the enforcement and collection of the delinquent taxes, assessments, and receivables, including without limitation, its lien priority, its right to receive the proceeds of delinquent taxes, assessments, and receivables, and its right to receive all penalties, interest, administrative costs, and any other charges, including attorney fees and costs, if otherwise authorized by law to be collected by the local agency.

(d) The powers conferred by this section upon joint powers authorities and local agencies shall be complete, additional, and cumulative to all other powers conferred upon them by law. Except as otherwise required by this section, the agreements authorized by this section need not comply with the requirements of any other laws applicable to the same subject matter.

(e) An action to determine the validity of any bonds issued, any joint powers agreements entered into, any related agreements, including, without limitation, any bond indenture or any agreements relating to the

sale, assignment, or pledge entered into by a joint powers authority or a local agency, the priority of any lien transferred in accordance with this section, and the respective rights and obligations of any joint powers authority and any party with whom the joint powers authority may contract pursuant to this chapter, may be brought by the joint powers authority pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure. Any appeal from a judgment in the action shall be commenced within 30 days after entry of judgment.

(f) This section shall not be construed to affect the manner in which an agency participates in or withdraws from the alternative distribution method established by Chapter 3 (commencing with Section 4701) of Part 8 of Division 1 of the Revenue and Taxation Code.

(g) Subdivisions (b) to (f), inclusive, shall be inoperative from the operative date of this subdivision to June 30, 2001, inclusive.

SEC. 33. Section 10299 is added to the Public Contract Code, to read:

10299. (a) Notwithstanding any other provision of law, the director may consolidate the needs of multiple state agencies for information technology, goods and services, and, pursuant to the procedures established in Chapter 3 (commencing with Section 12100), establish contracts, master agreements, multiple award schedules, cooperative agreements, including agreements with entities outside the state, and other types of agreements that leverage the state's buying power, for acquisitions authorized under Chapter 2 (commencing with Section 10290), Chapter 3 (commencing with Section 12100), and Chapter 3.6 (commencing with Section 12125). State agencies and local agencies may contract with suppliers awarded the contracts without further competitive bidding.

(b) The director may make the services of the department available, upon the terms and conditions agreed upon, to any school district empowered to expend public funds. These school districts may, without further competitive bidding, utilize contracts, master agreements, multiple award schedules, cooperative agreements, or other types of agreements established by the department for use by school districts for the acquisition of information technology, goods, and services. The state shall incur no financial responsibility in connection with the contracting of local agencies under this section.

SEC. 34. Notwithstanding Section 42238.1 of the Education Code or any other provision of law, the cost-of-living adjustment for Items 6110-104-0001, 6110-105-0001, 6110-156-0001, 6110-158-0001, 6110-161-0001, 6110-185-0001, 6110-186-0001, 6110-190-0001, 6110-196-0001, 6110-234-0001, and 6110-235-0001 of Section 2.00, and those items identified in subdivision (b) of Section 12.40 of the Budget Act of 2000 and the amount appropriated for the purposes of

Section 42243.7 of the Education Code for the 2000–01 fiscal year shall be 3.17 percent. All funds appropriated in the items identified in this section are in lieu of the amounts that would otherwise be appropriated pursuant to any other provision of law.

SEC. 35. (a) (1) The sum of twenty-five million dollars (\$25,000,000) is hereby appropriated from the General Fund for transfer by the Controller to the Child Care Facilities Revolving Fund established pursuant to Section 8278.3 of the Education Code.

(2) The sum of one hundred seventy-five million dollars (\$175,000,000) is hereby appropriated from the General Fund to the Secretary for Education for allocation to school districts for high schools and to charter schools serving any of grades 9 to 12, inclusive, pursuant to the Education Technology Grant Program established pursuant to legislation enacted during the 1999–2000 Regular Session. The allocation shall be based on enrollment in grades 9 to 12, inclusive. Any unencumbered balance on March 15, 2001, of these funds shall be transferred by the Controller to the Superintendent of Public Instruction for allocation pursuant to the school district block grant authorized pursuant to Section 38 of this act. The funds shall be available for allocation pursuant to subdivision (c) of Section 38 of this act.

