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Compiled by
BION M. GREGORY
Legislative Counsel

CHAPTER 931

An act to amend Sections 23800, 23817.7, 23985.5, and 23987 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Local jurisdictions have the primary responsibility to protect their citizens, and the sale of alcoholic beverages in a community often exacerbates difficulties in providing adequate public safety protection.

(b) While the Department of Alcoholic Beverage Control permits local jurisdictions to recommend conditions regarding an application for an alcoholic beverage license, the timeframe for review is insufficient to conduct an adequate investigation and develop, if needed, appropriate conditions to recommend to the department.

(c) Local jurisdictions are greatly concerned about the capacity of the department to assist with law enforcement problems associated with licensees, as the department has only about 200 officers for approximately 70,000 licensees.

(d) In order to improve the ability of local jurisdictions to gain community input and better evaluate various options related to a specific application, local jurisdictions should be given an extended period of time to review license applications, notices of license applications to affected residences should be enhanced, and the department should be provided additional funding to support law enforcement efforts.

SEC. 2. Section 23800 of the Business and Professions Code is amended to read:

23800. The department may place reasonable conditions upon retail licensees or upon any licensee in the exercise of retail privileges in the following situations:

(a) If grounds exist for the denial of an application for a license or where a protest against the issuance of a license is filed and if the department finds that those grounds may be removed by the imposition of those conditions.

(b) Where findings are made by the department which would justify a suspension or revocation of a license, and where the imposition of a condition is reasonably related to those findings. In the case of a suspension, the conditions may be in lieu of or in addition to the suspension.

(c) Where the department issues an order suspending or revoking only a portion of the privileges to be exercised under the license.

(d) Where findings are made by the department that the licensee has failed to correct objectionable conditions within a reasonable time after receipt of notice to make corrections given pursuant to subdivision (e) of Section 24200.

(e) (1) At the time of transfer of a license pursuant to Section 24071.1, 24071.2, or 24072 and upon written notice to the licensee, the department may adopt conditions requested by the local governing body, or its designated subordinate officer or agency, in whose jurisdiction the license is located. The request for conditions shall be supported by substantial evidence that the problems either on the premises or in the immediate vicinity identified by the local governing body or its designated subordinate officer or agency will be mitigated by the conditions. Upon receipt of the request for conditions, the department shall either adopt the conditions requested or notify the local governing body, or its designated subordinate officer or agency, in writing of its determination that there is not substantial evidence that the problem exists or that the conditions would not mitigate the problems identified. The department may adopt conditions requested pursuant to this paragraph only when the request is filed within the time authorized for a local law enforcement agency to file a protest or proposed conditions pursuant to Section 23987.

(2) If the license to be transferred subject to paragraph (1) is located in an area of undue concentration as defined in Section 23958.4, the period within which the local governing body or its designated subordinate officer or agency may submit a written request for conditions shall be 40 days after the mailing of the notices required by Section 23987. For purposes of this provision only, undue concentration shall be established when the requirements of both paragraph (1) of subdivision (a) and either paragraph (2) or paragraph (3) of subdivision (a) of Section 23958.4 exist. Pursuant to Section 23987, the department may extend the 40-day period for a period not to exceed an additional 20 days upon the written request of any local law enforcement agency or local government entity with jurisdiction. Nothing in this paragraph is intended to reduce the burden of the local governing body or its designated subordinate officer or agency to support any request for conditions as required by paragraph (1). Notwithstanding Section 23987, the department may not transfer any license subject to this paragraph until after the time period permitted to request conditions as specified in this paragraph.

SEC. 3. Section 23817.7 of the Business and Professions Code is amended to read:

23817.7. (a) Notwithstanding Section 23817.5, the department may approve an application for an off-sale beer and wine license in areas covered by Section 23817.5, if the applicant shows that public

convenience or necessity would be served by the issuance, and where all of the following conditions are found to exist:

(1) The applicant premises are located in a crime reporting district that is below that specified pursuant to paragraph (1) of subdivision (a) of Section 23958.4. In considering an application, the department may take into account adjacent crime reporting districts, if the applicant premises are located within 100 feet of the boundaries of any adjacent district. The department shall use an average of reported crimes in the crime reporting district in which the premises are located and reported crimes in any adjacent crime reporting district, if the total of crimes reported in the adjacent district or districts is greater than the crime reporting district in which the premises are located.

(2) The applicant premises are located in an area that falls below the concentration level provided in paragraph (3) of subdivision (a) of Section 23958.4.

(3) The local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines that public convenience or necessity would be served by the issuance.

(b) The department may impose reasonable conditions on a licensee as may be needed in the interest of the public health, safety, and welfare regarding signing, training for responsible beverage sales and hours, and mode of sale.

SEC. 4. Section 23985.5 of the Business and Professions Code is amended to read:

23985.5. (a) Notwithstanding any other provision of this article, in any instance affecting the issuance of any retail license at a premises that is not currently licensed or for a different retail license, the department shall require that the applicant mail notification of the application to every resident and owner of real property within a 500-foot radius of the premises for which the license is to be issued.

(b) The department shall require the applicant to provide notification to the owners of real property, as required in subdivision (a), only if the local jurisdiction in which the license is to be issued provides, free of charge, a list of the names and addresses of the owners to the applicant.

(c) For the notification required by subdivision (a), the department shall develop bilingual notices in English and Spanish. The notice shall include information on how to obtain the notice information in a minimum of three of the predominant languages other than English or Spanish in the state, according to the most recent United States decennial or special census information.

SEC. 5. Section 23987 of the Business and Professions Code is amended to read:

23987. Upon the receipt by the department of an original application for any license or an application for transfer of any license, written notice thereof, consisting of a copy of the application, shall immediately be mailed by the department to the sheriff, chief of police, and district attorney of the locality in which the premises are situated, to the city or county planning director, whoever has jurisdiction, the board of supervisors of the county in which the premises are situated, if in unincorporated territory, and to the city council or other governing body of the city in which the premises are situated, if within an incorporated area.

Except as specified in paragraph (2) of subdivision (e) of Section 23800, no license shall be issued or transferred by the department until at least 30 days after the mailing by the department of the notices required by this section. The department may extend the 30-day period specified in the preceding sentence for a period not to exceed an additional 20 days, upon the written request of any local law enforcement agency that states proper grounds for extension. Proper grounds for extension are limited to the requesting agency or official being in the process of preparing either a protest or proposed conditions with respect to the issuance or transfer of a license.

CHAPTER 932

An act relating to local public services, and making an appropriation therefor.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

I have signed Assembly Bill 936 with a reduction.

This bill would appropriate \$1.75 million General Fund to the Department of Housing and Community Development (HCD) to provide a grant to the City of San Diego to purchase two facilities for the homeless. The bill would also clarify that funds appropriated in the Budget Act of 2001 to the City of San Diego for a grant to the Stein Education Center shall be allocated directly to the Education Center; reappropriate funds provided in the Budget Act of 2000 for the Guadalupe Trail in the City of San Jose; and would revise provisions in the Budget Act of 2001 to direct the Department of Boating and Waterways to recalculate a specified loan to the owner of a marina at Lake Oroville.

I am reducing the appropriation to HCD from \$1.75 million to \$750,000 due to fiscal constraints and limited resources in the General Fund.

GRAY DAVIS, Governor

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

SECTION 1. The sum of one million seven hundred fifty thousand dollars (\$1,750,000) is hereby appropriated from the General Fund to the Department of Housing and Community Development to provide a grant to the City of San Diego to purchase two 25-bed facilities for homeless persons who are diagnosed with severe mental illness.

SEC. 2. Notwithstanding Schedule (b) (109) of Item 3790-101-0001 of the Budget Act of 2001 (Chapter 106, Statutes of 2001), the sum of twenty thousand dollars (\$20,000) shall be allocated directly to the Stein Education Center for the purpose of its play area upgrade, rather than to the City of San Diego.

SEC. 3. The funds reappropriated by Item 0540-491 of Chapter 672 of the Statutes of 2000 for the Guadalupe River Parkway in the City of San Jose are hereby reappropriated for the establishment and development of the Guadalupe Trail in the City of San Jose, and areas surrounding the city, subject to the limitations, unless otherwise specified, provided for in the original appropriation of those funds by Item 0540-103-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999).

SEC. 4. The provisions of Item 3680-101-0516 of Section 2.00 of the Budget Act of 2001 (Ch. 106, Stats. of 2001) are revised to add the following provision:

2. The Department of Boating and Waterways shall recalculate the amount of principal owed by Funtime-Fulltime, Inc. pursuant to a loan made by the department to finance improvements to the Bidwell Canyon Marina, located at Lake Oroville. The recalculation shall take into consideration those items financed by the principal of the loan that are traditionally provided by the state in similar instances involving the state park and recreation system. The recalculation may result in a reduction in the amount of principal due under loan by an amount not to exceed \$370,000.

CHAPTER 933

An act to amend Sections 19582, 19605.73, and 19661 of, and to add Section 19517.5 to, the Business and Professions Code, relating to horse racing.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 19517.5 is added to the Business and Professions Code, to read:

19517.5. (a) Enforcement proceedings that allege the use of a prohibited substance, as defined under class I, class II, or class III of the board's schedule of prohibited substances, shall be referred directly to the Office of Administrative Hearings for administrative adjudication and preparation of a proposed decision for action by the board, unless both the licensee and the board waive that referral.

(b) The hearing before an administrative law judge shall commence no later than 90 days after the filing of the accusation. The administrative law judge may extend the hearing date only upon a showing of good cause to the earliest possible hearing date beyond the 90-day period, provided a written order and the reasons for the continuance are filed with the board.

(c) No later than 20 days before the hearing, the licensee shall post a bond with the paymaster of purses for the amount of the purse or purses in question and received by the licensee. The bond shall be in cash, or a surety bond that meets the requirements of the board.

(d) (1) The board shall neither modify nor amend a proposed decision by the administrative law judge so as to increase any sanction or penalty contemplated in the proposed decision.

(2) The board may, by means of a written decision that includes the reasons for its decision, modify or amend a proposed decision by the administrative law judge so as to decrease, mitigate, or suspend a sanction or penalty contemplated in the proposed decision.

SEC. 2. Section 19582 of the Business and Professions Code is amended to read:

19582. (a) (1) Violations of Section 19581, as determined by the board, are punishable as set forth in regulations adopted by the board.

(2) The board may classify violations of Section 19581 based upon each class of prohibited drug substances, prior violations within the previous three years, and prior violations within the violator's lifetime.

(3) (A) The board may provide for the suspension of a license for not more than three years, except as provided in subdivision (b), or a monetary penalty of not more than fifty thousand dollars (\$50,000), or both, and disqualification from purses, for a violation of Section 19581.

(B) The actual amount of the monetary penalty imposed pursuant to this paragraph shall be determined only after due consideration has been given to all the facts, circumstances, acts, and intent of the licensee, and shall not be solely based on the trainer-insurer rule, as established in Sections 1843 and 1887 of Title 4 of the California Code of Regulations.

(4) The punishment for second and subsequent violations of Section 19581 shall be greater than the punishment for a first violation of Section 19581 with respect to each class of prohibited drug substances, unless the administrative law judge, in findings of fact and conclusions of law filed with the board, concludes that a deviation from this general rule is justified.

(b) (1) A third violation of Section 19581 during the lifetime of the licensee, determined by the board to be at a class I or class II level, may result in the permanent revocation of the person's license.

(2) The administrative law judge shall, after consideration of the circumstances surrounding a violation specified in paragraph (1), file a decision with the board that includes findings of fact and conclusions of law.

(c) Any person whose license is suspended or revoked pursuant to this section shall not be entitled to receive any material benefit or remuneration in any capacity or from any business activity permitted or allowed by the license during any period of its suspension or revocation.

(d) The penalties provided by this section are in addition to any other civil, criminal, and administrative penalties or sanctions provided by law, and do not supplant, but are cumulative to, other penalties or sanctions.

SEC. 3. Section 19605.73 of the Business and Professions Code is amended to read:

19605.73. (a) Racing associations, fairs, and the organization responsible for contracting with racing associations and fairs with respect to the conduct of racing meetings, may form a private, statewide marketing organization to market and promote thoroughbred and fair horse racing. The organization shall consist of the following members: two members, one from the northern zone and one from the combined central and southern zones, appointed by the thoroughbred racetracks; two members, one from the northern zone and one from the combined central and southern zones, appointed by the owners' organization responsible for contracting with associations and fairs with respect to the conduct of racing meetings; and two members, one from the northern zone and one from the combined central and southern zones, appointed by the organization representing racing and satellite fairs.

(b) The marketing organization formed pursuant to subdivision (a) shall annually submit to the board a statewide marketing and promotion plan for thoroughbred and fair horse racing that encompasses all geographical zones in the state, and which includes the manner in which funds were expended in the implementation of the plan for the previous calendar year. The plan shall be implemented as determined by the organization. The organization shall receive input from all interested

industry participants and may utilize outside consultants in developing the annual marketing plan.

(c) In addition to the distributions specified in subdivisions (a) and (b) of Section 19605.7, and in Sections 19605.71 and 19605.72, for thoroughbred and fair meetings only, from the amount that would normally be available for commissions and purses, an amount equal to 0.4 percent of the total amount handled by each satellite wagering facility shall be distributed to the statewide marketing organization formed pursuant to subdivision (a) for the promotion of thoroughbred and fair horse racing. Any of the promotion funds that are not expended in the year in which they are collected may be expended in the following year. If promotion funds expended in any one year exceed the amount collected for that year, the funds expended in the following year shall be reduced by the excess amount.

(d) This section shall become inoperative on July 1, 2004, and, as of January 1, 2005, is repealed, unless a later enacted statute that is enacted before January 1, 2005, deletes or extends the dates on which it becomes inoperative and is repealed. Any moneys held by the organization shall, in the event this section is repealed, be distributed to the organization formed pursuant to Section 19608.2, for purposes of that section.

SEC. 4. Section 19661 of the Business and Professions Code is amended to read:

19661. (a) Any person who violates any of the provisions of this chapter for which a penalty is not herein expressly provided, is guilty of a misdemeanor.

(b) Unless otherwise expressly provided, the board may impose a monetary penalty of not more than one hundred thousand dollars (\$100,000) for a violation of any of the provisions of this chapter.

CHAPTER 934

An act to amend Section 3600 of the Penal Code, relating to capital punishment.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 3600 of the Penal Code is amended to read:
3600. (a) Every male person, upon whom has been imposed the judgment of death, shall be delivered to the warden of the California state prison designated by the department for the execution of the death

penalty, there to be kept until the execution of the judgment, except as provided in subdivision (b).

(b) Notwithstanding any other provision of law:

(1) A condemned inmate who, while in prison, commits any of the following offenses, or who, as a member of a gang or disruptive group, orders others to commit any of these offenses, may, following disciplinary sanctions and classification actions at San Quentin State Prison, pursuant to regulations established by the Department of Corrections, be housed in secure condemned housing designated by the Director of Corrections, at the California State Prison, Sacramento:

(A) Homicide.

(B) Assault with a weapon or with physical force capable of causing serious or mortal injury.

(C) Escape with force or attempted escape with force.

(D) Repeated serious rules violations that substantially threaten safety or security.

(2) The condemned housing program at California State Prison, Sacramento, shall be fully operational prior to the transfer of any condemned inmate.

(3) Specialized training protocols for supervising condemned inmates shall be provided to those line staff and supervisors at the California State Prison, Sacramento, who supervise condemned inmates on a regular basis.

(4) An inmate whose medical or mental health needs are so critical as to endanger the inmate or others may, pursuant to regulations established by the Department of Corrections, be housed at the California Medical Facility or other appropriate institution for medical or mental health treatment. The inmate shall be returned to the institution from which the inmate was transferred when the condition has been adequately treated or is in remission.

(c) When housed pursuant to subdivision (b) the following shall apply:

(1) Those local procedures relating to privileges and classification procedures provided to Grade B condemned inmates at San Quentin State Prison shall be similarly instituted at California State Prison, Sacramento, for condemned inmates housed pursuant to paragraph (1) of subdivision (b) of Section 3600. Those classification procedures shall include the right to the review of a classification no less than every 90 days and the opportunity to petition for a return to San Quentin State Prison.

(2) Similar attorney-client access procedures that are afforded to condemned inmates housed at San Quentin State Prison shall be afforded to condemned inmates housed in secure condemned housing designated by the Director of Corrections, at the California State Prison,

Sacramento. Attorney-client access for condemned inmates housed at an institution for medical or mental health treatment shall be commensurate with the institution's visiting procedures and appropriate treatment protocols.

(3) A condemned inmate housed in secure condemned housing pursuant to subdivision (b) shall be returned to San Quentin State Prison at least 60 days prior to his scheduled date of execution.

(4) No more than 15 condemned inmates may be rehoused pursuant to paragraph (1) of subdivision (b).

(d) Prior to any relocation of condemned row from San Quentin State Prison, whether proposed through legislation or any other means, all maximum security Level IV, 180-degree housing unit facilities with an electrified perimeter shall be evaluated by the Department of Corrections for suitability for the secure housing and execution of condemned inmates.

CHAPTER 935

An act to add Article 5.6 (commencing with Section 19527) to Chapter 4 of Division 8 of the Business and Professions Code, relating to horse racing.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Article 5.6 (commencing with Section 19527) is added to Chapter 4 of Division 8 of the Business and Professions Code, to read:

Article 5.6. Interstate Compact on Horse Racing Occupational Licensing

19527. The Legislature finds and declares all of the following:

(a) The Association of Racing Commissioners International has proposed a compact providing for the licensure of individuals involved in the horse racing industry.

(b) The intent of this compact is to preclude the necessity of individual owners, trainers, backstretch employees, and other race track personnel from having to be separately licensed in each state in which they may conduct business.

(c) This compact would provide for an individual to be licensed by the compact committee created therein, and thus be able to practice his or her profession in all states that are members of the compact.

(d) The purpose of the compact is to:

(1) Establish uniform requirements among the party states for the licensing of participants in live horse racing with parimutuel wagering, and ensure that all participants who are licensed pursuant to this compact meet a uniform minimum standard of honesty and integrity.

(2) Facilitate the growth of the horse racing industry in each party state and nationwide by simplifying the licensing process for participants in the live racing industry, and reduce the duplicative and costly process of separate licensing by the applicable regulatory agency in each state.

(3) Authorize the California Horse Racing Board to participate in this compact.

(4) Provide for participation in this compact by officials of the party states, and permit those officials, through the compact committee established by the compact, to enter into contracts with governmental agencies and nongovernmental persons and entities to carry out the purposes of this compact.

(5) Establish the compact committee created by this compact as an interstate governmental entity duly authorized to request and receive criminal history record information from the Federal Bureau of Investigation, other federal law enforcement agencies, and state and local law enforcement agencies.

19528. The California Horse Racing Board is hereby authorized to enter into the interstate compact identified in Section 19527 for the purposes described therein, provided that this state's participation in this compact does not result in the diminution of applicable existing standards established for licensure in California with regard to an applicant's criminal history and does not prevent the enforcement of any state law or regulation affecting any licensee. The California Horse Racing Board's entry into the interstate compact identified in Section 19527 shall not relieve any individual or entity of its duty to obtain any license or pay any fee otherwise required by this chapter. An individual designated by the California Horse Racing Board shall be responsible for representing California in conjunction with the administration of the compact.

CHAPTER 936

An act to amend Sections 19596.2 and 19605.61 of, and to add Section 19596.4 to, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 19596.2 of the Business and Professions Code is amended to read:

19596.2. (a) Notwithstanding any other provision of law and except as provided in Section 19596.4, a thoroughbred racing association or fair may distribute the audiovisual signal and accept wagers on the results of out-of-state and out-of-country thoroughbred races during the calendar period the association or fair is conducting a race meeting, including days on which there is no live racing being conducted by the association or fair, without the consent of the organization that represents horsemen participating in the race meeting and without regard to the amount of purses, provided that the total number of thoroughbred races on which wagers are accepted statewide in any given year does not exceed the total number of thoroughbred races on which wagers were accepted in 1998. Further, the total number of thoroughbred races imported by associations or fairs on a statewide basis under this section shall not exceed 23 per day on days when live thoroughbred or fair racing is being conducted in the state. The limitation of 23 imported races per day does not apply to any of the following:

(1) Races imported for wagering purposes pursuant to subdivision (d).

(2) Races imported that are part of the race card of the Kentucky Derby, the Kentucky Oaks, the Preakness Stakes, the Belmont Stakes, the Jockey Club Gold Cup, the Breeders' Cup, or the Haskell Invitational.

(3) Races imported into the northern zone when there is no live thoroughbred or fair racing being conducted in the northern zone.

(4) Races imported into the combined central and southern zones when there is no live thoroughbred or fair racing being conducted in the combined central and southern zones.

(b) Any thoroughbred racing association described in subdivision (a) may execute an agreement with any other association that conducts thoroughbred races in the southern zone to allow the other association

to distribute the signal and accept wagers on out-of-country thoroughbred races.

(c) Any thoroughbred association or fair accepting wagers pursuant to subdivision (a) shall conduct the wagering in accordance with the applicable provisions of Sections 19601, 19616, 19616.1, and 19616.2.

(d) No thoroughbred association or fair shall accept wagers pursuant to this section on out-of-state or out-of-country races commencing after 7:00 p.m., Pacific standard time, without the consent of the harness or quarter horse racing association that is then conducting a live racing meeting in Orange or Sacramento Counties, and no quarter horse or harness racing association shall accept wagers on out-of-state or out-of-country quarter horse or harness races commencing before 5:30 p.m., Pacific standard time, without the consent of any thoroughbred association or fair that is then conducting a live racing meeting in this state.

SEC. 2. Section 19596.4 is added to the Business and Professions Code, to read:

19596.4. (a) Notwithstanding subdivision (a) of, and subject to the conditions specified in subdivisions (c) and (d) of, Section 19596.2, if the total number of thoroughbred and fair racing days allocated by the board in the northern zone in any calendar year commencing with the calendar year 2001 is less than the total number of thoroughbred and fair racing days allocated by the board in calendar year 2000, a thoroughbred racing association or fair that has been allocated fewer racing days in the northern zone may distribute the audiovisual signal and accept wagers on the results of out-of-state and out-of-country thoroughbred races during the calendar period the association or fair is licensed to conduct a live race meeting, excluding Saturdays and Sundays.

(b) The total number of out-of-state and out-of-country thoroughbred races upon which wagers may be accepted pursuant to this section shall be sufficient to the extent reasonably possible to prevent any loss of revenue to the General Fund and the California racing participants, as determined by the executive director of the board but shall not exceed a maximum of three out-of-state or out-of-country thoroughbred races for every live race that has been eliminated by the board. A thoroughbred racing association in the northern zone shall not import these races on a day when a fair is conducting live racing in the northern zone.

SEC. 3. Section 19605.61 of the Business and Professions Code is amended to read:

19605.61. (a) Notwithstanding any other provision of law, if the live racing or the audiovisual signals of any licensed association or fair in this state are disrupted or interrupted so as to cause the cessation of the live racing or audiovisual signals and the cause is a natural disaster outside the control of the association or fair conducting the racing or

satellite wagering, as determined by the executive director of the board, the executive director may, at the request of the licensed association or fair and the organization representing horsemen at the race meeting, temporarily authorize the conduct of satellite wagering, including the transmission and reception of audiovisual signals, from any zone in the state or from any location outside this state. However, audiovisual signals emanating from within the state shall have preference over audiovisual signals from locations outside this state, and any transmission shall be subject to the conditions specified in subdivisions (a) to (e), inclusive, of Section 19605.3.

(b) As used in this section, "natural disaster" means fire, flood, storm, epidemic, riot, or earthquake.

CHAPTER 937

An act to amend Sections 12020 and 12280 of the Penal Code, relating to weapons.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 12020 of the Penal Code is amended to read: 12020. (a) Any person in this state who does any of the following is punishable by imprisonment in a county jail not exceeding one year or in the state prison:

(1) Manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any cane gun or wallet gun, any undetectable firearm, any firearm which is not immediately recognizable as a firearm, any camouflaging firearm container, any ammunition which contains or consists of any fléchette dart, any bullet containing or carrying an explosive agent, any ballistic knife, any multiburst trigger activator, any nunchaku, any short-barreled shotgun, any short-barreled rifle, any metal knuckles, any belt buckle knife, any leaded cane, any zip gun, any shuriken, any unconventional pistol, any lipstick case knife, any cane sword, any shobi-zue, any air gauge knife, any writing pen knife, any metal military practice handgrenade or metal replica handgrenade, or any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sap, or sandbag.

(2) Commencing January 1, 2000, manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, or lends, any large-capacity magazine.

(3) Carries concealed upon his or her person any explosive substance, other than fixed ammunition.

(4) Carries concealed upon his or her person any dirk or dagger.

However, a first offense involving any metal military practice handgrenade or metal replica handgrenade shall be punishable only as an infraction unless the offender is an active participant in a criminal street gang as defined in the Street Terrorism and Enforcement and Prevention Act (Chapter 11 (commencing with Section 186.20) of Title 7 of Part 1). A bullet containing or carrying an explosive agent is not a destructive device as that term is used in Section 12301.

(b) Subdivision (a) does not apply to any of the following:

(1) The sale to, purchase by, or possession of short-barreled shotguns or short-barreled rifles by police departments, sheriffs' offices, marshals' offices, the California Highway Patrol, the Department of Justice, or the military or naval forces of this state or of the United States for use in the discharge of their official duties or the possession of short-barreled shotguns and short-barreled rifles by peace officer members of a police department, sheriff's office, marshal's office, the California Highway Patrol, or the Department of Justice when on duty and the use is authorized by the agency and is within the course and scope of their duties and the peace officer has completed a training course in the use of these weapons certified by the Commission on Peace Officer Standards and Training.

(2) The manufacture, possession, transportation or sale of short-barreled shotguns or short-barreled rifles when authorized by the Department of Justice pursuant to Article 6 (commencing with Section 12095) of this chapter and not in violation of federal law.

(3) The possession of a nunchaku on the premises of a school which holds a regulatory or business license and teaches the arts of self-defense.

(4) The manufacture of a nunchaku for sale to, or the sale of a nunchaku to, a school which holds a regulatory or business license and teaches the arts of self-defense.

(5) Any antique firearm. For purposes of this section, "antique firearm" means any firearm not designed or redesigned for using rimfire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for

which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(6) Tracer ammunition manufactured for use in shotguns.

(7) Any firearm or ammunition which is a curio or relic as defined in Section 178.11 of Title 27 of the Code of Federal Regulations and which is in the possession of a person permitted to possess the items pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto. Any person prohibited by Section 12021, 12021.1, or 12101 of this code or Section 8100 or 8103 of the Welfare and Institutions Code from possessing firearms or ammunition who obtains title to these items by bequest or intestate succession may retain title for not more than one year, but actual possession of these items at any time is punishable pursuant to Section 12021, 12021.1, or 12101 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. Within the year, the person shall transfer title to the firearms or ammunition by sale, gift, or other disposition. Any person who violates this paragraph is in violation of subdivision (a).

(8) Any other weapon as defined in subsection (e) of Section 5845 of Title 26 of the United States Code and which is in the possession of a person permitted to possess the weapons pursuant to the federal Gun Control Act of 1968 (Public Law 90-618), as amended, and the regulations issued pursuant thereto. Any person prohibited by Section 12021, 12021.1, or 12101 of this code or Section 8100 or 8103 of the Welfare and Institutions Code from possessing these weapons who obtains title to these weapons by bequest or intestate succession may retain title for not more than one year, but actual possession of these weapons at any time is punishable pursuant to Section 12021, 12021.1, or 12101 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. Within the year, the person shall transfer title to the weapons by sale, gift, or other disposition. Any person who violates this paragraph is in violation of subdivision (a). The exemption provided in this subdivision does not apply to pen guns.

(9) Instruments or devices that are possessed by federal, state, and local historical societies, museums, and institutional collections which are open to the public, provided that these instruments or devices are properly housed, secured from unauthorized handling, and, if the instrument or device is a firearm, unloaded.

(10) Instruments or devices, other than short-barreled shotguns or short-barreled rifles, that are possessed or utilized during the course of a motion picture, television, or video production or entertainment event by an authorized participant therein in the course of making that production or event or by an authorized employee or agent of the entity producing that production or event.

(11) Instruments or devices, other than short-barreled shotguns or short-barreled rifles, that are sold by, manufactured by, exposed or kept for sale by, possessed by, imported by, or lent by persons who are in the business of selling instruments or devices listed in subdivision (a) solely to the entities referred to in paragraphs (9) and (10) when engaging in transactions with those entities.

(12) The sale to, possession of, or purchase of any weapon, device, or ammunition, other than a short-barreled rifle or short-barreled shotgun, by any federal, state, county, city and county, or city agency that is charged with the enforcement of any law for use in the discharge of their official duties, or the possession of any weapon, device, or ammunition, other than a short-barreled rifle or short-barreled shotgun, by peace officers thereof when on duty and the use is authorized by the agency and is within the course and scope of their duties.

(13) Weapons, devices, and ammunition, other than a short-barreled rifle or short-barreled shotgun, that are sold by, manufactured by, exposed or kept for sale by, possessed by, imported by, or lent by, persons who are in the business of selling weapons, devices, and ammunition listed in subdivision (a) solely to the entities referred to in paragraph (12) when engaging in transactions with those entities.

(14) The manufacture for, sale to, exposing or keeping for sale to, importation of, or lending of wooden clubs or batons to special police officers or uniformed security guards authorized to carry any wooden club or baton pursuant to Section 12002 by entities that are in the business of selling wooden batons or clubs to special police officers and uniformed security guards when engaging in transactions with those persons.

(15) Any plastic toy handgrenade, or any metal military practice handgrenade or metal replica handgrenade that is a relic, curio, memorabilia, or display item, that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as a grenade.

(16) Any instrument, ammunition, weapon, or device listed in subdivision (a) that is not a firearm that is found and possessed by a person who meets all of the following:

(A) The person is not prohibited from possessing firearms or ammunition pursuant to Section 12021 or 12021.1 or paragraph (1) of subdivision (b) of Section 12316 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(B) The person possessed the instrument, ammunition, weapon, or device no longer than was necessary to deliver or transport the same to a law enforcement agency for that agency's disposition according to law.

(C) If the person is transporting the listed item, he or she is transporting the listed item to a law enforcement agency for disposition according to law.

(17) Any firearm, other than a short-barreled rifle or short-barreled shotgun, that is found and possessed by a person who meets all of the following:

(A) The person is not prohibited from possessing firearms or ammunition pursuant to Section 12021 or 12021.1 or paragraph (1) of subdivision (b) of Section 12316 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(B) The person possessed the firearm no longer than was necessary to deliver or transport the same to a law enforcement agency for that agency's disposition according to law.

(C) If the person is transporting the firearm, he or she is transporting the firearm to a law enforcement agency for disposition according to law.

(D) Prior to transporting the firearm to a law enforcement agency, he or she has given prior notice to that law enforcement agency that he or she is transporting the firearm to that law enforcement agency for disposition according to law.

(E) The firearm is transported in a locked container as defined in subdivision (d) of Section 12026.2.

(18) The possession of any weapon, device, or ammunition, by a forensic laboratory or any authorized agent or employee thereof in the course and scope of his or her authorized activities.

(19) The sale of, giving of, lending of, importation into this state of, or purchase of, any large-capacity magazine to or by any federal, state, county, city and county, or city agency that is charged with the enforcement of any law, for use by agency employees in the discharge of their official duties whether on or off duty, and where the use is authorized by the agency and is within the course and scope of their duties.

(20) The sale to, lending to, transfer to, purchase by, receipt of, or importation into this state of, a large capacity magazine by a sworn peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 who is authorized to carry a firearm in the course and scope of his or her duties.

(21) The sale or purchase of any large-capacity magazine to or by a person licensed pursuant to Section 12071.

(22) The loan of a lawfully possessed large-capacity magazine between two individuals if all of the following conditions are met:

(A) The person being loaned the large-capacity magazine is not prohibited by Section 12021, 12021.1, or 12101 of this code or Section 8100 or 8103 of the Welfare and Institutions Code from possessing firearms or ammunition.

(B) The loan of the large-capacity magazine occurs at a place or location where the possession of the large-capacity magazine is not otherwise prohibited and the person who lends the large-capacity magazine remains in the accessible vicinity of the person to whom the large-capacity magazine is loaned.

(23) The importation of a large-capacity magazine by a person who lawfully possessed the large-capacity magazine in the state prior to January 1, 2000, lawfully took it out of the state, and is returning to the state with the large-capacity magazine previously lawfully possessed in the state.

(24) The lending or giving of any large-capacity magazine to a person licensed pursuant to Section 12071, or to a gunsmith, for the purposes of maintenance, repair, or modification of that large-capacity magazine.

(25) The return to its owner of any large-capacity magazine by a person specified in paragraph (24).

(26) The importation into this state of, or sale of, any large-capacity magazine by a person who has been issued a permit to engage in those activities pursuant to Section 12079, when those activities are in accordance with the terms and conditions of that permit.

(27) The sale of, giving of, lending of, importation into this state of, or purchase of, any large-capacity magazine, to or by entities that operate armored vehicle businesses pursuant to the laws of this state.

(28) The lending of large-capacity magazines by the entities specified in paragraph (27) to their authorized employees, while in the course and scope of their employment for purposes that pertain to the entity's armored vehicle business.

(29) The return of those large-capacity magazines to those entities specified in paragraph (27) by those employees specified in paragraph (28).

(30) (A) The manufacture of a large-capacity magazine for any federal, state, county, city and county, or city agency that is charged with the enforcement of any law, for use by agency employees in the discharge of their official duties whether on or off duty, and where the use is authorized by the agency and is within the course and scope of their duties.

(B) The manufacture of a large-capacity magazine for use by a sworn peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 who is authorized to carry a firearm in the course and scope of his or her duties.

(C) The manufacture of a large-capacity magazine for export or for sale to government agencies or the military pursuant to applicable federal regulations.

(31) The loan of a large-capacity magazine for use solely as a prop for a motion picture, television, or video production.

(32) The purchase of a large-capacity magazine by the holder of a special weapons permit issued pursuant to Section 12095, 12230, 12250, 12286, or 12305, for any of the following purposes:

(A) For use solely as a prop for a motion picture, television, or video production.

(B) For export pursuant to federal regulations.

(C) For resale to law enforcement agencies, government agencies, or the military, pursuant to applicable federal regulations.

(c) (1) As used in this section, a “short-barreled shotgun” means any of the following:

(A) A firearm which is designed or redesigned to fire a fixed shotgun shell and having a barrel or barrels of less than 18 inches in length.

(B) A firearm which has an overall length of less than 26 inches and which is designed or redesigned to fire a fixed shotgun shell.

(C) Any weapon made from a shotgun (whether by alteration, modification, or otherwise) if that weapon, as modified, has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length.

(D) Any device which may be readily restored to fire a fixed shotgun shell which, when so restored, is a device defined in subparagraphs (A) to (C), inclusive.

(E) Any part, or combination of parts, designed and intended to convert a device into a device defined in subparagraphs (A) to (C), inclusive, or any combination of parts from which a device defined in subparagraphs (A) to (C), inclusive, can be readily assembled if those parts are in the possession or under the control of the same person.

(2) As used in this section, a “short-barreled rifle” means any of the following:

(A) A rifle having a barrel or barrels of less than 16 inches in length.

(B) A rifle with an overall length of less than 26 inches.

(C) Any weapon made from a rifle (whether by alteration, modification, or otherwise) if that weapon, as modified, has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length.

(D) Any device which may be readily restored to fire a fixed cartridge which, when so restored, is a device defined in subparagraphs (A) to (C), inclusive.

(E) Any part, or combination of parts, designed and intended to convert a device into a device defined in subparagraphs (A) to (C), inclusive, or any combination of parts from which a device defined in subparagraphs (A) to (C), inclusive, may be readily assembled if those parts are in the possession or under the control of the same person.

(3) As used in this section, a “nunchaku” means an instrument consisting of two or more sticks, clubs, bars or rods to be used as handles,

connected by a rope, cord, wire, or chain, in the design of a weapon used in connection with the practice of a system of self-defense such as karate.

(4) As used in this section, a “wallet gun” means any firearm mounted or enclosed in a case, resembling a wallet, designed to be or capable of being carried in a pocket or purse, if the firearm may be fired while mounted or enclosed in the case.

(5) As used in this section, a “cane gun” means any firearm mounted or enclosed in a stick, staff, rod, crutch, or similar device, designed to be, or capable of being used as, an aid in walking, if the firearm may be fired while mounted or enclosed therein.

(6) As used in this section, a “fléchette dart” means a dart, capable of being fired from a firearm, that measures approximately one inch in length, with tail fins that take up approximately five-sixteenths of an inch of the body.

(7) As used in this section, “metal knuckles” means any device or instrument made wholly or partially of metal which is worn for purposes of offense or defense in or on the hand and which either protects the wearer’s hand while striking a blow or increases the force of impact from the blow or injury to the individual receiving the blow. The metal contained in the device may help support the hand or fist, provide a shield to protect it, or consist of projections or studs which would contact the individual receiving a blow.

(8) As used in this section, a “ballistic knife” means a device that propels a knifelike blade as a projectile by means of a coil spring, elastic material, or compressed gas. Ballistic knife does not include any device which propels an arrow or a bolt by means of any common bow, compound bow, crossbow, or underwater spear gun.

(9) As used in this section, a “camouflaging firearm container” means a container which meets all of the following criteria:

(A) It is designed and intended to enclose a firearm.

(B) It is designed and intended to allow the firing of the enclosed firearm by external controls while the firearm is in the container.

(C) It is not readily recognizable as containing a firearm.

“Camouflaging firearm container” does not include any camouflaging covering used while engaged in lawful hunting or while going to or returning from a lawful hunting expedition.

(10) As used in this section, a “zip gun” means any weapon or device which meets all of the following criteria:

(A) It was not imported as a firearm by an importer licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(B) It was not originally designed to be a firearm by a manufacturer licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(C) No tax was paid on the weapon or device nor was an exemption from paying tax on that weapon or device granted under Section 4181 and Subchapters F (commencing with Section 4216) and G (commencing with Section 4221) of Chapter 32 of Title 26 of the United States Code, as amended, and the regulations issued pursuant thereto.

(D) It is made or altered to expel a projectile by the force of an explosion or other form of combustion.

(11) As used in this section, a “shuriken” means any instrument, without handles, consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond, or other geometric shape for use as a weapon for throwing.

(12) As used in this section, an “unconventional pistol” means a firearm that does not have a rifled bore and has a barrel or barrels of less than 18 inches in length or has an overall length of less than 26 inches.

(13) As used in this section, a “belt buckle knife” is a knife which is made an integral part of a belt buckle and consists of a blade with a length of at least 2¹/₂ inches.

(14) As used in this section, a “lipstick case knife” means a knife enclosed within and made an integral part of a lipstick case.

(15) As used in this section, a “cane sword” means a cane, swagger stick, stick, staff, rod, pole, umbrella, or similar device, having concealed within it a blade that may be used as a sword or stiletto.

(16) As used in this section, a “shobi-zue” means a staff, crutch, stick, rod, or pole concealing a knife or blade within it which may be exposed by a flip of the wrist or by a mechanical action.

(17) As used in this section, a “leaded cane” means a staff, crutch, stick, rod, pole, or similar device, unnaturally weighted with lead.

(18) As used in this section, an “air gauge knife” means a device that appears to be an air gauge but has concealed within it a pointed, metallic shaft that is designed to be a stabbing instrument which is exposed by mechanical action or gravity which locks into place when extended.

(19) As used in this section, a “writing pen knife” means a device that appears to be a writing pen but has concealed within it a pointed, metallic shaft that is designed to be a stabbing instrument which is exposed by mechanical action or gravity which locks into place when extended or the pointed, metallic shaft is exposed by the removal of the cap or cover on the device.

(20) As used in this section, a “rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(21) As used in this section, a “shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger.

(22) As used in this section, an “undetectable firearm” means any weapon which meets one of the following requirements:

(A) When, after removal of grips, stocks, and magazines, it is not as detectable as the Security Exemplar, by walk-through metal detectors calibrated and operated to detect the Security Exemplar.

(B) When any major component of which, when subjected to inspection by the types of X-ray machines commonly used at airports, does not generate an image that accurately depicts the shape of the component. Barium sulfate or other compounds may be used in the fabrication of the component.

(C) For purposes of this paragraph, the terms “firearm,” “major component,” and “Security Exemplar” have the same meanings as those terms are defined in Section 922 of Title 18 of the United States Code.

All firearm detection equipment newly installed in nonfederal public buildings in this state shall be of a type identified by either the United States Attorney General, the Secretary of Transportation, or the Secretary of the Treasury, as appropriate, as available state-of-the-art equipment capable of detecting an undetectable firearm, as defined, while distinguishing innocuous metal objects likely to be carried on one’s person sufficient for reasonable passage of the public.

(23) As used in this section, a “multiburst trigger activator” means one of the following devices:

(A) A device designed or redesigned to be attached to a semiautomatic firearm which allows the firearm to discharge two or more shots in a burst by activating the device.

(B) A manual or power-driven trigger activating device constructed and designed so that when attached to a semiautomatic firearm it increases the rate of fire of that firearm.

(24) As used in this section, a “dirk” or “dagger” means a knife or other instrument with or without a handguard that is capable of ready use as a stabbing weapon that may inflict great bodily injury or death. A nonlocking folding knife, a folding knife that is not prohibited by Section 653k, or a pocketknife is capable of ready use as a stabbing weapon that may inflict great bodily injury or death only if the blade of the knife is exposed and locked into position.

(25) As used in this section, “large-capacity magazine” means any ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:

(A) A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds.

(B) A .22 caliber tube ammunition feeding device.

(C) A tubular magazine that is contained in a lever-action firearm.

(d) Knives carried in sheaths which are worn openly suspended from the waist of the wearer are not concealed within the meaning of this section.

SEC. 2. Section 12280 of the Penal Code is amended to read:

12280. (a) (1) Any person who, within this state, manufactures or causes to be manufactured, distributes, transports, or imports into the state, keeps for sale, or offers or exposes for sale, or who gives or lends any assault weapon, except as provided by this chapter, is guilty of a felony, and upon conviction shall be punished by imprisonment in the state prison for four, six, or eight years.

(2) In addition and consecutive to the punishment imposed under paragraph (1), any person who transfers, lends, sells, or gives any assault weapon to a minor in violation of paragraph (1) shall receive an enhancement of one year.

(b) Except as provided in Section 12288, and in subdivisions (c) and (d), any person who, within this state, possesses any assault weapon, except as provided in this chapter, is guilty of a public offense and upon conviction shall be punished by imprisonment in the state prison, or in a county jail, not exceeding one year. However, if the person presents proof that he or she lawfully possessed the assault weapon prior to June 1, 1989, or prior to the date it was specified as an assault weapon, and has since either registered the firearm and any other lawfully obtained firearm specified by Section 12276 or 12276.5 pursuant to Section 12285 or relinquished them pursuant to Section 12288, a first-time violation of this subdivision shall be an infraction punishable by a fine of up to five hundred dollars (\$500), but not less than three hundred fifty dollars (\$350), if the person has otherwise possessed the firearm in compliance with subdivision (c) of Section 12285. In these cases, the firearm shall be returned unless the court finds in the interest of public safety, after notice and hearing, that the assault weapon should be destroyed pursuant to Section 12028.

(c) A first-time violation of subdivision (b) shall be an infraction punishable by a fine of up to five hundred dollars (\$500), if the person was found in possession of no more than two firearms in compliance with subdivision (c) of Section 12285 and the person meets all of the following conditions:

(1) The person proves that he or she lawfully possessed the assault weapon prior to the date it was defined as an assault weapon pursuant to Section 12276.1.

(2) The person is not found in possession of a firearm specified as an assault weapon pursuant to Section 12276 or Section 12276.5.

(3) The person has not previously been convicted of violating this section.

(4) The person was found to be in possession of the assault weapons within one year following the end of the one-year registration period established pursuant to subdivision (a) of Section 12285.

(5) The person has since registered the firearms and any other lawfully obtained firearms defined by Section 12276.1, pursuant to Section 12285, except as provided for by this section, or relinquished them pursuant to Section 12288.

(d) Firearms seized pursuant to subdivision (c) shall be returned unless the court finds in the interest of public safety, after notice and hearing, that the assault weapon should be destroyed pursuant to Section 12028.

(e) Notwithstanding Section 654 or any other provision of law, any person who commits another crime while violating this section may receive an additional, consecutive punishment of one year for violating this section in addition and consecutive to the punishment, including enhancements, which is prescribed for the other crime.

(f) Subdivisions (a) and (b) shall not apply to the sale to, purchase by, or possession of assault weapons by the Department of Justice, police departments, sheriffs' offices, marshals' offices, the Youth and Adult Corrections Agency, the Department of the California Highway Patrol, district attorneys' offices, Department of Fish and Game, Department of Parks and Recreation, or the military or naval forces of this state or of the United States, or any federal law enforcement agency for use in the discharge of their official duties.

(g) (1) Subdivision (b) shall not prohibit the possession or use of assault weapons by sworn peace officer members of those agencies specified in subdivision (f) for law enforcement purposes, whether on or off duty.

(2) Subdivisions (a) and (b) shall not prohibit the delivery, transfer, or sale of an assault weapon to, or the possession of an assault weapon by, a sworn peace officer member of an agency specified in subdivision (f), provided that the peace officer is authorized by his or her employer to possess or receive the assault weapon. Required authorization is defined as verifiable written certification from the head of the agency, identifying the recipient or possessor of the assault weapon as a peace officer and authorizing him or her to receive or possess the specific assault weapon. For this exemption to apply, in the case of a peace officer

who possesses or receives the assault weapon prior to January 1, 2002, the officer shall register the assault weapon pursuant to Section 12285 on or before April 1, 2002; in the case of a peace officer who possesses or receives the assault weapon on or after January 1, 2002, the officer shall register the assault weapon pursuant to Section 12285 not later than 90 days after possession or receipt. The peace officer must include with the registration, a copy of the authorization required pursuant to this paragraph.

(3) Nothing in this section shall be construed to limit or prohibit the delivery, transfer, or sale of an assault weapon to, or the possession of an assault weapon by, a member of a federal law enforcement agency provided that person is authorized by the employing agency to possess the assault weapon.

(h) Subdivisions (a) and (b) shall not prohibit the sale or transfer of assault weapons by an entity specified in subdivision (f) to a person, upon retirement, who retired as a sworn officer from that entity.

(i) Subdivision (b) shall not apply to the possession of an assault weapon by a retired peace officer who received that assault weapon pursuant to subdivision (h).

(j) Subdivision (b) shall not apply to the possession of an assault weapon, as defined in Section 12276, by any person during the 1990 calendar year, during the 90-day period immediately after the date it was specified as an assault weapon pursuant to Section 12276.5, or during the one-year period after the date it was defined as an assault weapon pursuant to Section 12276.1, if all of the following are applicable:

(1) The person is eligible under this chapter to register the particular assault weapon.

(2) The person lawfully possessed the particular assault weapon described in paragraph (1) prior to June 1, 1989, if the weapon is specified as an assault weapon pursuant to Section 12276, or prior to the date it was specified as an assault weapon pursuant to Section 12276.5, or prior to the date it was defined as an assault weapon pursuant to Section 12276.1.

(3) The person is otherwise in compliance with this chapter.

(k) Subdivisions (a) and (b) shall not apply to the manufacture by persons who are issued permits pursuant to Section 12287 of assault weapons for sale to the following:

(1) Exempt entities listed in subdivision (f).

(2) Entities and persons who have been issued permits pursuant to Section 12286.

(3) Entities outside the state who have, in effect, a federal firearms dealer's license solely for the purpose of distribution to an entity listed in paragraphs (4) to (6), inclusive.

(4) Federal military and law enforcement agencies.

(5) Law enforcement and military agencies of other states.

(6) Foreign governments and agencies approved by the United States State Department.

(l) Subdivision (a) shall not apply to a person who is the executor or administrator of an estate that includes an assault weapon registered under Section 12285 or that was possessed pursuant to subdivision (g) or (i) which is disposed of as authorized by the probate court, if the disposition is otherwise permitted by this chapter.

(m) Subdivision (b) shall not apply to a person who is the executor or administrator of an estate that includes an assault weapon registered under Section 12285 or that was possessed pursuant to subdivision (g) or (i), if the assault weapon is possessed at a place set forth in paragraph (1) of subdivision (c) of Section 12285 or as authorized by the probate court.

(n) Subdivision (a) shall not apply to:

(1) A person who lawfully possesses and has registered an assault weapon pursuant to this chapter, or who lawfully possesses an assault weapon pursuant to subdivision (i), who lends that assault weapon to another if all the following apply:

(A) The person to whom the assault weapon is lent is 18 years of age or over and is not in a class of persons prohibited from possessing firearms by virtue of Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(B) The person to whom the assault weapon is lent remains in the presence of the registered possessor of the assault weapon, or the person who lawfully possesses an assault weapon pursuant to subdivision (i).

(C) The assault weapon is possessed at any of the following locations:

(i) While on a target range that holds a regulatory or business license for the purpose of practicing shooting at that target range.

(ii) While on the premises of a target range of a public or private club or organization organized for the purpose of practicing shooting at targets.

(iii) While attending any exhibition, display, or educational project that is about firearms and that is sponsored by, conducted under the auspices of, or approved by a law enforcement agency or a nationally or state recognized entity that fosters proficiency in, or promotes education about, firearms.

(2) The return of an assault weapon to the registered possessor, or the lawful possessor, which is lent by the same pursuant to paragraph (1).

(o) Subdivision (b) shall not apply to the possession of an assault weapon by a person to whom an assault weapon is lent pursuant to subdivision (n).

(p) Subdivisions (a) and (b) shall not apply to the possession and importation of an assault weapon into this state by a nonresident if all of the following conditions are met:

(1) The person is attending or going directly to or coming directly from an organized competitive match or league competition that involves the use of an assault weapon.

(2) The competition or match is conducted on the premises of one of the following:

(i) A target range that holds a regulatory or business license for the purpose of practicing shooting at that target range.

(ii) A target range of a public or private club or organization that is organized for the purpose of practicing shooting at targets.

(3) The match or competition is sponsored by, conducted under the auspices of, or approved by, a law enforcement agency or a nationally or state recognized entity that fosters proficiency in, or promotes education about, firearms.

(4) The assault weapon is transported in accordance with Section 12026.1 or 12026.2.

(5) The person is 18 years of age or over and is not in a class of persons prohibited from possessing firearms by virtue of Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(q) Subdivision (b) shall not apply to any of the following persons:

(1) A person acting in accordance with Section 12286.

(2) A person who has a permit to possess an assault weapon issued pursuant to Section 12286 when he or she is acting in accordance with Section 12285 or 12286.

(r) Subdivisions (a) and (b) shall not apply to any of the following persons:

(1) A person acting in accordance with Section 12285.

(2) A person acting in accordance with Section 12286 or 12290.

(s) Subdivision (b) shall not apply to the registered owner of an assault weapon possessing that firearm in accordance with subdivision (c) of Section 12285.

(t) Subdivision (a) shall not apply to the importation into this state of an assault weapon by the registered owner of that assault weapon, if it is in accordance with the provisions of subdivision (c) of Section 12285.

(u) As used in this chapter, the date a firearm is an assault weapon is the earliest of the following:

(1) The effective date of an amendment to Section 12276 that adds the designation of the specified firearm.

(2) The effective date of the list promulgated pursuant to Section 12276.5 that adds or changes the designation of the specified firearm.

(3) The operative date of Section 12276.1, as specified in subdivision (d) of that section.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

CHAPTER 938

An act to amend Section 63036 of the Government Code, and to amend Section 1720 of the Labor Code, relating to the California infrastructure and economic development bank.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 63036 of the Government Code is amended to read:

63036. It is the intent of the Legislature that the activities of the bank be fully coordinated with any future legislative plan involving growth management strategies designed to protect California's land resource, and ensure its preservation and use it in ways which are economically and socially desirable. Further, all public works financed pursuant to this division, including those projects financed through the use of industrial development bonds under Title 10 (commencing with Section 91500), shall comply with Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

SEC. 2. Section 1720 of the Labor Code is amended to read:

1720. (a) As used in this chapter, "public works" means:

(1) Construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds, except work done directly by any public utility company pursuant to order of the Public Utilities Commission or other public authority. For purposes of this paragraph, "construction" includes work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work.

(2) Work done for irrigation, utility, reclamation, and improvement districts, and other districts of this type. "Public work" shall not include the operation of the irrigation or drainage system of any irrigation or reclamation district, except as used in Section 1778 relating to retaining wages.

(3) Street, sewer, or other improvement work done under the direction and supervision or by the authority of any officer or public body of the state, or of any political subdivision or district thereof, whether the political subdivision or district operates under a freeholder's charter or not.

(4) The laying of carpet done under a building lease-maintenance contract and paid for out of public funds.

(5) The laying of carpet in a public building done under contract and paid for in whole or part out of public funds.

(6) Public transportation demonstration projects authorized pursuant to Section 143 of the Streets and Highways Code.

(b) For purposes of this section, "paid for in whole or in part out of public funds" means the payment of money or the equivalent of money by a state or political subdivision directly to or on behalf of the public works contractor, subcontractor, or developer, performance of construction work by the state or political subdivision in execution of the project, transfer of an asset of value for less than fair market price; fees, costs, rents, insurance or bond premiums, loans, interest rates, or other obligations that would normally be required in the execution of the contract, which are paid, reduced, charged at less than fair market value, waived or forgiven; money to be repaid on a contingent basis; or credits applied against repayment obligations.

(c) Notwithstanding subdivision (b):

(1) Private residential projects built on private property are not subject to the requirements of this chapter if the projects are not built pursuant to an agreement with a state agency, redevelopment agency, or local public housing authority.

(2) (A) If the state or a political subdivision requires a private developer to perform construction, alteration, demolition, installation, or repair work on a public work of improvement as a condition of regulatory approval of an otherwise private development project, and the state or political subdivision contributes no more money, or the equivalent of money, to the overall project than is required to perform this public improvement work, and the state or political subdivision maintains no proprietary interest in the overall project, then only the public improvement work shall thereby become subject to this chapter.

(B) If the state or a political subdivision reimburses a private developer for costs that would normally be borne by the public, or provides directly or indirectly a public subsidy to a private development

project that is de minimis in the context of the project, an otherwise private development project shall not thereby become subject to the requirements of this chapter.

(3) The construction or rehabilitation of affordable housing units for low- or moderate-income persons pursuant to paragraph (5) or (7) of subdivision (e) of Section 33334.2 of the Health and Safety Code that are paid for solely with moneys from a Low and Moderate Income Housing Fund established pursuant to Section 33334.3 of the Health and Safety Code or that are paid for by a combination of private funds and funds available pursuant to Section 33334.2 or 33334.3 of the Health and Safety Code does not constitute a project that is paid for in whole or in part out of public funds.

(4) "Paid for in whole or in part out of public funds" shall not include tax credits provided pursuant to Section 17053.49 or 23649 of the Revenue and Taxation Code.

(d) Notwithstanding any provision of this section to the contrary, the following projects shall not, solely by reason of this section, be subject to the requirements of this chapter:

(1) Qualified residential rental projects, as defined by Section 142 (d) of the Internal Revenue Code, financed in whole or in part through the issuance of bonds that receive allocation of a portion of the state ceiling pursuant to Chapter 11.8 of Division 1 (commencing with Section 8369.80) of the Government Code on or before December 31, 2003.

(2) Single-family residential projects financed in whole or in part through the issuance of qualified mortgage revenue bonds or qualified veterans' mortgage bonds, as defined by Section 143 of the Internal Revenue Code, or with mortgage credit certificates under a Qualified Mortgage Credit Certificate Program, as defined by Section 25 of the Internal Revenue Code, that receive allocation of a portion of the state ceiling pursuant to Chapter 11.8 of Division 1 (commencing with Section 8869.80) of the Government Code on or before December 31, 2003.

(3) Low-income housing projects that are allocated federal or state low-income housing tax credits pursuant to Section 42 of the Internal Revenue Code, Chapter 3.6 of Division 31 (commencing with Section 50199.4) of the Health and Safety Code, or Sections 12206, 17058, or 23610.5 of the Revenue and Taxation Code, on or before December 31, 2003.

(e) If a statute, other than this section, or an ordinance or regulation, other than an ordinance or regulation adopted pursuant to this section, applies this chapter to a project, the exclusions set forth in subdivision (d) shall not apply to that project.

(f) For purposes of this section, references to the Internal Revenue Code shall mean the Internal Revenue Code of 1986, as amended, and

shall include the corresponding predecessor sections of the Internal Revenue Code of 1954, as amended.

CHAPTER 939

An act to amend Sections 65858 and 65913.1 of the Government Code, relating to housing.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 65858 of the Government Code is amended to read:

65858. (a) Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time. That urgency measure shall require a four-fifths vote of the legislative body for adoption. The interim ordinance shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may extend the interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for one year. Any extension shall also require a four-fifths vote for adoption. Not more than two extensions may be adopted.

(b) Alternatively, an interim ordinance may be adopted by a four-fifths vote following notice pursuant to Section 65090 and public hearing, in which case it shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may by a four-fifths vote extend the interim ordinance for 22 months and 15 days.

(c) The legislative body shall not adopt or extend any interim ordinance pursuant to this section unless the ordinance contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with

a zoning ordinance would result in that threat to public health, safety, or welfare. In addition, any interim ordinance adopted pursuant to this section that has the effect of denying approvals needed for the development of projects with a significant component of multifamily housing may not be extended except upon written findings adopted by the legislative body, supported by substantial evidence on the record, that all of the following conditions exist:

(1) The continued approval of the development of multifamily housing projects would have a specific, adverse impact upon the public health or safety. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date that the ordinance is adopted by the legislative body.

(2) The interim ordinance is necessary to mitigate or avoid the specific, adverse impact identified pursuant to paragraph (1).

(3) There is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impact identified pursuant to paragraph (1) as well or better, with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance.

(d) Ten days prior to the expiration of that interim ordinance or any extension, the legislative body shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

(e) When an interim ordinance has been adopted, every subsequent ordinance adopted pursuant to this section, covering the whole or a part of the same property, shall automatically terminate and be of no further force or effect upon the termination of the first interim ordinance or any extension of the ordinance as provided in this section.

(f) Notwithstanding subdivision (e), upon termination of a prior interim ordinance, the legislative body may adopt another interim ordinance pursuant to this section provided that the new interim ordinance is adopted to protect the public safety, health, and welfare from an event, occurrence, or set of circumstances different from the event, occurrence, or set of circumstances that led to the adoption of the prior interim ordinance.

(g) For purposes of this section, “development of multifamily housing projects” does not include the demolition, conversion, redevelopment, or rehabilitation of multifamily housing that is affordable to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or that will result in an increase in the price or reduction of the number of affordable units in a multifamily housing project.

(h) For purposes of this section, “projects with a significant component of multifamily housing” means projects in which multifamily housing consists of at least one-third of the total square footage of the project.

SEC. 2. Section 65913.1 of the Government Code is amended to read:

65913.1. (a) In exercising its authority to zone for land uses and in revising its housing element pursuant to Article 10.6 (commencing with Section 65580) of Chapter 3, a city, county, or city and county shall designate and zone sufficient vacant land for residential use with appropriate standards, in relation to zoning for nonresidential use, and in relation to growth projections of the general plan to meet housing needs for all income categories as identified in the housing element of the general plan. For the purposes of this section:

(1) “Appropriate standards” means densities and requirements with respect to minimum floor areas, building setbacks, rear and side yards, parking, the percentage of a lot that may be occupied by a structure, amenities, and other requirements imposed on residential lots pursuant to the zoning authority which contribute significantly to the economic feasibility of producing housing at the lowest possible cost given economic and environmental factors, the public health and safety, and the need to facilitate the development of housing affordable to persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, and to persons and families of lower income, as defined in Section 50079.5 of the Health and Safety Code. However, nothing in this section shall be construed to enlarge or diminish the authority of a city, county, or city and county to require a developer to construct this housing.

(2) “Vacant land” does not include agricultural preserves pursuant to Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5.

(b) Nothing in this section shall be construed to require a city, county, or city and county in which less than 5 percent of the total land area is undeveloped to zone a site within an urbanized area of that city, county, or city and county for residential uses at densities that exceed those on adjoining residential parcels by 100 percent. For the purposes of this section, “urbanized area” means a central city or cities and surrounding closely settled territory, as defined by the United States Department of Commerce Bureau of the Census in the Federal Register, Volume 39, Number 85, for Wednesday, May 1, 1974, at pages 15202-15203, and as periodically updated.

CHAPTER 940

An act to amend Sections 12001, 12071, 12072, 12076, 12077, 12078, and 12084 of, to amend and repeal Section 12081 of, to add Sections 12076.5 and 12810 to, and to repeal and add Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4 of, the Penal Code, relating to firearms.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 12001 of the Penal Code is amended to read:
12001. (a) (1) As used in this title, the terms “pistol,” “revolver,” and “firearm capable of being concealed upon the person” shall apply to and include any device designed to be used as a weapon, from which is expelled a projectile by the force of any explosion, or other form of combustion, and that has a barrel less than 16 inches in length. These terms also include any device that has a barrel 16 inches or more in length which is designed to be interchanged with a barrel less than 16 inches in length.

(2) As used in this title, the term “handgun” means any “pistol,” “revolver,” or “firearm capable of being concealed upon the person.”

(b) As used in this title, “firearm” means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion.

(c) As used in Sections 12021, 12021.1, 12070, 12071, 12072, 12073, 12078, 12101, and 12801 of this code, and Sections 8100, 8101, and 8103 of the Welfare and Institutions Code, the term “firearm” includes the frame or receiver of the weapon.

(d) For the purposes of Sections 12025 and 12031, the term “firearm” also shall include any rocket, rocket propelled projectile launcher, or similar device containing any explosive or incendiary material whether or not the device is designed for emergency or distress signaling purposes.

(e) For purposes of Sections 12070, 12071, and paragraph (8) of subdivision (a), and subdivisions (b), (c), (d), and (f) of Section 12072, the term “firearm” does not include an unloaded firearm that is defined as an “antique firearm” in Section 921(a)(16) of Title 18 of the United States Code.

(f) Nothing shall prevent a device defined as a “handgun,” “pistol,” “revolver,” or “firearm capable of being concealed upon the person” from also being found to be a short-barreled shotgun or a short-barreled rifle, as defined in Section 12020.

(g) For purposes of Sections 12551 and 12552, the term “BB device” means any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO₂ pressure, or spring action, or any spot marker gun.

(h) As used in this title, “wholesaler” means any person who is licensed as a dealer pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto who sells, transfers, or assigns firearms, or parts of firearms, to persons who are licensed as manufacturers, importers, or gunsmiths pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, or persons licensed pursuant to Section 12071, and includes persons who receive finished parts of firearms and assemble them into completed or partially completed firearms in furtherance of that purpose.

“Wholesaler” shall not include a manufacturer, importer, or gunsmith who is licensed to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code or a person licensed pursuant to Section 12071 and the regulations issued pursuant thereto. A wholesaler also does not include those persons dealing exclusively in grips, stocks, and other parts of firearms that are not frames or receivers thereof.

(i) As used in Section 12071, 12072, or 12084, “application to purchase” means any of the following:

(1) The initial completion of the register by the purchaser, transferee, or person being loaned the firearm as required by subdivision (b) of Section 12076.

(2) The initial completion of the LEFT by the purchaser, transferee, or person being loaned the firearm as required by subdivision (d) of Section 12084.

(3) The initial completion and transmission to the department of the record of electronic or telephonic transfer by the dealer on the purchaser, transferee, or person being loaned the firearm as required by subdivision (c) of Section 12076.

(j) For purposes of Section 12023, a firearm shall be deemed to be “loaded” whenever both the firearm and the unexpended ammunition capable of being discharged from the firearm are in the immediate possession of the same person.

(k) For purposes of Sections 12021, 12021.1, 12025, 12070, 12072, 12073, 12078, 12101, and 12801 of this code, and Sections 8100, 8101, and 8103 of the Welfare and Institutions Code, notwithstanding the fact that the term “any firearm” may be used in those sections, each firearm or the frame or receiver of the same shall constitute a distinct and separate offense under those sections.

(l) For purposes of Section 12020, a violation of that section as to each firearm, weapon, or device enumerated therein shall constitute a distinct and separate offense.

(m) Each application that requires any firearms eligibility determination involving the issuance of any license, permit, or certificate pursuant to this title shall include two copies of the applicant's fingerprints on forms prescribed by the Department of Justice. One copy of the fingerprints may be submitted to the United States Federal Bureau of Investigation.

(n) As used in this chapter, a "personal handgun importer" means an individual who meets all of the following criteria:

- (1) He or she is not a person licensed pursuant to Section 12071.
- (2) He or she is not a licensed manufacturer of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code.
- (3) He or she is not a licensed importer of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.
- (4) He or she is the owner of a pistol, revolver, or other firearm capable of being concealed upon the person.
- (5) He or she acquired that pistol, revolver, or other firearm capable of being concealed upon the person outside of California.
- (6) He or she moves into this state on or after January 1, 1998, as a resident of this state.
- (7) He or she intends to possess that pistol, revolver, or other firearm capable of being concealed upon the person within this state on or after January 1, 1998.
- (8) The pistol, revolver, or other firearm capable of being concealed upon the person was not delivered to him or her by a person licensed pursuant to Section 12071 who delivered that firearm following the procedures set forth in Section 12071 and subdivision (c) of Section 12072.
- (9) He or she, while a resident of this state, had not previously reported his or her ownership of that pistol, revolver, or other firearm capable of being concealed upon the person to the Department of Justice in a manner prescribed by the department that included information concerning him or her and a description of the firearm.
- (10) The pistol, revolver, or other firearm capable of being concealed upon the person is not a firearm that is prohibited by subdivision (a) of Section 12020.
- (11) The pistol, revolver, or other firearm capable of being concealed upon the person is not an assault weapon, as defined in Section 12276 or 12276.1.

(12) The pistol, revolver, or other firearm capable of being concealed upon the person is not a machinegun, as defined in Section 12200.

(13) The person is 18 years of age or older.

(o) For purposes of paragraph (6) of subdivision (n):

(1) Except as provided in paragraph (2), residency shall be determined in the same manner as is the case for establishing residency pursuant to Section 12505 of the Vehicle Code.

(2) In the case of members of the Armed Forces of the United States, residency shall be deemed to be established when he or she was discharged from active service in this state.

(p) As used in this code, "basic firearms safety certificate" means a certificate issued by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4, prior to January 1, 2003.

(q) As used in this code, "handgun safety certificate" means a certificate issued by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4, as that article is operative on or after January 1, 2003.

SEC. 2. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a

certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other

firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
- (ii) The places specified in subparagraph (B) or (C).
- (iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(C) "IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE."

(D) "DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE."

(E) "FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM."

(F) "NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD."

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.

(XI) Apply the safety, if applicable.

(XII) Apply the firearm safety device, if applicable.

(ii) If the handgun is a double-action revolver:

(I) Open the cylinder.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.

(V) Close the cylinder.

(VI) Open the cylinder and eject the round.

(VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VIII) Apply the firearm safety device, if applicable.

(iii) If the handgun is a single-action revolver:

(I) Open the loading gate.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial

census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with

Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of

proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for

providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 2.1. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(8) (A) Except where subparagraph (B) applies, commencing January 1, 2004, no license shall be granted to any applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section.

(B) Notwithstanding subparagraph (A), a license may be granted to an applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section, in any of the following circumstances:

(i) The building is located in a county with a population of less than 100,000 persons according to the most recent federal decennial census.

(ii) The applicant is a gunsmith seeking to engage in gunsmithing activities in the residential dwelling.

(iii) The applicant will only sell at retail, firearms that are curios or relics, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(iv) The building, structure, or unit is zoned for commercial, retail, or industrial activity.

(v) The applicant was initially granted a license pursuant to this section prior to January 1, 2002, and is physically disabled or handicapped and has substantially modified the residential dwelling to enable the licensee to function in that residential dwelling.

(C) Nothing in this paragraph shall be construed to prevent a local government from enacting an ordinance that imposes additional conditions on licensees with regard to the location of a building designated in a license granted pursuant to this section that are more restrictive than the prohibitions set forth in this section.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

(i) The building designated in the license.

(ii) The places specified in subparagraph (B) or (C).

(iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR

CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(C) “IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(D) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(E) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.

- (XI) Apply the safety, if applicable.
- (XII) Apply the firearm safety device, if applicable.
 - (ii) If the handgun is a double-action revolver:
 - (I) Open the cylinder.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.
 - (III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
 - (IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.
 - (V) Close the cylinder.
 - (VI) Open the cylinder and eject the round.
 - (VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.
 - (VIII) Apply the firearm safety device, if applicable.
 - (iii) If the handgun is a single-action revolver:
 - (I) Open the loading gate.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.
 - (III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
 - (IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.
 - (V) Open the loading gate and unload the revolver.
 - (VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.
 - (VII) Apply the firearm safety device, if applicable.
 - (E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.
 - (F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.
 - (G) The recipient shall perform the safe handling demonstration for a department certified instructor.
 - (H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(5) For purposes of this section, "residential dwelling" means any structure which is occupied and primarily used for dwelling purposes, including any other structure, building, or unit located upon the parcel of land where the structure used for dwelling is situated.

(6) For purposes of this section, "gunsmith" means any person engaged primarily in the business of repairing firearms, or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the

number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 2.2. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of

administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
- (ii) The places specified in subparagraph (B) or (C).
- (iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(C) "IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE."

(D) "DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE."

(E) "FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM."

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.

(XI) Apply the safety, if applicable.

(XII) Apply the firearm safety device, if applicable.

(ii) If the handgun is a double-action revolver:

(I) Open the cylinder.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.

(V) Close the cylinder.

(VI) Open the cylinder and eject the round.

(VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VIII) Apply the firearm safety device, if applicable.

(iii) If the handgun is a single-action revolver:

(I) Open the loading gate.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial

census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with

Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of

proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for

providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 2.3. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(8) (A) Except where subparagraph (B) applies, commencing January 1, 2004, no license shall be granted to any applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section.

(B) Notwithstanding subparagraph (A), a license may be granted to an applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section, in any of the following circumstances:

(i) The building is located in a county with a population of less than 100,000 persons according to the most recent federal decennial census.

(ii) The applicant is a gunsmith seeking to engage in gunsmithing activities in the residential dwelling.

(iii) The applicant will only sell at retail, firearms that are curios or relics, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(iv) The building, structure, or unit is zoned for commercial, retail, or industrial activity.

(v) The applicant was initially granted a license pursuant to this section prior to January 1, 2002, and is physically disabled or handicapped and has substantially modified the residential dwelling to enable the licensee to function in that residential dwelling.

(C) Nothing in this paragraph shall be construed to prevent a local government from enacting an ordinance that imposes additional conditions on licensees with regard to the location of a building designated in a license granted pursuant to this section that are more restrictive than the prohibitions set forth in this section.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

(i) The building designated in the license.

(ii) The places specified in subparagraph (B) or (C).

(iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A

LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(B) “IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(C) “IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(D) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(E) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.

(XI) Apply the safety, if applicable.

(XII) Apply the firearm safety device, if applicable.

(ii) If the handgun is a double-action revolver:

(I) Open the cylinder.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.

(V) Close the cylinder.

(VI) Open the cylinder and eject the round.

(VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VIII) Apply the firearm safety device, if applicable.

(iii) If the handgun is a single-action revolver:

(I) Open the loading gate.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use

of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(5) For purposes of this section, "residential dwelling" means any structure which is occupied and primarily used for dwelling purposes, including any other structure, building, or unit located upon the parcel of land where the structure used for dwelling is situated.

(6) For purposes of this section, “gunsmith” means any person engaged primarily in the business of repairing firearms, or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer’s business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual’s current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department’s fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 3. Section 12072 of the Penal Code is amended to read:

12072. (a) (1) No person, corporation, or firm shall knowingly supply, deliver, sell, or give possession or control of a firearm to any person within any of the classes prohibited by Section 12021 or 12021.1.

(2) No person, corporation, or dealer shall sell, supply, deliver, or give possession or control of a firearm to any person whom he or she has cause to believe to be within any of the classes prohibited by Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(3) (A) No person, corporation, or firm shall sell, loan, or transfer a firearm to a minor, nor sell a handgun to an individual under 21 years of age.

(B) Subparagraph (A) shall not apply to or affect those circumstances set forth in subdivision (p) of Section 12078.

(4) No person, corporation, or dealer shall sell, loan, or transfer a firearm to any person whom he or she knows or has cause to believe is not the actual purchaser or transferee of the firearm, or to any person who is not the person actually being loaned the firearm, if the person, corporation, or dealer has either of the following:

(A) Knowledge that the firearm is to be subsequently loaned, sold, or transferred to avoid the provisions of subdivision (c) or (d).

(B) Knowledge that the firearm is to be subsequently loaned, sold, or transferred to avoid the requirements of any exemption to the provisions of subdivision (c) or (d).

(5) No person, corporation, or dealer shall acquire a firearm for the purpose of selling, transferring, or loaning the firearm, if the person, corporation, or dealer has either of the following:

(A) In the case of a dealer, intent to violate subdivision (b) or (c).

(B) In any other case, intent to avoid either of the following:

(i) The provisions of subdivision (d).

(ii) The requirements of any exemption to the provisions of subdivision (d).

(6) The dealer shall comply with the provisions of paragraph (18) of subdivision (b) of Section 12071.

(7) The dealer shall comply with the provisions of paragraph (19) of subdivision (b) of Section 12071.

(8) No person shall sell or otherwise transfer his or her ownership in a pistol, revolver, or other firearm capable of being concealed upon the person unless the firearm bears either:

(A) The name of the manufacturer, the manufacturer's make or model, and a manufacturer's serial number assigned to that firearm.

(B) The identification number or mark assigned to the firearm by the Department of Justice pursuant to Section 12092.

(9) (A) No person shall make an application to purchase more than one pistol, revolver, or other firearm capable of being concealed upon the person within any 30-day period.

(B) Subparagraph (A) shall not apply to any of the following:

(i) Any law enforcement agency.

(ii) Any agency duly authorized to perform law enforcement duties.

(iii) Any state or local correctional facility.

(iv) Any private security company licensed to do business in California.

(v) Any person who is properly identified as a full-time paid peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, and who is authorized to, and does carry a firearm during the course and scope of his or her employment as a peace officer.

(vi) Any motion picture, television, or video production company or entertainment or theatrical company whose production by its nature involves the use of a firearm.

(vii) Any person who may, pursuant to Section 12078, claim an exemption from the waiting period set forth in subdivision (c) of this section.

(viii) Any transaction conducted through a licensed firearms dealer pursuant to Section 12082.

(ix) Any transaction conducted through a law enforcement agency pursuant to Section 12084.

(x) Any person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code

and the regulations issued pursuant thereto and who has a current certificate of eligibility issued to him or her by the Department of Justice pursuant to Section 12071.

(xi) The exchange of a pistol, revolver, or other firearm capable of being concealed upon the person where the dealer purchased that firearm from the person seeking the exchange within the 30-day period immediately preceding the date of exchange or replacement.

(xii) The replacement of a pistol, revolver, or other firearm capable of being concealed upon the person when the person's pistol, revolver, or other firearm capable of being concealed upon the person was lost or stolen, and the person reported that firearm lost or stolen prior to the completion of the application to purchase to any local law enforcement agency of the city, county, or city and county in which he or she resides.

(xiii) The return of any pistol, revolver, or other firearm capable of being concealed upon the person to its owner.

(b) No person licensed under Section 12071 shall supply, sell, deliver, or give possession or control of a pistol, revolver, or firearm capable of being concealed upon the person to any person under the age of 21 years or any other firearm to a person under the age of 18 years.

(c) No dealer, whether or not acting pursuant to Section 12082, shall deliver a firearm to a person, as follows:

(1) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(2) Unless unloaded and securely wrapped or unloaded and in a locked container.

(3) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age, as defined in Section 12071, to the dealer.

(4) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(5) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no handgun shall be delivered unless the purchaser, transferee, or person being loaned the handgun presents a handgun safety certificate to the dealer.

(6) No pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered whenever the dealer is notified by the Department of Justice that within the preceding 30-day period the purchaser has made another application to purchase a pistol, revolver, or other firearm capable of being concealed upon the person and that the previous application to purchase involved none of the entities specified in subparagraph (B) of paragraph (9) of subdivision (a).

(d) Where neither party to the transaction holds a dealer's license issued pursuant to Section 12071, the parties to the transaction shall complete the sale, loan, or transfer of that firearm through either of the following:

(1) A licensed firearms dealer pursuant to Section 12082.

(2) A law enforcement agency pursuant to Section 12084.

(e) No person may commit an act of collusion relating to Article 8 (commencing with Section 12800) of Chapter 6. For purposes of this section and Section 12071, collusion may be proven by any one of the following factors:

(1) Answering a test applicant's questions during an objective test relating to firearms safety.

(2) Knowingly grading the examination falsely.

(3) Providing an advance copy of the test to an applicant.

(4) Taking or allowing another person to take the basic firearms safety course for one who is the applicant for a basic firearms safety certificate or a handgun safety certificate.

(5) Allowing another to take the objective test for the applicant, purchaser, or transferee.

(6) Using or allowing another to use one's identification, proof of residency, or thumbprint.

(7) Allowing others to give unauthorized assistance during the examination.

(8) Reference to unauthorized materials during the examination and cheating by the applicant.

(9) Providing originals or photocopies of the objective test, or any version thereof, to any person other than as authorized by the department.

(f) (1) No person who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code shall deliver, sell, or transfer a firearm to a person who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and whose licensed premises are located in this state unless one of the following conditions is met:

(A) The person presents proof of licensure pursuant to Section 12071 to that person.

(B) The person presents proof that he or she is exempt from licensure under Section 12071 to that person, in which case the person also shall present proof that the transaction is also exempt from the provisions of subdivision (d).

(2) (A) On or after January 1, 1998, within 60 days of bringing a pistol, revolver, or other firearm capable of being concealed upon the person into this state, a personal handgun importer shall do one of the following:

(i) Forward by prepaid mail or deliver in person to the Department of Justice, a report prescribed by the department including information concerning that individual and a description of the firearm in question.

(ii) Sell or transfer the firearm in accordance with the provisions of subdivision (d) or in accordance with the provisions of an exemption from subdivision (d).

(iii) Sell or transfer the firearm to a dealer licensed pursuant to Section 12071.

(iv) Sell or transfer the firearm to a sheriff or police department.

(B) If the personal handgun importer sells or transfers the pistol, revolver, or other firearm capable of being concealed upon the person pursuant to subdivision (d) of Section 12072 and the sale or transfer cannot be completed by the dealer to the purchaser or transferee, and the firearm can be returned to the personal handgun importer, the personal handgun importer shall have complied with the provisions of this paragraph.