(b) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1999–2000 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code for the 1999–2000 fiscal year.

SEC. 36. (a) The sum of one hundred million dollars (\$100,000,000), is hereby appropriated from the General Fund, for transfer to Section B of the State School Fund by the Controller, for allocation by the Chancellor of the California Community Colleges, for purposes of providing one-time grants to community college districts for the 2000–01 fiscal year.

(b) The Chancellor of the California Community Colleges shall allocate the funds appropriated by subdivision (a) to community college districts in an average amount per actual statewide full-time equivalent student enrollment reported for the 1999–2000 fiscal year. These funds may only be expended for high priority projects for instructional equipment, library materials replacement, technology infrastructure, scheduled maintenance, special repairs, hazardous substances abatement, and the removal of architectural barriers.

(c) For the purposes of making computations required by Section 8 of Article XVI of the California Constitution, the amount appropriated pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 for the 1999–2000 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code for the 1999–2000 fiscal year.

SEC. 37. (a) The sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund, for transfer to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and charter schools on a competitive basis, as specified in Chapter 5 (commencing with Section 420) of Part 1 of the Education Code.

(b) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1999–2000 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code for the 1999–2000 fiscal year.

SEC. 38. (a) The sum of one hundred thirty-nine million dollars (\$139,000,000) is hereby appropriated from the General Fund as a contingency expenditure, to be authorized by the Department of Finance for transfer to the Controller, as necessary for the reimbursement of state-mandated cost claims submitted by school districts and county offices of education. These funds may not be expended without approval of the Department of Finance.

(b) Prior to the payment of any claim with the funds appropriated in subdivision (a), the Controller shall ensure that an audit of the claim is complete.

(c) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1999–2000 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code for the 1999–2000 fiscal year.

SEC. 39. The SCHOOL IMPROVEMENT AND PUPIL ACHIEVEMENT BLOCK GRANT shall be provided to school districts and schoolsites as provided in this section.

(a) The sum of four hundred twenty-five million dollars (\$425,000,000) is hereby appropriated from the General Fund, for transfer to Section A of the State School Fund, to the Superintendent of Public Instruction for the purposes of making block grant allocations to school districts, county offices of education, and charter schools as provided in this section. The sum of one hundred eighty million dollars (\$180,000,000) shall be available for purposes of subdivision (b). The sum of two hundred forty-five million dollars (\$245,000,000) shall be available for purposes of subdivision (c).

(b) (1) From the amount available for this subdivision pursuant to subdivision (a), the Superintendent of Public Instruction shall calculate an equal amount per unit of actual average daily attendance, including average daily attendance attributable to regional occupational centers and programs and adult education, for the 1999–2000 second principal apportionment for each regular public school. However, no regular public school shall receive less than ten thousand dollars (\$10,000). If a school district or county office of education did not report prior year average daily attendance on behalf of a regular public school by the second principal apportionment of the 1999–2000 fiscal year, but that school is a regular public school, as defined pursuant to paragraphs (4) and (5), that school may receive the minimum grant specified under this section.

(2) The use of funds allocated pursuant to paragraph (1) for public schools under the jurisdiction of a school district shall be proposed by each school's schoolsite council, as defined in Section 52012 of the Education Code, or, if the school does not have a schoolsite council, by schoolwide advisory groups or school support groups that conform to the requirements of Section 52012 of the Education Code. These funds may be used for instructional materials, staff development, computers, education technology, such as software and wiring, library materials, deferred maintenance, enrichment activities, tutoring services, or any other one-time educational purpose. Before funds allocated pursuant to paragraph (1) may be encumbered or expended, the governing board of the school district shall approve the proposed use. If the governing board of a school district does not approve the use proposed pursuant to this paragraph, no expenditures of the specified funds may be made and the governing board of the school district shall inform the schoolsite council, schoolwide advisory group, or school support group of the reasons why the proposal was disapproved. If the schoolsite council, schoolwide advisory group, or school support group and the governing board of the school district are not able to agree on the use of the funds

by May 1, 2001, the county superintendent of schools shall notify the Controller of the impasse. The Controller shall require that the funds allocated to the school be returned to the state at the next following apportionment, and the funds shall revert to the Proposition 98 Reversion Account in the General Fund.

(3) The use of funds allocated pursuant to paragraph (1) for schools under the jurisdiction of a county office of education shall be proposed by each school's schoolwide advisory group or school support group that conforms to the requirements of Section 52012 of the Education Code. The proposals shall be approved by the county board of education prior to expenditure of the funds allocated pursuant to paragraph (1).

(4) For purposes of this section, "regular public school," as provided in paragraph (1), means any public school in a district or county office of education that is a wholly self-contained public schoolsite, with a separate county-district-school (CDS) code, as maintained by the Superintendent of Public Instruction as of June 30, 2000, and which is in operation during the 2000-01 school year. Two or more schools that share a physical site or staff shall be considered a single "regular public school" for purposes of qualifying for the minimum ten thousand dollar (\$10,000) grant, which shall be allocated to the separate schools sharing the site based on each school's share of qualifying average daily attendance. Funds allocated pursuant to paragraph (1) shall not be allocated to parents or guardians of pupils, or to pupils.

(5) For the purposes of this section, "regular public school," as provided in paragraph (1), shall include charter schools that have pupils who are currently enrolled and that have a current county-district-school (CDS) code, as maintained by the Superintendent of Public Instruction as of June 30, 2000. The use of the funds allocated to charter schools pursuant to paragraph (1) shall further the program specified in the school's charter and shall not be allocated to parents, pupils, or staff of the charter school. A charter school shall obtain approval from the governing board of the school district for the use of the funds allocated pursuant to paragraph (1) if the terms of its charter require the approval of the governing board of the school district for similar uses of funds.

(6) Schools that choose to accept funds allocated pursuant to paragraph (1) shall agree to implement all of the provisions of this section.

(c) (1) From the amount available for this subdivision pursuant to subdivision (a), the Superintendent of Public Instruction shall calculate an allocation for each school district, county office of education, and charter school on the basis of an equal amount per unit of actual average daily attendance, including average daily attendance attributable to regional occupational centers and programs and adult education for the

1999–2000 second principal apportionment for each school district, county office of education, and charter school.

(2) Funds allocated pursuant to paragraph (1) shall be expended for school safety, deferred maintenance, technology staff development, education technology connectivity, or facility improvements.

(d) This is a one-time allocation of funds.

(e) The Superintendent of Public Instruction shall apportion to each school district, county office of education, and charter school the sum of the amounts calculated pursuant to subdivision (b) and (c). The amount calculated pursuant to subdivision (b) shall only be expended at the schoolsite level pursuant to the process specified in paragraphs (2) and (3) of subdivision (b). The amount calculated pursuant to subdivision (c) shall be expended for purposes specified in paragraph (2) of subdivision (c).

(f) For the purpose of making the computations required by Section 8 of Article XVI of the California Constitution, the amount appropriated pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1999–2000 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1999–2000 fiscal year.

SEC. 40. (a) (1) The sum of three hundred fifty million dollars (\$350,000,000) is hereby appropriated from the General Fund, for transfer by the Controller to Section A of the State School Fund, for allocation on a one-time basis by the Superintendent of Public Instruction to school districts, county offices of education, and charter schools for the Academic Performance Index Schoolsite Employees Performance Bonus.

(2) As a condition of receiving funds pursuant to this section, school districts, county offices of education, and charter schools shall, upon request by the Superintendent of Public Instruction and by November 1, 2000, certify the number of full-time equivalent employees employed as of the second principal apportionment of the 1999–2000 school year at each schoolsite under their jurisdiction that are eligible for awards in accordance with subdivision (a) of Section 52057, the Governor’s Performance Award Program.