(C) The provisions of this paragraph are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and different provisions of the Penal Code shall not be punished under more than one provision.

(D) (i) On and after January 1, 1998, the department shall conduct a public education and notification program regarding this paragraph to ensure a high degree of publicity of the provisions of this paragraph.

(ii) As part of the public education and notification program described in this subparagraph, the department shall do all of the following:

(I) Work in conjunction with the Department of Motor Vehicles to ensure that any person who is subject to this paragraph is advised of the provisions of this paragraph, and provided with blank copies of the report described in clause (i) of subparagraph (A) at the time that person applies for a California driver's license or registers his or her motor vehicle in accordance with the Vehicle Code.

(II) Make the reports referred to in clause (i) of subparagraph (A) available to dealers licensed pursuant to Section 12071.

(III) Make the reports referred to in clause (i) of subparagraph (A) available to law enforcement agencies.

(IV) Make persons subject to the provisions of this paragraph aware of the fact that reports referred to in clause (i) of subparagraph (A) may be completed at either the licensed premises of dealers licensed pursuant to Section 12071 or at law enforcement agencies, that it is advisable to do so for the sake of accuracy and completeness of the reports, that prior to transporting a pistol, revolver, or other firearm capable of being concealed upon the person to a law enforcement agency in order to comply with subparagraph (A), the person should give prior notice to the law enforcement agency that he or she is doing so, and that in any event, the pistol, revolver, or other firearm capable of being concealed upon the person should be transported unloaded and in a locked container.

(iii) Any costs incurred by the department to implement this paragraph shall be absorbed by the department within its existing budget and the fees in the Dealers' Record of Sale Special Account allocated for implementation of this subparagraph pursuant to Section 12076.

(3) Where a person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, acquires a pistol, revolver, or other firearm capable of being concealed upon the person that is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, outside of this state, takes actual possession of that firearm outside of this state pursuant to the provisions of subsection (j) of Section 923 of Title 18 of the United States Code, as amended by Public Law 104-208, and transports that firearm into this state, within five days of that licensed collector transporting that firearm into this state, he or she shall report to the department in a format prescribed by the department his or her acquisition of that firearm.

(4) (A) It is the intent of the Legislature that a violation of paragraph (2) or (3) shall not constitute a "continuing offense" and the statute of limitations for commencing a prosecution for a violation of paragraph (2) or (3) commences on the date that the applicable grace period specified in paragraph (2) or (3) expires.

(B) Paragraphs (2) and (3) shall not apply to a person who reports his or her ownership of a pistol, revolver, or other firearm capable of being concealed upon the person after the applicable grace period specified in paragraph (2) or (3) expires if evidence of that violation arises only as the result of the person submitting the report described in paragraph (2) or (3).

(g) (1) Except as provided in paragraph (2), (3), or (5), a violation of this section is a misdemeanor.

(2) If any of the following circumstances apply, a violation of this section is punishable by imprisonment in the state prison for two, three, or four years.

(A) If the violation is of paragraph (1) of subdivision (a).

(B) If the defendant has a prior conviction of violating the provisions, other than paragraph (9) of subdivision (a), of this section or former Section 12100 of this code or Section 8101 of the Welfare and Institutions Code.

(C) If the defendant has a prior conviction of violating any offense specified in subdivision (b) of Section 12021.1 or of a violation of Section 12020, 12220, or 12520, or of former Section 12560.

(D) If the defendant is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(E) A violation of this section by a person who actively participates in a "criminal street gang" as defined in Section 186.22.

(F) A violation of subdivision (b) involving the delivery of any firearm to a person who the dealer knows, or should know, is a minor.

(3) If any of the following circumstances apply, a violation of this section shall be punished by imprisonment in a county jail not exceeding one year or in the state prison, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment.

(A) A violation of paragraph (2), (4), or (5) of subdivision (a).

(B) A violation of paragraph (3) of subdivision (a) involving the sale, loan, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to a minor.

(C) A violation of subdivision (b) involving the delivery of a pistol, revolver, or other firearm capable of being concealed upon the person.

(D) A violation of paragraph (1), (3), (4), (5), or (6) of subdivision (c) involving a pistol, revolver, or other firearm capable of being concealed upon the person.

(E) A violation of subdivision (d) involving a pistol, revolver, or other firearm capable of being concealed upon the person.

(F) A violation of subdivision (e).

(4) If both of the following circumstances apply, an additional term of imprisonment in the state prison for one, two, or three years shall be imposed in addition and consecutive to the sentence prescribed.

(A) A violation of paragraph (2) of subdivision (a) or subdivision (b).

(B) The firearm transferred in violation of paragraph (2) of subdivision (a) or subdivision (b) is used in the subsequent commission of a felony for which a conviction is obtained and the prescribed sentence is imposed.

(5) (A) A first violation of paragraph (9) of subdivision (a) is an infraction punishable by a fine of fifty dollars (\$50).

(B) A second violation of paragraph (9) of subdivision (a) is an infraction punishable by a fine of one hundred dollars (\$100).

(C) A third or subsequent violation of paragraph (9) of subdivision (a) is a misdemeanor.

(D) For purposes of this paragraph each application to purchase a pistol, revolver, or other firearm capable of being concealed upon the person in violation of paragraph (9) of subdivision (a) shall be deemed a separate offense.

SEC. 4. Section 12076 of the Penal Code is amended to read:

12076. (a) (1) Before January 1, 1998, the Department of Justice shall determine the method by which a dealer shall submit firearm purchaser information to the department and the information shall be in one of the following formats:

(A) Submission of the register described in Section 12077.

(B) Electronic or telephonic transfer of the information contained in the register described in Section 12077.

(2) On or after January 1, 1998, electronic or telephonic transfer, including voice or facsimile transmission, shall be the exclusive means by which purchaser information is transmitted to the department.

(3) On or after January 1, 2003, except as permitted by the department, electronic transfer shall be the exclusive means by which information is transmitted to the department. Telephonic transfer shall not be permitted for information regarding sales of any firearms.

(b) (1) Where the register is used, the purchaser of any firearm shall be required to present clear evidence of his or her identity and age, as defined in Section 12071, to the dealer, and the dealer shall require him or her to sign his or her current legal name and affix his or her residence address and date of birth to the register in quadruplicate. The salesperson shall affix his or her signature to the register in quadruplicate as a witness to the signature and identification of the purchaser. Any person furnishing a fictitious name or address or knowingly furnishing any incorrect information or knowingly omitting any information required to be provided for the register and any person violating any provision of this section is guilty of a misdemeanor.

(2) The original of the register shall be retained by the dealer in consecutive order. Each book of 50 originals shall become the permanent register of transactions that shall be retained for not less than three years from the date of the last transaction and shall be available for the inspection of any peace officer, Department of Justice employee designated by the Attorney General, or agent of the federal Bureau of Alcohol, Tobacco, and Firearms upon the presentation of proper identification, but no information shall be compiled therefrom regarding the purchasers or other transferees of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person.

(3) Two copies of the original sheet of the register, on the date of the application to purchase, shall be placed in the mail, postage prepaid, and properly addressed to the Department of Justice in Sacramento.

(4) If requested, a photocopy of the original shall be provided to the purchaser by the dealer.

(5) If the transaction is one conducted pursuant to Section 12082, a photocopy of the original shall be provided to the seller by the dealer, upon request.

(c) (1) Where the electronic or telephonic transfer of applicant information is used, the purchaser shall be required to present clear evidence of his or her identity and age, as defined in Section 12071, to the dealer, and the dealer shall require him or her to sign his or her current legal name to the record of electronic or telephonic transfer. The salesperson shall affix his or her signature to the record of electronic or telephonic transfer as a witness to the signature and identification of the purchaser. Any person furnishing a fictitious name or address or knowingly furnishing any incorrect information or knowingly omitting any information required to be provided for the electronic or telephonic transfer and any person violating any provision of this section is guilty of a misdemeanor.

(2) The record of applicant information shall be transmitted to the Department of Justice in Sacramento by electronic or telephonic transfer on the date of the application to purchase.

(3) The original of each record of electronic or telephonic transfer shall be retained by the dealer in consecutive order. Each original shall become the permanent record of the transaction that shall be retained for not less than three years from the date of the last transaction and shall be provided for the inspection of any peace officer, Department of Justice employee designated by the Attorney General, or agent of the federal Bureau of Alcohol, Tobacco, and Firearms, upon the presentation of proper identification, but no information shall be compiled therefrom regarding the purchasers or other transferees of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person.

(4) If requested, a copy of the record of electronic or telephonic transfer shall be provided to the purchaser by the dealer.

(5) If the transaction is one conducted pursuant to Section 12082, a copy shall be provided to the seller by the dealer, upon request.

(d) (1) The department shall examine its records, as well as those records that it is authorized to request from the State Department of Mental Health pursuant to Section 8104 of the Welfare and Institutions Code, in order to determine if the purchaser is a person described in Section 12021, 12021.1, or subparagraph (A) of paragraph (9) of

subdivision (a) of Section 12072 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(2) To the extent that funding is available, the Department of Justice may participate in the National Instant Criminal Background Check System (NICS), as described in subsection (t) of Section 922 of Title 18 of the United States Code, and, if that participation is implemented, shall notify the dealer and the chief of the police department of the city or city and county in which the sale was made, or if the sale was made in a district in which there is no municipal police department, the sheriff of the county in which the sale was made, that the purchaser is a person prohibited from acquiring a firearm under federal law.

(3) If the department determines that the purchaser is a person described in Section 12021, 12021.1, or subparagraph (A) of paragraph (9) of subdivision (a) of Section 12072 of this code or Section 8100 or 8103 of the Welfare and Institutions Code, it shall immediately notify the dealer and the chief of the police department of the city or city and county in which the sale was made, or if the sale was made in a district in which there is no municipal police department, the sheriff of the county in which the sale was made, of that fact.

(4) If the department determines that the copies of the register submitted to it pursuant to paragraph (3) of subdivision (b) contain any blank spaces or inaccurate, illegible, or incomplete information, preventing identification of the purchaser or the pistol, revolver, or other firearm to be purchased, or if any fee required pursuant to subdivision (e) is not submitted by the dealer in conjunction with submission of copies of the register, the department may notify the dealer of that fact. Upon notification by the department, the dealer shall submit corrected copies of the register to the department, or shall submit any fee required pursuant to subdivision (e), or both, as appropriate and, if notification by the department is received by the dealer at any time prior to delivery of the firearm to be purchased, the dealer shall withhold delivery until the conclusion of the waiting period described in Sections 12071 and 12072.

(5) If the department determines that the information transmitted to it pursuant to subdivision (c) contains inaccurate or incomplete information preventing identification of the purchaser or the pistol, revolver, or other firearm capable of being concealed upon the person to be purchased, or if the fee required pursuant to subdivision (e) is not transmitted by the dealer in conjunction with transmission of the electronic or telephonic record, the department may notify the dealer of that fact. Upon notification by the department, the dealer shall transmit corrections to the record of electronic or telephonic transfer to the department, or shall transmit any fee required pursuant to subdivision (e), or both, as appropriate, and if notification by the department is

received by the dealer at any time prior to delivery of the firearm to be purchased, the dealer shall withhold delivery until the conclusion of the waiting period described in Sections 12071 and 12072.

(e) The Department of Justice may require the dealer to charge each firearm purchaser a fee not to exceed fourteen dollars (\$14), except that the fee may be increased at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the California Department of Industrial Relations. The fee shall be no more than is sufficient to reimburse all of the following, and is not to be used to directly fund or as a loan to fund any other program:

(1) (A) The department for the cost of furnishing this information.

(B) The department for the cost of meeting its obligations under paragraph (2) of subdivision (b) of Section 8100 of the Welfare and Institutions Code.

(2) Local mental health facilities for state-mandated local costs resulting from the reporting requirements imposed by Section 8103 of the Welfare and Institutions Code.

(3) The State Department of Mental Health for the costs resulting from the requirements imposed by Section 8104 of the Welfare and Institutions Code.

(4) Local mental hospitals, sanitariums, and institutions for state-mandated local costs resulting from the reporting requirements imposed by Section 8105 of the Welfare and Institutions Code.

(5) Local law enforcement agencies for state-mandated local costs resulting from the notification requirements set forth in subdivision (a) of Section 6385 of the Family Code.

(6) Local law enforcement agencies for state-mandated local costs resulting from the notification requirements set forth in subdivision (c) of Section 8105 of the Welfare and Institutions Code.

(7) For the actual costs associated with the electronic or telephonic transfer of information pursuant to subdivision (c).

(8) The Department of Food and Agriculture for the costs resulting from the notification provisions set forth in Section 5343.5 of the Food and Agricultural Code.

(9) The department for the costs associated with subparagraph (D) of paragraph (2) of subdivision (f) of Section 12072.

The fee established pursuant to this subdivision shall not exceed the sum of the actual processing costs of the department, the estimated reasonable costs of the local mental health facilities for complying with the reporting requirements imposed by paragraph (2) of this subdivision, the costs of the State Department of Mental Health for complying with the requirements imposed by paragraph (3) of this subdivision, the estimated reasonable costs of local mental hospitals, sanitariums, and institutions for complying with the reporting requirements imposed by

paragraph (4) of this subdivision, the estimated reasonable costs of local law enforcement agencies for complying with the notification requirements set forth in subdivision (a) of Section 6385 of the Family Code, the estimated reasonable costs of local law enforcement agencies for complying with the notification requirements set forth in subdivision (c) of Section 8105 of the Welfare and Institutions Code imposed by paragraph (6) of this subdivision, the estimated reasonable costs of the Department of Food and Agriculture for the costs resulting from the notification provisions set forth in Section 5343.5 of the Food and Agricultural Code, and the estimated reasonable costs of the department for the costs associated with subparagraph (D) of paragraph (2) of subdivision (f) of Section 12072.

(f) (1) The Department of Justice may charge a fee sufficient to reimburse it for each of the following but not to exceed fourteen dollars (\$14), except that the fee may be increased at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the California Department of Industrial Relations:

(A) For the actual costs associated with the preparation, sale, processing, and filing of forms or reports required or utilized pursuant to Section 12078 if neither a dealer nor a law enforcement agency acting pursuant to Section 12084 is filing the form or report.

(B) For the actual processing costs associated with the submission of a Dealers' Record of Sale to the department by a dealer or of the submission of a LEFT to the department by a law enforcement agency acting pursuant to Section 12084 if the waiting period described in Sections 12071, 12072, and 12084 does not apply.

(C) For the actual costs associated with the preparation, sale, processing, and filing of reports utilized pursuant to subdivision (l) of Section 12078 or paragraph (18) of subdivision (b) of Section 12071, or clause (i) of subparagraph (A) of paragraph (2) of subdivision (f) of Section 12072, or paragraph (3) of subdivision (f) of Section 12072.

(D) For the actual costs associated with the electronic or telephonic transfer of information pursuant to subdivision (c).

(2) If the department charges a fee pursuant to subparagraph (B) of paragraph (1) of this subdivision, it shall be charged in the same amount to all categories of transaction that are within that subparagraph.

(3) Any costs incurred by the Department of Justice to implement this subdivision shall be reimbursed from fees collected and charged pursuant to this subdivision. No fees shall be charged to the dealer pursuant to subdivision (e) or to a law enforcement agency acting pursuant to paragraph (6) of subdivision (d) of Section 12084 for costs incurred for implementing this subdivision.

(g) All money received by the department pursuant to this section shall be deposited in the Dealers' Record of Sale Special Account of the

General Fund, which is hereby created, to be available, upon appropriation by the Legislature, for expenditure by the department to offset the costs incurred pursuant to this section, subparagraph (D) of paragraph (2) of subdivision (f) of Section 12072 Sections and Section 12289.

(h) Where the electronic or telephonic transfer of applicant information is used, the department shall establish a system to be used for the submission of the fees described in subdivision (e) to the department.

(i) (1) Only one fee shall be charged pursuant to this section for a single transaction on the same date for the sale of any number of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person or for the taking of possession of those firearms.

(2) In a single transaction on the same date for the delivery of any number of firearms that are pistols, revolvers, or other firearms capable of being concealed upon the person, the department shall charge a reduced fee pursuant to this section for the second and subsequent firearms that are part of that transaction.

(j) Only one fee shall be charged pursuant to this section for a single transaction on the same date for taking title or possession of any number of firearms pursuant to paragraph (18) of subdivision (b) of Section 12071 or subdivision (c) or (i) of Section 12078.

(k) Whenever the Department of Justice acts pursuant to this section as it pertains to firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, the department's acts or omissions shall be deemed to be discretionary within the meaning of the California Tort Claims Act pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(l) As used in this section, the following definitions apply:

(1) "Purchaser" means the purchaser or transferee of a firearm or a person being loaned a firearm.

(2) "Purchase" means the purchase, loan, or transfer of a firearm.

(3) "Sale" means the sale, loan, or transfer of a firearm.

(4) "Seller" means, if the transaction is being conducted pursuant to Section 12082, the person selling, loaning, or transferring the firearm.

SEC. 5. Section 12076.5 is added to the Penal Code, to read:

12076.5. (a) The Firearms Safety and Enforcement Special Fund is hereby established in the State Treasury and shall be administered by the Department of Justice. Notwithstanding Section 13340 of the Government Code, all moneys in the fund are continuously appropriated to the Department of Justice without regard to fiscal years for the purpose of implementing and enforcing the provisions of Article 8 (commencing with Section 12800), as added by the Statutes of 2001, enforcing the

provisions of this title, and for the establishment, maintenance and upgrading of equipment and services necessary for firearms dealers to comply with Section 12077.

(b) The Department of Justice may require firearms dealers to charge each person who obtains a firearm a fee not to exceed five dollars (\$5) for each transaction. Revenues from this fee shall be deposited in the Firearms Safety and Enforcement Special Fund.

SEC. 6. Section 12077 of the Penal Code is amended to read:

12077. (a) The Department of Justice shall prescribe the form of the register and the record of electronic or telephonic transfer pursuant to Section 12074.

(b) (1) For handguns, information contained in the register or record of electronic or telephonic transfer shall be the date and time of sale, make of firearm, peace officer exemption status pursuant to subdivision (a) of Section 12078 and the agency name, dealer waiting period exemption pursuant to subdivision (n) of Section 12078, dangerous weapons permit holder waiting period exemption pursuant to subdivision (r) of Section 12078, curio and relic waiting period exemption pursuant to subdivision (t) of Section 12078, California Firearms Dealer number issued pursuant to Section 12071, for transactions occurring prior to January 1, 2003, the purchaser's basic firearms safety certificate number issued pursuant to Sections 12805 and 12809, for transactions occurring on or after January 1, 2003, the purchaser's handgun safety certificate number issued pursuant to Article 8 (commencing with Section 12800), manufacturer's name if stamped on the firearm, model name or number, if stamped on the firearm, if applicable, serial number, other number (if more than one serial number is stamped on the firearm), any identification number or mark assigned to the firearm pursuant to Section 12092, caliber, type of firearm, if the firearm is new or used, barrel length, color of the firearm, full name of purchaser, purchaser's complete date of birth, purchaser's local address, if current address is temporary, complete permanent address of purchaser, identification of purchaser, purchaser's place of birth (state or country), purchaser's complete telephone number, purchaser's occupation, purchaser's sex, purchaser's physical description, all legal names and aliases ever used by the purchaser, yes or no answer to questions that prohibit purchase including, but not limited to, conviction of a felony as described in Section 12021 or an offense described in Section 12021.1, the purchaser's status as a person described in Section 8100 of the Welfare and Institutions Code, whether the purchaser is a person who has been adjudicated by a court to be a danger to others or found not guilty by reason of insanity, whether the purchaser is a person who has been found incompetent to stand trial or placed under conservatorship by a court pursuant to Section 8103 of the Welfare and

Institutions Code, signature of purchaser, signature of salesperson (as a witness to the purchaser's signature), name and complete address of the dealer or firm selling the firearm as shown on the dealer's license, the establishment number, if assigned, the dealer's complete business telephone number, any information required by Section 12082, any information required to determine whether or not paragraph (6) of subdivision (c) of Section 12072 applies, and a statement of the penalties for any person signing a fictitious name or address or for knowingly furnishing any incorrect information or for knowingly omitting any information required to be provided for the register.

(2) Effective January 1, 2003, the purchaser shall provide his or her right thumbprint on the register in a manner prescribed by the department. No exception to this requirement shall be permitted except by regulations adopted by the department.

(c) (1) For firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, information contained in the register or record of electronic or telephonic transfer shall be the date and time of sale, peace officer exemption status pursuant to subdivision (a) of Section 12078 and the agency name, auction or event waiting period exemption pursuant to subdivision (g) of Section 12078, California Firearms Dealer number issued pursuant to Section 12071, dangerous weapons permitholder waiting period exemption pursuant to subdivision (r) of Section 12078, curio and relic waiting period exemption pursuant to paragraph (1) of subdivision (t) of Section 12078, full name of purchaser, purchaser's complete date of birth, purchaser's local address, if current address is temporary, complete permanent address of purchaser, identification of purchaser, purchaser's place of birth (state or country), purchaser's complete telephone number, purchaser's occupation, purchaser's sex, purchaser's physical description, all legal names and aliases ever used by the purchaser, yes or no answer to questions that prohibit purchase, including, but not limited to, conviction of a felony as described in Section 12021 or an offense described in Section 12021.1, the purchaser's status as a person described in Section 8100 of the Welfare and Institutions Code, whether the purchaser is a person who has been adjudicated by a court to be a danger to others or found not guilty by reason of insanity, whether the purchaser is a person who has been found incompetent to stand trial or placed under conservatorship by a court pursuant to Section 8103 of the Welfare and Institutions Code, signature of purchaser, signature of salesperson (as a witness to the purchaser's signature), name and complete address of the dealer or firm selling the firearm as shown on the dealer's license, the establishment number, if assigned, the dealer's complete business telephone number, any information required by Section 12082, and a statement of the penalties for any person signing

a fictitious name or address or for knowingly furnishing any incorrect information or for knowingly omitting any information required to be provided for the register.

(2) Effective January 1, 2003, the purchaser shall provide his or her right thumbprint on the register in a manner prescribed by the department. No exception to this requirement shall be permitted except by regulations adopted by the department.

(d) Where the register is used, the following shall apply:

(1) Dealers shall use ink to complete each document.

(2) The dealer or salesperson making a sale shall ensure that all information is provided legibly. The dealer and salespersons shall be informed that incomplete or illegible information will delay sales.

(3) Each dealer shall be provided instructions regarding the procedure for completion of the form and routing of the form. Dealers shall comply with these instructions which shall include the information set forth in this subdivision.

(4) One firearm transaction shall be reported on each record of sale document. For purposes of this subdivision, a "transaction" means a single sale, loan, or transfer of any number of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person.

(e) The dealer or salesperson making a sale shall ensure that all required information has been obtained from the purchaser. The dealer and all salespersons shall be informed that incomplete information will delay sales.

(f) Effective January 1, 2003, the purchaser's name, date of birth, and driver's license or identification number shall be obtained electronically from the magnetic strip on the purchaser's driver's license or identification and shall not be supplied by any other means except as authorized by the department. This requirement shall not apply in either of the following cases:

(1) The purchaser's identification consists of a military identification card.

(2) Due to technical limitations, the magnetic stripe reader is unable to obtain the required information from the purchaser's identification. In those circumstances, the firearms dealer shall obtain a photocopy of the identification as proof of compliance.

(g) As used in this section, the following definitions shall control:

(1) "Purchaser" means the purchaser or transferee of a firearm or the person being loaned a firearm.

(2) "Purchase" means the purchase, loan, or transfer of a firearm.

(3) "Sale" means the sale, loan, or transfer of a firearm.

SEC. 7. Section 12078 of the Penal Code is amended to read:

12078. (a) (1) The waiting periods described in Sections 12071, 12072, and 12084 shall not apply to deliveries, transfers, or sales of firearms made to persons properly identified as full-time paid peace officers as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, provided that the peace officers are authorized by their employer to carry firearms while in the performance of their duties. Proper identification is defined as verifiable written certification from the head of the agency by which the purchaser or transferee is employed, identifying the purchaser or transferee as a peace officer who is authorized to carry firearms while in the performance of his or her duties, and authorizing the purchase or transfer. The certification shall be delivered to the dealer or local law enforcement agency acting pursuant to Section 12084 at the time of purchase or transfer and the purchaser or transferee shall identify himself or herself as the person authorized in the certification. The dealer or local law enforcement agency shall keep the certification with the record of sale, or LEFT, as the case may be. On the date that the delivery, sale, or transfer is made, the dealer delivering the firearm or the law enforcement agency processing the transaction pursuant to Section 12084 shall forward by prepaid mail to the Department of Justice a report of the transaction pursuant to subdivision (b) or (c) of Section 12077 or Section 12084. If electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the transaction as is indicated in subdivision (b) or (c) of Section 12077.

(2) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to deliveries, transfers, or sales of firearms made to authorized law enforcement representatives of cities, counties, cities and counties, or state or federal governments for exclusive use by those governmental agencies if, prior to the delivery, transfer, or sale of these firearms, written authorization from the head of the agency authorizing the transaction is presented to the person from whom the purchase, delivery, or transfer is being made. Proper written authorization is defined as verifiable written certification from the head of the agency by which the purchaser or transferee is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which he or she is employed. Within 10 days of the date a pistol, revolver, or other firearm capable of being concealed upon the person is acquired by the agency, a record of the same shall be entered as an institutional weapon into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state agency. Those agencies without access to AFS shall arrange with the

sheriff of the county in which the agency is located to input this information via this system.

(3) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to the loan of a firearm made by an authorized law enforcement representative of a city, county, or city and county, or the state or federal government to a peace officer employed by that agency and authorized to carry a firearm for the carrying and use of that firearm by that peace officer in the course and scope of his or her duties.

(4) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to the delivery, sale, or transfer of a firearm by a law enforcement agency to a peace officer pursuant to Section 10334 of the Public Contract Code. Within 10 days of the date that a pistol, revolver, or other firearm capable of being concealed upon the person is sold, delivered, or transferred pursuant to Section 10334 of the Public Contract Code to that peace officer, the name of the officer and the make, model, serial number, and other identifying characteristics of the firearm being sold, transferred, or delivered shall be entered into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state agency that sold, transferred, or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

(5) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to the delivery, sale, or transfer of a firearm by a law enforcement agency to a retiring peace officer who is authorized to carry a firearm pursuant to Section 12027.1. Within 10 days of the date that a pistol, revolver, or other firearm capable of being concealed upon the person is sold, delivered, or transferred to that retiring peace officer, the name of the officer and the make, model, serial number, and other identifying characteristics of the firearm being sold, transferred, or delivered shall be entered into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state agency that sold, transferred, or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

(6) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 do not apply to sales, deliveries, or transfers of firearms to authorized representatives of cities, cities and counties, counties, or state or federal governments for those governmental agencies where the entity is acquiring the weapon as part of an authorized, voluntary program where the entity is buying or receiving weapons from private individuals. Any weapons acquired pursuant to this paragraph shall be

disposed of pursuant to the applicable provisions of Section 12028 or 12032.

(7) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the sale, loan, delivery, or transfer of a firearm made by an authorized law enforcement representative of a city, county, city and county, state, or the federal government to any public or private nonprofit historical society, museum, or institutional collection or the purchase or receipt of that firearm by such public or private nonprofit historical society, museum, or institutional collection if all of the following conditions are met:

(A) The entity receiving the firearm is open to the public.

(B) The firearm prior to delivery is deactivated or rendered inoperable.

(C) The firearm is not subject to Section 12028, 12028.5, 12030, or 12032.

(D) The firearm is not prohibited by other provisions of law from being sold, delivered, or transferred to the public at large.

(E) Prior to delivery, the entity receiving the firearm submits a written statement to the law enforcement representative stating that the firearm will not be restored to operating condition, and will either remain with that entity, or if subsequently disposed of, will be transferred in accordance with the applicable provisions of this article and, if applicable, Section 12801.

(F) Within 10 days of the date that the firearm is sold, loaned, delivered, or transferred to that entity, the name of the government entity delivering the firearm, and the make, model, serial number, and other identifying characteristics of the firearm and the name of the person authorized by the entity to take possession of the firearm shall be reported to the department in a manner prescribed by the department.

(G) In the event of a change in the status of the designated representative, the entity shall notify the department of a new representative within 30 days.

(8) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the sale, loan, delivery, or transfer of a firearm made by any person other than a representative of an authorized law enforcement agency to any public or private nonprofit historical society, museum, or institutional collection if all of the following conditions are met:

(A) The entity receiving the firearm is open to the public.

(B) The firearm is deactivated or rendered inoperable prior to delivery.

(C) The firearm is not of a type prohibited from being sold, delivered, or transferred to the public.

(D) Prior to delivery, the entity receiving the firearm submits a written statement to the person selling, loaning, or transferring the firearm stating that the firearm will not be restored to operating condition, and will either remain with that entity, or if subsequently disposed of, will be transferred in accordance with the applicable provisions of this article and, if applicable, Section 12801.

(E) If title to a handgun is being transferred to the public or private nonprofit historical society, museum, or institutional collection, then the designated representative of that public or private historical society, museum or institutional collection within 30 days of taking possession of that handgun, shall forward by prepaid mail or deliver in person to the Department of Justice, a single report signed by both parties to the transaction, that includes information identifying the person representing that public or private historical society, museum, or institutional collection, how title was obtained and from whom, and a description of the firearm in question, along with a copy of the written statement referred to in subparagraph (D). The report forms that are to be completed pursuant to this paragraph shall be provided by the Department of Justice.

(F) In the event of a change in the status of the designated representative, the entity shall notify the department of a new representative within 30 days.

(b) (1) Section 12071, subdivisions (c) and (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to deliveries, sales, or transfers of firearms between or to importers and manufacturers of firearms licensed to engage in that business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(2) Subdivision (b) of Section 12801 shall not apply to the delivery, sale, or transfer of a handgun to a person licensed pursuant to Section 12071, where the licensee is receiving the handgun in the course and scope of his or her activities as a person licensed pursuant to Section 12071.

(c) (1) Subdivision (d) of Section 12072 shall not apply to the infrequent transfer of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person by gift, bequest, intestate succession, or other means by one individual to another if both individuals are members of the same immediate family.

(2) Subdivision (d) of Section 12072 shall not apply to the infrequent transfer of a pistol, revolver, or other firearm capable of being concealed upon the person by gift, bequest, intestate succession, or other means by one individual to another if both individuals are members of the same immediate family and both of the following conditions are met:

(A) The person to whom the firearm is transferred shall, within 30 days of taking possession of the firearm, forward by prepaid mail or deliver in person to the Department of Justice, a report that includes information concerning the individual taking possession of the firearm, how title was obtained and from whom, and a description of the firearm in question. The report forms that individuals complete pursuant to this paragraph shall be provided to them by the Department of Justice.

(B) If taking possession of the firearm prior to January 1, 2003, the person taking title to the firearm shall first obtain a basic firearms safety certificate. If taking possession on or after January 1, 2003, the person taking title to the firearm shall first obtain a handgun safety certificate.

(3) As used in this subdivision, "immediate family member" means any one of the following relationships:

(A) Parent and child.

(B) Grandparent and grandchild.

(d) (1) Subdivision (d) of Section 12072 shall not apply to the infrequent loan of firearms between persons who are personally known to each other for any lawful purpose, if the loan does not exceed 30 days in duration and, when the firearm is a handgun, commencing January 1, 2003, the individual being loaned the handgun has a valid handgun safety certificate.

(2) Subdivision (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the loan of a firearm where all of the following conditions exist:

(A) The person loaning the firearm is at all times within the presence of the person being loaned the firearm.

(B) The loan is for a lawful purpose.

(C) The loan does not exceed three days in duration.

(D) The individual receiving the firearm is not prohibited from owning or possessing a firearm pursuant to Section 12021 or 12021.1 of this code, or by Section 8100 or 8103 of the Welfare and Institutions Code.

(E) The person loaning the firearm is 18 years of age or older.

(F) The person being loaned the firearm is 18 years of age or older.

(e) Section 12071, subdivisions (c) and (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the delivery of a firearm to a gunsmith for service or repair, or to the return of the firearm to its owner by the gunsmith.

(f) Subdivision (d) of Section 12072 shall not apply to the sale, delivery, or transfer of firearms by persons who reside in this state to persons who reside outside this state who are licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, if the sale, delivery, or transfer is in accordance with Chapter 44 (commencing with

Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(g) (1) Subdivision (d) of Section 12072 shall not apply to the infrequent sale or transfer of a firearm, other than a pistol, revolver, or other firearm capable of being concealed upon the person, at auctions or similar events conducted by nonprofit mutual or public benefit corporations organized pursuant to the Corporations Code.

As used in this paragraph, the term “infrequent” shall not be construed to prohibit different local chapters of the same nonprofit corporation from conducting auctions or similar events, provided the individual local chapter conducts the auctions or similar events infrequently. It is the intent of the Legislature that different local chapters, representing different localities, be entitled to invoke the exemption created by this paragraph, notwithstanding the frequency with which other chapters of the same nonprofit corporation may conduct auctions or similar events.

(2) Subdivision (d) of Section 12072 shall not apply to the transfer of a firearm other than a pistol, revolver, or other firearm capable of being concealed upon the person, if the firearm is donated for an auction or similar event described in paragraph (1) and the firearm is delivered to the nonprofit corporation immediately preceding, or contemporaneous with, the auction or similar event.

(3) The waiting period described in Sections 12071 and 12072 shall not apply to a dealer who delivers a firearm other than a pistol, revolver, or other firearm capable of being concealed upon the person, at an auction or similar event described in paragraph (1), as authorized by subparagraph (C) of paragraph (1) of subdivision (b) of Section 12071. Within two business days of completion of the application to purchase, the dealer shall forward by prepaid mail to the Department of Justice a report of the same as is indicated in subdivision (c) of Section 12077. If the electronic or telephonic transfer of applicant information is used, within two business days of completion of the application to purchase, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the same as is indicated in subdivision (c) of Section 12077.

(h) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the loan of a firearm to a person 18 years of age or older for the purposes of shooting at targets if the loan occurs on the premises of a target facility that holds a business or regulatory license or on the premises of any club or organization organized for the purposes of practicing shooting at targets upon established ranges, whether public or private, if the firearm is at all times kept within the premises of the target range or on the premises of the club or organization.

(i) (1) Subdivision (d) of Section 12072 shall not apply to a person who takes title or possession of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person by operation of law if the person is not prohibited by Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code from possessing firearms.

(2) Subdivision (d) of Section 12072 shall not apply to a person who takes title or possession of a pistol, revolver, or other firearm capable of being concealed upon the person by operation of law if the person is not prohibited by Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code from possessing firearms and all of the following conditions are met:

(A) If the person taking title or possession is neither a levying officer as defined in Section 481.140, 511.060, or 680.210 of the Code of Civil Procedure, nor a person who is receiving that firearm pursuant to subparagraph (G), (I), or (J) of paragraph (2) of subdivision (u), the person shall, within 30 days of taking possession, forward by prepaid mail or deliver in person to the Department of Justice, a report of information concerning the individual taking possession of the firearm, how title or possession was obtained and from whom, and a description of the firearm in question. The reports that individuals complete pursuant to this paragraph shall be provided to them by the department.

(B) If the person taking title or possession is receiving the firearm pursuant to subparagraph (G) of paragraph (2) of subdivision (u), the person shall do both of the following:

(i) Within 30 days of taking possession, forward by prepaid mail or deliver in person to the department, a report of information concerning the individual taking possession of the firearm, how title or possession was obtained and from whom, and a description of the firearm in question. The reports that individuals complete pursuant to this paragraph shall be provided to them by the department.

(ii) Prior to taking title or possession of the firearm, if title or possession is taken prior to January 1, 2003, the person shall either obtain a basic firearms safety certificate or be exempt from obtaining a basic firearms safety certificate pursuant to Section 12081. Prior to taking title or possession of the firearm, if title or possession is taken on or after January 1, 2003, the person shall obtain a handgun safety certificate.

(C) Where the person receiving title or possession of the pistol, revolver, or other firearm capable of being concealed upon the person is a person described in subparagraph (I) of paragraph (2) of subdivision (u), on the date that the person is delivered the firearm, the name and other information concerning the person taking possession of the firearm, how title or possession of the firearm was obtained and from

whom, and a description of the firearm by make, model, serial number, and other identifying characteristics, shall be entered into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state agency that transferred or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

(D) Where the person receiving title or possession of the pistol, revolver, or other firearm capable of being concealed upon the person is a person described in subparagraph (J) of paragraph (2) of subdivision (u), on the date that the person is delivered the firearm, the name and other information concerning the person taking possession of the firearm, how title or possession of the firearm was obtained and from whom, and a description of the firearm by make, model, serial number, and other identifying characteristics, shall be entered into the AFS via the CLETS by the law enforcement or state agency that transferred or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system. In addition, that law enforcement agency shall not deliver that pistol, revolver, or other firearm capable of being concealed upon the person to the person referred to in this subparagraph if delivery takes place prior to January 1, 2003, unless prior to the delivery of the same the person presents proof to the agency that he or she is the holder of a basic firearms safety certificate or is exempt from obtaining a basic firearms safety certificate pursuant to Section 12081, or, commencing January 1, 2003, is the holder of a handgun safety certificate.

(3) Subdivision (d) of Section 12072 shall not apply to a person who takes possession of a firearm by operation of law in a representative capacity who subsequently transfers ownership of the firearm to himself or herself in his or her individual capacity. In the case of a pistol, revolver, or other firearm capable of being concealed upon the person, on and after April 1, 1994, and until January 1, 2003, that individual shall have a basic firearms safety certificate in order for the exemption set forth in this paragraph to apply. Commencing January 1, 2003, the exemption shall not apply, and the individual shall obtain a handgun safety certificate prior to transferring ownership to himself or herself, or taking possession of a handgun in an individual capacity.

(j) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to deliveries, transfers, or returns of firearms made pursuant to Section 12028, 12028.5, or 12030.

(k) Section 12071, subdivision (c) of Section 12072, and subdivision (b) of Section 12801 shall not apply to any of the following:

(1) The delivery, sale, or transfer of unloaded firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person by a dealer to another dealer upon proof that the person receiving the firearm is licensed pursuant to Section 12071.

(2) The delivery, sale, or transfer of unloaded firearms by dealers to persons who reside outside this state who are licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(3) The delivery, sale, or transfer of unloaded firearms to a wholesaler if the firearms are being returned to the wholesaler and are intended as merchandise in the wholesaler's business.

(4) The delivery, sale, or transfer of unloaded firearms by one dealer to another dealer if the firearms are intended as merchandise in the receiving dealer's business upon proof that the person receiving the firearm is licensed pursuant to Section 12071.

(5) The delivery, sale, or transfer of an unloaded firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person by a dealer to himself or herself.

(6) The loan of an unloaded firearm by a dealer who also operates a target facility that holds a business or regulatory license on the premises of the building designated in the license or whose building designated in the license is on the premises of any club or organization organized for the purposes of practicing shooting at targets upon established ranges, whether public or private, to a person at that target facility or that club or organization, if the firearm is at all times kept within the premises of the target range or on the premises of the club or organization.

(l) A person who is exempt from subdivision (d) of Section 12072 or is otherwise not required by law to report his or her acquisition, ownership, or disposal of a pistol, revolver, or other firearm capable of being concealed upon the person or who moves out of this state with his or her pistol, revolver, or other firearm capable of being concealed upon the person may submit a report of the same to the Department of Justice in a format prescribed by the department.