(3) Upon receipt of the certifications the Superintendent of Public Instruction shall calculate a statewide amount per full-time equivalent employee, the sum of which shall not exceed three hundred fifty million dollars (\$350,000,000). The Superintendent of Public Instruction shall then apportion an equal amount per full-time equivalent employee to the appropriate school district, county office of education, or charter school

for allocation to the schoolsites that have met or exceeded their Academic Performance Index growth target.

(4) As a condition of receiving funds pursuant to this section, a schoolsite shall expend 50 percent of the funds to provide one-time bonuses, to its employees, to be divided equally among all schoolsite employees on a full-time equivalent basis. The other 50 percent may be used at the discretion of the schoolsite for any one-time purposes.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated to school districts," as defined in subdivision (c) of Section 41202 of the Education Code for the 1999–2000 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202 of the Education Code, for the 1999–2000 fiscal year.

SEC. 41. (a) The sum of eight million nine hundred thousand dollars (\$8,900,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the purpose of allocating funds to county offices of education, pursuant to subparagraph (A) of paragraph (1) of subdivision (b) of Section 2568 of the Education Code.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated to school districts," as defined in subdivision (c) of Section 41202 of the Education Code for the 2000–01 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202 of the Education Code, for the 2000–01 fiscal year.

SEC. 42. (a) The sum of thirty-two million eight hundred fifty-two thousand dollars (\$32,852,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction in accordance with the following schedule:

(1) One hundred thousand dollars (\$100,000) for allocation on a one-time basis to the San Francisco County Office of Education for an evaluation of the Cada Cabeza Es Un Mundo Latino-Chicano High School Dropout Prevention Program.

(2) One hundred ten thousand dollars (\$110,000) for allocation on a one-time basis to the Orange County Department of Education for kitchen facilities at the Katharine Irvine Day School.

(3) Eighty thousand dollars (\$80,000) for allocation on a one-time basis to the Santa Ana Unified School District for playground equipment for the Romero Cruz Elementary School.

(4) One hundred fifty-five thousand dollars (\$155,000) for allocation on a one-time basis to the Centralia Elementary School District for playground equipment for the San Marino and Danbrook elementary schools.

(5) Two hundred thousand dollars (\$200,000) for allocation on a one-time basis to the Long Beach Unified School District for renovation of the swimming pool at Jordan High School.

(6) Three hundred thousand dollars (\$300,000) for allocation on a one-time basis to the San Francisco Unified School District to expand instruction in arts education in kindergarten and grades 1 to 5, inclusive.

(7) Five hundred thousand dollars (\$500,000) for allocation on a one-time basis to the Culver City Unified School District to repair the track at Culver City High School.

(8) Ten thousand dollars (\$10,000) for allocation on a one-time basis to Los Angeles Unified School District for a school-based/school-linked health program at Maclay Middle School.

(9) Ten thousand dollars (\$10,000) for allocation on a one-time basis to Los Angeles Unified School District for a school-based/school-linked health program at Pacoima Middle School.

(10) Fifteen thousand dollars (\$15,000) for allocation on a one-time basis to Raisin City Elementary School District for the Raisin City library.

(11) Twenty thousand dollars (\$20,000) for allocation on a one-time basis to the Manhattan Beach Unified School District for purchase of equipment for teaching aids to reduce diversity intensity and increase cultural awareness at Mira Costa High School.

(12) Fifty thousand dollars (\$50,000) for allocation on a one-time basis to the El Nido Elementary School District for air conditioning at El Nido Elementary.

(13) Sixty-two thousand dollars (\$62,000) on a one-time basis to the Hilmar Unified School District for street access at Hilmar High School.

(14) Seventy-five thousand dollars (\$75,000) for allocation on a one-time basis to the Wasco Union High School District for air conditioning for the Wasco High School auditorium.

(15) One hundred thousand dollars (\$100,000) for allocation on a one-time basis to the Los Angeles Unified School District for a parent education center at the Ligget Elementary School.

(16) One hundred thirty thousand dollars (\$130,000) for allocation on a one-time basis to the San Diego City Unified School District for an ADA Tot Lot upgrade at the Alcott Elementary School.

(17) One hundred thirty-nine thousand dollars (\$139,000) for allocation on a one-time basis to the Las Deltas Unified School District for a water well.

(18) Two hundred thousand dollars (\$200,000) for allocation on a one-time basis to the Sunnyvale Elementary School District for Project H.E.L.P.

(19) Two hundred fifty thousand dollars (\$250,000) for allocation on a one-time basis to the Lamont Elementary School District for portable classrooms.

(20) Two hundred fifty thousand dollars (\$250,000) for allocation on a one-time basis to the Compton Unified School District for a pool at Compton High School.

(21) Three hundred fifty thousand dollars (\$350,000) for allocation on a one-time basis to the Fremont Union High School District for a swimming pool at Fremont High School.

(22) Four hundred fifty thousand dollars (\$450,000) for allocation on a one-time basis to the Los Angeles Unified School District for the San Fernando High School Health Clinic.

(23) Five hundred thousand dollars (\$500,000) for allocation on a one-time basis to the Baldwin Park Unified School District for the DREAM project.

(24) Five hundred thousand dollars (\$500,000) for allocation on a one-time basis to Montebello Unified School District for natural gas powered delivery trucks.

(25) One hundred fifty thousand dollars (\$150,000) for allocation to the Elk Grove Unified School District for a statewide Japanese language academy.

(26) Five hundred thousand dollars (\$500,000) for allocation on a one-time basis to the Oakland Unified School District for a reading training program.

(27) Three hundred fifty thousand dollars (\$350,000) for allocation on a one-time basis to the Burbank Unified School District to continue an innovative literacy program.

(28) Three hundred thousand dollars (\$300,000) for allocation on a one-time basis to the Temple City Unified School District Arts Academy.

(29) Four hundred thousand dollars (\$400,000) for allocation on a one-time basis to the Alum Rock Union Elementary School District for a mathematics/science center.

(30) Fifty thousand dollars (\$50,000) for allocation on a one-time basis to the Santa Monica Malibu Unified School District for an after school youth program at Malibu High School.

(31) One hundred fifty thousand dollars (\$150,000) for allocation on a one-time basis to the Pasadena Unified School District for the Pasadena Multipurpose Athletic Field.

(32) Two hundred thousand dollars (\$200,000) for allocation on a one-time basis to the Tahoe-Truckee Unified School District for the North Tahoe Youth Center.

(33) Three hundred sixty thousand dollars (\$360,000) for allocation on a one-time basis to the Santa Barbara High School District for soccer and baseball fields.

(34) Six hundred seventy-five thousand dollars (\$675,000) for allocation on a one-time basis to the Los Alamitos Unified School District for reimbursement for class size reduction costs.

(35) Ten million dollars (\$10,000,000) for allocation on a one-time basis to the Alvord Unified School District for construction costs associated with the Center for Primary Education.

(36) Nine hundred thousand dollars (\$900,000) for allocation on a one-time basis to the Riverside County Office of Education for purposes of screening and diagnosing pupils for Scotopic Sensitivity Syndrome.

(37) Five hundred thousand dollars (\$500,000) for allocation on a one-time basis to the Saugus Union Elementary School District for costs associated with testing air quality in portable classrooms.

(38) Two hundred seventy-five thousand dollars (\$275,000) for allocation on a one-time basis to the Inyo County Office of Education for facilities costs.

(39) Five hundred thousand dollars (\$500,000) for allocation on a one-time basis to the Calaveras Unified School District for swimming pool renovations.

(40) Twenty-seven thousand dollars (\$27,000) for allocation on a one-time basis to the Alta-Dutch Flat Union Elementary School District to provide pupil transportation services.

(41) Five hundred thousand dollars (\$500,000) for allocation on a one-time basis to the Gonzales Unified School District for slough repair costs.

(42) Two hundred seventy thousand dollars (\$270,000) for allocation on a one-time basis to the Madera Unified School District for the Madera Safe Schools and Recreation Route.