(m) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the delivery, sale, or transfer of unloaded firearms to a wholesaler as merchandise in the wholesaler's business by manufacturers or importers licensed to engage in that business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, or by another wholesaler, if the delivery, sale, or transfer is made in accordance with Chapter 44 (commencing with Section 921) of Title 18 of the United States Code.

(n) (1) The waiting period described in Section 12071 or 12072 shall not apply to the delivery, sale, or transfer of a pistol, revolver, or other

firearm capable of being concealed upon the person by a dealer in either of the following situations:

(A) The dealer is delivering the firearm to another dealer and it is not intended as merchandise in the receiving dealer's business.

(B) The dealer is delivering the firearm to himself or herself and it is not intended as merchandise in his or her business.

(2) In order for this subdivision to apply, both of the following shall occur:

(A) If the dealer is receiving the firearm from another dealer, the dealer receiving the firearm shall present proof to the dealer delivering the firearm that he or she is licensed pursuant to Section 12071.

(B) Whether the dealer is delivering, selling, or transferring the firearm to himself or herself or to another dealer, on the date that the application to purchase is completed, the dealer delivering the firearm shall forward by prepaid mail to the Department of Justice a report of the same and the type of information concerning the purchaser or transferee as is indicated in subdivision (b) of Section 12077. Where the electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit an electronic or telephonic report of the same and the type of information concerning the purchaser or transferee as is indicated in subdivision (b) of Section 12077.

(o) Section 12071 and subdivisions (c) and (d) of Section 12072 shall not apply to the delivery, sale, or transfer of firearms regulated pursuant to Section 12020, Chapter 2 (commencing with Section 12200), or Chapter 2.3 (commencing with Section 12275), if the delivery, sale, or transfer is conducted in accordance with the applicable provisions of Section 12020, Chapter 2 (commencing with Section 12200), or Chapter 2.3 (commencing with Section 12275).

(p) (1) Paragraph (3) of subdivision (a) and subdivision (d) of Section 12072 shall not apply to the loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a minor, with the express permission of the parent or legal guardian of the minor, if the loan does not exceed 30 days in duration and is for a lawful purpose.

(2) Paragraph (3) of subdivision (a) of Section 12072, subdivision (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the loan of a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by a person who is not the parent or legal guardian of the minor if all of the following circumstances exist:

(A) The minor has the written consent of his or her parent or legal guardian that is presented at the time of, or prior to the time of, the loan, or is accompanied by his or her parent or legal guardian at the time the loan is made.

(B) The minor is being loaned the firearm for the purpose of engaging in a lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(C) The duration of the loan does not exceed the amount of time that is reasonably necessary to engage in the lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(D) The duration of the loan does not, in any event, exceed 10 days.

(3) Paragraph (3) of subdivision (a), subdivision (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the loan of a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by his or her parent or legal guardian if both of the following circumstances exist:

(A) The minor is being loaned the firearm for the purposes of engaging in a lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(B) The duration of the loan does not exceed the amount of time that is reasonably necessary to engage in the lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(4) Paragraph (3) of subdivision (a) of Section 12072 shall not apply to the transfer or loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by his or her parent or legal guardian.

(5) Paragraph (3) of subdivision (a) of Section 12072 shall not apply to the transfer or loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by his or her grandparent who is not the legal guardian of the minor if the transfer is done with the express permission of the parent or legal guardian of the minor.

(6) Subparagraph (A) of paragraph (3) of subdivision (a) of Section 12072 shall not apply to the sale of a handgun if both of the following requirements are satisfied:

(A) The sale is to a person who is at least 18 years of age.

(B) The firearm is an antique firearm as defined in paragraph (16) of subsection (a) of Section 921 of Title 18 of the United States Code.

(q) Subdivision (d) of Section 12072 shall not apply to the loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a licensed hunter for use by that licensed hunter for a period of time not to exceed the duration of the hunting season for which that firearm is to be used.

(r) The waiting period described in Section 12071, 12072, or 12084 shall not apply to the delivery, sale, or transfer of a firearm to the holder of a special weapons permit issued by the Department of Justice issued pursuant to Section 12095, 12230, 12250, or 12305. On the date that the application to purchase is completed, the dealer delivering the firearm or the law enforcement agency processing the transaction pursuant to Section 12084, shall forward by prepaid mail to the Department of Justice a report of the same as described in subdivision (b) or (c) of Section 12077 or Section 12084. If the electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the same as is indicated in subdivision (b) or (c) of Section 12077.

(s) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the loan of an unloaded firearm or the loan of a firearm loaded with blank cartridges, to a person 18 years of age or older, for use solely as a prop for a motion picture, television, or video production or an entertainment or theatrical event.

(t) (1) The waiting period described in Sections 12071, 12072, and 12084 shall not apply to the sale, delivery, loan, or transfer of a firearm that is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, by a dealer or through a law enforcement agency to a person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto who has a current certificate of eligibility issued to him or her by the Department of Justice pursuant to Section 12071. On the date that the delivery, sale, or transfer is made, the dealer delivering the firearm or the law enforcement agency processing the transaction pursuant to Section 12084, shall forward by prepaid mail to the Department of Justice a report of the transaction pursuant to subdivision (b) of Section 12077 or Section 12084. If the electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the transaction as is indicated in subdivision (b) or (c) of Section 12077.

(2) Subdivision (d) of Section 12072 shall not apply to the infrequent sale, loan, or transfer of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person, which is a curio or

relic manufactured at least 50 years prior to the current date, but not including replicas thereof, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(u) As used in this section:

(1) "Infrequent" has the same meaning as in paragraph (1) of subdivision (c) of Section 12070.

(2) "A person taking title or possession of firearms by operation of law" includes, but is not limited to, any of the following instances wherein an individual receives title to, or possession of, firearms:

(A) The executor or administrator of an estate if the estate includes firearms.

(B) A secured creditor or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, a default under a security agreement under the Commercial Code.

(C) A levying officer, as defined in Section 481.140, 511.060, or 680.260 of the Code of Civil Procedure.

(D) A receiver performing his or her functions as a receiver if the receivership estate includes firearms.

(E) A trustee in bankruptcy performing his or her duties if the bankruptcy estate includes firearms.

(F) An assignee for the benefit of creditors performing his or her functions as an assignee, if the assignment includes firearms.

(G) A transmutation of property consisting of firearms pursuant to Section 850 of the Family Code.

(H) Firearms passing to a surviving spouse pursuant to Chapter 1 (commencing with Section 13500) of Part 2 of Division 8 of the Probate Code.

(I) Firearms received by the family of a police officer or deputy sheriff from a local agency pursuant to Section 50081 of the Government Code.

(J) The transfer of a firearm by a law enforcement agency to the person who found the firearm where the delivery is to the person as the finder of the firearm pursuant to Article 1 (commencing with Section 2080) of Chapter 4 of Division 3 of the Civil Code.

SEC. 8. Section 12081 of the Penal Code is amended to read:

12081. A basic firearms safety certificate shall not be required for any of the following transactions:

(a) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to a dealer.

(b) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person between or to importers and manufacturers of firearms licensed to engage in that business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(c) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to an active member of the United States Armed Forces, the National Guard, the Air National Guard, and the active reserve components of the United States, who is properly identified. For purposes of this subdivision, proper identification includes the Armed Forces Identification Card, or other written documents certifying that the person is an active member of the United States Armed Forces, the National Guard, the Air National Guard, or the active reserve components of the United States.

(d) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to any person honorably discharged from the United States Armed Forces, the National Guard, the Air National Guard, or active reserve components of the United States who is properly identified. For purposes of this subdivision, proper identification includes a Retired Armed Forces Identification Card, or other written document certifying the person as being honorably discharged.

(e) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to any of the following persons who are properly identified:

(1) Any California or federal peace officer who is authorized to carry a firearm while on duty.

(2) Any honorably retired peace officer, as defined in Section 830.1, 830.2, or subdivision (c) of Section 830.5.

(3) Any honorably retired federal officers or agents who were authorized to, and did, carry firearms in the course and scope of their duties and are authorized to carry firearms pursuant to subdivision (i) of Section 12027.

(4) Any persons who have permits to carry pistols, revolvers, or other firearms capable of being concealed upon the person issued pursuant to Article 3 (commencing with Section 12050) of Chapter 1.

(5) Any persons who have a certificate of competency or a certificate of completion in hunter safety as provided in Article 2.5 (commencing with Section 3049) of Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, which bears a hunter safety instruction validation stamp affixed thereto.

(6) Any person who holds a valid hunting license issued by the State of California.

(7) Any person who is authorized to carry loaded firearms pursuant to subdivision (c) or (d) of Section 12031.

(8) Any person who has been issued a certificate pursuant to Section 12033.

(9) Any basic firearms safety instructor certified by the department pursuant to Section 12805.

(10) Persons who are properly identified as authorized participants in shooting matches approved by the Director of Civilian Marksmanship pursuant to the applicable provisions of Title 10 of the United States Code.

(11) Persons who have successfully completed the course of training specified in Section 832.

(12) Any person who receives an inoperable pistol, revolver, or other firearm capable of being concealed upon the person pursuant to Section 50081 of the Government Code.

(f) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person which is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, to a person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto who has a current certificate of eligibility issued to him or her pursuant to Section 12071.

(g) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2001, deletes or extends that date.

SEC. 9. Section 12084 of the Penal Code is amended to read:

12084. (a) As used in this section, the following definitions apply:

(1) "Agency" means a sheriff's department in a county of less than 200,000 persons, according to the most recent federal decennial census, that elects to process purchases, sales, loans, or transfers of firearms.

(2) "Seller" means the seller or transferor of a firearm or the person loaning the firearm.

(3) "Purchaser" means the purchaser or transferee of a firearm or the person being loaned a firearm.

(4) "Purchase" means the purchase, loan, sale, or transfer of a firearm.

(5) "Department" means the Department of Justice.

(6) "LEFT" means the Law Enforcement Firearms Transfer Form consisting of the transfer form utilized to purchase a firearm in accordance with this section.

(b) As an alternative to completing the sale, transfer, or loan of a firearm through a licensed dealer pursuant to Section 12082, the parties to the purchase of a firearm may complete the transaction through an agency in accordance with this section in order to comply with subdivision (d) of Section 12072.

(c) (1) LEFTs shall be prepared by the State Printer and shall be furnished to agencies on application at a cost to be determined by the Department of General Services for each 100 leaves in quintuplicate, one original and four duplicates for the making of carbon copies. The original and duplicate copies shall differ in color, and shall be in the form

provided by this section. The State Printer, upon issuing the LEFT, shall forward to the department the name and address of the agency together with the series and sheet numbers on the LEFT. The LEFT shall not be transferable.

(2) The department shall prescribe the form of the LEFT. It shall be in the same exact format set forth in Sections 12077 and 12082, with the same distinct formats for firearms that are pistols, revolvers, and other firearms capable of being concealed upon the person and for firearms that are not pistols, revolvers, and other firearms capable of being concealed upon the person, except that, instead of the listing of information concerning a dealer, the LEFT shall contain the name, telephone number, and address of the law enforcement agency.

(3) The original of each LEFT shall be retained in consecutive order. Each book of 50 originals shall become the permanent record of transactions that shall be retained not less than three years from the date of the last transaction and shall be provided for the inspection of any peace officer, department employee designated by the Attorney General, or agent of the federal Bureau of Alcohol, Tobacco and Firearms upon the presentation of proper identification.

(4) Ink shall be used to complete each LEFT. The agency shall ensure that all information is provided legibly. The purchaser and seller shall be informed that incomplete or illegible information delays purchases.

(5) Each original LEFT shall contain instructions regarding the procedure for completion of the form and the routing of the form. The agency shall comply with these instructions which shall include the information set forth in this subdivision.

(6) One firearm transaction shall be reported on each LEFT. For purposes of this paragraph, a "transaction" means a single sale, loan, or transfer of any number of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person between the same two persons.

(d) The following procedures shall be followed in processing the purchase:

(1) Without waiting for the conclusion of any waiting period to elapse, the seller shall immediately deliver the firearm to the agency solely to complete the LEFT. Upon completion of the LEFT, the firearm shall be immediately returned by the agency to the seller without waiting for the waiting period to elapse.

(2) The purchaser shall be required to present clear evidence of his or her identity and age, as defined in Section 12071, to the agency. The agency shall require the purchaser to complete the original and one copy of the LEFT. An employee of the agency shall then affix his or her signature as a witness to the signature and identification of the purchaser.

(3) Two copies of the LEFT shall, on that date of purchase, be placed in the mail, postage prepaid to the department at Sacramento. The third copy shall be provided to the purchaser and the fourth copy to the seller.

(4) The department shall examine its records, as well as those records that it is authorized to request from the State Department of Mental Health pursuant to Section 8104 of the Welfare and Institutions Code, in order to determine if the purchaser is a person described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(5) If the department determines that the copies of the LEFT submitted to it pursuant to paragraph (3) contain any blank spaces or inaccurate, illegible, or incomplete information, preventing identification of the purchaser or the firearm to be purchased, or if any fee required pursuant to paragraph (6) is not submitted by the agency in conjunction with submission of the copies of the LEFT, or if the department determines that the person is a person described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code, it shall immediately notify the agency of that fact. Upon notification by the department, the purchaser shall submit any fee required pursuant to paragraph (6), as appropriate, and, if notification by the department is received by the agency at any time prior to delivery of the firearm, the delivery of the firearm shall be withheld until the conclusion of the waiting period described in paragraph (7).

(6) (A) The agency may charge a fee, not to exceed actual cost, sufficient to reimburse the agency for processing the transfer.

(B) The department may charge a fee, not to exceed actual cost, sufficient to reimburse the department for providing the information. The department shall charge the same fee that it would charge a dealer pursuant to Section 12082.

(7) The firearm shall not be delivered to the purchaser as follows:

(A) Prior to April 1, 1997, within 15 days of the application to purchase a pistol, revolver, or other firearm capable of being concealed upon the person, or, after notice by the department pursuant to paragraph (5), within 15 days of the submission to the department of any fees required pursuant to this subdivision, or within 15 days of the submission to the department of any correction to the LEFT, whichever is later. Prior to April 1, 1997, within 10 days of the application to purchase any firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person, or, after notice by the department pursuant to paragraph (5), within 10 days of the submission to the department of any fees required pursuant to this subdivision, or within 10 days of the submission to the department of any correction to the LEFT, whichever is later. On and after April 1, 1997, within 10 days of the application to purchase, or after notice by the department pursuant

to paragraph (5), within 10 days of the submission to the department of any fees required pursuant to this subdivision, or within 10 days of the submission to the department of any correction to the LEFT, whichever is later.

(B) Unless unloaded.

(C) In the case of a pistol, revolver, or other firearm capable of being concealed upon the person, unless securely wrapped or in a locked container.

(D) Unless the purchaser presents clear evidence of his or her identity and age to the agency.

(E) Whenever the agency is notified by the department that the person is in a prohibited class described in Section 12021 or 12021.1, or Section 8100 or 8103 of the Welfare and Institutions Code.

(F) Unless done at the agency's premises.

(G) In the case of a handgun, commencing April 1, 1994, and until January 1, 2003, unless the purchaser presents to the seller a basic firearms safety certificate. Commencing January 1, 2003, in the case of a handgun, unless the purchaser presents to the seller a handgun safety certificate.

(H) Unless the purchaser is at least 18 years of age.

(e) The action of a law enforcement agency acting pursuant to Section 12084 shall be deemed to be a discretionary act within the meaning of the California Tort Claims Act pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(f) Whenever the Department of Justice acts pursuant to this section as it pertains to firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, its acts or omissions shall be deemed to be discretionary within the meaning of the California Tort Claims Act pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(g) Any person furnishing a fictitious name or address or knowingly furnishing any incorrect information or knowingly omitting any information required to be provided for the LEFT is guilty of a misdemeanor.

(h) All sums received by the department pursuant to this section shall be deposited in the Dealers' Record of Sale Special Account of the General Fund.

SEC. 10. Article 8 (commencing with Section 12800) is added to Chapter 6 of Title 2 of Part 4 of the Penal Code, to read:

Article 8. Handgun Safety Certificate

12800. It is the intent of the Legislature in enacting this article to require that persons who obtain handguns have a basic familiarity with

those firearms, including, but not limited to, the safe handling and storage of those firearms. It is not the intent of the legislature to require a handgun safety certificate for the mere possession of a firearm.

12801. (a) As used in this article, the following definitions shall apply:

(1) "Department" means the Department of Justice.

(2) "DOJ Certified Instructor" or "certified instructor" means a person designated as a handgun safety instructor by the Department of Justice pursuant to subdivision (d) of Section 12804.

(b) No person shall do either of the following:

(1) Purchase or receive any handgun, except an antique firearm, as defined in paragraph (16) of subsection (a) of Section 921 of Title 18 of the United States Code, without a valid handgun safety certificate.

(2) Sell, deliver, loan, or transfer any handgun, except an antique firearm, as defined in paragraph (16) of subsection (a) of Section 921 of Title 18 of the United States Code, to any person who does not have a valid handgun safety certificate.

(c) Any person who violates subdivision (b) is guilty of a misdemeanor.

(d) The provisions of this section are cumulative, and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by different provisions of this code shall not be punished under more than one provision.

12802. (a) No person may commit an act of collusion as specified in Section 12072.

(b) Any person who alters, counterfeits, or falsifies a handgun safety certificate, or who uses or attempts to use any altered, counterfeited, or falsified handgun safety certificate to purchase a handgun is guilty of a misdemeanor.

(c) The provisions of this section are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and different provisions of this code shall not be punished under more than one provision.

12803. (a) No certified instructor may issue a handgun safety certificate to any person who has not complied with this article. Proof of compliance shall be forwarded to the department by certified instructors as frequently as the department may determine.

(b) No certified instructor may issue a handgun safety certificate to any person who is under 18 years of age.

(c) A violation of this section shall be grounds for the department to revoke the instructor's certification to issue handgun safety certificates.

12804. (a) The department shall develop an instruction manual in English and in Spanish by October 1, 2002. The department shall make

the instructional manual available to firearms dealers licensed pursuant to Section 12071, who shall make it available to the general public. Essential portions of the manual may be included in the pamphlet described in Section 12080.

(b) The department shall develop audiovisual materials in English and in Spanish by March 1, 2003, to be issued to instructors certified by the department.

(c) (1) The department shall develop a written objective test, in English and in Spanish, and prescribe its content, form, and manner, to be administered by an instructor certified by the department. If the person taking the test is unable to read, the examination shall be administered orally. The test shall cover, but not be limited to, all of the following:

(A) The laws applicable to carrying and handling firearms, particularly handguns.

(B) The responsibilities of ownership of firearms, particularly handguns.

(C) Current law as it relates to the private sale and transfer of firearms.

(D) Current law as it relates to the permissible use of lethal force.

(E) What constitutes safe firearm storage.

(F) Issues associated with bringing a handgun into the home.

(G) Prevention strategies to address issues associated with bringing firearms into the home.

(2) If the person taking the test is unable to read English or Spanish, the test may be applied orally by a translator.

(d) The department shall prescribe a minimum level of skill, knowledge and competency to be required of all handgun safety certificate instructors.

(e) If a dealer licensed pursuant to Section 12071 or his or her employee, or where the managing officer or partner is certified as an instructor pursuant to this article, he or she shall also designate a separate room or partitioned area for a person to take the objective test, and maintain adequate supervision to assure that no acts of collusion occur while the objective test is being administered.

(f) The department shall solicit input from any reputable association or organization, including any law enforcement association that has as one of its objectives the promotion of firearms safety, in the development of the handgun safety certificate instructional materials.

(g) The department shall develop handgun safety certificates to be issued by instructors certified by the department, to those persons who have complied with this article.

(h) The department shall be immune from any liability arising from implementing this section.

(i) The department shall update test materials related to this article every five years.

(j) Department Certified Instructor applicants shall have a certification to provide training from one of the following organizations as specified, or any entity found by the department to give comparable instruction in firearms safety, or the applicant shall have similar or equivalent training to that provided by the following, as determined by the department:

(1) Department of Consumer Affairs, State of California-Firearm Training Instructor.

(2) Director of Civilian Marksmanship, Instructor or Rangemaster.

(3) Federal Government, Certified Rangemaster or Firearm Instructor.

(4) Federal Law Enforcement Training Center, Firearm Instructor Training Program or Rangemaster.

(5) United States Military, Military Occupational Specialty (MOS) as marksmanship or firearms instructor. Assignment as Range Officer or Safety Officer are not sufficient.

(6) National Rifle Association-Certified Instructor, Law Enforcement Instructor, Rangemaster, or Training Counselor.

(7) Commission on Peace Officer Standards and Training (POST), State of California-Firearm Instructor or Rangemaster.

(8) Authorization from a State of California accredited school to teach a firearm training course.

12805. (a) An applicant for a handgun safety certificate shall successfully pass the objective test referred to in paragraph (1) of subdivision (c) of Section 12804, with a passing grade of at least 75 percent. Any person receiving a passing grade on the objective test shall immediately be issued a handgun safety certificate by the instructor.

(b) An applicant who fails to pass the objective test upon the first attempt shall be offered additional instructional materials by the instructor such as a videotape or booklet. The person may not retake the objective test under any circumstances until 24 hours have elapsed after the failure to pass the objective test upon the first attempt. The person failing the test on the first attempt shall take another version of the test upon the second attempt. All tests shall be taken from the same instructor except upon permission by the department, which shall be granted only for good cause shown. The instructor shall make himself or herself available to the applicant during regular business hours in order to retake the test.

(c) The certified instructor may charge a fee of twenty-five dollars (\$25), fifteen dollars (\$15) of which is to be paid to the department pursuant to subdivision (e).

(d) An applicant to renew a handgun safety certificate shall be required to pass the objective test. The certified instructor may charge a fee of twenty-five dollars (\$25), fifteen dollars (\$15) of which is to be forwarded to the department pursuant to subdivision (e).

(e) The department may charge the certified instructor up to fifteen dollars (\$15) for each handgun safety certificate issued by that instructor to cover the department's cost in carrying out and enforcing this article, and enforcing this title, as determined annually by the department.

(f) All money received by the department pursuant to this article shall be deposited into the Firearms Safety and Enforcement Special Fund created pursuant to Section 12076.5.

(g) The department shall conduct enforcement activities, including, but not limited to, law enforcement activities to ensure compliance with Title 2 (commencing with Section 12000) of Part 4.

12806. (a) A handgun safety certificate shall include, but not be limited to, the following information:

- (1) A unique handgun safety certificate identification number.
- (2) The holder's full name.
- (3) The holder's date of birth.
- (4) The holder's driver's license or identification number.
- (5) The holder's signature.
- (6) The signature of the issuing instructor.
- (7) The date of issuance.

(b) The handgun safety certificate shall expire five years after the date that it was issued by the certified instructor.

12807. (a) The following persons, properly identified, are exempted from the handgun safety certificate requirement in subdivision (b) of Section 12801:

(1) Any active or honorably retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) Any active or honorably retired federal officer or law enforcement agent.

(3) Any reserve peace officer, as defined in Section 832.6.

(4) Any person who has successfully completed the course of training specified in Section 832.

(5) A firearms dealer licensed pursuant to Section 12071, who is acting in the course and scope of his or her activities as a person licensed pursuant to Section 12071.

(6) A federally licensed collector who is acquiring or being loaned a handgun that is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, who has a current certificate of eligibility issued to him or her by the department pursuant to Section 12071.

(7) A person to whom a handgun is being returned, where the person receiving the firearm is the owner of the firearm.

(8) A family member of a peace officer or deputy sheriff from a local agency who receives a firearm pursuant to Section 50081 of the Government Code.

(9) Any individual who has a valid concealed weapons permit issued pursuant to Section 12050.

(10) An active, or honorably retired member of the United States Armed Forces, the National Guard, the Air National Guard, the active reserve components of the United States, where individuals in those organizations are properly identified. For purposes of this section, proper identification includes the Armed Forces Identification Card, or other written documentation certifying that the individual is an active or honorably retired member.

(11) Any person who is authorized to carry loaded firearms pursuant to subdivision (c) or (d) of Section 12031.

(12) Persons who are the holders of a special weapons permit issued by the department pursuant to Section 12095, 12230, 12250, or 12305.

(b) The following persons who take title or possession of a handgun by operation of law in a representative capacity, until or unless they transfer title ownership of the handgun to themselves in a personal capacity, are exempted from the handgun safety certificate requirement in subdivision (b) of Section 12801:

(1) The executor or administrator of an estate.

(2) A secured creditor or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, a default under a security agreement under the Commercial Code.

(3) A levying officer, as defined in Section 481.140, 511.060, or 680.260 of the Code of Civil Procedure.

(4) A receiver performing his or her functions as a receiver.

(5) A trustee in bankruptcy performing his or her duties.

(6) An assignee for the benefit of creditors performing his or her functions as an assignee.

12808. (a) In the case of loss or destruction of a handgun safety certificate, the issuing instructor shall issue a duplicate certificate upon request and proof of identification to the certificate holder.

(b) The department may authorize the issuing instructor to charge a fee not to exceed fifteen dollars (\$15), for a duplicate certificate. Revenues from this fee shall be deposited in the Firearms Safety and Enforcement Special Fund, created pursuant to Section 12076.5.

12809. Except for the provisions of Section 12804, this article shall become operative on January 1, 2003.

SEC. 11. Section 12810 is added to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4 of the Penal Code, as added by Chapter 950 of the Statutes of 1991, to read:

12810. (a) This article is repealed on January 1, 2003, unless a later enacted statute that becomes operative on or before that date deletes or extends that date.

(b) Effective January 1, 2003, the Controller shall transfer all remaining funds in the Firearms Safety Training Fund Special Account to the Firearms Safety and Enforcement Special Fund created pursuant to Section 12076.5.

SEC. 12. (a) Section 2.1 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by both this bill and AB 22. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 12071 of the Penal Code, (3) SB 950 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after AB 22, in which case Sections 2, 2.2, and 2.3 of this bill shall not become operative.

(b) Section 2.2 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by both this bill and SB 950. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 12071 of the Penal Code, (3) AB 22 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after SB 950, in which case Sections 2, 2.1, and 2.3 of this bill shall not become operative.

(c) Section 2.3 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by this bill, AB 22, and SB 950. It shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2002, (2) all three bills amend Section 12071 of the Penal Code, and (3) this bill is enacted after AB 22, and SB 950, in which case Sections 2, 2.1, and 2.2 of this bill shall not become operative.

SEC. 13. This act shall only become operative if SB 52 is enacted and becomes effective on or before January 1, 2002. However, in order to avoid duplicate provisions, Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4 of the Penal Code, as proposed by SB 52 shall not become operative if this bill adds an article of the same number and this bill is chaptered last.

SEC. 14. 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.

CHAPTER 941

An act to amend Section 19805 of the Business and Professions Code, to amend Sections 330.11 and 337j of the Penal Code, and to amend Section 1 of Chapter 1023 of the Statutes of 2000, relating to gambling clubs.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 19805 of the Business and Professions Code is amended to read:

19805. As used in this chapter, the following definitions shall apply:

(a) "Affiliate" means a person who, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with, a specified person.

(b) "Applicant" means any person who has applied for, or is about to apply for, a state gambling license, a key employee license, a registration, a finding of suitability, a work permit, a manufacturer's or distributor's license, or an approval of any act or transaction for which the approval or authorization of the commission or division is required or permitted under this chapter.

(c) "Banking game" or "banked game" does not include a controlled game if the published rules of the game feature a player-dealer position and provide that this position must be continuously and systematically rotated amongst each of the participants during the play of the game, ensure that the player-dealer is able to win or lose only a fixed and limited wager during the play of the game, and preclude the house, another entity, a player, or an observer from maintaining or operating as a bank during the course of the game. For purposes of this section it is not the intent of the Legislature to mandate acceptance of the deal by every player if the division finds that the rules of the game render the maintenance of or operation of a bank impossible by other means. The house shall not occupy the player-dealer position.

(d) "Board" means the California Gambling Control Board.

(e) "Commission" means the California Gambling Control Commission.

(f) "Controlled gambling" means to deal, operate, carry on, conduct, maintain, or expose for play any controlled game.

(g) "Controlled game" means any controlled game, as defined by subdivision (e) of Section 337j of the Penal Code.

(h) "Director," when used in connection with a corporation, means any director of a corporation or any person performing similar functions with respect to any organization. In any other case, "director" means the Director of the Division of Gambling Control.

(i) "Division" means the Division of Gambling Control in the Department of Justice.

(j) "Finding of suitability" means a finding that a person meets the qualification criteria described in subdivisions (a) and (b) of Section 19848, and that the person would not be disqualified from holding a state gambling license on any of the grounds specified in subdivision (a) of Section 19850.

(k) "Game" and "gambling game" means any controlled game.

(l) "Gambling" means to deal, operate, carry on, conduct, maintain, or expose for play any controlled game.

(m) "Gambling enterprise employee" means any natural person employed in the operation of a gambling enterprise, including, without limitation, dealers, floormen, security employees, countroom personnel, cage personnel, collection personnel, surveillance personnel, data-processing personnel, appropriate maintenance personnel, waiters and waitresses, and secretaries, or any other natural person whose employment duties require or authorize access to restricted gambling establishment areas.

(n) "Gambling establishment," "establishment," or "licensed premises" means one or more rooms where any controlled gambling or activity directly related thereto occurs.

(o) "Gambling license" or "state gambling license" means any license issued by the state that authorizes the person named therein to conduct a gambling operation.

(p) "Gambling operation" means exposing for play one or more controlled games that are dealt, operated, carried on, conducted, or maintained for commercial gain.

(q) "Gross revenue" means the total of all compensation received for conducting any controlled game, and includes interest received in payment for credit extended by an owner licensee to a patron for purposes of gambling, except as provided by regulation.

(r) "House" means the gambling establishment, and any owner, shareholder, partner, key employee, or landlord thereof.

(s) "Independent agent," except as provided by regulation, means any person who does either of the following:

(1) Collects debt evidenced by a credit instrument.

(2) Contracts with an owner licensee, or an affiliate thereof, to provide services consisting of arranging transportation or lodging for guests at a gambling establishment.

(t) "Institutional investor" means any retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees, any investment company registered under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.), any collective investment trust organized by banks under Part Nine of the Rules of the Comptroller of the Currency, any closed-end investment trust, any chartered or licensed life insurance company or property and casualty insurance company, any banking and other chartered or licensed lending institution, any investment advisor registered under the Investment Advisors Act of 1940 (15 U.S.C. Sec. 80b-1 et seq.) acting in that capacity, and other persons as the board may determine for reasons consistent with the policies of this chapter.

(u) "Key employee" means any natural person employed in the operation of a gambling enterprise in a supervisory capacity or empowered to make discretionary decisions that regulate gambling operations, including, without limitation, pit bosses, shift bosses, credit executives, cashier operations supervisors, gambling operation managers and assistant managers, managers or supervisors of security employees, or any other natural person designated as a key employee by the division for reasons consistent with the policies of this chapter.

(v) "Key employee license" means a state license authorizing the holder to be associated with a gambling enterprise as a key employee.

(w) "Licensed gambling establishment" means the gambling premises encompassed by a state gambling license.

(x) "Limited partnership" means a partnership formed by two or more persons having as members one or more general partners and one or more limited partners.

(y) "Limited partnership interest" means the right of a general or limited partner to any of the following:

(1) To receive from a limited partnership any of the following:

(A) A share of the revenue.

(B) Any other compensation by way of income.

(C) A return of any or all of his or her contribution to capital of the limited partnership.

(2) To exercise any of the rights provided under state law.

(z) "Owner licensee" means an owner of a gambling enterprise who holds a state gambling license.

(aa) "Person," unless otherwise indicated, includes a natural person, corporation, partnership, limited partnership, trust, joint venture, association, or any other business organization.

(ab) “Player” means a patron of a gambling establishment who participates in a controlled game.

(ac) “Player-dealer” and “controlled game featuring a player-dealer position” refer to a position in a controlled game, as defined by the approved rules for that game, in which seated player participants are afforded the temporary opportunity to wager against multiple players at the same table, provided that this position is rotated amongst the other seated players in the game.

(ad) “Publicly traded racing association” means a corporation licensed to conduct horse racing and simulcast wagering pursuant to Chapter 4 (commencing with Section 19400) whose stock is publicly traded.

(ae) “Qualified racing association” means a corporation licensed to conduct horse racing and simulcast wagering pursuant to Chapter 4 (commencing with Section 19400) that is a wholly owned subsidiary of a corporation whose stock is publicly traded.

(af) “Work permit” means any card, certificate, or permit issued by the division or by a county, city, or city and county, whether denominated as a work permit, registration card, or otherwise, authorizing the holder to be employed as a gambling enterprise employee or to serve as an independent agent. A document issued by any governmental authority for any employment other than gambling is not a valid work permit for the purposes of this chapter.

SEC. 2. Section 330.11 of the Penal Code is amended to read:

330.11. “Banking game” or “banked game” does not include a controlled game if the published rules of the game feature a player-dealer position and provide that this position must be continuously and systematically rotated amongst each of the participants during the play of the game, ensure that the player-dealer is able to win or lose only a fixed and limited wager during the play of the game, and preclude the house, another entity, a player, or an observer from maintaining or operating as a bank during the course of the game. For purposes of this section it is not the intent of the Legislature to mandate acceptance of the deal by every player if the division finds that the rules of the game render the maintenance of or operation of a bank impossible by other means. The house shall not occupy the player-dealer position.

SEC. 3. Section 337j of the Penal Code is amended to read:

337j. (a) It is unlawful for any person, as owner, lessee, or employee, whether for hire or not, either solely or in conjunction with others, to do any of the following without having first procured and thereafter maintained in effect all federal, state, and local licenses required by law:

(1) To deal, operate, carry on, conduct, maintain, or expose for play in this state any controlled game.

(2) To receive, directly or indirectly, any compensation or reward or any percentage or share of the revenue, for keeping, running, or carrying on any controlled game.

(3) To manufacture, distribute, or repair any gambling equipment within the boundaries of this state, or to receive, directly or indirectly, any compensation or reward for the manufacture, distribution, or repair of any gambling equipment within the boundaries of this state.

(b) It is unlawful for any person to knowingly permit any controlled game to be conducted, operated, dealt, or carried on in any house or building or other premises that he or she owns or leases, in whole or in part, if that activity is undertaken by a person who is not licensed as required by state law, or by an employee of that person.

(c) It is unlawful for any person to knowingly permit any gambling equipment to be manufactured, stored, or repaired in any house or building or other premises that the person owns or leases, in whole or in part, if that activity is undertaken by a person who is not licensed as required by state law, or by an employee of that person.

(d) Any person who violates, attempts to violate, or conspires to violate this section shall be punished 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 imprisonment and fine.

(e) (1) As used in this section, "controlled game" means any game of chance, including any gambling device, played for currency, check, credit, or any other thing of value that is not prohibited and made unlawful by statute or local ordinance.

(2) As used in this section, "controlled game" does not include any of the following:

(A) The game of bingo conducted pursuant to Section 326.5.

(B) Parimutuel racing on horse races regulated by the California Horse Racing Board.

(C) Any lottery game conducted by the California State Lottery.

(D) Games played with cards in private homes or residences, in which no person makes money for operating the game, except as a player.

(f) This subdivision is intended to be dispositive of the law relating to the collection of player fees in gambling establishments. No fee may be calculated as a fraction or percentage of wagers made or winnings earned. Fees charged for all wagers shall be determined prior to the start of play of any hand or round. The actual collection of the fee may occur before or after the start of play. Ample notice shall be provided to the patrons of gambling establishments relating to the assessment of fees. Flat fees on each wager may be assessed at different collection rates, but no more than three collection rates may be established per table.

SEC. 4. Section 1 of Chapter 1023 of the Statutes of 2000, is amended to read:

Section 1. The Legislature finds and declares as follows:

(a) In 1983 and 1984 California card clubs played games with cards involving a player-dealer position in which players were afforded the temporary opportunity to wager against multiple players at the table where the player-dealer position continuously and systematically rotated among the players, prior to the amendment of Section 19 of Article IV of the California Constitution by the California State Lottery Act in 1984. This method of play was not found to be inconsistent with current law by the Courts of Appeal in *Sullivan v. Fox* (1987) 189 Cal.App.3d 673, *Walker v. Meehan* (1987) 194 Cal.App.3d 1290, *City of Bell Gardens v. County of Los Angeles* (1991) 231 Cal.App.3d 1563, and *Huntington Park Club Corp. v. County of Los Angeles* (1988) 206 Cal.App.3d 241.

(b) The amendment to Section 19 of Article IV of the Constitution declared:

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

Casinos operating in 1983 and 1984 in the States of Nevada and New Jersey did not include card games featuring a player-dealer position which continuously and systematically rotates among the players. In Nevada and New Jersey, comparable games are banked only by the house, which is a participant in the game, with an interest in its outcome, and which covers all bets in the game, paying all winners and collecting from all losers.

(c) In *Hotel Employees & Restaurant Employees v. Davis* (1999) 21 Cal. 4th 585, the California Supreme Court recently stated at page 605 that:

“...(t)he type” of casino “operating in Nevada and New Jersey” presumably refers to a gambling facility that did not legally operate in California; something other, that is, than “the type” of casino “operating” in California.”

SEC. 5. 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.

CHAPTER 942

An act to amend Sections 12001, 12071, 12072, 12076, 12077, 12078, and 12084 of, to amend and repeal Section 12081 of, to add Sections 12076.5 and 12810 to, and to repeal and add Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4 of, the Penal Code, relating to firearms.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 12001 of the Penal Code is amended to read:
12001. (a) (1) As used in this title, the terms “pistol,” “revolver,” and “firearm capable of being concealed upon the person” shall apply to and include any device designed to be used as a weapon, from which is expelled a projectile by the force of any explosion, or other form of combustion, and that has a barrel less than 16 inches in length. These terms also include any device that has a barrel 16 inches or more in length which is designed to be interchanged with a barrel less than 16 inches in length.

(2) As used in this title, the term “handgun” means any “pistol,” “revolver,” or “firearm capable of being concealed upon the person.”

(b) As used in this title, “firearm” means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion.

(c) As used in Sections 12021, 12021.1, 12070, 12071, 12072, 12073, 12078, 12101, and 12801 of this code, and Sections 8100, 8101, and 8103 of the Welfare and Institutions Code, the term “firearm” includes the frame or receiver of the weapon.

(d) For the purposes of Sections 12025 and 12031, the term “firearm” also shall include any rocket, rocket propelled projectile launcher, or similar device containing any explosive or incendiary material whether or not the device is designed for emergency or distress signaling purposes.

(e) For purposes of Sections 12070, 12071, and paragraph (8) of subdivision (a), and subdivisions (b), (c), (d), and (f) of Section 12072, the term “firearm” does not include an unloaded firearm that is defined

as an “antique firearm” in Section 921(a)(16) of Title 18 of the United States Code.

(f) Nothing shall prevent a device defined as a “handgun,” “pistol,” “revolver,” or “firearm capable of being concealed upon the person” from also being found to be a short-barreled shotgun or a short-barreled rifle, as defined in Section 12020.

(g) For purposes of Sections 12551 and 12552, the term “BB device” means any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO₂ pressure, or spring action, or any spot marker gun.

(h) As used in this title, “wholesaler” means any person who is licensed as a dealer pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto who sells, transfers, or assigns firearms, or parts of firearms, to persons who are licensed as manufacturers, importers, or gunsmiths pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, or persons licensed pursuant to Section 12071, and includes persons who receive finished parts of firearms and assemble them into completed or partially completed firearms in furtherance of that purpose.