(43) Four hundred sixty-nine thousand dollars (\$469,000) for allocation on a one-time basis to the Mariposa Unified School District to offset declining average daily attendance funding.

(44) Five hundred sixty-eight (\$568,000) for allocation on a one-time basis to the Chatom Union Elementary School District to offset declining average daily attendance funding and to purchase school busses.

(45) Three million seven hundred thousand dollars (\$3,700,000) for allocation on a one-time basis to the Clovis Unified School District for the Central Valley Applied Agriculture and Technology Center.

(46) Six hundred thousand dollars (\$600,000) for allocation on a one-time basis to the Orinda Union Elementary School District to improve pedestrian and vehicle safety.

(47) One hundred twelve thousand dollars (\$112,000) for allocation on a one-time basis to the Alameda County Office of Education for the Smart Kids, Safe Kids Program.

(48) Four hundred seventy-five thousand dollars (\$475,000) for allocation on a one-time basis to the Millbrae Elementary School District for declining enrollment.

(49) Four hundred thousand dollars (\$400,000) for allocation on a one-time basis to the Los Angeles Unified School District to renovate Olive Vista Middle School.

(50) Fifty thousand dollars (\$50,000) for allocation on a one-time basis to the Escalon Unified School District for a new swimming pool.

(51) One hundred five thousand dollars (\$105,000) for allocation on a one-time basis to the Borrego Springs Unified School District for a football field facility at the Borrego Springs High School.

(52) One hundred sixty thousand dollars (\$160,000) for allocation on a one-time basis to the Soledad Enrichment Action Charter School for Operation Y.E.S.

(53) Four hundred fifty thousand dollars (\$450,000) for allocation on a one-time basis to the Del Norte County Unified School District for construction of the Mountain School multi-purpose building.

(54) One hundred thousand dollars (\$100,000) for allocation on a one-time basis to the L.A.'s Best for afterschool programs.

(55) Five million dollars (\$5,000,000) for allocation on a one-time basis to the Clovis and Fresno Unified School Districts for the Center for Advanced Research and Technology.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated to school districts," as defined in subdivision (c) of Section 41202 of the Education Code for the 1999–2000 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202 of the Education Code, for the 1999–2000 fiscal year.

SEC. 43. (a) The sum of eight million five hundred seventy-six thousand dollars (\$8,576,000) is hereby appropriated from the General Fund to the Chancellor of the California Community Colleges, in accordance with the following schedule:

(1) Five hundred seventy-five thousand dollars (\$575,000) for allocation on a one-time basis to the Santa Clarita Community College District for the purpose of preliminary plans, working drawings, and

construction of the College of the Canyons Welding Technology and Manufacturing Lab renovation and expansion project.

(2) Five hundred fifty-one thousand dollars (\$551,000) for allocation on a one-time basis to the Victor Valley Community College District for the purpose of working drawings for a new computer lab at Victor College.

(3) One million dollars (\$1,000,000) for allocation on a one-time basis to the Compton Community College District for the purpose of preliminary plans, working drawings, and construction for the Compton Community College stadium renovation project.

(4) One million five hundred thousand dollars (\$1,500,000) for allocation on a one-time basis to Copper Mountain Community College for transition and technology costs.

(5) Nine hundred thousand dollars (\$900,000) for allocation on a one-time basis to the San Francisco City College, Mission Center, for the working drawings phase of the Mission Center capital outlay project which has previously been approved by the state.

(6) Fifty thousand dollars (\$50,000) for allocation on a one-time basis to the San Diego Community College district for the Faces of San Diego Project.

(7) Four million dollars (\$4,000,000) for allocation on a one-time basis to the Los Angeles City College for site acquisition and development of the Atwater Village Satellite Center.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated to community colleges," as defined in subdivision (c) of Section 41202 of the Education Code for the 1999–2000 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202 of the Education Code, for the 1999–2000 fiscal year.

SEC. 44. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to implement the Budget Act of 2000 with respect to the public schools and higher education, it is necessary that this act take effect immediately.