“Wholesaler” shall not include a manufacturer, importer, or gunsmith who is licensed to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code or a person licensed pursuant to Section 12071 and the regulations issued pursuant thereto. A wholesaler also does not include those persons dealing exclusively in grips, stocks, and other parts of firearms that are not frames or receivers thereof.

(i) As used in Section 12071, 12072, or 12084, “application to purchase” means any of the following:

(1) The initial completion of the register by the purchaser, transferee, or person being loaned the firearm as required by subdivision (b) of Section 12076.

(2) The initial completion of the LEFT by the purchaser, transferee, or person being loaned the firearm as required by subdivision (d) of Section 12084.

(3) The initial completion and transmission to the department of the record of electronic or telephonic transfer by the dealer on the purchaser, transferee, or person being loaned the firearm as required by subdivision (c) of Section 12076.

(j) For purposes of Section 12023, a firearm shall be deemed to be “loaded” whenever both the firearm and the unexpended ammunition capable of being discharged from the firearm are in the immediate possession of the same person.

(k) For purposes of Sections 12021, 12021.1, 12025, 12070, 12072, 12073, 12078, 12101, and 12801 of this code, and Sections 8100, 8101, and 8103 of the Welfare and Institutions Code, notwithstanding the fact that the term “any firearm” may be used in those sections, each firearm or the frame or receiver of the same shall constitute a distinct and separate offense under those sections.

(l) For purposes of Section 12020, a violation of that section as to each firearm, weapon, or device enumerated therein shall constitute a distinct and separate offense.

(m) Each application that requires any firearms eligibility determination involving the issuance of any license, permit, or certificate pursuant to this title shall include two copies of the applicant’s fingerprints on forms prescribed by the Department of Justice. One copy of the fingerprints may be submitted to the United States Federal Bureau of Investigation.

(n) As used in this chapter, a “personal handgun importer” means an individual who meets all of the following criteria:

(1) He or she is not a person licensed pursuant to Section 12071.

(2) He or she is not a licensed manufacturer of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code.

(3) He or she is not a licensed importer of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(4) He or she is the owner of a pistol, revolver, or other firearm capable of being concealed upon the person.

(5) He or she acquired that pistol, revolver, or other firearm capable of being concealed upon the person outside of California.

(6) He or she moves into this state on or after January 1, 1998, as a resident of this state.

(7) He or she intends to possess that pistol, revolver, or other firearm capable of being concealed upon the person within this state on or after January 1, 1998.

(8) The pistol, revolver, or other firearm capable of being concealed upon the person was not delivered to him or her by a person licensed pursuant to Section 12071 who delivered that firearm following the procedures set forth in Section 12071 and subdivision (c) of Section 12072.

(9) He or she, while a resident of this state, had not previously reported his or her ownership of that pistol, revolver, or other firearm capable of being concealed upon the person to the Department of Justice in a manner prescribed by the department that included information concerning him or her and a description of the firearm.

(10) The pistol, revolver, or other firearm capable of being concealed upon the person is not a firearm that is prohibited by subdivision (a) of Section 12020.

(11) The pistol, revolver, or other firearm capable of being concealed upon the person is not an assault weapon, as defined in Section 12276 or 12276.1.

(12) The pistol, revolver, or other firearm capable of being concealed upon the person is not a machinegun, as defined in Section 12200.

(13) The person is 18 years of age or older.

(o) For purposes of paragraph (6) of subdivision (n):

(1) Except as provided in paragraph (2), residency shall be determined in the same manner as is the case for establishing residency pursuant to Section 12505 of the Vehicle Code.

(2) In the case of members of the Armed Forces of the United States, residency shall be deemed to be established when he or she was discharged from active service in this state.

(p) As used in this code, "basic firearms safety certificate" means a certificate issued by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4, prior to January 1, 2003.

(q) As used in this code, "handgun safety certificate" means a certificate issued by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4, as that article is operative on or after January 1, 2003.

SEC. 2. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

(i) The building designated in the license.

(ii) The places specified in subparagraph (B) or (C).

(iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(C) "IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE."

(D) "DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE."

(E) "FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT

YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

- (I) Remove the magazine.
- (II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.
- (III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.
- (IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (V) Load one bright orange dummy round into the magazine.
- (VI) Insert the magazine into the magazine well of the firearm.
- (VII) Manipulate the slide release or pull back and release the slide.
- (VIII) Remove the magazine.
- (IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.
- (X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.
- (XI) Apply the safety, if applicable.
- (XII) Apply the firearm safety device, if applicable.
 - (ii) If the handgun is a double-action revolver:
 - (I) Open the cylinder.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.
 - (III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
 - (IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.
 - (V) Close the cylinder.
 - (VI) Open the cylinder and eject the round.
 - (VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.
 - (VIII) Apply the firearm safety device, if applicable.
 - (iii) If the handgun is a single-action revolver:
 - (I) Open the loading gate.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.
 - (III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to

Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the

cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 2.1. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(8) (A) Except where subparagraph (B) applies, commencing January 1, 2004, no license shall be granted to any applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section.

(B) Notwithstanding subparagraph (A), a license may be granted to an applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section, in any of the following circumstances:

(i) The building is located in a county with a population of less than 100,000 persons according to the most recent federal decennial census.

(ii) The applicant is a gunsmith seeking to engage in gunsmithing activities in the residential dwelling.

(iii) The applicant will only sell at retail, firearms that are curios or relics, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(iv) The building, structure, or unit is zoned for commercial, retail, or industrial activity.

(v) The applicant was initially granted a license pursuant to this section prior to January 1, 2002, and is physically disabled or handicapped and has substantially modified the residential dwelling to enable the licensee to function in that residential dwelling.

(C) Nothing in this paragraph shall be construed to prevent a local government from enacting an ordinance that imposes additional conditions on licensees with regard to the location of a building designated in a license granted pursuant to this section that are more restrictive than the prohibitions set forth in this section.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
 - (ii) The places specified in subparagraph (B) or (C).
 - (iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.
- (2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.
- (3) No firearm shall be delivered:
- (A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.
 - (B) Unless unloaded and securely wrapped or unloaded and in a locked container.
 - (C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.
 - (D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.
- (4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.
- (5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.
- (6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.
- (7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:
- (A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(C) "IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE."

(D) "DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE."

(E) "FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM."

(F) "NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD."

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person

being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back,

pull the slide back and physically check the chamber to ensure that the chamber is clear.

(XI) Apply the safety, if applicable.

(XII) Apply the firearm safety device, if applicable.

(ii) If the handgun is a double-action revolver:

(I) Open the cylinder.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.

(V) Close the cylinder.

(VI) Open the cylinder and eject the round.

(VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VIII) Apply the firearm safety device, if applicable.

(iii) If the handgun is a single-action revolver:

(I) Open the loading gate.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(5) For purposes of this section, "residential dwelling" means any structure which is occupied and primarily used for dwelling purposes, including any other structure, building, or unit located upon the parcel of land where the structure used for dwelling is situated.

(6) For purposes of this section, "gunsmith" means any person engaged primarily in the business of repairing firearms, or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the

number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 2.2. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of

administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
- (ii) The places specified in subparagraph (B) or (C).
- (iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(C) "IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE."

(D) "DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE."

(E) "FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM."

(F) "NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD."

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.

(XI) Apply the safety, if applicable.

(XII) Apply the firearm safety device, if applicable.

(ii) If the handgun is a double-action revolver:

(I) Open the cylinder.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.

(V) Close the cylinder.

(VI) Open the cylinder and eject the round.

(VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VIII) Apply the firearm safety device, if applicable.

(iii) If the handgun is a single-action revolver:

(I) Open the loading gate.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial

census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with

Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of

proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for

providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 2.3. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(8) (A) Except where subparagraph (B) applies, commencing January 1, 2004, no license shall be granted to any applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section.

(B) Notwithstanding subparagraph (A), a license may be granted to an applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section, in any of the following circumstances:

(i) The building is located in a county with a population of less than 100,000 persons according to the most recent federal decennial census.

(ii) The applicant is a gunsmith seeking to engage in gunsmithing activities in the residential dwelling.

(iii) The applicant will only sell at retail, firearms that are curios or relics, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(iv) The building, structure, or unit is zoned for commercial, retail, or industrial activity.

(v) The applicant was initially granted a license pursuant to this section prior to January 1, 2002, and is physically disabled or handicapped and has substantially modified the residential dwelling to enable the licensee to function in that residential dwelling.

(C) Nothing in this paragraph shall be construed to prevent a local government from enacting an ordinance that imposes additional conditions on licensees with regard to the location of a building designated in a license granted pursuant to this section that are more restrictive than the prohibitions set forth in this section.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
- (ii) The places specified in subparagraph (B) or (C).

(iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A

LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(B) “IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(C) “IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(D) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(E) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.

(XI) Apply the safety, if applicable.

(XII) Apply the firearm safety device, if applicable.

(ii) If the handgun is a double-action revolver:

(I) Open the cylinder.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.

(V) Close the cylinder.

(VI) Open the cylinder and eject the round.

(VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VIII) Apply the firearm safety device, if applicable.

(iii) If the handgun is a single-action revolver:

(I) Open the loading gate.

(II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department Certified Instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use

of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a “secure facility” means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee’s premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, “licensed premises,” “licensed place of business,” “licensee’s place of business,” or “licensee’s business premises” means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A “firearms transaction record” is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(5) For purposes of this section, “residential dwelling” means any structure which is occupied and primarily used for dwelling purposes, including any other structure, building, or unit located upon the parcel of land where the structure used for dwelling is situated.

(6) For purposes of this section, “gunsmith” means any person engaged primarily in the business of repairing firearms, or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer’s business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual’s current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department’s fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 3. Section 12072 of the Penal Code is amended to read:

12072. (a) (1) No person, corporation, or firm shall knowingly supply, deliver, sell, or give possession or control of a firearm to any person within any of the classes prohibited by Section 12021 or 12021.1.

(2) No person, corporation, or dealer shall sell, supply, deliver, or give possession or control of a firearm to any person whom he or she has cause to believe to be within any of the classes prohibited by Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(3) (A) No person, corporation, or firm shall sell, loan, or transfer a firearm to a minor, nor sell a handgun to an individual under 21 years of age.

(B) Subparagraph (A) shall not apply to or affect those circumstances set forth in subdivision (p) of Section 12078.

(4) No person, corporation, or dealer shall sell, loan, or transfer a firearm to any person whom he or she knows or has cause to believe is not the actual purchaser or transferee of the firearm, or to any person who is not the person actually being loaned the firearm, if the person, corporation, or dealer has either of the following:

(A) Knowledge that the firearm is to be subsequently loaned, sold, or transferred to avoid the provisions of subdivision (c) or (d).

(B) Knowledge that the firearm is to be subsequently loaned, sold, or transferred to avoid the requirements of any exemption to the provisions of subdivision (c) or (d).

(5) No person, corporation, or dealer shall acquire a firearm for the purpose of selling, transferring, or loaning the firearm, if the person, corporation, or dealer has either of the following:

(A) In the case of a dealer, intent to violate subdivision (b) or (c).

(B) In any other case, intent to avoid either of the following:

(i) The provisions of subdivision (d).

(ii) The requirements of any exemption to the provisions of subdivision (d).

(6) The dealer shall comply with the provisions of paragraph (18) of subdivision (b) of Section 12071.

(7) The dealer shall comply with the provisions of paragraph (19) of subdivision (b) of Section 12071.

(8) No person shall sell or otherwise transfer his or her ownership in a pistol, revolver, or other firearm capable of being concealed upon the person unless the firearm bears either:

(A) The name of the manufacturer, the manufacturer's make or model, and a manufacturer's serial number assigned to that firearm.

(B) The identification number or mark assigned to the firearm by the Department of Justice pursuant to Section 12092.

(9) (A) No person shall make an application to purchase more than one pistol, revolver, or other firearm capable of being concealed upon the person within any 30-day period.

(B) Subparagraph (A) shall not apply to any of the following:

(i) Any law enforcement agency.

(ii) Any agency duly authorized to perform law enforcement duties.

(iii) Any state or local correctional facility.

(iv) Any private security company licensed to do business in California.

(v) Any person who is properly identified as a full-time paid peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, and who is authorized to, and does carry a firearm during the course and scope of his or her employment as a peace officer.

(vi) Any motion picture, television, or video production company or entertainment or theatrical company whose production by its nature involves the use of a firearm.

(vii) Any person who may, pursuant to Section 12078, claim an exemption from the waiting period set forth in subdivision (c) of this section.

(viii) Any transaction conducted through a licensed firearms dealer pursuant to Section 12082.

(ix) Any transaction conducted through a law enforcement agency pursuant to Section 12084.

(x) Any person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code

and the regulations issued pursuant thereto and who has a current certificate of eligibility issued to him or her by the Department of Justice pursuant to Section 12071.

(xi) The exchange of a pistol, revolver, or other firearm capable of being concealed upon the person where the dealer purchased that firearm from the person seeking the exchange within the 30-day period immediately preceding the date of exchange or replacement.

(xii) The replacement of a pistol, revolver, or other firearm capable of being concealed upon the person when the person's pistol, revolver, or other firearm capable of being concealed upon the person was lost or stolen, and the person reported that firearm lost or stolen prior to the completion of the application to purchase to any local law enforcement agency of the city, county, or city and county in which he or she resides.

(xiii) The return of any pistol, revolver, or other firearm capable of being concealed upon the person to its owner.

(b) No person licensed under Section 12071 shall supply, sell, deliver, or give possession or control of a pistol, revolver, or firearm capable of being concealed upon the person to any person under the age of 21 years or any other firearm to a person under the age of 18 years.

(c) No dealer, whether or not acting pursuant to Section 12082, shall deliver a firearm to a person, as follows:

(1) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(2) Unless unloaded and securely wrapped or unloaded and in a locked container.

(3) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age, as defined in Section 12071, to the dealer.

(4) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(5) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no handgun shall be delivered unless the purchaser, transferee, or person being loaned the handgun presents a handgun safety certificate to the dealer.

(6) No pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered whenever the dealer is notified by the Department of Justice that within the preceding 30-day period the purchaser has made another application to purchase a pistol, revolver, or other firearm capable of being concealed upon the person and that the previous application to purchase involved none of the entities specified in subparagraph (B) of paragraph (9) of subdivision (a).

(d) Where neither party to the transaction holds a dealer's license issued pursuant to Section 12071, the parties to the transaction shall complete the sale, loan, or transfer of that firearm through either of the following:

(1) A licensed firearms dealer pursuant to Section 12082.

(2) A law enforcement agency pursuant to Section 12084.

(e) No person may commit an act of collusion relating to Article 8 (commencing with Section 12800) of Chapter 6. For purposes of this section and Section 12071, collusion may be proven by any one of the following factors:

(1) Answering a test applicant's questions during an objective test relating to firearms safety.

(2) Knowingly grading the examination falsely.

(3) Providing an advance copy of the test to an applicant.

(4) Taking or allowing another person to take the basic firearms safety course for one who is the applicant for a basic firearms safety certificate or a handgun safety certificate.

(5) Allowing another to take the objective test for the applicant, purchaser, or transferee.

(6) Using or allowing another to use one's identification, proof of residency, or thumbprint.

(7) Allowing others to give unauthorized assistance during the examination.

(8) Reference to unauthorized materials during the examination and cheating by the applicant.

(9) Providing originals or photocopies of the objective test, or any version thereof, to any person other than as authorized by the department.

(f) (1) No person who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code shall deliver, sell, or transfer a firearm to a person who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and whose licensed premises are located in this state unless one of the following conditions is met:

(A) The person presents proof of licensure pursuant to Section 12071 to that person.

(B) The person presents proof that he or she is exempt from licensure under Section 12071 to that person, in which case the person also shall present proof that the transaction is also exempt from the provisions of subdivision (d).

(2) (A) On or after January 1, 1998, within 60 days of bringing a pistol, revolver, or other firearm capable of being concealed upon the person into this state, a personal handgun importer shall do one of the following:

(i) Forward by prepaid mail or deliver in person to the Department of Justice, a report prescribed by the department including information concerning that individual and a description of the firearm in question.

(ii) Sell or transfer the firearm in accordance with the provisions of subdivision (d) or in accordance with the provisions of an exemption from subdivision (d).

(iii) Sell or transfer the firearm to a dealer licensed pursuant to Section 12071.

(iv) Sell or transfer the firearm to a sheriff or police department.

(B) If the personal handgun importer sells or transfers the pistol, revolver, or other firearm capable of being concealed upon the person pursuant to subdivision (d) of Section 12072 and the sale or transfer cannot be completed by the dealer to the purchaser or transferee, and the firearm can be returned to the personal handgun importer, the personal handgun importer shall have complied with the provisions of this paragraph.

(C) The provisions of this paragraph are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and different provisions of the Penal Code shall not be punished under more than one provision.

(D) (i) On and after January 1, 1998, the department shall conduct a public education and notification program regarding this paragraph to ensure a high degree of publicity of the provisions of this paragraph.

(ii) As part of the public education and notification program described in this subparagraph, the department shall do all of the following:

(I) Work in conjunction with the Department of Motor Vehicles to ensure that any person who is subject to this paragraph is advised of the provisions of this paragraph, and provided with blank copies of the report described in clause (i) of subparagraph (A) at the time that person applies for a California driver's license or registers his or her motor vehicle in accordance with the Vehicle Code.

(II) Make the reports referred to in clause (i) of subparagraph (A) available to dealers licensed pursuant to Section 12071.

(III) Make the reports referred to in clause (i) of subparagraph (A) available to law enforcement agencies.

(IV) Make persons subject to the provisions of this paragraph aware of the fact that reports referred to in clause (i) of subparagraph (A) may be completed at either the licensed premises of dealers licensed pursuant to Section 12071 or at law enforcement agencies, that it is advisable to do so for the sake of accuracy and completeness of the reports, that prior to transporting a pistol, revolver, or other firearm capable of being concealed upon the person to a law enforcement agency in order to comply with subparagraph (A), the person should give prior notice to the law enforcement agency that he or she is doing so, and that in any event, the pistol, revolver, or other firearm capable of being concealed upon the person should be transported unloaded and in a locked container.

(iii) Any costs incurred by the department to implement this paragraph shall be absorbed by the department within its existing budget and the fees in the Dealers' Record of Sale Special Account allocated for implementation of this subparagraph pursuant to Section 12076.

(3) Where a person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, acquires a pistol, revolver, or other firearm capable of being concealed upon the person that is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, outside of this state, takes actual possession of that firearm outside of this state pursuant to the provisions of subsection (j) of Section 923 of Title 18 of the United States Code, as amended by Public Law 104-208, and transports that firearm into this state, within five days of that licensed collector transporting that firearm into this state, he or she shall report to the department in a format prescribed by the department his or her acquisition of that firearm.

(4) (A) It is the intent of the Legislature that a violation of paragraph (2) or (3) shall not constitute a "continuing offense" and the statute of limitations for commencing a prosecution for a violation of paragraph (2) or (3) commences on the date that the applicable grace period specified in paragraph (2) or (3) expires.

(B) Paragraphs (2) and (3) shall not apply to a person who reports his or her ownership of a pistol, revolver, or other firearm capable of being concealed upon the person after the applicable grace period specified in paragraph (2) or (3) expires if evidence of that violation arises only as the result of the person submitting the report described in paragraph (2) or (3).

(g) (1) Except as provided in paragraph (2), (3), or (5), a violation of this section is a misdemeanor.

(2) If any of the following circumstances apply, a violation of this section is punishable by imprisonment in the state prison for two, three, or four years.

(A) If the violation is of paragraph (1) of subdivision (a).

(B) If the defendant has a prior conviction of violating the provisions, other than paragraph (9) of subdivision (a), of this section or former Section 12100 of this code or Section 8101 of the Welfare and Institutions Code.

(C) If the defendant has a prior conviction of violating any offense specified in subdivision (b) of Section 12021.1 or of a violation of Section 12020, 12220, or 12520, or of former Section 12560.

(D) If the defendant is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(E) A violation of this section by a person who actively participates in a "criminal street gang" as defined in Section 186.22.

(F) A violation of subdivision (b) involving the delivery of any firearm to a person who the dealer knows, or should know, is a minor.

(3) If any of the following circumstances apply, a violation of this section shall be punished by imprisonment in a county jail not exceeding one year or in the state prison, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment.

(A) A violation of paragraph (2), (4), or (5) of subdivision (a).

(B) A violation of paragraph (3) of subdivision (a) involving the sale, loan, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to a minor.

(C) A violation of subdivision (b) involving the delivery of a pistol, revolver, or other firearm capable of being concealed upon the person.

(D) A violation of paragraph (1), (3), (4), (5), or (6) of subdivision (c) involving a pistol, revolver, or other firearm capable of being concealed upon the person.

(E) A violation of subdivision (d) involving a pistol, revolver, or other firearm capable of being concealed upon the person.

(F) A violation of subdivision (e).

(4) If both of the following circumstances apply, an additional term of imprisonment in the state prison for one, two, or three years shall be imposed in addition and consecutive to the sentence prescribed.

(A) A violation of paragraph (2) of subdivision (a) or subdivision (b).

(B) The firearm transferred in violation of paragraph (2) of subdivision (a) or subdivision (b) is used in the subsequent commission of a felony for which a conviction is obtained and the prescribed sentence is imposed.

(5) (A) A first violation of paragraph (9) of subdivision (a) is an infraction punishable by a fine of fifty dollars (\$50).

(B) A second violation of paragraph (9) of subdivision (a) is an infraction punishable by a fine of one hundred dollars (\$100).

(C) A third or subsequent violation of paragraph (9) of subdivision (a) is a misdemeanor.

(D) For purposes of this paragraph each application to purchase a pistol, revolver, or other firearm capable of being concealed upon the person in violation of paragraph (9) of subdivision (a) shall be deemed a separate offense.

SEC. 4. Section 12076 of the Penal Code is amended to read:

12076. (a) (1) Before January 1, 1998, the Department of Justice shall determine the method by which a dealer shall submit firearm purchaser information to the department and the information shall be in one of the following formats:

(A) Submission of the register described in Section 12077.

(B) Electronic or telephonic transfer of the information contained in the register described in Section 12077.

(2) On or after January 1, 1998, electronic or telephonic transfer, including voice or facsimile transmission, shall be the exclusive means by which purchaser information is transmitted to the department.

(3) On or after January 1, 2003, except as permitted by the department, electronic transfer shall be the exclusive means by which information is transmitted to the department. Telephonic transfer shall not be permitted for information regarding sales of any firearms.

(b) (1) Where the register is used, the purchaser of any firearm shall be required to present clear evidence of his or her identity and age, as defined in Section 12071, to the dealer, and the dealer shall require him or her to sign his or her current legal name and affix his or her residence address and date of birth to the register in quadruplicate. The salesperson shall affix his or her signature to the register in quadruplicate as a witness to the signature and identification of the purchaser. Any person furnishing a fictitious name or address or knowingly furnishing any incorrect information or knowingly omitting any information required to be provided for the register and any person violating any provision of this section is guilty of a misdemeanor.

(2) The original of the register shall be retained by the dealer in consecutive order. Each book of 50 originals shall become the permanent register of transactions that shall be retained for not less than three years from the date of the last transaction and shall be available for the inspection of any peace officer, Department of Justice employee designated by the Attorney General, or agent of the federal Bureau of Alcohol, Tobacco, and Firearms upon the presentation of proper identification, but no information shall be compiled therefrom regarding the purchasers or other transferees of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person.

(3) Two copies of the original sheet of the register, on the date of the application to purchase, shall be placed in the mail, postage prepaid, and properly addressed to the Department of Justice in Sacramento.

(4) If requested, a photocopy of the original shall be provided to the purchaser by the dealer.

(5) If the transaction is one conducted pursuant to Section 12082, a photocopy of the original shall be provided to the seller by the dealer, upon request.

(c) (1) Where the electronic or telephonic transfer of applicant information is used, the purchaser shall be required to present clear evidence of his or her identity and age, as defined in Section 12071, to the dealer, and the dealer shall require him or her to sign his or her current legal name to the record of electronic or telephonic transfer. The salesperson shall affix his or her signature to the record of electronic or telephonic transfer as a witness to the signature and identification of the purchaser. Any person furnishing a fictitious name or address or knowingly furnishing any incorrect information or knowingly omitting any information required to be provided for the electronic or telephonic transfer and any person violating any provision of this section is guilty of a misdemeanor.

(2) The record of applicant information shall be transmitted to the Department of Justice in Sacramento by electronic or telephonic transfer on the date of the application to purchase.

(3) The original of each record of electronic or telephonic transfer shall be retained by the dealer in consecutive order. Each original shall become the permanent record of the transaction that shall be retained for not less than three years from the date of the last transaction and shall be provided for the inspection of any peace officer, Department of Justice employee designated by the Attorney General, or agent of the federal Bureau of Alcohol, Tobacco, and Firearms, upon the presentation of proper identification, but no information shall be compiled therefrom regarding the purchasers or other transferees of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person.

(4) If requested, a copy of the record of electronic or telephonic transfer shall be provided to the purchaser by the dealer.

(5) If the transaction is one conducted pursuant to Section 12082, a copy shall be provided to the seller by the dealer, upon request.

(d) (1) The department shall examine its records, as well as those records that it is authorized to request from the State Department of Mental Health pursuant to Section 8104 of the Welfare and Institutions Code, in order to determine if the purchaser is a person described in Section 12021, 12021.1, or subparagraph (A) of paragraph (9) of

subdivision (a) of Section 12072 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(2) To the extent that funding is available, the Department of Justice may participate in the National Instant Criminal Background Check System (NICS), as described in subsection (t) of Section 922 of Title 18 of the United States Code, and, if that participation is implemented, shall notify the dealer and the chief of the police department of the city or city and county in which the sale was made, or if the sale was made in a district in which there is no municipal police department, the sheriff of the county in which the sale was made, that the purchaser is a person prohibited from acquiring a firearm under federal law.

(3) If the department determines that the purchaser is a person described in Section 12021, 12021.1, or subparagraph (A) of paragraph (9) of subdivision (a) of Section 12072 of this code or Section 8100 or 8103 of the Welfare and Institutions Code, it shall immediately notify the dealer and the chief of the police department of the city or city and county in which the sale was made, or if the sale was made in a district in which there is no municipal police department, the sheriff of the county in which the sale was made, of that fact.

(4) If the department determines that the copies of the register submitted to it pursuant to paragraph (3) of subdivision (b) contain any blank spaces or inaccurate, illegible, or incomplete information, preventing identification of the purchaser or the pistol, revolver, or other firearm to be purchased, or if any fee required pursuant to subdivision (e) is not submitted by the dealer in conjunction with submission of copies of the register, the department may notify the dealer of that fact. Upon notification by the department, the dealer shall submit corrected copies of the register to the department, or shall submit any fee required pursuant to subdivision (e), or both, as appropriate and, if notification by the department is received by the dealer at any time prior to delivery of the firearm to be purchased, the dealer shall withhold delivery until the conclusion of the waiting period described in Sections 12071 and 12072.

(5) If the department determines that the information transmitted to it pursuant to subdivision (c) contains inaccurate or incomplete information preventing identification of the purchaser or the pistol, revolver, or other firearm capable of being concealed upon the person to be purchased, or if the fee required pursuant to subdivision (e) is not transmitted by the dealer in conjunction with transmission of the electronic or telephonic record, the department may notify the dealer of that fact. Upon notification by the department, the dealer shall transmit corrections to the record of electronic or telephonic transfer to the department, or shall transmit any fee required pursuant to subdivision (e), or both, as appropriate, and if notification by the department is

received by the dealer at any time prior to delivery of the firearm to be purchased, the dealer shall withhold delivery until the conclusion of the waiting period described in Sections 12071 and 12072.

(e) The Department of Justice may require the dealer to charge each firearm purchaser a fee not to exceed fourteen dollars (\$14), except that the fee may be increased at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the California Department of Industrial Relations. The fee shall be no more than is sufficient to reimburse all of the following, and is not to be used to directly fund or as a loan to fund any other program:

(1) (A) The department for the cost of furnishing this information.

(B) The department for the cost of meeting its obligations under paragraph (2) of subdivision (b) of Section 8100 of the Welfare and Institutions Code.

(2) Local mental health facilities for state-mandated local costs resulting from the reporting requirements imposed by Section 8103 of the Welfare and Institutions Code.

(3) The State Department of Mental Health for the costs resulting from the requirements imposed by Section 8104 of the Welfare and Institutions Code.

(4) Local mental hospitals, sanitariums, and institutions for state-mandated local costs resulting from the reporting requirements imposed by Section 8105 of the Welfare and Institutions Code.

(5) Local law enforcement agencies for state-mandated local costs resulting from the notification requirements set forth in subdivision (a) of Section 6385 of the Family Code.

(6) Local law enforcement agencies for state-mandated local costs resulting from the notification requirements set forth in subdivision (c) of Section 8105 of the Welfare and Institutions Code.

(7) For the actual costs associated with the electronic or telephonic transfer of information pursuant to subdivision (c).

(8) The Department of Food and Agriculture for the costs resulting from the notification provisions set forth in Section 5343.5 of the Food and Agricultural Code.

(9) The department for the costs associated with subparagraph (D) of paragraph (2) of subdivision (f) of Section 12072.

The fee established pursuant to this subdivision shall not exceed the sum of the actual processing costs of the department, the estimated reasonable costs of the local mental health facilities for complying with the reporting requirements imposed by paragraph (2) of this subdivision, the costs of the State Department of Mental Health for complying with the requirements imposed by paragraph (3) of this subdivision, the estimated reasonable costs of local mental hospitals, sanitariums, and institutions for complying with the reporting requirements imposed by

paragraph (4) of this subdivision, the estimated reasonable costs of local law enforcement agencies for complying with the notification requirements set forth in subdivision (a) of Section 6385 of the Family Code, the estimated reasonable costs of local law enforcement agencies for complying with the notification requirements set forth in subdivision (c) of Section 8105 of the Welfare and Institutions Code imposed by paragraph (6) of this subdivision, the estimated reasonable costs of the Department of Food and Agriculture for the costs resulting from the notification provisions set forth in Section 5343.5 of the Food and Agricultural Code, and the estimated reasonable costs of the department for the costs associated with subparagraph (D) of paragraph (2) of subdivision (f) of Section 12072.

(f) (1) The Department of Justice may charge a fee sufficient to reimburse it for each of the following but not to exceed fourteen dollars (\$14), except that the fee may be increased at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the California Department of Industrial Relations:

(A) For the actual costs associated with the preparation, sale, processing, and filing of forms or reports required or utilized pursuant to Section 12078 if neither a dealer nor a law enforcement agency acting pursuant to Section 12084 is filing the form or report.

(B) For the actual processing costs associated with the submission of a Dealers' Record of Sale to the department by a dealer or of the submission of a LEFT to the department by a law enforcement agency acting pursuant to Section 12084 if the waiting period described in Sections 12071, 12072, and 12084 does not apply.

(C) For the actual costs associated with the preparation, sale, processing, and filing of reports utilized pursuant to subdivision (l) of Section 12078 or paragraph (18) of subdivision (b) of Section 12071, or clause (i) of subparagraph (A) of paragraph (2) of subdivision (f) of Section 12072, or paragraph (3) of subdivision (f) of Section 12072.

(D) For the actual costs associated with the electronic or telephonic transfer of information pursuant to subdivision (c).

(2) If the department charges a fee pursuant to subparagraph (B) of paragraph (1) of this subdivision, it shall be charged in the same amount to all categories of transaction that are within that subparagraph.

(3) Any costs incurred by the Department of Justice to implement this subdivision shall be reimbursed from fees collected and charged pursuant to this subdivision. No fees shall be charged to the dealer pursuant to subdivision (e) or to a law enforcement agency acting pursuant to paragraph (6) of subdivision (d) of Section 12084 for costs incurred for implementing this subdivision.

(g) All money received by the department pursuant to this section shall be deposited in the Dealers' Record of Sale Special Account of the

General Fund, which is hereby created, to be available, upon appropriation by the Legislature, for expenditure by the department to offset the costs incurred pursuant to this section, subparagraph (D) of paragraph (2) of subdivision (f) of Section 12072 and Section 12289.

(h) Where the electronic or telephonic transfer of applicant information is used, the department shall establish a system to be used for the submission of the fees described in subdivision (e) to the department.

(i) (1) Only one fee shall be charged pursuant to this section for a single transaction on the same date for the sale of any number of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person or for the taking of possession of those firearms.

(2) In a single transaction on the same date for the delivery of any number of firearms that are pistols, revolvers, or other firearms capable of being concealed upon the person, the department shall charge a reduced fee pursuant to this section for the second and subsequent firearms that are part of that transaction.

(j) Only one fee shall be charged pursuant to this section for a single transaction on the same date for taking title or possession of any number of firearms pursuant to paragraph (18) of subdivision (b) of Section 12071 or subdivision (c) or (i) of Section 12078.

(k) Whenever the Department of Justice acts pursuant to this section as it pertains to firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, the department's acts or omissions shall be deemed to be discretionary within the meaning of the California Tort Claims Act pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(l) As used in this section, the following definitions apply:

(1) "Purchaser" means the purchaser or transferee of a firearm or a person being loaned a firearm.

(2) "Purchase" means the purchase, loan, or transfer of a firearm.

(3) "Sale" means the sale, loan, or transfer of a firearm.

(4) "Seller" means, if the transaction is being conducted pursuant to Section 12082, the person selling, loaning, or transferring the firearm.

SEC. 5. Section 12076.5 is added to the Penal Code, to read:

12076.5. (a) The Firearms Safety and Enforcement Special Fund is hereby established in the State Treasury and shall be administered by the Department of Justice. Notwithstanding Section 13340 of the Government Code, all moneys in the fund are continuously appropriated to the Department of Justice without regard to fiscal years for the purpose of implementing and enforcing the provisions of Article 8 (commencing with Section 12800), as added by the Statutes of 2001, enforcing the provisions of this title, and for the establishment, maintenance and

upgrading of equipment and services necessary for firearms dealers to comply with Section 12077.

(b) The Department of Justice may require firearms dealers to charge each person who obtains a firearm a fee not to exceed five dollars (\$5) for each transaction. Revenues from this fee shall be deposited in the Firearms Safety and Enforcement Special Fund.

SEC. 6. Section 12077 of the Penal Code is amended to read:

12077. (a) The Department of Justice shall prescribe the form of the register and the record of electronic or telephonic transfer pursuant to Section 12074.

(b) (1) For handguns, information contained in the register or record of electronic or telephonic transfer shall be the date and time of sale, make of firearm, peace officer exemption status pursuant to subdivision (a) of Section 12078 and the agency name, dealer waiting period exemption pursuant to subdivision (n) of Section 12078, dangerous weapons permitholder waiting period exemption pursuant to subdivision (r) of Section 12078, curio and relic waiting period exemption pursuant to subdivision (t) of Section 12078, California Firearms Dealer number issued pursuant to Section 12071, for transactions occurring prior to January 1, 2003, the purchaser's basic firearms safety certificate number issued pursuant to Sections 12805 and 12809, for transactions occurring on or after January 1, 2003, the purchaser's handgun safety certificate number issued pursuant to Article 8 (commencing with Section 12800), manufacturer's name if stamped on the firearm, model name or number, if stamped on the firearm, if applicable, serial number, other number (if more than one serial number is stamped on the firearm), any identification number or mark assigned to the firearm pursuant to Section 12092, caliber, type of firearm, if the firearm is new or used, barrel length, color of the firearm, full name of purchaser, purchaser's complete date of birth, purchaser's local address, if current address is temporary, complete permanent address of purchaser, identification of purchaser, purchaser's place of birth (state or country), purchaser's complete telephone number, purchaser's occupation, purchaser's sex, purchaser's physical description, all legal names and aliases ever used by the purchaser, yes or no answer to questions that prohibit purchase including, but not limited to, conviction of a felony as described in Section 12021 or an offense described in Section 12021.1, the purchaser's status as a person described in Section 8100 of the Welfare and Institutions Code, whether the purchaser is a person who has been adjudicated by a court to be a danger to others or found not guilty by reason of insanity, whether the purchaser is a person who has been found incompetent to stand trial or placed under conservatorship by a court pursuant to Section 8103 of the Welfare and Institutions Code, signature of purchaser, signature of salesperson (as a

witness to the purchaser's signature), name and complete address of the dealer or firm selling the firearm as shown on the dealer's license, the establishment number, if assigned, the dealer's complete business telephone number, any information required by Section 12082, any information required to determine whether or not paragraph (6) of subdivision (c) of Section 12072 applies, and a statement of the penalties for any person signing a fictitious name or address or for knowingly furnishing any incorrect information or for knowingly omitting any information required to be provided for the register.

(2) Effective January 1, 2003, the purchaser shall provide his or her right thumbprint on the register in a manner prescribed by the department. No exception to this requirement shall be permitted except by regulations adopted by the department.

(c) (1) For firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, information contained in the register or record of electronic or telephonic transfer shall be the date and time of sale, peace officer exemption status pursuant to subdivision (a) of Section 12078 and the agency name, auction or event waiting period exemption pursuant to subdivision (g) of Section 12078, California Firearms Dealer number issued pursuant to Section 12071, dangerous weapons permitholder waiting period exemption pursuant to subdivision (r) of Section 12078, curio and relic waiting period exemption pursuant to paragraph (1) of subdivision (t) of Section 12078, full name of purchaser, purchaser's complete date of birth, purchaser's local address, if current address is temporary, complete permanent address of purchaser, identification of purchaser, purchaser's place of birth (state or country), purchaser's complete telephone number, purchaser's occupation, purchaser's sex, purchaser's physical description, all legal names and aliases ever used by the purchaser, yes or no answer to questions that prohibit purchase, including, but not limited to, conviction of a felony as described in Section 12021 or an offense described in Section 12021.1, the purchaser's status as a person described in Section 8100 of the Welfare and Institutions Code, whether the purchaser is a person who has been adjudicated by a court to be a danger to others or found not guilty by reason of insanity, whether the purchaser is a person who has been found incompetent to stand trial or placed under conservatorship by a court pursuant to Section 8103 of the Welfare and Institutions Code, signature of purchaser, signature of salesperson (as a witness to the purchaser's signature), name and complete address of the dealer or firm selling the firearm as shown on the dealer's license, the establishment number, if assigned, the dealer's complete business telephone number, any information required by Section 12082, and a statement of the penalties for any person signing a fictitious name or address or for knowingly furnishing any incorrect

information or for knowingly omitting any information required to be provided for the register.

(2) Effective January 1, 2003, the purchaser shall provide his or her right thumbprint on the register in a manner prescribed by the department. No exception to this requirement shall be permitted except by regulations adopted by the department.

(d) Where the register is used, the following shall apply:

(1) Dealers shall use ink to complete each document.

(2) The dealer or salesperson making a sale shall ensure that all information is provided legibly. The dealer and salespersons shall be informed that incomplete or illegible information will delay sales.

(3) Each dealer shall be provided instructions regarding the procedure for completion of the form and routing of the form. Dealers shall comply with these instructions which shall include the information set forth in this subdivision.

(4) One firearm transaction shall be reported on each record of sale document. For purposes of this subdivision, a "transaction" means a single sale, loan, or transfer of any number of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person.

(e) The dealer or salesperson making a sale shall ensure that all required information has been obtained from the purchaser. The dealer and all salespersons shall be informed that incomplete information will delay sales.

(f) Effective January 1, 2003, the purchaser's name, date of birth, and driver's license or identification number shall be obtained electronically from the magnetic strip on the purchaser's driver's license or identification and shall not be supplied by any other means except as authorized by the department. This requirement shall not apply in either of the following cases:

(1) The purchaser's identification consists of a military identification card.

(2) Due to technical limitations, the magnetic stripe reader is unable to obtain the required information from the purchaser's identification. In those circumstances, the firearms dealer shall obtain a photocopy of the identification as proof of compliance.

(g) As used in this section, the following definitions shall control:

(1) "Purchaser" means the purchaser or transferee of a firearm or the person being loaned a firearm.

(2) "Purchase" means the purchase, loan, or transfer of a firearm.

(3) "Sale" means the sale, loan, or transfer of a firearm.

SEC. 7. Section 12078 of the Penal Code is amended to read:

12078. (a) (1) The waiting periods described in Sections 12071, 12072, and 12084 shall not apply to deliveries, transfers, or sales of

firearms made to persons properly identified as full-time paid peace officers as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, provided that the peace officers are authorized by their employer to carry firearms while in the performance of their duties. Proper identification is defined as verifiable written certification from the head of the agency by which the purchaser or transferee is employed, identifying the purchaser or transferee as a peace officer who is authorized to carry firearms while in the performance of his or her duties, and authorizing the purchase or transfer. The certification shall be delivered to the dealer or local law enforcement agency acting pursuant to Section 12084 at the time of purchase or transfer and the purchaser or transferee shall identify himself or herself as the person authorized in the certification. The dealer or local law enforcement agency shall keep the certification with the record of sale, or LEFT, as the case may be. On the date that the delivery, sale, or transfer is made, the dealer delivering the firearm or the law enforcement agency processing the transaction pursuant to Section 12084 shall forward by prepaid mail to the Department of Justice a report of the transaction pursuant to subdivision (b) or (c) of Section 12077 or Section 12084. If electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the transaction as is indicated in subdivision (b) or (c) of Section 12077.

(2) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to deliveries, transfers, or sales of firearms made to authorized law enforcement representatives of cities, counties, cities and counties, or state or federal governments for exclusive use by those governmental agencies if, prior to the delivery, transfer, or sale of these firearms, written authorization from the head of the agency authorizing the transaction is presented to the person from whom the purchase, delivery, or transfer is being made. Proper written authorization is defined as verifiable written certification from the head of the agency by which the purchaser or transferee is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which he or she is employed. Within 10 days of the date a pistol, revolver, or other firearm capable of being concealed upon the person is acquired by the agency, a record of the same shall be entered as an institutional weapon into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state agency. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

(3) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to the loan of a firearm made by an authorized law enforcement representative of a city, county, or city and county, or the state or federal government to a peace officer employed by that agency and authorized to carry a firearm for the carrying and use of that firearm by that peace officer in the course and scope of his or her duties.

(4) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to the delivery, sale, or transfer of a firearm by a law enforcement agency to a peace officer pursuant to Section 10334 of the Public Contract Code. Within 10 days of the date that a pistol, revolver, or other firearm capable of being concealed upon the person is sold, delivered, or transferred pursuant to Section 10334 of the Public Contract Code to that peace officer, the name of the officer and the make, model, serial number, and other identifying characteristics of the firearm being sold, transferred, or delivered shall be entered into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state agency that sold, transferred, or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

(5) Subdivision (b) of Section 12801 and the preceding provisions of this article do not apply to the delivery, sale, or transfer of a firearm by a law enforcement agency to a retiring peace officer who is authorized to carry a firearm pursuant to Section 12027.1. Within 10 days of the date that a pistol, revolver, or other firearm capable of being concealed upon the person is sold, delivered, or transferred to that retiring peace officer, the name of the officer and the make, model, serial number, and other identifying characteristics of the firearm being sold, transferred, or delivered shall be entered into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state agency that sold, transferred, or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

(6) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 do not apply to sales, deliveries, or transfers of firearms to authorized representatives of cities, cities and counties, counties, or state or federal governments for those governmental agencies where the entity is acquiring the weapon as part of an authorized, voluntary program where the entity is buying or receiving weapons from private individuals. Any weapons acquired pursuant to this paragraph shall be disposed of pursuant to the applicable provisions of Section 12028 or 12032.

(7) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the sale, loan, delivery, or transfer of a firearm made by an authorized law enforcement representative of a city, county, city and county, state, or the federal government to any public or private nonprofit historical society, museum, or institutional collection or the purchase or receipt of that firearm by such public or private nonprofit historical society, museum, or institutional collection if all of the following conditions are met:

(A) The entity receiving the firearm is open to the public.

(B) The firearm prior to delivery is deactivated or rendered inoperable.

(C) The firearm is not subject to Section 12028, 12028.5, 12030, or 12032.

(D) The firearm is not prohibited by other provisions of law from being sold, delivered, or transferred to the public at large.

(E) Prior to delivery, the entity receiving the firearm submits a written statement to the law enforcement representative stating that the firearm will not be restored to operating condition, and will either remain with that entity, or if subsequently disposed of, will be transferred in accordance with the applicable provisions of this article and, if applicable, Section 12801.

(F) Within 10 days of the date that the firearm is sold, loaned, delivered, or transferred to that entity, the name of the government entity delivering the firearm, and the make, model, serial number, and other identifying characteristics of the firearm and the name of the person authorized by the entity to take possession of the firearm shall be reported to the department in a manner prescribed by the department.

(G) In the event of a change in the status of the designated representative, the entity shall notify the department of a new representative within 30 days.

(8) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the sale, loan, delivery, or transfer of a firearm made by any person other than a representative of an authorized law enforcement agency to any public or private nonprofit historical society, museum, or institutional collection if all of the following conditions are met:

(A) The entity receiving the firearm is open to the public.

(B) The firearm is deactivated or rendered inoperable prior to delivery.

(C) The firearm is not of a type prohibited from being sold, delivered, or transferred to the public.

(D) Prior to delivery, the entity receiving the firearm submits a written statement to the person selling, loaning, or transferring the firearm stating that the firearm will not be restored to operating

condition, and will either remain with that entity, or if subsequently disposed of, will be transferred in accordance with the applicable provisions of this article and, if applicable Section 12801.

(E) If title to a handgun is being transferred to the public or private nonprofit historical society, museum, or institutional collection, then the designated representative of that public or private historical society, museum or institutional collection within 30 days of taking possession of that handgun, shall forward by prepaid mail or deliver in person to the Department of Justice, a single report signed by both parties to the transaction, that includes information identifying the person representing that public or private historical society, museum, or institutional collection, how title was obtained and from whom, and a description of the firearm in question, along with a copy of the written statement referred to in subparagraph (D). The report forms that are to be completed pursuant to this paragraph shall be provided by the Department of Justice.

(F) In the event of a change in the status of the designated representative, the entity shall notify the department of a new representative within 30 days.

(b) (1) Section 12071, subdivisions (c) and (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to deliveries, sales, or transfers of firearms between or to importers and manufacturers of firearms licensed to engage in that business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(2) Subdivision (b) of Section 12801 shall not apply to the delivery, sale, or transfer of a handgun to a person licensed pursuant to Section 12071, where the licensee is receiving the handgun in the course and scope of his or her activities as a person licensed pursuant to Section 12071.

(c) (1) Subdivision (d) of Section 12072 shall not apply to the infrequent transfer of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person by gift, bequest, intestate succession, or other means by one individual to another if both individuals are members of the same immediate family.

(2) Subdivision (d) of Section 12072 shall not apply to the infrequent transfer of a pistol, revolver, or other firearm capable of being concealed upon the person by gift, bequest, intestate succession, or other means by one individual to another if both individuals are members of the same immediate family and both of the following conditions are met:

(A) The person to whom the firearm is transferred shall, within 30 days of taking possession of the firearm, forward by prepaid mail or deliver in person to the Department of Justice, a report that includes information concerning the individual taking possession of the firearm,

how title was obtained and from whom, and a description of the firearm in question. The report forms that individuals complete pursuant to this paragraph shall be provided to them by the Department of Justice.

(B) If taking possession of the firearm prior to January 1, 2003, the person taking title to the firearm shall first obtain a basic firearms safety certificate. If taking possession on or after January 1, 2003, the person taking title to the firearm shall first obtain a handgun safety certificate.

(3) As used in this subdivision, "immediate family member" means any one of the following relationships:

(A) Parent and child.

(B) Grandparent and grandchild.

(d) (1) Subdivision (d) of Section 12072 shall not apply to the infrequent loan of firearms between persons who are personally known to each other for any lawful purpose, if the loan does not exceed 30 days in duration and, when the firearm is a handgun, commencing January 1, 2003, the individual being loaned the handgun has a valid handgun safety certificate.

(2) Subdivision (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the loan of a firearm where all of the following conditions exist:

(A) The person loaning the firearm is at all times within the presence of the person being loaned the firearm.

(B) The loan is for a lawful purpose.

(C) The loan does not exceed three days in duration.

(D) The individual receiving the firearm is not prohibited from owning or possessing a firearm pursuant to Section 12021 or 12021.1 of this code, or by Section 8100 or 8103 of the Welfare and Institutions Code.

(E) The person loaning the firearm is 18 years of age or older.

(F) The person being loaned the firearm is 18 years of age or older.

(e) Section 12071, subdivisions (c) and (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the delivery of a firearm to a gunsmith for service or repair, or to the return of the firearm to its owner by the gunsmith.

(f) Subdivision (d) of Section 12072 shall not apply to the sale, delivery, or transfer of firearms by persons who reside in this state to persons who reside outside this state who are licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, if the sale, delivery, or transfer is in accordance with Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(g) (1) Subdivision (d) of Section 12072 shall not apply to the infrequent sale or transfer of a firearm, other than a pistol, revolver, or

other firearm capable of being concealed upon the person, at auctions or similar events conducted by nonprofit mutual or public benefit corporations organized pursuant to the Corporations Code.

As used in this paragraph, the term “infrequent” shall not be construed to prohibit different local chapters of the same nonprofit corporation from conducting auctions or similar events, provided the individual local chapter conducts the auctions or similar events infrequently. It is the intent of the Legislature that different local chapters, representing different localities, be entitled to invoke the exemption created by this paragraph, notwithstanding the frequency with which other chapters of the same nonprofit corporation may conduct auctions or similar events.

(2) Subdivision (d) of Section 12072 shall not apply to the transfer of a firearm other than a pistol, revolver, or other firearm capable of being concealed upon the person, if the firearm is donated for an auction or similar event described in paragraph (1) and the firearm is delivered to the nonprofit corporation immediately preceding, or contemporaneous with, the auction or similar event.

(3) The waiting period described in Sections 12071 and 12072 shall not apply to a dealer who delivers a firearm other than a pistol, revolver, or other firearm capable of being concealed upon the person, at an auction or similar event described in paragraph (1), as authorized by subparagraph (C) of paragraph (1) of subdivision (b) of Section 12071. Within two business days of completion of the application to purchase, the dealer shall forward by prepaid mail to the Department of Justice a report of the same as is indicated in subdivision (c) of Section 12077. If the electronic or telephonic transfer of applicant information is used, within two business days of completion of the application to purchase, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the same as is indicated in subdivision (c) of Section 12077.

(h) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the loan of a firearm to a person 18 years of age or older for the purposes of shooting at targets if the loan occurs on the premises of a target facility that holds a business or regulatory license or on the premises of any club or organization organized for the purposes of practicing shooting at targets upon established ranges, whether public or private, if the firearm is at all times kept within the premises of the target range or on the premises of the club or organization.

(i) (1) Subdivision (d) of Section 12072 shall not apply to a person who takes title or possession of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person by operation of law if the person is not prohibited by Section 12021 or 12021.1 of this

code or Section 8100 or 8103 of the Welfare and Institutions Code from possessing firearms.

(2) Subdivision (d) of Section 12072 shall not apply to a person who takes title or possession of a pistol, revolver, or other firearm capable of being concealed upon the person by operation of law if the person is not prohibited by Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code from possessing firearms and all of the following conditions are met:

(A) If the person taking title or possession is neither a levying officer as defined in Section 481.140, 511.060, or 680.210 of the Code of Civil Procedure, nor a person who is receiving that firearm pursuant to subparagraph (G), (I), or (J) of paragraph (2) of subdivision (u), the person shall, within 30 days of taking possession, forward by prepaid mail or deliver in person to the Department of Justice, a report of information concerning the individual taking possession of the firearm, how title or possession was obtained and from whom, and a description of the firearm in question. The reports that individuals complete pursuant to this paragraph shall be provided to them by the department.

(B) If the person taking title or possession is receiving the firearm pursuant to subparagraph (G) of paragraph (2) of subdivision (u), the person shall do both of the following:

(i) Within 30 days of taking possession, forward by prepaid mail or deliver in person to the department, a report of information concerning the individual taking possession of the firearm, how title or possession was obtained and from whom, and a description of the firearm in question. The reports that individuals complete pursuant to this paragraph shall be provided to them by the department.

(ii) Prior to taking title or possession of the firearm, if title or possession is taken prior to January 1, 2003, the person shall either obtain a basic firearms safety certificate or be exempt from obtaining a basic firearms safety certificate pursuant to Section 12081. Prior to taking title or possession of the firearm, if title or possession is taken on or after January 1, 2003, the person shall obtain a handgun safety certificate.

(C) Where the person receiving title or possession of the pistol, revolver, or other firearm capable of being concealed upon the person is a person described in subparagraph (I) of paragraph (2) of subdivision (u), on the date that the person is delivered the firearm, the name and other information concerning the person taking possession of the firearm, how title or possession of the firearm was obtained and from whom, and a description of the firearm by make, model, serial number, and other identifying characteristics, shall be entered into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) by the law enforcement or state

agency that transferred or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

(D) Where the person receiving title or possession of the pistol, revolver, or other firearm capable of being concealed upon the person is a person described in subparagraph (J) of paragraph (2) of subdivision (u), on the date that the person is delivered the firearm, the name and other information concerning the person taking possession of the firearm, how title or possession of the firearm was obtained and from whom, and a description of the firearm by make, model, serial number, and other identifying characteristics, shall be entered into the AFS via the CLETS by the law enforcement or state agency that transferred or delivered the firearm. Those agencies without access to AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system. In addition, that law enforcement agency shall not deliver that pistol, revolver, or other firearm capable of being concealed upon the person to the person referred to in this subparagraph if delivery takes place prior to January 1, 2003, unless prior to the delivery of the same the person presents proof to the agency that he or she is the holder of a basic firearms safety certificate or is exempt from obtaining a basic firearms safety certificate pursuant to Section 12081, or, commencing January 1, 2003, is the holder of a handgun safety certificate.

(3) Subdivision (d) of Section 12072 shall not apply to a person who takes possession of a firearm by operation of law in a representative capacity who subsequently transfers ownership of the firearm to himself or herself in his or her individual capacity. In the case of a pistol, revolver, or other firearm capable of being concealed upon the person, on and after April 1, 1994, and until January 1, 2003, that individual shall have a basic firearms safety certificate in order for the exemption set forth in this paragraph to apply. Commencing January 1, 2003, the exemption shall not apply, and the individual shall obtain a handgun safety certificate prior to transferring ownership to himself or herself, or taking possession of a handgun in an individual capacity.

(j) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to deliveries, transfers, or returns of firearms made pursuant to Section 12028, 12028.5, or 12030.

(k) Section 12071, subdivision (c) of Section 12072, and subdivision (b) of Section 12801 shall not apply to any of the following:

(1) The delivery, sale, or transfer of unloaded firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person by a dealer to another dealer upon proof that the person receiving the firearm is licensed pursuant to Section 12071.

(2) The delivery, sale, or transfer of unloaded firearms by dealers to persons who reside outside this state who are licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(3) The delivery, sale, or transfer of unloaded firearms to a wholesaler if the firearms are being returned to the wholesaler and are intended as merchandise in the wholesaler's business.

(4) The delivery, sale, or transfer of unloaded firearms by one dealer to another dealer if the firearms are intended as merchandise in the receiving dealer's business upon proof that the person receiving the firearm is licensed pursuant to Section 12071.

(5) The delivery, sale, or transfer of an unloaded firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person by a dealer to himself or herself.

(6) The loan of an unloaded firearm by a dealer who also operates a target facility that holds a business or regulatory license on the premises of the building designated in the license or whose building designated in the license is on the premises of any club or organization organized for the purposes of practicing shooting at targets upon established ranges, whether public or private, to a person at that target facility or that club or organization, if the firearm is at all times kept within the premises of the target range or on the premises of the club or organization.

(l) A person who is exempt from subdivision (d) of Section 12072 or is otherwise not required by law to report his or her acquisition, ownership, or disposal of a pistol, revolver, or other firearm capable of being concealed upon the person or who moves out of this state with his or her pistol, revolver, or other firearm capable of being concealed upon the person may submit a report of the same to the Department of Justice in a format prescribed by the department.

(m) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the delivery, sale, or transfer of unloaded firearms to a wholesaler as merchandise in the wholesaler's business by manufacturers or importers licensed to engage in that business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, or by another wholesaler, if the delivery, sale, or transfer is made in accordance with Chapter 44 (commencing with Section 921) of Title 18 of the United States Code.

(n) (1) The waiting period described in Section 12071 or 12072 shall not apply to the delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person by a dealer in either of the following situations:

(A) The dealer is delivering the firearm to another dealer and it is not intended as merchandise in the receiving dealer's business.

(B) The dealer is delivering the firearm to himself or herself and it is not intended as merchandise in his or her business.

(2) In order for this subdivision to apply, both of the following shall occur:

(A) If the dealer is receiving the firearm from another dealer, the dealer receiving the firearm shall present proof to the dealer delivering the firearm that he or she is licensed pursuant to Section 12071.

(B) Whether the dealer is delivering, selling, or transferring the firearm to himself or herself or to another dealer, on the date that the application to purchase is completed, the dealer delivering the firearm shall forward by prepaid mail to the Department of Justice a report of the same and the type of information concerning the purchaser or transferee as is indicated in subdivision (b) of Section 12077. Where the electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit an electronic or telephonic report of the same and the type of information concerning the purchaser or transferee as is indicated in subdivision (b) of Section 12077.

(o) Section 12071 and subdivisions (c) and (d) of Section 12072 shall not apply to the delivery, sale, or transfer of firearms regulated pursuant to Section 12020, Chapter 2 (commencing with Section 12200), or Chapter 2.3 (commencing with Section 12275), if the delivery, sale, or transfer is conducted in accordance with the applicable provisions of Section 12020, Chapter 2 (commencing with Section 12200), or Chapter 2.3 (commencing with Section 12275).

(p) (1) Paragraph (3) of subdivision (a) and subdivision (d) of Section 12072 shall not apply to the loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a minor, with the express permission of the parent or legal guardian of the minor, if the loan does not exceed 30 days in duration and is for a lawful purpose.

(2) Paragraph (3) of subdivision (a) of Section 12072, subdivision (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the loan of a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by a person who is not the parent or legal guardian of the minor if all of the following circumstances exist:

(A) The minor has the written consent of his or her parent or legal guardian that is presented at the time of, or prior to the time of, the loan, or is accompanied by his or her parent or legal guardian at the time the loan is made.

(B) The minor is being loaned the firearm for the purpose of engaging in a lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion

picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(C) The duration of the loan does not exceed the amount of time that is reasonably necessary to engage in the lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(D) The duration of the loan does not, in any event, exceed 10 days.

(3) Paragraph (3) of subdivision (a), subdivision (d) of Section 12072, and subdivision (b) of Section 12801 shall not apply to the loan of a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by his or her parent or legal guardian if both of the following circumstances exist:

(A) The minor is being loaned the firearm for the purposes of engaging in a lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(B) The duration of the loan does not exceed the amount of time that is reasonably necessary to engage in the lawful, recreational sport, including, but not limited to, competitive shooting, or agricultural, ranching, or hunting activity, or a motion picture, television, or video production, or entertainment or theatrical event, the nature of which involves the use of a firearm.

(4) Paragraph (3) of subdivision (a) of Section 12072 shall not apply to the transfer or loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by his or her parent or legal guardian.

(5) Paragraph (3) of subdivision (a) of Section 12072 shall not apply to the transfer or loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a minor by his or her grandparent who is not the legal guardian of the minor if the transfer is done with the express permission of the parent or legal guardian of the minor.

(6) Subparagraph (A) of paragraph (3) of subdivision (a) of Section 12072 shall not apply to the sale of a handgun if both of the following requirements are satisfied:

(A) The sale is to a person who is at least 18 years of age.

(B) The firearm is an antique firearm as defined in paragraph (16) of subsection (a) of Section 921 of Title 18 of the United States Code.

(q) Subdivision (d) of Section 12072 shall not apply to the loan of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person to a licensed hunter for use by that licensed

hunter for a period of time not to exceed the duration of the hunting season for which that firearm is to be used.

(r) The waiting period described in Section 12071, 12072, or 12084 shall not apply to the delivery, sale, or transfer of a firearm to the holder of a special weapons permit issued by the Department of Justice issued pursuant to Section 12095, 12230, 12250, or 12305. On the date that the application to purchase is completed, the dealer delivering the firearm or the law enforcement agency processing the transaction pursuant to Section 12084, shall forward by prepaid mail to the Department of Justice a report of the same as described in subdivision (b) or (c) of Section 12077 or Section 12084. If the electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the same as is indicated in subdivision (b) or (c) of Section 12077.

(s) Subdivision (d) of Section 12072 and subdivision (b) of Section 12801 shall not apply to the loan of an unloaded firearm or the loan of a firearm loaded with blank cartridges, to a person 18 years of age or older, for use solely as a prop for a motion picture, television, or video production or an entertainment or theatrical event.

(t) (1) The waiting period described in Sections 12071, 12072, and 12084 shall not apply to the sale, delivery, loan, or transfer of a firearm that is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, by a dealer or through a law enforcement agency to a person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto who has a current certificate of eligibility issued to him or her by the Department of Justice pursuant to Section 12071. On the date that the delivery, sale, or transfer is made, the dealer delivering the firearm or the law enforcement agency processing the transaction pursuant to Section 12084, shall forward by prepaid mail to the Department of Justice a report of the transaction pursuant to subdivision (b) of Section 12077 or Section 12084. If the electronic or telephonic transfer of applicant information is used, on the date that the application to purchase is completed, the dealer delivering the firearm shall transmit to the Department of Justice an electronic or telephonic report of the transaction as is indicated in subdivision (b) or (c) of Section 12077.

(2) Subdivision (d) of Section 12072 shall not apply to the infrequent sale, loan, or transfer of a firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person, which is a curio or relic manufactured at least 50 years prior to the current date, but not including replicas thereof, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(u) As used in this section:

(1) “Infrequent” has the same meaning as in paragraph (1) of subdivision (c) of Section 12070.

(2) “A person taking title or possession of firearms by operation of law” includes, but is not limited to, any of the following instances wherein an individual receives title to, or possession of, firearms:

(A) The executor or administrator of an estate if the estate includes firearms.

(B) A secured creditor or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, a default under a security agreement under the Commercial Code.

(C) A levying officer, as defined in Section 481.140, 511.060, or 680.260 of the Code of Civil Procedure.

(D) A receiver performing his or her functions as a receiver if the receivership estate includes firearms.

(E) A trustee in bankruptcy performing his or her duties if the bankruptcy estate includes firearms.

(F) An assignee for the benefit of creditors performing his or her functions as an assignee, if the assignment includes firearms.

(G) A transmutation of property consisting of firearms pursuant to Section 850 of the Family Code.

(H) Firearms passing to a surviving spouse pursuant to Chapter 1 (commencing with Section 13500) of Part 2 of Division 8 of the Probate Code.

(I) Firearms received by the family of a police officer or deputy sheriff from a local agency pursuant to Section 50081 of the Government Code.

(J) The transfer of a firearm by a law enforcement agency to the person who found the firearm where the delivery is to the person as the finder of the firearm pursuant to Article 1 (commencing with Section 2080) of Chapter 4 of Division 3 of the Civil Code.

SEC. 8. Section 12081 of the Penal Code is amended to read:

12081. A basic firearms safety certificate shall not be required for any of the following transactions:

(a) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to a dealer.

(b) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person between or to importers and manufacturers of firearms licensed to engage in that business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(c) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to an active member of the United States Armed Forces, the National Guard, the Air National Guard, and the active reserve components of the United States, who is

properly identified. For purposes of this subdivision, proper identification includes the Armed Forces Identification Card, or other written documents certifying that the person is an active member of the United States Armed Forces, the National Guard, the Air National Guard, or the active reserve components of the United States.

(d) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to any person honorably discharged from the United States Armed Forces, the National Guard, the Air National Guard, or active reserve components of the United States who is properly identified. For purposes of this subdivision, proper identification includes a Retired Armed Forces Identification Card, or other written document certifying the person as being honorably discharged.

(e) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to any of the following persons who are properly identified:

(1) Any California or federal peace officer who is authorized to carry a firearm while on duty.

(2) Any honorably retired peace officer, as defined in Section 830.1, 830.2, or subdivision (c) of Section 830.5.

(3) Any honorably retired federal officers or agents who were authorized to, and did, carry firearms in the course and scope of their duties and are authorized to carry firearms pursuant to subdivision (i) of Section 12027.

(4) Any persons who have permits to carry pistols, revolvers, or other firearms capable of being concealed upon the person issued pursuant to Article 3 (commencing with Section 12050) of Chapter 1.

(5) Any persons who have a certificate of competency or a certificate of completion in hunter safety as provided in Article 2.5 (commencing with Section 3049) of Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, which bears a hunter safety instruction validation stamp affixed thereto.

(6) Any person who holds a valid hunting license issued by the State of California.

(7) Any person who is authorized to carry loaded firearms pursuant to subdivision (c) or (d) of Section 12031.

(8) Any person who has been issued a certificate pursuant to Section 12033.

(9) Any basic firearms safety instructor certified by the department pursuant to Section 12805.

(10) Persons who are properly identified as authorized participants in shooting matches approved by the Director of Civilian Marksmanship pursuant to the applicable provisions of Title 10 of the United States Code.

(11) Persons who have successfully completed the course of training specified in Section 832.

(12) Any person who receives an inoperable pistol, revolver, or other firearm capable of being concealed upon the person pursuant to Section 50081 of the Government Code.

(f) The delivery, sale, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person which is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, to a person who is licensed as a collector pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto who has a current certificate of eligibility issued to him or her pursuant to Section 12071.

(g) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2001, deletes or extends that date.

SEC. 9. Section 12084 of the Penal Code is amended to read:

12084. (a) As used in this section, the following definitions apply:

(1) "Agency" means a sheriff's department in a county of less than 200,000 persons, according to the most recent federal decennial census, that elects to process purchases, sales, loans, or transfers of firearms.

(2) "Seller" means the seller or transferor of a firearm or the person loaning the firearm.

(3) "Purchaser" means the purchaser or transferee of a firearm or the person being loaned a firearm.

(4) "Purchase" means the purchase, loan, sale, or transfer of a firearm.

(5) "Department" means the Department of Justice.

(6) "LEFT" means the Law Enforcement Firearms Transfer Form consisting of the transfer form utilized to purchase a firearm in accordance with this section.

(b) As an alternative to completing the sale, transfer, or loan of a firearm through a licensed dealer pursuant to Section 12082, the parties to the purchase of a firearm may complete the transaction through an agency in accordance with this section in order to comply with subdivision (d) of Section 12072.

(c) (1) LEFTs shall be prepared by the State Printer and shall be furnished to agencies on application at a cost to be determined by the Department of General Services for each 100 leaves in quintuplicate, one original and four duplicates for the making of carbon copies. The original and duplicate copies shall differ in color, and shall be in the form provided by this section. The State Printer, upon issuing the LEFT, shall forward to the department the name and address of the agency together with the series and sheet numbers on the LEFT. The LEFT shall not be transferable.

(2) The department shall prescribe the form of the LEFT. It shall be in the same exact format set forth in Sections 12077 and 12082, with the same distinct formats for firearms that are pistols, revolvers, and other firearms capable of being concealed upon the person and for firearms that are not pistols, revolvers, and other firearms capable of being concealed upon the person, except that, instead of the listing of information concerning a dealer, the LEFT shall contain the name, telephone number, and address of the law enforcement agency.

(3) The original of each LEFT shall be retained in consecutive order. Each book of 50 originals shall become the permanent record of transactions that shall be retained not less than three years from the date of the last transaction and shall be provided for the inspection of any peace officer, department employee designated by the Attorney General, or agent of the federal Bureau of Alcohol, Tobacco and Firearms upon the presentation of proper identification.

(4) Ink shall be used to complete each LEFT. The agency shall ensure that all information is provided legibly. The purchaser and seller shall be informed that incomplete or illegible information delays purchases.

(5) Each original LEFT shall contain instructions regarding the procedure for completion of the form and the routing of the form. The agency shall comply with these instructions which shall include the information set forth in this subdivision.

(6) One firearm transaction shall be reported on each LEFT. For purposes of this paragraph, a "transaction" means a single sale, loan, or transfer of any number of firearms that are not pistols, revolvers, or other firearms capable of being concealed upon the person between the same two persons.

(d) The following procedures shall be followed in processing the purchase:

(1) Without waiting for the conclusion of any waiting period to elapse, the seller shall immediately deliver the firearm to the agency solely to complete the LEFT. Upon completion of the LEFT, the firearm shall be immediately returned by the agency to the seller without waiting for the waiting period to elapse.

(2) The purchaser shall be required to present clear evidence of his or her identity and age, as defined in Section 12071, to the agency. The agency shall require the purchaser to complete the original and one copy of the LEFT. An employee of the agency shall then affix his or her signature as a witness to the signature and identification of the purchaser.

(3) Two copies of the LEFT shall, on that date of purchase, be placed in the mail, postage prepaid to the department at Sacramento. The third copy shall be provided to the purchaser and the fourth copy to the seller.

(4) The department shall examine its records, as well as those records that it is authorized to request from the State Department of Mental

Health pursuant to Section 8104 of the Welfare and Institutions Code, in order to determine if the purchaser is a person described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(5) If the department determines that the copies of the LEFT submitted to it pursuant to paragraph (3) contain any blank spaces or inaccurate, illegible, or incomplete information, preventing identification of the purchaser or the firearm to be purchased, or if any fee required pursuant to paragraph (6) is not submitted by the agency in conjunction with submission of the copies of the LEFT, or if the department determines that the person is a person described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code, it shall immediately notify the agency of that fact. Upon notification by the department, the purchaser shall submit any fee required pursuant to paragraph (6), as appropriate, and, if notification by the department is received by the agency at any time prior to delivery of the firearm, the delivery of the firearm shall be withheld until the conclusion of the waiting period described in paragraph (7).

(6) (A) The agency may charge a fee, not to exceed actual cost, sufficient to reimburse the agency for processing the transfer.

(B) The department may charge a fee, not to exceed actual cost, sufficient to reimburse the department for providing the information. The department shall charge the same fee that it would charge a dealer pursuant to Section 12082.

(7) The firearm shall not be delivered to the purchaser as follows:

(A) Prior to April 1, 1997, within 15 days of the application to purchase a pistol, revolver, or other firearm capable of being concealed upon the person, or, after notice by the department pursuant to paragraph (5), within 15 days of the submission to the department of any fees required pursuant to this subdivision, or within 15 days of the submission to the department of any correction to the LEFT, whichever is later. Prior to April 1, 1997, within 10 days of the application to purchase any firearm that is not a pistol, revolver, or other firearm capable of being concealed upon the person, or, after notice by the department pursuant to paragraph (5), within 10 days of the submission to the department of any fees required pursuant to this subdivision, or within 10 days of the submission to the department of any correction to the LEFT, whichever is later. On and after April 1, 1997, within 10 days of the application to purchase, or after notice by the department pursuant to paragraph (5), within 10 days of the submission to the department of any fees required pursuant to this subdivision, or within 10 days of the submission to the department of any correction to the LEFT, whichever is later.

(B) Unless unloaded.

(C) In the case of a pistol, revolver, or other firearm capable of being concealed upon the person, unless securely wrapped or in a locked container.

(D) Unless the purchaser presents clear evidence of his or her identity and age to the agency.

(E) Whenever the agency is notified by the department that the person is in a prohibited class described in Section 12021 or 12021.1, or Section 8100 or 8103 of the Welfare and Institutions Code.

(F) Unless done at the agency's premises.

(G) In the case of a handgun, commencing April 1, 1994, and until January 1, 2003, unless the purchaser presents to the seller a basic firearms safety certificate. Commencing January 1, 2003, in the case of a handgun, unless the purchaser presents to the seller a handgun safety certificate.

(H) Unless the purchaser is at least 18 years of age.

(e) The action of a law enforcement agency acting pursuant to Section 12084 shall be deemed to be a discretionary act within the meaning of the California Tort Claims Act pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(f) Whenever the Department of Justice acts pursuant to this section as it pertains to firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, its acts or omissions shall be deemed to be discretionary within the meaning of the California Tort Claims Act pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(g) Any person furnishing a fictitious name or address or knowingly furnishing any incorrect information or knowingly omitting any information required to be provided for the LEFT is guilty of a misdemeanor.

(h) All sums received by the department pursuant to this section shall be deposited in the Dealers' Record of Sale Special Account of the General Fund.

SEC. 10. Article 8 (commencing with Section 12800) is added to Chapter 6 of Title 2 of Part 4 of the Penal Code, to read:

Article 8. Handgun Safety Certificate

12800. It is the intent of the Legislature in enacting this article to require that persons who obtain handguns have a basic familiarity with those firearms, including, but not limited to, the safe handling and storage of those firearms. It is not the intent of the Legislature to require a handgun safety certificate for the mere possession of a firearm.

12801. (a) As used in this article, the following definitions shall apply:

(1) "Department" means the Department of Justice.

(2) "DOJ Certified Instructor" or "certified instructor" means a person designated as a handgun safety instructor by the Department of Justice pursuant to subdivision (d) of Section 12804.

(b) No person shall do either of the following:

(1) Purchase or receive any handgun, except an antique firearm, as defined in paragraph (16) of subsection (a) of Section 921 of Title 18 of the United States Code, without a valid handgun safety certificate.

(2) Sell, deliver, loan, or transfer any handgun, except an antique firearm, as defined in paragraph (16) of subsection (a) of Section 921 of Title 18 of the United States Code, to any person who does not have a valid handgun safety certificate.

(c) Any person who violates subdivision (b) is guilty of a misdemeanor.

(d) The provisions of this section are cumulative, and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by different provisions of this code shall not be punished under more than one provision.

12802. (a) No person may commit an act of collusion as specified in Section 12072.

(b) Any person who alters, counterfeits, or falsifies a handgun safety certificate, or who uses or attempts to use any altered, counterfeited, or falsified handgun safety certificate to purchase a handgun is guilty of a misdemeanor.

(c) The provisions of this section are cumulative and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and different provisions of this code shall not be punished under more than one provision.

12803. (a) No certified instructor may issue a handgun safety certificate to any person who has not complied with this article. Proof of compliance shall be forwarded to the department by certified instructors as frequently as the department may determine.

(b) No certified instructor may issue a handgun safety certificate to any person who is under 18 years of age.

(c) A violation of this section shall be grounds for the department to revoke the instructor's certification to issue handgun safety certificates.

12804. (a) The department shall develop an instruction manual in English and in Spanish by October 1, 2002. The department shall make the instructional manual available to firearms dealers licensed pursuant to Section 12071, who shall make it available to the general public. Essential portions of the manual may be included in the pamphlet described in Section 12080.

(b) The department shall develop audiovisual materials in English and in Spanish by March 1, 2003, to be issued to instructors certified by the department.

(c) (1) The department shall develop a written objective test, in English and in Spanish, and prescribe its content, form, and manner, to be administered by an instructor certified by the department. If the person taking the test is unable to read, the examination shall be administered orally. The test shall cover, but not be limited to, all of the following:

(A) The laws applicable to carrying and handling firearms, particularly handguns.

(B) The responsibilities of ownership of firearms, particularly handguns.

(C) Current law as it relates to the private sale and transfer of firearms.

(D) Current law as it relates to the permissible use of lethal force.

(E) What constitutes safe firearm storage.

(F) Issues associated with bringing a handgun into the home.

(G) Prevention strategies to address issues associated with bringing firearms into the home.

(2) If the person taking the test is unable to read English or Spanish, the test may be applied orally by a translator.

(d) The department shall prescribe a minimum level of skill, knowledge and competency to be required of all handgun safety certificate instructors.

(e) If a dealer licensed pursuant to Section 12071 or his or her employee, or where the managing officer or partner is certified as an instructor pursuant to this article, he or she shall also designate a separate room or partitioned area for a person to take the objective test, and maintain adequate supervision to assure that no acts of collusion occur while the objective test is being administered.

(f) The department shall solicit input from any reputable association or organization, including any law enforcement association that has as one of its objectives the promotion of firearms safety, in the development of the handgun safety certificate instructional materials.

(g) The department shall develop handgun safety certificates to be issued by instructors certified by the department, to those persons who have complied with this article.

(h) The department shall be immune from any liability arising from implementing this section.

(i) The department shall update test materials related to this article every five years.

(j) Department Certified Instructor applicants shall have a certification to provide training from one of the following organizations as specified, or any entity found by the department to give comparable

instruction in firearms safety, or the applicant shall have similar or equivalent training to that provided by the following, as determined by the department:

(1) Department of Consumer Affairs, State of California-Firearm Training Instructor.

(2) Director of Civilian Marksmanship, Instructor or Rangemaster.

(3) Federal Government, Certified Rangemaster or Firearm Instructor.

(4) Federal Law Enforcement Training Center, Firearm Instructor Training Program or Rangemaster.

(5) United States Military, Military Occupational Specialty (MOS) as marksmanship or firearms instructor. Assignment as Range Officer or Safety Officer are not sufficient.

(6) National Rifle Association-Certified Instructor, Law Enforcement Instructor, Rangemaster, or Training Counselor.

(7) Commission on Peace Officer Standards and Training (POST), State of California-Firearm Instructor or Rangemaster.

(8) Authorization from a State of California accredited school to teach a firearm training course.

12805. (a) An applicant for a handgun safety certificate shall successfully pass the objective test referred to in paragraph (1) of subdivision (c) of Section 12804, with a passing grade of at least 75 percent. Any person receiving a passing grade on the objective test shall immediately be issued a handgun safety certificate by the instructor.

(b) An applicant who fails to pass the objective test upon the first attempt shall be offered additional instructional materials by the instructor such as a videotape or booklet. The person may not retake the objective test under any circumstances until 24 hours have elapsed after the failure to pass the objective test upon the first attempt. The person failing the test on the first attempt shall take another version of the test upon the second attempt. All tests shall be taken from the same instructor except upon permission by the department, which shall be granted only for good cause shown. The instructor shall make himself or herself available to the applicant during regular business hours in order to retake the test.

(c) The certified instructor may charge a fee of twenty-five dollars (\$25), fifteen dollars (\$15) of which is to be paid to the department pursuant to subdivision (e).

(d) An applicant to renew a handgun safety certificate shall be required to pass the objective test. The certified instructor may charge a fee of twenty-five dollars (\$25), fifteen dollars (\$15) of which is to be forwarded to the department pursuant to subdivision (e).

(e) The department may charge the certified instructor up to fifteen dollars (\$15) for each handgun safety certificate issued by that instructor

to cover the department's cost in carrying out and enforcing this article, and enforcing this title, as determined annually by the department.

(f) All money received by the department pursuant to this article shall be deposited into the Firearms Safety and Enforcement Special Fund created pursuant to Section 12076.5.

(g) The department shall conduct enforcement activities, including, but not limited to, law enforcement activities to ensure compliance with Title 2 (commencing with Section 12000) of Part 4.

12806. (a) A handgun safety certificate shall include, but not be limited to, the following information:

- (1) A unique handgun safety certificate identification number.
- (2) The holder's full name.
- (3) The holder's date of birth.
- (4) The holder's driver's license or identification number.
- (5) The holder's signature.
- (6) The signature of the issuing instructor.
- (7) The date of issuance.

(b) The handgun safety certificate shall expire five years after the date that it was issued by the certified instructor.

12807. (a) The following persons, properly identified, are exempted from the handgun safety certificate requirement in subdivision (b) of Section 12801:

(1) Any active or honorably retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) Any active or honorably retired federal officer or law enforcement agent.

(3) Any reserve peace officer, as defined in Section 832.6.

(4) Any person who has successfully completed the course of training specified in Section 832.

(5) A firearms dealer licensed pursuant to Section 12071, who is acting in the course and scope of his or her activities as a person licensed pursuant to Section 12071.

(6) A federally licensed collector who is acquiring or being loaned a handgun that is a curio or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations, who has a current certificate of eligibility issued to him or her by the department pursuant to Section 12071.

(7) A person to whom a handgun is being returned, where the person receiving the firearm is the owner of the firearm.

(8) A family member of a peace officer or deputy sheriff from a local agency who receives a firearm pursuant to Section 50081 of the Government Code.

(9) Any individual who has a valid concealed weapons permit issued pursuant to Section 12050.

(10) An active, or honorably retired member of the United States Armed Forces, the National Guard, the Air National Guard, the active reserve components of the United States, where individuals in those organizations are properly identified. For purposes of this section, proper identification includes the Armed Forces Identification Card, or other written documentation certifying that the individual is an active or honorably retired member.

(11) Any person who is authorized to carry loaded firearms pursuant to subdivision (c) or (d) of Section 12031.

(12) Persons who are the holders of a special weapons permit issued by the department pursuant to Section 12095, 12230, 12250, or 12305.

(b) The following persons who take title or possession of a handgun by operation of law in a representative capacity, until or unless they transfer title ownership of the handgun to themselves in a personal capacity, are exempted from the handgun safety certificate requirement in subdivision (b) of Section 12801:

(1) The executor or administrator of an estate.

(2) A secured creditor or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, a default under a security agreement under the Commercial Code.

(3) A levying officer, as defined in Section 481.140, 511.060, or 680.260 of the Code of Civil Procedure.

(4) A receiver performing his or her functions as a receiver.

(5) A trustee in bankruptcy performing his or her duties.

(6) An assignee for the benefit of creditors performing his or her functions as an assignee.

12808. (a) In the case of loss or destruction of a handgun safety certificate, the issuing instructor shall issue a duplicate certificate upon request and proof of identification to the certificate holder.

(b) The department may authorize the issuing instructor to charge a fee not to exceed fifteen dollars (\$15), for a duplicate certificate. Revenues from this fee shall be deposited in the Firearms Safety and Enforcement Special Fund, created pursuant to Section 12076.5.

12809. Except for the provisions of Section 12804, this article shall become operative on January 1, 2003.

SEC. 11. Section 12810 is added to Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4 of the Penal Code, as added by Chapter 950 of the Statutes of 1991, to read:

12810. (a) This article is repealed on January 1, 2003, unless a later enacted statute that becomes operative on or before that date deletes or extends that date.

(b) Effective January 1, 2003, the Controller shall transfer all remaining funds in the Firearms Safety Training Fund Special Account to the Firearms Safety and Enforcement Special Fund created pursuant to Section 12076.5.

SEC. 12. (a) Section 2.1 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by both this bill and AB 22. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 12071 of the Penal Code, (3) SB 950 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after AB 22, in which case Sections 2, 2.2, and 2.3 of this bill shall not become operative.

(b) Section 2.2 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by both this bill and SB 950. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 12071 of the Penal Code, (3) AB 22 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after SB 950, in which case Sections 2, 2.1, and 2.3 of this bill shall not become operative.

(c) Section 2.3 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by this bill, AB 22, and SB 950. It shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2002, (2) all three bills amend Section 12071 of the Penal Code, and (3) this bill is enacted after AB 22, and SB 950, in which case Sections 2, 2.1, and 2.2 of this bill shall not become operative.

SEC. 13. This act shall only become operative if AB 35 is enacted and becomes effective on or before January 1, 2002. However, in order to avoid duplicate provisions, Article 8 (commencing with Section 12800) of Chapter 6 of Title 2 of Part 4 of the Penal Code, as proposed by AB 35 shall not become operative if this bill adds an article of the same number and this bill is chaptered last.

SEC. 14. 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.

CHAPTER 943

An act to amend Sections 1405 and 1417.9 of the Penal Code, relating to forensic testing.

[Approved by Governor October 14, 2001. Filed with Secretary of State October 14, 2001.]

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

SECTION 1. Section 1405 of the Penal Code is amended to read: 1405. (a) A person who was convicted of a felony and is currently serving a term of imprisonment may make a written motion before the trial court that entered the judgment of conviction in his or her case, for performance of forensic deoxyribonucleic acid (DNA) testing.

(b) (1) An indigent convicted person may request appointment of counsel to prepare a motion under this section by sending a written request to the court. The request shall include the person's statement that he or she was not the perpetrator of the crime and that DNA testing is relevant to his or her assertion of innocence. The request also shall include the person's statement as to whether he or she previously has had counsel appointed under this section.

(2) If any of the information required in paragraph (1) is missing from the request, the court shall return the request to the convicted person and advise him or her that the matter cannot be considered without the missing information.

(3) (A) Upon a finding that the person is indigent, he or she has included the information required in paragraph (1), and counsel has not previously been appointed pursuant to this subdivision, the court shall appoint counsel to investigate and, if appropriate, to file a motion for DNA testing under this section and to represent the person solely for the purpose of obtaining DNA testing under this section.

(B) Upon a finding that the person is indigent, and counsel previously has been appointed pursuant to this subdivision, the court may, in its discretion, appoint counsel to investigate and, if appropriate, to file a motion for DNA testing under this section and to represent the person solely for the purpose of obtaining DNA testing under this section.

(4) Nothing in this section shall be construed to provide for a right to the appointment of counsel in a postconviction collateral proceeding, or to set a precedent for any such right, in any context other than the representation being provided an indigent convicted person for the limited purpose of filing and litigating a motion for DNA testing pursuant to this section.

(c) (1)The motion shall be verified by the convicted person under penalty of perjury and shall do all of the following:

(A) Explain why the identity of the perpetrator was, or should have been, a significant issue in the case.

(B) Explain, in light of all the evidence, how the requested DNA testing would raise a reasonable probability that the convicted person's verdict or sentence would be more favorable if the results of DNA testing had been available at the time of conviction.

(C) Make every reasonable attempt to identify both the evidence that should be tested and the specific type of DNA testing sought.

(D) Reveal the results of any DNA or other biological testing that was conducted previously by either the prosecution or defense, if known.

(E) State whether any motion for testing under this section previously has been filed and the results of that motion, if known.

(2) Notice of the motion shall be served on the Attorney General, the district attorney in the county of conviction, and, if known, the governmental agency or laboratory holding the evidence sought to be tested. Responses, if any, shall be filed within 60 days of the date on which the Attorney General and the district attorney are served with the motion, unless a continuance is granted for good cause.

(d) If the court finds evidence was subjected to DNA or other forensic testing previously by either the prosecution or defense, it shall order the party at whose request the testing was conducted to provide all parties and the court with access to the laboratory reports, underlying data, and laboratory notes prepared in connection with the DNA or other biological evidence testing.

(e) The court, in its discretion, may order a hearing on the motion. The motion shall be heard by the judge who conducted the trial, or accepted the convicted person's plea of guilty or nolo contendere, unless the presiding judge determines that judge is unavailable. Upon request of either party, the court may order, in the interest of justice, that the convicted person be present at the hearing of the motion.

(f) The court shall grant the motion for DNA testing if it determines all of the following have been established:

(1) The evidence to be tested is available and in a condition that would permit the DNA testing requested in the motion.

(2) The evidence to be tested has been subject to a chain of custody sufficient to establish it has not been substituted, tampered with, replaced or altered in any material aspect.

(3) The identity of the perpetrator of the crime was, or should have been, a significant issue in the case.

(4) The convicted person has made a prima facie showing that the evidence sought to be tested is material to the issue of the convicted person's identity as the perpetrator of, or accomplice to, the crime, special circumstance, or enhancement allegation that resulted in the conviction or sentence.

(5) The requested DNA testing results would raise a reasonable probability that, in light of all the evidence, the convicted person's verdict or sentence would have been more favorable if the results of DNA testing had been available at the time of conviction. The court in its discretion may consider any evidence whether or not it was introduced at trial.

(6) The evidence sought to be tested meets either of the following conditions:

(A) The evidence was not tested previously.

(B) The evidence was tested previously, but the requested DNA test would provide results that are reasonably more discriminating and probative of the identity of the perpetrator or accomplice or have a reasonable probability of contradicting prior test results.

(7) The testing requested employs a method generally accepted within the relevant scientific community.

(8) The motion is not made solely for the purpose of delay.

(g) If the court grants the motion for DNA testing, the court order shall identify the specific evidence to be tested and the DNA technology to be used. The testing shall be conducted by a laboratory mutually agreed upon by the district attorney in a noncapital case, or the Attorney General in a capital case, and the person filing the motion. If the parties cannot agree, the court shall designate the laboratory to conduct the testing and shall consider designating a laboratory accredited by the American Society of Crime Laboratory Directors Laboratory Accreditation Board (ASCLD/LAB).

(h) The result of any testing ordered under this section shall be fully disclosed to the person filing the motion, the district attorney, and the Attorney General. If requested by any party, the court shall order production of the underlying laboratory data and notes.

(i) (1) The cost of DNA testing ordered under this section shall be borne by the state or the applicant, as the court may order in the interests of justice, if it is shown that the applicant is not indigent and possesses the ability to pay. However, the cost of any additional testing to be conducted by the district attorney or Attorney General shall not be borne by the convicted person.

(2) In order to pay the state's share of any testing costs, the laboratory designated in subdivision (e) shall present its bill for services to the superior court for approval and payment. It is the intent of the Legislature to appropriate funds for this purpose in the 2000-01 Budget Act.

(j) An order granting or denying a motion for DNA testing under this section shall not be appealable, and shall be subject to review only through petition for writ of mandate or prohibition filed by the person seeking DNA testing, the district attorney, or the Attorney General. The petition shall be filed within 20 days after the court's order granting or

denying the motion for DNA testing. In a noncapital case, the petition for writ of mandate or prohibition shall be filed in the court of appeal. In a capital case, the petition shall be filed in the California Supreme Court. The court of appeal or California Supreme Court shall expedite its review of a petition for writ of mandate or prohibition filed under this subdivision.

(k) DNA testing ordered by the court pursuant to this section shall be done as soon as practicable. However, if the court finds that a miscarriage of justice will otherwise occur and that it is necessary in the interests of justice to give priority to the DNA testing, a DNA laboratory shall be required to give priority to the DNA testing ordered pursuant to this section over the laboratory's other pending casework.

(l) DNA profile information from biological samples taken from a convicted person pursuant to a motion for postconviction DNA testing is exempt from any law requiring disclosure of information to the public.

(m) Notwithstanding any other provision of law, the right to file a motion for postconviction DNA testing provided by this section is absolute and shall not be waived. This prohibition applies to, but is not limited to, a waiver that is given as part of an agreement resulting in a plea of guilty or nolo contendere.

(n) The provisions of this section are severable. If any provision of this section 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. 2. Section 1417.9 of the Penal Code is amended to read:

1417.9. (a) Notwithstanding any other provision of law and subject to subdivision (b), the appropriate governmental entity shall retain all biological material that is secured in connection with a criminal case for the period of time that any person remains incarcerated in connection with that case. The governmental entity shall have the discretion to determine how the evidence is retained pursuant to this section, provided that the evidence is retained in a condition suitable for deoxyribonucleic acid (DNA) testing.

(b) A governmental entity may dispose of biological material before the expiration of the period of time described in subdivision (a) if all of the conditions set forth below are met:

(1) The governmental entity notifies all of the following persons of the provisions of this section and of the intention of the governmental entity to dispose of the material: any person, who as a result of a felony conviction in the case is currently serving a term of imprisonment and who remains incarcerated in connection with the case, any counsel of record, the public defender in the county of conviction, the district attorney in the county of conviction, and the Attorney General.

(2) The notifying entity does not receive, within 90 days of sending the notification, any of the following:

(A) A motion filed pursuant to Section 1405. However, upon filing of that motion, the governmental entity shall retain the material only until the time that the court's denial of the motion is final.

(B) A request under penalty of perjury that the material not be destroyed or disposed of because the declarant will file within 180 days a motion for DNA testing pursuant to Section 1405 that is followed within 180 days by a motion for DNA testing pursuant to Section 1405, unless a request for an extension is requested by the convicted person and agreed to by the governmental entity in possession of the evidence.

(C) A declaration of innocence under penalty of perjury that has been filed with the court within 180 days of the judgment of conviction or July 1, 2001, whichever is later. However, the court shall permit the destruction of the evidence upon a showing that the declaration is false or there is no issue of identity that would be affected by additional testing. The convicted person may be cross-examined on the declaration at any hearing conducted under this section or on an application by or on behalf of the convicted person filed pursuant to Section 1405.

(3) No other provision of law requires that biological evidence be preserved or retained.

(c) Notwithstanding any other provision of law, the right to receive notice pursuant to this section is absolute and shall not be waived. This prohibition applies to, but is not limited to, a waiver that is given as part of an agreement resulting in a plea of guilty or nolo contendere.

(d) This section shall remain in effect only until January 1, 2003, and on that date is repealed unless a later enacted statute that is enacted before January 1, 2003, deletes or extends that date.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

CHAPTER 944

An act to amend Sections 12001.6, 12021, and 12071 of, to add Section 12028.7 to, and to add Article 1.5 (commencing with Section

12010) to Chapter 1 of Title 2 of Part 4 of, the Penal Code, relating to firearms.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 12001.6 of the Penal Code is amended to read:
12001.6. As used in this chapter, an offense which involves the violent use of a firearm includes any of the following:

(a) A violation of paragraph (2) or (3) of subdivision (a) of Section 245 or a violation of subdivision (d) of Section 245.

(b) A violation of Section 246.

(c) A violation of paragraph (2) of subdivision (a) of Section 417.

(d) A violation of subdivision (c) of Section 417.

SEC. 2. Article 1.5 (commencing with Section 12010) is added to Chapter 1 of Title 2 of Part 4 of the Penal Code, to read:

Article 1.5. Prohibited Armed Persons File

12010. (a) The Attorney General shall establish and maintain an online data base to be known as the Prohibited Armed Persons File. The purpose of the file is to cross-reference persons who have ownership or possession of a firearm on or after January 1, 1991, as indicated by a Dealers' Record of Sale recorded in the Automated Firearms System, and who, subsequent to the date of that ownership or possession of a firearm, fall within a class of persons who are prohibited from owning or possessing a firearm.

(b) The information contained in the Prohibited Armed Persons File shall only be available to those entities specified in, and pursuant to, subdivision (b) or (c) of Section 11105, through the California Law Enforcement Telecommunications System, for the purpose of determining if persons are armed and prohibited from possessing firearms.

12011. The Prohibited Armed Persons File data base shall function as follows:

(a) Upon entry into the Automated Criminal History System of a disposition for a conviction of any felony, a conviction for any firearms-prohibiting charge specified in Section 12021, a conviction for an offense described in Section 12021.1, a firearms prohibition pursuant to Section 8100 or 8103 of the Welfare and Institutions Code, or any firearms possession prohibition identified by the federal National Instant Check System, the Department of Justice shall determine if the subject has an entry in the Automated Firearms System indicating possession or

ownership of a firearm on or after January 1, 1991, or an assault weapon registration.

(b) Upon an entry into any department automated information system that is used for the identification of persons who are prohibited from acquiring, owning, or possessing firearms, the department shall determine if the subject has an entry in the Automated Firearms System indicating ownership or possession of a firearm on or after January 1, 1991, or an assault weapon registration.

(c) If the department determines that, pursuant to subdivision (a) or (b), the subject has an entry in the Automated Firearms System indicating possession or ownership of a firearm on or after January 1, 1991, or an assault weapon registration, the following information shall be entered into the Prohibited Armed Persons File:

- (1) The subject's name.
- (2) The subject's date of birth.
- (3) The subject's physical description.
- (4) Any other identifying information regarding the subject that is deemed necessary by the Attorney General.
- (5) The basis of the firearms possession prohibition.
- (6) A description of all firearms owned or possessed by the subject, as reflected by the Automated Firearms System.

12012. The Attorney General shall provide investigative assistance to local law enforcement agencies to better ensure the investigation of individuals who are armed and prohibited from possessing a firearm.

SEC. 3. Section 12021 of the Penal Code is amended to read:

12021. (a) (1) Any person who has been convicted of a felony under the laws of the United States, of the State of California, or any other state, government, or country, or of an offense enumerated in subdivision (a), (b), or (d) of Section 12001.6, or who is addicted to the use of any narcotic drug, who owns or has in his or her possession or under his or her custody or control any firearm is guilty of a felony.

(2) Any person who has two or more convictions for violating paragraph (2) of subdivision (a) of Section 417 and who owns or has in his or her possession or under his or her custody or control any firearm is guilty of a felony.

(b) Notwithstanding subdivision (a), any person who has been convicted of a felony or of an offense enumerated in Section 12001.6, when that conviction results from certification by the juvenile court for prosecution as an adult in an adult court under Section 707 of the Welfare and Institutions Code, who owns or has in his or her possession or under his or her custody or control any firearm is guilty of a felony.

(c) (1) Except as provided in subdivision (a) or paragraph (2) of this subdivision, any person who has been convicted of a misdemeanor violation of Section 71, 76, 136.1, 136.5, or 140, subdivision (d) of

Section 148, Section 171b, 171c, 171d, 186.28, 240, 241, 242, 243, 244.5, 245, 245.5, 246, 246.3, 247, 273.5, 273.6, 417, 417.1, 417.2, 417.6, 422, 626.9, 646.9, 12023, or 12024, subdivision (b) or (d) of Section 12034, Section 12040, subdivision (b) of Section 12072, subdivision (a) of former Section 12100, Section 12220, 12320, or 12590, or Section 8100, 8101, or 8103 of the Welfare and Institutions Code, any firearm-related offense pursuant to Sections 871.5 and 1001.5 of the Welfare and Institutions Code, or of the conduct punished in paragraph (3) of subdivision (g) of Section 12072, and who, within 10 years of the conviction, owns, or has in his or her possession or under his or her custody or control, any firearm is guilty of a public offense, which shall be punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine. The court, on forms prescribed by the Department of Justice, shall notify the department of persons subject to this subdivision. However, the prohibition in this paragraph may be reduced, eliminated, or conditioned as provided in paragraph (2) or (3).

(2) Any person employed as a peace officer described in Section 830.1, 830.2, 830.31, 830.32, 830.33, or 830.5 whose employment or livelihood is dependent on the ability to legally possess a firearm, who is subject to the prohibition imposed by this subdivision because of a conviction under Section 273.5, 273.6, or 646.9, may petition the court only once for relief from this prohibition. The petition shall be filed with the court in which the petitioner was sentenced. If possible, the matter shall be heard before the same judge that sentenced the petitioner. Upon filing the petition, the clerk of the court shall set the hearing date and shall notify the petitioner and the prosecuting attorney of the date of the hearing. Upon making each of the following findings, the court may reduce or eliminate the prohibition, impose conditions on reduction or elimination of the prohibition, or otherwise grant relief from the prohibition as the court deems appropriate:

(A) Finds by a preponderance of the evidence that the petitioner is likely to use a firearm in a safe and lawful manner.

(B) Finds that the petitioner is not within a prohibited class as specified in subdivision (a), (b), (d), (e), or (g) or Section 12021.1, and the court is not presented with any credible evidence that the petitioner is a person described in Section 8100 or 8103 of the Welfare and Institutions Code.

(C) Finds that the petitioner does not have a previous conviction under this subdivision no matter when the prior conviction occurred.

In making its decision, the court shall consider the petitioner's continued employment, the interest of justice, any relevant evidence, and the totality of the circumstances. The court shall require, as a

condition of granting relief from the prohibition under this section, that the petitioner agree to participate in counseling as deemed appropriate by the court. Relief from the prohibition shall not relieve any other person or entity from any liability that might otherwise be imposed. It is the intent of the Legislature that courts exercise broad discretion in fashioning appropriate relief under this paragraph in cases in which relief is warranted. However, nothing in this paragraph shall be construed to require courts to grant relief to any particular petitioner. It is the intent of the Legislature to permit persons who were convicted of an offense specified in Section 273.5, 273.6, or 646.9 to seek relief from the prohibition imposed by this subdivision.

(3) Any person who is subject to the prohibition imposed by this subdivision because of a conviction of an offense prior to that offense being added to paragraph (1) may petition the court only once for relief from this prohibition. The petition shall be filed with the court in which the petitioner was sentenced. If possible, the matter shall be heard before the same judge that sentenced the petitioner. Upon filing the petition, the clerk of the court shall set the hearing date and notify the petitioner and the prosecuting attorney of the date of the hearing. Upon making each of the following findings, the court may reduce or eliminate the prohibition, impose conditions on reduction or elimination of the prohibition, or otherwise grant relief from the prohibition as the court deems appropriate:

(A) Finds by a preponderance of the evidence that the petitioner is likely to use a firearm in a safe and lawful manner.

(B) Finds that the petitioner is not within a prohibited class as specified in subdivision (a), (b), (d), (e), or (g) or Section 12021.1, and the court is not presented with any credible evidence that the petitioner is a person described in Section 8100 or 8103 of the Welfare and Institutions Code.

(C) Finds that the petitioner does not have a previous conviction under this subdivision, no matter when the prior conviction occurred.

In making its decision, the court may consider the interest of justice, any relevant evidence, and the totality of the circumstances. It is the intent of the Legislature that courts exercise broad discretion in fashioning appropriate relief under this paragraph in cases in which relief is warranted. However, nothing in this paragraph shall be construed to require courts to grant relief to any particular petitioner.

(4) Law enforcement officials who enforce the prohibition specified in this subdivision against a person who has been granted relief pursuant to paragraph (2) or (3) shall be immune from any liability for false arrest arising from the enforcement of this subdivision unless the person has in his or her possession a certified copy of the court order that granted the person relief from the prohibition. This immunity from liability shall

not relieve any person or entity from any other liability that might otherwise be imposed.

(d) (1) Any person who, as an express condition of probation, is prohibited or restricted from owning, possessing, controlling, receiving, or purchasing a firearm and who owns, or has in his or her possession or under his or her custody or control, any firearm but who is not subject to subdivision (a) or (c) is guilty of a public offense, which shall be punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine. The court, on forms provided by the Department of Justice, shall notify the department of persons subject to this subdivision. The notice shall include a copy of the order of probation and a copy of any minute order or abstract reflecting the order and conditions of probation.

(2) For any person who is subject to subdivision (a), (b), or (c), the court shall, at the time judgment is imposed, provide on a form supplied by the Department of Justice, a notice to the defendant prohibited by this section from owning, possessing or having under his or her custody or control, any firearm. The notice shall inform the defendant of the prohibition regarding firearms and include a form to facilitate the transfer of firearms. Failure to provide the notice shall not be a defense to a violation of this section.

(e) Any person who (1) is alleged to have committed an offense listed in subdivision (b) of Section 707 of the Welfare and Institutions Code, an offense described in subdivision (b) of Section 1203.073, or any offense enumerated in paragraph (1) of subdivision (c), and (2) is subsequently adjudged a ward of the juvenile court within the meaning of Section 602 of the Welfare and Institutions Code because the person committed an offense listed in subdivision (b) of Section 707 of the Welfare and Institutions Code, an offense described in subdivision (b) of Section 1203.073, or any offense enumerated in paragraph (1) of subdivision (c) shall not own, or have in his or her possession or under his or her custody or control, any firearm until the age of 30 years. A violation of this subdivision shall be punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine. The juvenile court, on forms prescribed by the Department of Justice, shall notify the department of persons subject to this subdivision. Notwithstanding any other law, the forms required to be submitted to the department pursuant to this subdivision may be used to determine eligibility to acquire a firearm.

(f) Subdivision (a) shall not apply to a person who has been convicted of a felony under the laws of the United States unless either of the following criteria is satisfied:

(1) Conviction of a like offense under California law can only result in imposition of felony punishment.

(2) The defendant was sentenced to a federal correctional facility for more than 30 days, or received a fine of more than one thousand dollars (\$1,000), or received both punishments.

(g) (1) Every person who purchases or receives, or attempts to purchase or receive, a firearm knowing that he or she is subject to a protective order as defined in Section 6218 of the Family Code, Section 136.2, or a temporary restraining order or injunction issued pursuant to Section 527.6 or 527.8 of the Code of Civil Procedure, is guilty of a public offense, which shall be punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine. This subdivision does not apply unless the copy of the restraining order personally served on the person against whom the restraining order is issued contains a notice in bold print stating (1) that the person is prohibited from purchasing or receiving or attempting to purchase or receive a firearm and (2) specifying the penalties for violating this subdivision, or a court has provided actual verbal notice of the firearm prohibition and penalty as provided in Section 6304 of the Family Code.

(2) Every person who owns or possesses a firearm knowing that he or she is prohibited from owning or possessing a firearm by the provisions of a protective order as defined in Section 6218 of the Family Code, Section 136.2 of the Penal Code, or a temporary restraining order or injunction issued pursuant to Section 527.6 or 527.8 of the Code of Civil Procedure, is guilty of a public offense, which shall be punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine. This subdivision does not apply unless a copy of the restraining order personally served on the person against whom the restraining order is issued contains a notice in bold print stating (1) that the person is prohibited from owning or possessing or attempting to own or possess a firearm and (2) specifying the penalties for violating this subdivision, or a court has provided actual verbal notice of the firearm prohibition and penalty as provided in Section 6304 of the Family Code.

(3) Judicial Council shall provide notice on all protective orders that the respondent is prohibited from owning, possessing, purchasing, or receiving a firearm while the protective order is in effect and that the firearm shall be relinquished to the local law enforcement agency for that jurisdiction or sold to a licensed gun dealer, and that proof of surrender or sale shall be filed within a specified time of receipt of the order. The order shall also state on its face the expiration date for relinquishment.

(4) If probation is granted upon conviction of a violation of this subdivision, the court shall impose probation consistent with the provisions of Section 1203.097.

(h) (1) A violation of subdivision (a), (b), (c), (d), or (e) is justifiable where all of the following conditions are met:

(A) The person found the firearm or took the firearm from a person who was committing a crime against him or her.

(B) The person possessed the firearm no longer than was necessary to deliver or transport the firearm to a law enforcement agency for that agency's disposition according to law.

(C) If the firearm was transported to a law enforcement agency, it was transported in accordance with paragraph (18) of subdivision (a) of Section 12026.2.

(D) If the firearm is being transported to a law enforcement agency, the person transporting the firearm has given prior notice to the law enforcement agency that he or she is transporting the firearm to the law enforcement agency for disposition according to law.

(2) Upon the trial for violating subdivision (a), (b), (c), (d), or (e), the trier of fact shall determine whether the defendant was acting within the provisions of the exemption created by this subdivision.

(3) The defendant has the burden of proving by a preponderance of the evidence that he or she comes within the provisions of the exemption created by this subdivision.

SEC. 4. Section 12028.7 is added to the Penal Code, to read:

12028.7. (a) Except where a procedure is already provided by existing law, or other provisions of law apply, when a firearm is taken into custody by a law enforcement officer, the officer shall issue the person who possessed the firearm a receipt describing the firearm, and listing any serial number or other identification on the firearm.

(b) The receipt shall indicate where the firearm may be recovered and the date after which the owner or possessor may recover the firearm, provided however, that no firearm shall be held less than 48 hours, and no more than 72 hours. In any civil action or proceeding for the return of a firearm seized and not returned within 72 hours, pursuant to this section, the court shall award reasonable attorney's fees to the prevailing party.

(c) Nothing in this section is intended to displace any existing law regarding the seizure or return of firearms.

SEC. 5. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
- (ii) The places specified in subparagraph (B) or (C).
- (iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the

application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR

LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(C) “IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(D) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(E) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) Commencing April 1, 1994, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated

by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this article, a "basic firearms safety certificate" means a basic firearms safety certificate issued to the purchaser, transferee, or person being loaned the firearm by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6.

(3) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars

of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(4) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(5) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 5.1. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term “licensee,” “person licensed pursuant to Section 12071,” or “dealer” means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller’s permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller’s permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department’s records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face “Valid for Retail Sales of Firearms” and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant’s intended business location stating that the jurisdiction does not require any form of regulatory or

business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

(i) The building designated in the license.

(ii) The places specified in subparagraph (B) or (C).

(iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE

PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(C) “IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(D) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(E) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

(i) If the handgun is a semiautomatic pistol:

(I) Remove the magazine.

(II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.

(III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.

(IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(V) Load one bright orange dummy round into the magazine.

(VI) Insert the magazine into the magazine well of the firearm.

(VII) Manipulate the slide release or pull back and release the slide.

(VIII) Remove the magazine.

(IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.

(X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.

- (XI) Apply the safety, if applicable.
- (XII) Apply the firearm safety device, if applicable.
 - (ii) If the handgun is a double-action revolver:
 - (I) Open the cylinder.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.
 - (III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
 - (IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.
 - (V) Close the cylinder.
 - (VI) Open the cylinder and eject the round.
 - (VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.
 - (VIII) Apply the firearm safety device, if applicable.
 - (iii) If the handgun is a single-action revolver:
 - (I) Open the loading gate.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.
 - (III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
 - (IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.
 - (V) Open the loading gate and unload the revolver.
 - (VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.
 - (VII) Apply the firearm safety device, if applicable.
 - (E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.
 - (F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.
 - (G) The recipient shall perform the safe handling demonstration for a department certified instructor.
 - (H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department certified instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, "licensed premises," "licensed place of business," "licensee's place of business," or "licensee's business premises" means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A "firearms transaction record" is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a).

The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 5.2. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

(A) A valid federal firearms license.

(B) Any regulatory or business license, or licenses, required by local government.

(C) A valid seller's permit issued by the State Board of Equalization.

(D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).

(E) A license issued in the format prescribed by paragraph (6).

(F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

(A) In the form prescribed by the Attorney General.

(B) A regulatory or business license that states on its face “Valid for Retail Sales of Firearms” and is endorsed by the signature of the issuing authority.

(C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant’s intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(8) (A) Except where subparagraph (B) applies, commencing January 1, 2004, no license shall be granted to any applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section.

(B) Notwithstanding subparagraph (A), a license may be granted to an applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section, in any of the following circumstances:

(i) The building is located in a county with a population of less than 100,000 persons according to the most recent federal decennial census.

(ii) The applicant is a gunsmith seeking to engage in gunsmithing activities in the residential dwelling.

(iii) The applicant will only sell at retail, firearms that are curios or relics, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(iv) The building, structure, or unit is zoned for commercial, retail, or industrial activity.

(v) The applicant was initially granted a license pursuant to this section prior to January 1, 2002, and is physically disabled or handicapped and has substantially modified the residential dwelling to enable the licensee to function in that residential dwelling.

(C) Nothing in this paragraph shall be construed to prevent a local government from enacting an ordinance that imposes additional conditions on licensees with regard to the location of a building designated in a license granted pursuant to this section that are more restrictive than the prohibitions set forth in this section.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined

in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
- (ii) The places specified in subparagraph (B) or (C).

(iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(C) "IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR

SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(D) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(E) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(F) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(8) Commencing April 1, 1994, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(3) As used in this section, “licensed premises,” “licensed place of business,” “licensee’s place of business,” or “licensee’s business premises” means the building designated in the license.

(4) For purposes of paragraph (17) of subdivision (b):

(A) A “firearms transaction record” is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(5) For purposes of this section, “residential dwelling” means any structure which is occupied and primarily used for dwelling purposes, including any other structure, building, or unit located upon the parcel of land where the structure used for dwelling is situated.

(6) For purposes of this section, “gunsmith” means any person engaged primarily in the business of repairing firearms, or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer’s business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 5.3. Section 12071 of the Penal Code is amended to read:

12071. (a) (1) As used in this chapter, the term "licensee," "person licensed pursuant to Section 12071," or "dealer" means a person who has all of the following:

- (A) A valid federal firearms license.
- (B) Any regulatory or business license, or licenses, required by local government.
- (C) A valid seller's permit issued by the State Board of Equalization.
- (D) A certificate of eligibility issued by the Department of Justice pursuant to paragraph (4).
- (E) A license issued in the format prescribed by paragraph (6).
- (F) Is among those recorded in the centralized list specified in subdivision (e).

(2) The duly constituted licensing authority of a city, county, or a city and county shall accept applications for, and may grant licenses permitting, licensees to sell firearms at retail within the city, county, or city and county. The duly constituted licensing authority shall inform applicants who are denied licenses of the reasons for the denial in writing.

(3) No license shall be granted to any applicant who fails to provide a copy of his or her valid federal firearms license, valid seller's permit issued by the State Board of Equalization, and the certificate of eligibility described in paragraph (4).

(4) A person may request a certificate of eligibility from the Department of Justice and the Department of Justice shall issue a certificate to an applicant if the department's records indicate that the applicant is not a person who is prohibited from possessing firearms.

(5) The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.

(6) A license granted by the duly constituted licensing authority of any city, county, or city and county, shall be valid for not more than one year from the date of issuance and shall be in one of the following forms:

- (A) In the form prescribed by the Attorney General.
- (B) A regulatory or business license that states on its face "Valid for Retail Sales of Firearms" and is endorsed by the signature of the issuing authority.
- (C) A letter from the duly constituted licensing authority having primary jurisdiction for the applicant's intended business location stating that the jurisdiction does not require any form of regulatory or business license or does not otherwise restrict or regulate the sale of firearms.

(7) Local licensing authorities may assess fees to recover their full costs of processing applications for licenses.

(8) (A) Except where subparagraph (B) applies, commencing January 1, 2004, no license shall be granted to any applicant if the

building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section.

(B) Notwithstanding subparagraph (A), a license may be granted to an applicant if the building to be designated in the license where the retail sale of firearms is to occur is a residential dwelling, as defined in this section, in any of the following circumstances:

(i) The building is located in a county with a population of less than 100,000 persons according to the most recent federal decennial census.

(ii) The applicant is a gunsmith seeking to engage in gunsmithing activities in the residential dwelling.

(iii) The applicant will only sell at retail, firearms that are curios or relics, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(iv) The building, structure, or unit is zoned for commercial, retail, or industrial activity.

(v) The applicant was initially granted a license pursuant to this section prior to January 1, 2002, and is physically disabled or handicapped and has substantially modified the residential dwelling to enable the licensee to function in that residential dwelling.

(C) Nothing in this paragraph shall be construed to prevent a local government from enacting an ordinance that imposes additional conditions on licensees with regard to the location of a building designated in a license granted pursuant to this section that are more restrictive than the prohibitions set forth in this section.

(b) A license is subject to forfeiture for a breach of any of the following prohibitions and requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the business shall be conducted only in the buildings designated in the license.

(B) A person licensed pursuant to subdivision (a) may take possession of firearms and commence preparation of registers for the sale, delivery, or transfer of firearms at gun shows or events, as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, if the gun show or event is not conducted from any motorized or towed vehicle. A person conducting business pursuant to this subparagraph shall be entitled to conduct business as authorized herein at any gun show or event in the state without regard to the jurisdiction within this state that issued the license pursuant to subdivision (a), provided the person complies with (i) all applicable laws, including, but not limited to, the waiting period specified in subparagraph (A) of paragraph (3), and (ii) all applicable local laws, regulations, and fees, if any.

A person conducting business pursuant to this subparagraph shall publicly display his or her license issued pursuant to subdivision (a), or

a facsimile thereof, at any gun show or event, as specified in this subparagraph.

(C) A person licensed pursuant to subdivision (a) may engage in the sale and transfer of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, at events specified in subdivision (g) of Section 12078, subject to the prohibitions and restrictions contained in that subdivision.

A person licensed pursuant to subdivision (a) also may accept delivery of firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, outside the building designated in the license, provided the firearm is being donated for the purpose of sale or transfer at an auction or similar event specified in subdivision (g) of Section 12078.

(D) The firearm may be delivered to the purchaser, transferee, or person being loaned the firearm at one of the following places:

- (i) The building designated in the license.
- (ii) The places specified in subparagraph (B) or (C).
- (iii) The place of residence of, the fixed place of business of, or on private property owned or lawfully possessed by, the purchaser, transferee, or person being loaned the firearm.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No firearm shall be delivered:

(A) Within 10 days of the application to purchase, or, after notice by the department pursuant to subdivision (d) of Section 12076, within 10 days of the submission to the department of any correction to the application, or within 10 days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076, whichever is later.

(B) Unless unloaded and securely wrapped or unloaded and in a locked container.

(C) Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer.

(D) Whenever the dealer is notified by the Department of Justice that the person is in a prohibited class described in Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code. The dealer shall make available to the person in the prohibited class a prohibited notice and transfer form, provided by the department, stating that the person is prohibited from owning or possessing a firearm, and that the person may obtain from the department the reason for the prohibition.

(4) No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or

other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall agree to and shall act properly and promptly in processing firearms transactions pursuant to Section 12082.

(6) The licensee shall comply with Sections 12073, 12076, and 12077, subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316.

(7) The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

(A) "IF YOU KEEP A LOADED FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(B) "IF YOU KEEP A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(C) "IF YOU KEEP ANY FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000), UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE."

(D) "DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE."

(E) "FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM."

(F) "NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD."

(8) (A) Commencing April 1, 1994, and until January 1, 2003, no pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate.

(B) Commencing January 1, 2003, no dealer may deliver a handgun unless the person receiving the handgun presents to the dealer a valid handgun safety certificate. The firearms dealer shall retain a photocopy of the handgun safety certificate as proof of compliance with this requirement.

(C) Commencing January 1, 2003, no handgun may be delivered unless the purchaser, transferee, or person being loaned the firearm presents documentation indicating that he or she is a California resident. Satisfactory documentation shall include a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within this state, or other evidence of residency as permitted by the Department of Justice. The firearms dealer shall retain a photocopy of the documentation as proof of compliance with this requirement.

(D) Commencing January 1, 2003, except as authorized by the department, no firearms dealer may deliver a handgun unless the recipient performs a safe handling demonstration with that handgun. The demonstration shall commence with the handgun unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness, that is, the firearm is pointed in a safe direction, preferably down at the ground, and trigger discipline, that is, the trigger finger is outside of the trigger guard and

along side of the handgun frame, at all times, the handgun recipient shall correctly and safely perform the following:

- (i) If the handgun is a semiautomatic pistol:
 - (I) Remove the magazine.
 - (II) Lock the slide back. If the model of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure that it is clear.
 - (III) Visually and physically inspect the chamber, to ensure that the handgun is unloaded.
 - (IV) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
 - (V) Load one bright orange dummy round into the magazine.
 - (VI) Insert the magazine into the magazine well of the firearm.
 - (VII) Manipulate the slide release or pull back and release the slide.
 - (VIII) Remove the magazine.
 - (IX) Visually inspect the chamber to reveal that a round can be chambered with the magazine removed.
 - (X) Lock the slide back to eject the bright orange dummy round. If the handgun is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure that the chamber is clear.
 - (XI) Apply the safety, if applicable.
 - (XII) Apply the firearm safety device, if applicable.
- (ii) If the handgun is a double-action revolver:
 - (I) Open the cylinder.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.
 - (III) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
 - (IV) While maintaining muzzle awareness and trigger discipline, load one bright orange dummy round into a chamber of the cylinder and rotate the cylinder so that the round is in the next-to-fire position.
 - (V) Close the cylinder.
 - (VI) Open the cylinder and eject the round.
 - (VII) Visually and physically inspect each chamber to ensure that the revolver is unloaded.
 - (VIII) Apply the firearm safety device, if applicable.
- (iii) If the handgun is a single-action revolver:
 - (I) Open the loading gate.
 - (II) Visually and physically inspect each chamber, to ensure that the revolver is unloaded.

(III) Remove the firearm safety device required to be sold with the handgun. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(IV) Load one bright orange dummy round into a chamber of the cylinder, close the loading gate and rotate the cylinder so that the round is in the next-to-fire position.

(V) Open the loading gate and unload the revolver.

(VI) Visually and physically inspect each chamber to ensure that the revolver is unloaded.

(VII) Apply the firearm safety device, if applicable.

(E) The recipient shall receive instruction regarding how to render that handgun safe in the event of a jam.

(F) The firearms dealer shall sign and date an affidavit stating that the requirements of subparagraph (D) have been met. The firearms dealer shall additionally obtain the signature of the handgun purchaser on the same affidavit. The firearms dealer shall retain the original affidavit as proof of compliance with this requirement.

(G) The recipient shall perform the safe handling demonstration for a department certified instructor.

(H) No demonstration shall be required if the dealer is returning the handgun to the owner of the handgun.

(I) Department certified instructors who may administer the safe handling demonstration shall meet the requirements set forth in subdivision (j) of Section 12804.

(J) The persons who are exempt from the requirements of subdivision (b) of Section 12801, pursuant to Section 12807, are also exempt from performing the safe handling demonstration.

(9) Commencing July 1, 1992, the licensee shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm, with a copy of the pamphlet described in Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

(10) The licensee shall not commit an act of collusion as defined in Section 12072.

(11) The licensee shall post conspicuously within the licensed premises a detailed list of each of the following:

(A) All charges required by governmental agencies for processing firearm transfers required by Sections 12076, 12082, and 12806.

(B) All fees that the licensee charges pursuant to Sections 12082 and 12806.

(12) The licensee shall not misstate the amount of fees charged by a governmental agency pursuant to Sections 12076, 12082, and 12806.

(13) The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Section 12082, or any firearm kept at the

licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

(14) In a city and county, or in the unincorporated area of a county with a population of 200,000 persons or more according to the most recent federal decennial census or within a city with a population of 50,000 persons or more according to the most recent federal decennial census, any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(15) The licensing authority in an unincorporated area of a county with a population less than 200,000 persons according to the most recent federal decennial census or within a city with a population of less than 50,000 persons according to the most recent federal decennial census may impose the requirements specified in paragraph (14).

(16) Commencing January 1, 1994, the licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

(17) The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record.

(18) (A) On the date of receipt, the licensee shall report to the Department of Justice in a format prescribed by the department the acquisition by the licensee of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person.

(B) The provisions of this paragraph shall not apply to any of the following transactions:

(i) A transaction subject to the provisions of subdivision (n) of Section 12078.

(ii) The dealer acquired the firearm from a wholesaler.

(iii) The dealer is also licensed as a secondhand dealer pursuant to Article 4 (commencing with Section 21625) of Chapter 9 of Division 8 of the Business and Professions Code.

(iv) The dealer acquired the firearm from a person who is licensed as a manufacturer or importer to engage in those activities pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(v) The dealer acquired the firearm from a person who resides outside this state who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and any regulations issued pursuant thereto.

(19) The licensee shall forward in a format prescribed by the Department of Justice, information as required by the department on any firearm that is not delivered within the time period set forth in Section 178.102 (c) of Title 27 of the Code of Federal Regulations.

(c) (1) As used in this article, "clear evidence of his or her identity and age" means either of the following:

(A) A valid California driver's license.

(B) A valid California identification card issued by the Department of Motor Vehicles.

(2) As used in this article, a "basic firearms safety certificate" means a basic firearms safety certificate issued to the purchaser, transferee, or person being loaned the firearm by the Department of Justice pursuant to Article 8 (commencing with Section 12800) of Chapter 6.

(3) As used in this section, a "secure facility" means a building that meets all of the following specifications:

(A) All perimeter doorways shall meet one of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

(B) All windows are covered with steel bars.

(C) Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

(D) Any metal grates have spaces no larger than six inches wide measured in any direction.

(E) Any metal screens have spaces no larger than three inches wide measured in any direction.

(F) All steel bars shall be no further than six inches apart.

(4) As used in this section, “licensed premises,” “licensed place of business,” “licensee’s place of business,” or “licensee’s business premises” means the building designated in the license.

(5) For purposes of paragraph (17) of subdivision (b):

(A) A “firearms transaction record” is a record containing the same information referred to in subdivision (a) of Section 178.124, Section 178.124a, and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations.

(B) A licensee shall be in compliance with the provisions of paragraph (17) of subdivision (b) if he or she maintains and makes available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, the bound book containing the same information referred to in Section 178.124a and subdivision (e) of Section 178.125 of Title 27 of the Code of Federal Regulations and the records referred to in subdivision (a) of Section 178.124 of Title 27 of the Code of Federal Regulations.

(6) For purposes of this section, “residential dwelling” means any structure which is occupied and primarily used for dwelling purposes, including any other structure, building, or unit located upon the parcel of land where the structure used for dwelling is situated.

(7) For purposes of this section, “gunsmith” means any person engaged primarily in the business of repairing firearms, or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(d) Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of paragraph (14) of subdivision (b) if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

(e) Except as otherwise provided in this subdivision, the Department of Justice shall keep a centralized list of all persons licensed pursuant to subparagraphs (A) to (E), inclusive, of paragraph (1) of subdivision (a). The department may remove from this list any person who knowingly or with gross negligence violates this article. Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer’s business is located. The department shall make information about an individual dealer available, upon request, for one of the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 178.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of eligibility issued pursuant to Section 12071.1, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subparagraph (B) of paragraph (1) of subdivision (b). Information provided pursuant to this paragraph shall be limited to information necessary to corroborate an individual's current license status.

(f) The Department of Justice may inspect dealers to ensure compliance with this article. The department may assess an annual fee, not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list described in subdivision (e), including the cost of inspections. Dealers whose place of business is in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law shall be exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program.

(g) The Department of Justice shall maintain and make available upon request information concerning the number of inspections conducted and the amount of fees collected pursuant to subdivision (f), a listing of exempted jurisdictions, as defined in subdivision (f), the number of dealers removed from the centralized list defined in subdivision (e), and the number of dealers found to have violated this article with knowledge or gross negligence.

(h) Paragraph (14) or (15) of subdivision (b) shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

(1) The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

(2) The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

SEC. 6. The Legislature finds and declares that current state firearms laws do not delineate a clear and succinct general procedure on how persons who legally acquire firearms and who subsequently fall within a class of persons who are prohibited from possessing firearms

shall dispose of the firearm and thereby avoid criminal liability for possession or disposing of the firearm.

SEC. 7. The Attorney General shall prepare and submit to the Legislature, on or before June 1, 2002, a report concerning the following:

(a) Recommending a clear and succinct general procedure on how persons who legally acquire firearms and who subsequently fall within a class of persons who are prohibited from possessing firearms shall dispose of the firearm and thereby avoid criminal liability for possession or disposing of the firearm.

(b) Recommending specific changes in language and references to code sections, and conforming changes to code sections, in state firearms statutes that are needed to establish the procedure recommended in subdivision (a).

SEC. 8. (a) Section 5.1 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by this bill, AB 35 and SB 52. It shall only become operative if (1) this bill and AB 35 or SB 52 or both are enacted, become effective on or before January 1, 2002, and one or both become operative (2) each bill amends Section 12071 of the Penal Code, (3) AB 22 is not enacted or as enacted does not amend that section, and (4) this bill is enacted last, in which case Sections 5, 5.2, and 5.3 of this bill shall not become operative.

(b) Section 5.2 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by both this bill and AB 22. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 12071 of the Penal Code, (3) AB 35 and SB 52 are not enacted or as enacted do not amend that section, and (4) this bill is enacted after AB 22, in which case Sections 5, 5.1, and 5.3 of this bill shall not become operative.

(c) Section 5.3 of this bill incorporates amendments to Section 12071 of the Penal Code proposed by this bill, AB 35, SB 52, and AB 22. It shall only become operative if (1) AB 35 or SB 52 or both are enacted, become effective on or before January 1, 2002, and one or both become operative (2) this bill and AB 22 are enacted and become effective on or before January 1, 2002, (3) all bills that are enacted amend Section 12071 of the Penal Code, and (3) this bill is enacted last, in which case Sections 5, 5.1, and 5.2 of this bill shall not become operative.

SEC. 9. Section 2 of this act shall become operative on July 1, 2002, and only if funds are appropriated to the Department of Justice in the 2002–03 Budget Act for the purposes described therein.

CHAPTER 945

An act to amend Sections 19805, 19823A, 19827, 19841A, 19851.5, 19853.5, 19910, 19910.5A, and 19950.3 of, to add Sections 19818A and 19823.5 to, and to repeal Sections 19818, 19830, and 19834 of, the Business and Professions Code, relating to gambling.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 19805 of the Business and Professions Code is amended to read:

19805. As used in this chapter, the following definitions shall apply:

(a) "Affiliate" means a person who, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with, a specified person.

(b) "Applicant" means any person who has applied for, or is about to apply for, a state gambling license, a key employee license, a registration, a finding of suitability, a work permit, a manufacturer's or distributor's license, or an approval of any act or transaction for which the approval or authorization of the commission or division is required or permitted under this chapter. "Banking game" or "banked game" does not include a controlled game if the published rules of the game feature a player-dealer position and provide that this position must be continuously and systematically rotated amongst each of the participants during the play of the game, ensure that the player-dealer is able to win or lose only a fixed and limited wager during the play of the game, and preclude the house, another entity, a player, or an observer from maintaining or operating as a bank during the course of the game. For purposes of this section it is not the intent of the Legislature to mandate acceptance of the deal by every player if the division finds that the rules of the game render the maintenance of or operation of a bank impossible by other means. The house shall not occupy the player-dealer position.

(d) "Board" means the California Gambling Control Board.

(e) "Commission" means the California Gambling Control Commission.

(f) "Controlled gambling" means to deal, operate, carry on, conduct, maintain, or expose for play any controlled game.

(g) "Controlled game" means any controlled game, as defined by subdivision (e) of Section 337j of the Penal Code.

(h) "Director," when used in connection with a corporation, means any director of a corporation or any person performing similar functions

with respect to any organization. In any other case, “director” means the Director of the Division of Gambling Control.

(i) “Division” means the Division of Gambling Control in the Department of Justice.

(j) “Finding of suitability” means a finding that a person meets the qualification criteria described in subdivisions (a) and (b) of Section 19848, and that the person would not be disqualified from holding a state gambling license on any of the grounds specified in subdivision (a) of Section 19850.

(k) “Game” and “gambling game” means any controlled game.

(l) “Gambling” means to deal, operate, carry on, conduct, maintain, or expose for play any controlled game.

(m) “Gambling enterprise employee” means any natural person employed in the operation of a gambling enterprise, including, without limitation, dealers, floormen, security employees, countroom personnel, cage personnel, collection personnel, surveillance personnel, data processing personnel, appropriate maintenance personnel, waiters and waitresses, and secretaries, or any other natural person whose employment duties require or authorize access to restricted gambling establishment areas.

(n) “Gambling establishment,” “establishment,” or “licensed premises” means one or more rooms where any controlled gambling or activity directly related thereto occurs.

(o) “Gambling license” or “state gambling license” means any license issued by the state that authorizes the person named therein to conduct a gambling operation.

(p) “Gambling operation” means exposing for play one or more controlled games that are dealt, operated, carried on, conducted, or maintained for commercial gain.

(q) “Gross revenue” means the total of all compensation received for conducting any controlled game, and includes interest received in payment for credit extended by an owner licensee to a patron for purposes of gambling, except as provided by regulation.

(r) “House” means the gambling establishment, and any owner, shareholder, partner, key employee, or landlord thereof.

(s) “Independent agent,” except as provided by regulation, means any person who does either of the following:

(1) Collects debt evidenced by a credit instrument.

(2) Contracts with an owner licensee, or an affiliate thereof, to provide services consisting of arranging transportation or lodging for guests at a gambling establishment.

(t) “Institutional investor” means any retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees, any investment company registered under the

Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.), any collective investment trust organized by banks under Part Nine of the Rules of the Comptroller of the Currency, any closed-end investment trust, any chartered or licensed life insurance company or property and casualty insurance company, any banking and other chartered or licensed lending institution, any investment advisor registered under the Investment Advisors Act of 1940 (15 U.S.C. Sec. 80b-1 et seq.) acting in that capacity, and other persons as the board may determine for reasons consistent with the policies of this chapter.

(u) "Key employee" means any natural person employed in the operation of a gambling enterprise in a supervisory capacity or empowered to make discretionary decisions that regulate gambling operations, including, without limitation, pit bosses, shift bosses, credit executives, cashier operations supervisors, gambling operation managers and assistant managers, managers or supervisors of security employees, or any other natural person designated as a key employee by the division for reasons consistent with the policies of this chapter.

(v) "Key employee license" means a state license authorizing the holder to be associated with a gambling enterprise as a key employee.

(w) "Licensed gambling establishment" means the gambling premises encompassed by a state gambling license.

(x) "Limited partnership" means a partnership formed by two or more persons having as members one or more general partners and one or more limited partners.

(y) "Limited partnership interest" means the right of a general or limited partner to any of the following:

(1) To receive from a limited partnership any of the following:

(A) A share of the revenue.

(B) Any other compensation by way of income.

(C) A return of any or all of his or her contribution to capital of the limited partnership.

(2) To exercise any of the rights provided under state law.

(z) "Owner licensee" means an owner of a gambling enterprise who holds a state gambling license.

(aa) "Person," unless otherwise indicated, includes a natural person, corporation, partnership, limited partnership, trust, joint venture, association, or any other business organization.

(ab) "Player" means a patron of a gambling establishment who participates in a controlled game.

(ac) "Player-dealer" and "controlled game featuring a player-dealer position" refer to a position in a controlled game, as defined by the approved rules for that game, in which seated player participants are afforded the temporary opportunity to wager against multiple players at

the same table, provided that this position is rotated amongst the other seated players in the game.

(ad) "Publicly traded racing association" means a corporation licensed to conduct horse racing and simulcast wagering pursuant to Chapter 4 (commencing with Section 19400) whose stock is publicly traded.

(ae) "Qualified racing association" means a corporation licensed to conduct horse racing and simulcast wagering pursuant to Chapter 4 (commencing with Section 19400) that is a wholly owned subsidiary of a corporation whose stock is publicly traded.

(af) "Work permit" means any card, certificate, or permit issued by the commission, or by a county, city, or city and county, whether denominated as a work permit, registration card, or otherwise, authorizing the holder to be employed as a gambling enterprise employee or to serve as an independent agent. A document issued by any governmental authority for any employment other than gambling is not a valid work permit for the purposes of this chapter.

SEC. 2. Section 19818 of the Business and Professions Code is repealed.

SEC. 3. Section 19818A is added to the Business and Professions Code, to read:

19818A. The commission may employ not more than eight attorneys. Nothing herein shall be deemed to exempt the commission from the operation of Section 11040, 11042, or 11043 of the Government Code.

SEC. 4. Section 19823A of the Business and Professions Code is amended to read:

19823A. (a) The commission shall have all powers necessary and proper to enable it fully and effectually to carry out the policies and purposes of this chapter, including, without limitation, the power to do all of the following:

(1) Require any person to apply for a license or approval as specified in this chapter.

(2) For any cause deemed reasonable by the commission, deny any application for a license, permit, or approval provided for in this chapter, limit, condition, or restrict any license, permit, or approval, or impose any fine upon any person licensed or approved.

(3) Approve or disapprove transactions, events, and processes as provided in this chapter.

(4) Take actions deemed to be reasonable to ensure that no ineligible, unqualified, disqualified, or unsuitable persons are associated with controlled gambling activities.

(5) Take actions deemed to be reasonable to ensure that gambling activities take place only in suitable locations.

(6) Grant temporary licenses, work permits, or approvals on appropriate terms and conditions.

(7) Institute a civil action in any superior court against any person subject to this chapter to restrain a violation of this chapter. An action brought against a person pursuant to this section does not preclude a criminal action or administrative proceeding against that person by the Attorney General or any district attorney or city attorney.

(8) Issue subpoenas to compel attendance of witnesses and production of documents and other material things at a meeting or hearing of the commission or its committees, including advisory committees.

(b) This section shall become operative on the occurrence of one of the events specified in Section 66 of the act that added this section to the Business and Professions Code.

SEC. 5. Section 19823.5 is added to the Business and Professions Code, to read:

19823.5. The commission may require that any matter that the commission is authorized or required to consider in a hearing or meeting of an adjudicative nature regarding the denial, suspension, or revocation of a license, permit, or a finding of suitability, be heard and determined in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

SEC. 6. Section 19827 of the Business and Professions Code is amended to read:

19827. (a) Without limiting any privilege that is otherwise available under law, any communication or publication from, or concerning, an applicant, licensee, or registrant, in oral, written, or any other form, is absolutely privileged and so shall not form a basis for imposing liability for defamation or constitute a ground for recovery in any civil action, under any of the following circumstances:

(1) It was made or published by an agent or employee of the division or commission in the proper discharge of official duties or in the course of any proceeding under this chapter.

(2) It was required to be made or published to the division or commission, or any of their agents or employees, by law, regulation, or subpoena of the division or the commission.

(3) It was, in good faith, made or published to the division or the commission for the purpose of causing, assisting, or aiding an investigation conducted pursuant to this chapter.

(b) If any document or communication provided to the division or the commission contains any information that is privileged pursuant to Division 8 (commencing with Section 900) of the Evidence Code, or any other provision of law, that privilege is not waived or lost because the

document or communication is disclosed to the division or the commission or to any of their agents or employees.

(c) The division, the commission, and their agents and employees shall not release or disclose any information, documents, or communications provided by an applicant, licensee, or other person, that are privileged pursuant to Division 8 (commencing with Section 900) of the Evidence Code, or any other provision of law, without the prior written consent of the holder of the privilege, or pursuant to lawful court order after timely notice of the proceedings has been given to the holder of the privilege. An application to a court for an order requiring the division or the commission to release any information declared by law to be confidential shall be made only upon motion made in writing on not less than 10 business days' notice to the division or the commission, and to all persons who may be affected by the entry of the order.

SEC. 7. Section 19830 of the Business and Professions Code is repealed.

SEC. 8. Section 19834 of the Business and Professions Code is repealed.

SEC. 9. Section 19841A of the Business and Professions Code is amended to read:

19841A. (a) An owner of a gambling enterprise that is not a natural person shall not be eligible for a state gambling license unless each of the following persons individually applies for and obtains a state gambling license:

(1) If the owner is a corporation, then each officer, director, and shareholder, other than a holding or intermediary company, of the owner. The foregoing does not apply to an owner that is either a publicly traded racing association or a qualified racing association.

(2) If the owner is a publicly traded racing association, then each officer, director, and owner, other than an institutional investor, of five percent or more of the outstanding shares of the publicly traded corporation.

(3) If the owner is a qualified racing association, then each officer, director, and shareholder, other than an institutional investor, of the subsidiary corporation and any owner, other than an institutional investor, of five percent or more of the outstanding shares of the publicly traded corporation.

(4) If the owner is a partnership, then every general and limited partner of, and every trustee or person, other than a holding or intermediary company, having or acquiring a direct or beneficial interest in, that partnership owner.

(5) If the owner is a trust, then the trustee and, in the discretion of the commission, any beneficiary and the trustor of the trust.

(6) If the owner is a business organization other than a corporation, partnership, or trust, then all those persons as the commission may require, consistent with this chapter.

(7) Each person who receives, or is to receive, any percentage share of the revenue earned by the owner from gambling activities.

(8) Every employee, agent, guardian, personal representative, lender, or holder of indebtedness of the owner who, in the judgment of the commission, has the power to exercise a significant influence over the gambling operation.

(b) This section shall become operative on the occurrence of one of the events specified in Section 66 of the act that added this section to the Business and Professions Code.

SEC. 9.5. Section 19851.5 of the Business and Professions Code is amended to read:

19851.5. Notwithstanding subdivision (i) of Section 19801, the commission shall not deny a license to a gambling establishment solely because it is not open to the public, provided that all of the following are true: (a) the gambling establishment is situated in a local jurisdiction that has an ordinance allowing only private clubs, and the gambling establishment was in operation as a private club under that ordinance on December 31, 1997, and met all applicable state and local gaming registration requirements; (b) the gambling establishment consists of no more than five gaming tables; (c) videotaped recordings of the entrance to the gambling room or rooms and all tables situated therein are made during all hours of operation by means of closed circuit television cameras, and these tapes are retained for a period of 30 days and are made available for review by the division or commission upon request; and (d) the gambling establishment is open to members of the private club and their spouses in accordance with membership criteria in effect as of December 31, 1997.

A gambling establishment meeting these criteria, in addition to the other requirements of this chapter, may be licensed to operate as a private club gambling establishment until November 30, 2003, or until the ownership or operation of the gambling establishment changes from the ownership or operation as of January 1, 1998, whichever occurs first. Operation of the gambling establishments after this date shall only be permitted if the local jurisdiction approves an ordinance, pursuant to Sections 19950.1 and 19950.2, authorizing the operation of gambling establishments that are open to the public. The commission shall adopt regulations implementing this section. Prior to the commission's issuance of a license to a private club, the division shall ensure that the ownership of the gambling establishment has remained constant since January 1, 1998, and the operation of the gambling establishment has not been leased to any third party.

SEC. 10. Section 19853.5 of the Business and Professions Code is amended to read:

19853.5. The division shall furnish to the applicant supplemental forms, which the applicant shall complete and file with the division. These supplemental forms shall require, but shall not be limited to requiring, complete information and details with respect to the applicant's personal history, habits, character, criminal record, business activities, financial affairs, and business associates, covering at least a 10-year period immediately preceding the date of filing of the application. Each applicant shall submit two sets of fingerprints, using "live scan" or other prevailing, accepted technology, or on forms provided by the division. The division may submit one fingerprint card to the United States Federal Bureau of Investigation.

SEC. 11. Section 19910 of the Business and Professions Code is amended to read:

19910. The Legislature finds that to protect and promote the health, safety, good order, and general welfare of the inhabitants of this state, and to carry out the policy declared by this chapter, it is necessary that the division ascertain and keep itself informed of the identity, prior activities, and present location of all gambling enterprise employees and independent agents in the State of California, and when appropriate to do so, recommend to the commission for approval persons for employment in gambling establishments as provided in this article.

SEC. 12. Section 19910.5A of the Business and Professions Code is amended to read:

19910.5A. (a) (1) A person shall not be employed as a gambling enterprise employee, or serve as an independent agent, except as provided in paragraph (2), unless he or she is the holder of one of the following:

(A) A valid work permit issued in accordance with the applicable ordinance or regulations of the county, city, or city and county in which his or her duties are performed.

(B) A work permit issued by the commission pursuant to regulations adopted by the commission for the issuance and renewal of work permits. A work permit issued by the commission shall be valid for two years.

(2) An independent agent is not required to hold a work permit if he or she is not a resident of this state and has registered with the division in accordance with regulations.

(b) A work permit shall not be issued by any city, county, or city and county to any person who would be disqualified from holding a state gambling license for the reasons specified in paragraphs (1) to (7), inclusive, of subdivision (a) of Section 19850.

(c) The division may object to the issuance of a work permit by a city, county, or city and county for any cause deemed reasonable by the division, and if the division objects to issuance of a work permit, the work permit shall be denied.

(1) The commission shall adopt regulations specifying particular grounds for objection to issuance of, or refusal to issue, a work permit.

(2) The ordinance of any city, county, or city and county relating to issuance of work permits shall permit the division to object to the issuance of any permit.

(3) Any person whose application for a work permit has been denied because of an objection by the division may apply to the commission for an evidentiary hearing in accordance with regulations.

(d) Application for a work permit for use in any jurisdiction where a locally issued work permit is not required by the licensing authority of a city, county, or city and county shall be made to the commission, and may be granted or denied for any cause deemed reasonable by the commission. If the commission denies the application, it shall include in its notice of denial a statement of facts upon which it relied in denying the application. Upon receipt of an application for a work permit, the commission may issue a temporary work permit for a period not to exceed 120 days, pending completion of the background investigation by the division and official action by the commission with respect to the work permit application.

(e) An order of the commission denying an application for a work permit, including an order declining to issue a work permit following review pursuant to paragraph (3) of subdivision (c), may be reviewed in accordance with subdivision (e) of Section 19858.

(f) This section shall become operative on the occurrence of one of the events specified in Section 66 of the act that added this section to the Business and Professions Code.

SEC. 13. Section 19950.3 of the Business and Professions Code is amended to read:

19950.3. (a) In addition to any other limitations on the expansion of gambling imposed by Section 19950.2 or any provision of this chapter, the commission shall not issue a gambling license for a gambling establishment that was not licensed to operate on December 31, 1999, unless an application to operate that establishment was on file with the division prior to September 1, 2000.

(b) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

CHAPTER 946

An act to add Section 21670.3 to, and to add Division 17 (commencing with Section 170000) to, the Public Utilities Code, and to amend Sections 4 and 5 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), relating to airports.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 21670.3 is added to the Public Utilities Code, to read:

21670.3. (a) Sections 21670 and 21670.1 do not apply to the County of San Diego. In that county, the San Diego County Regional Airport Authority, as established pursuant to Section 170002, is responsible for coordinating the airport planning of public agencies within the county and shall, on or before June 30, 2005, after reviewing the existing comprehensive land use plan adopted pursuant to Section 21675, adopt a comprehensive land use plan.

(b) Any comprehensive land use plan developed pursuant to Section 21675 and adopted pursuant to Section 21675.1 by the San Diego Association of Governments shall remain in effect until June 30, 2005, unless the San Diego County Regional Airport Authority adopts a plan prior to that date pursuant to subdivision (a).

SEC. 2. Division 17 (commencing with Section 170000) is added to the Public Utilities Code, to read:

**DIVISION 17. SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY**

CHAPTER 1. GENERAL PROVISIONS

170000. This division shall be known and may be cited as the San Diego County Regional Airport Authority Act.

170002. There is hereby established the San Diego County Regional Airport Authority, as a local governmental entity of regional government, with jurisdiction extending throughout the County of San Diego.

170004. The Legislature hereby finds and declares all of the following:

(a) The population in San Diego County is forecasted to grow to 4.1 million persons by 2030, a 45 percent increase over its population in 2000. In light of this growth, it is incumbent upon the region to take

actions to provide for an economy that will create sufficient opportunity and wealth to ensure a high quality of life for all its residents.

(b) The globally competitive, export-oriented electronics, communications, and biotechnology industries of San Diego County already employ over 300,000 persons, nearly a third of the local labor force, and will continue to drive the region's economy as it competes in the expanding national and international markets.

(c) Air transportation will be an important factor in fostering continued economic growth in San Diego County, as technology workers travel by air 40 percent more frequently than workers in other sectors of the economy.

(d) According to the Joint Aviation Advisory Committee established by the San Diego Association of Governments and the San Diego Unified Port District, San Diego International Airport today contributes about \$4.3 billion to the San Diego regional economy, which is about 4 percent of the total output of the region's economy. With the demand for air travel expected to more than double to 35 million passengers in 2030, an airport capable of supporting that demand would contribute up to \$8 billion to the regional economy. Failure to increase San Diego's regional airport capacity would result in 56,000 fewer jobs and up to \$2.5 billion less in personal income by 2030. More than 50 percent of the reduction in jobs would occur in the industries related to air exports, including the high-technology industries that manufacture machinery, electronic equipment, and instruments. The balance of the impact would be in the visitor-related industries.

(e) The San Diego Regional Government Efficiency Commission was established under Chapter 764 of the Statutes of 2000 to evaluate regional governance in San Diego County and to submit a report to the Legislature for improving regional governance. To facilitate its purpose, that commission formed a Port Working Group, a Governance Working Group, a Transportation Working Group, and an Environmental and Land Use Working Group to examine regional governance in the region and to propose options for its improvement. The Port Working Group studied the role and function of the San Diego Unified Port District and in collaboration with the Transportation Working Group created a special joint committee to examine airport development issues in the region. After reviewing the options developed by the joint committee, the commission has recommended to the Legislature, by resolution adopted on July 6, 2001, that a new airport authority be created by statute in San Diego County.

(f) Because of the significant regional consequences of airport development and operations, it is important that the future development of major airport facilities in San Diego County be addressed in the

context of a regional decisionmaking process that has regional representation.

(g) In an effort to assure the continued military readiness of the United States Department of Defense (DOD), comprehensive airport planning must consider and protect military airspace needs in the San Diego region. The activities of the DOD in the San Diego region require mission-essential airspace for training and operations. In addition, the DOD has direct economic expenditures in San Diego County of nearly \$10 billion annually, and represents over 376,000 residents of the region. For these reasons, the DOD is a major stakeholder in the region's comprehensive plans for a viable airport solution.

170006. For the purposes of this division, the following terms have the following meanings, unless the context requires otherwise.

(a) The "authority" means the San Diego County Regional Airport Authority established under this division.

(b) The "board" means the governing board of the authority established as specified in Section 170016.

(c) The "interim board" means the limited term board established as specified in Section 170012.

(d) The "port" means the San Diego Unified Port District established under the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session).

(e) The "San Diego International Airport" means the airport located at Lindbergh Field in the County of San Diego.

(f) (1) The "north area cities" mean the cities of Carlsbad, Del Mar, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista.

(2) The "south area cities" mean the cities of Coronado, Imperial Beach, Chula Vista, National City, Lemon Grove, El Cajon, La Mesa, Santee, and Poway.

CHAPTER 2. GOVERNING BODY

170010. The interim executive director of the authority shall be the person who is the Senior Director of Aviation of the port on September 1, 2001. The interim executive director shall undertake all regular and necessary measures and decisions for the efficient operation of the authority until January 6, 2003.

170012. (a) There shall be an interim board of the authority to advise the interim executive director, to prepare and adopt the transition plan required under Section 170062, and to oversee the activities required pursuant to subdivisions (c), (d), (e), and (f) of Section 170048.

(b) The interim board shall be chaired by the interim executive director.

(c) The interim executive director shall appoint five members to the interim board. The members shall be geographically representative of San Diego County and shall be serving as elected officials of, appointees to, or representatives of local, state, or federal governmental agencies or bodies, at the time of appointment.

(d) The first meeting of the interim board shall be on January 7, 2002, at a time and location to be determined by the chair. Thereafter, the chair shall hold monthly public meetings of the interim board.

(e) The interim board shall be dissolved on December 2, 2002.

170014. To assist the interim board and the interim executive director on all matters related to the transition of San Diego International Airport to the authority, a management advisory committee shall be appointed, with membership as follows:

(a) The general manager of the San Diego Metropolitan Transit Development Board.

(b) The executive director of the San Diego Association of Governments, a joint exercise of powers agency.

(c) The executive director of the North San Diego County Transit District.

(d) A representative of the port, appointed by the board of directors of the port.

170016. (a) The permanent board shall be established pursuant to this section. The board shall consist of nine members, with three members serving in an executive committee.

(b) The following three members shall comprise the executive committee.

(1) A member of the public who shall be appointed by the Board of Supervisors of the County of San Diego and shall be a resident of an unincorporated area of the county. The initial term for this member shall be two years.

(2) A member of the public who shall be appointed by the Governor and confirmed by the Senate, shall reside in the County of San Diego, but not within the City of San Diego. The initial term for this member, upon confirmation of the Senate, shall be six years.

(3) A member the public who shall be appointed by the Mayor of the City of San Diego and shall be confirmed by a majority vote of the San Diego City Council. The initial term for this member shall be four years.

(c) The remaining six members of the board shall be as follows:

(1) The Mayor of the City of San Diego, or a member of the city council designated by the mayor to be his or her alternate.

(2) A member the public appointed by the Mayor of the City of San Diego. The initial term for this member shall be two years.

(3) The mayor of the most populous city, as of the most recent decennial census, among the north area cities. If that mayor declines to

serve, he or she shall appoint a member of the public who is a resident of one of north area cities. The initial term for this member shall be two years.

(4) (A) If the member serving under paragraph (3) is a mayor, then a member of the public selected by the mayors of the north area cities from one of those cities, excluding the most populous city.

(B) If the person serving under paragraph (3) is not a mayor, then the mayors of the north area cities shall select a mayor or council member of a north area city, excluding the most populous city, to serve as the member.

(C) The initial term for this member shall be four years.

(5) The mayor of the most populous city, as of the most recent decennial census, among the south area cities. If that mayor declines to serve, he or she shall appoint a member of the public who is a resident of one of south area cities. The initial term for this member shall be six years.

(6) (A) If the member serving under paragraph (5) is a mayor, then a member of the public selected by the mayors of the south area cities from one of those cities, excluding the most populous city.

(B) If the person serving under paragraph (5) is not a mayor, then the mayors of the south area cities shall select a mayor or council member of a south area city, excluding the most populous city, to serve as the member.

(C) The initial term for this member shall be four years.

(d) The initial chair shall be the person appointed to the board pursuant to paragraph (2) of subdivision (b). Thereafter, the executive committee shall appoint the chair, who shall serve for a two-year portion of his or her term as a board member, upon confirmation of the full board. A chair may be appointed to consecutive terms, subject to confirmation of the full board.

(e) (1) Members appointed to the first board shall be appointed on or before October 31, 2002, and shall be seated as the board on December 2, 2002.

(2) Any appointment not filled by the respective appointing authority on or before December 1, 2002, shall be filled by appointment by the Governor, consistent with the eligibility requirements of this section for that membership position.

(f) (1) After the initial term, all terms shall be 4 years, except as otherwise required under Subdivision (b) of Section 170018.

(2) The expiration date of the term of office shall be the first Monday in December in the year in which the term is to expire.

170018. (a) The appointing authority for a member whose term has expired shall appoint that member's successor for a full term of four years.

(b) The membership of any member serving on the board as a result of holding another public office shall terminate when the member ceases holding the other public office.

(c) Any vacancy in the membership of the board shall be filled for the expired term by a person selected by appointing authority for that position.

170020. A member may be removed only for cause and only by his or her appointing authority.

170022. Any member may be reappointed to additional terms.

170024. (a) Except for the members of the executive committee, members shall be paid one hundred dollars (\$100) per regular, special, or committee meetings, for not more than four meetings per month.

(b) Members of the executive committee shall receive a salary equal to the salary of superior court judge in the County of San Diego.

(c) Members may be paid for direct out-of-pocket expenses.

(d) The board shall adopt a compensation and reimbursement policy within three months of being constituted.

170026. (a) The executive committee shall appoint the following officers of the authority subject to confirmation of the board:

(1) Executive Director.

(2) General Counsel.

(3) Auditor.

(b) The executive director shall appoint all other officers and employees.

CHAPTER 3. POWERS AND DUTIES

170030. The authority has perpetual succession and may adopt a seal and alter it at its pleasure.

170032. The authority may sue and be sued in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

170034. All the provisions of Section 120242 are applicable to the authority, and the authority may exercise those provisions within its area of jurisdiction.

170038. The authority may take by grant, purchase, devise, or lease or otherwise acquire and hold, real and personal property outside its area of jurisdiction in order to further its purposes.

170040. The authority may contract with any department or agency of the United States, with any state or local governmental agency, or with any person upon those terms and conditions that the authority finds are in its best interests.

170042. The board may act only by ordinance or resolution. A majority of the membership of the board shall constitute a quorum for the transaction of business.

170044. Except as otherwise specifically provided to the contrary in this chapter, a recorded majority vote of the total membership of the board of directors is required on each action.

170046. The authority shall maintain accounting records and shall report accounting transactions in accordance with generally accepted accounting principles as adopted by the Government Accounting Standards Board (GASB) of the Financial Accounting Foundation for both public reporting purposes and for reporting of activities to the Controller.

170048. (a) The authority shall have the exclusive responsibility within its area of its jurisdiction to study and plan any improvements, expansion, or enhancements that affect the regional airport system of San Diego County.

(b) The authority may commission planning, engineering, economic, and other studies to provide information to the board for making decisions about the location, design, management, and other features of a future airport.

(c) The San Diego Association of Governments, or its successor, shall include all airport system plans and facilities selected by the authority in the regional transportation plan.

(d) (1) Not later than 60 days after the effective date of this chapter, the San Diego Association of Governments and the port shall transfer and assign to the authority all contracts in force for studying possible sites for an airport, the economic viability and impact of an airport, the environmental consequences of an airport, public opinion or attitudes regarding an airport's location, and any other contracts related to the location and development of an airport in the County of San Diego.

(2) The contracts described in paragraph (1) shall include, but need not be limited to, the contracts associated with the Joint Aviation Advisory Committee.

(3) The transfer of contracts required under this subdivision shall include the revenue from state or federal grants, local funds, and other sources of revenue committed to funding the contracts until their completion.

(e) The policy direction for the study described in subdivision (d) shall become the responsibility of the authority. The authority shall consider the concepts and ideas of the San Diego Association of Governments, the port, and other entities, both public and private.

(f) The authority may continue the Joint Aviation Advisory Committee to assist in conducting the analyses for determining a site for a new airport.

(g) The authority, the San Diego Association of Governments, local agencies, and the Department of Transportation shall cooperate to

develop effective surface transportation access to new and existing airports.

170050. The authority shall be the only agency, public or private, in the County of San Diego that is eligible to take ownership of airports owned by the United States government and are declared surplus or are otherwise made available to state or local governmental agencies.

170052. The authority shall be responsible for developing all aspects of airport facilities that it operates, including, but not limited to, all of the following:

(a) The location of terminals, hangers, aids to air navigation, parking lots and structures, and all other facilities and services necessary to serve passengers and other customers of the airport.

(b) Street and highway access and egress with the objective of minimizing, to the extent practicable, traffic congestion on access routes in the vicinity of the airport.

(c) Providing for public mass transportation access in cooperation and coordination with the responsible public transportation agency in whose jurisdiction the airport is located.

(d) Analyzing and developing intercity bus and passenger rail access to terminals in cooperation with an established agency or organization experienced in developing and operating that service, if the service or the technology proposed for implementation is demonstrated to be in regular, scheduled revenue service and is demonstrated to be a cost-effective investment when considering both direct and indirect benefits. If that service is proven feasible, the authority shall endeavor to maximize the convenience of its patrons by incorporating the service into the design of its terminals.

170054. (a) The authority shall form an advisory committee to assist it in performing its responsibilities related to the planning and development of all airport facilities for the County of San Diego, including the airport activities and operations of the United States Department of Defense. In selecting members for the committee, the authority shall include persons knowledgeable about airport management, passenger and freight air transportation operations and economics, general aviation, the natural environment, regional economic development, business, including the technology sector of the economy.

(b) To the extent feasible, the advisory committee shall include representatives from the Department of Transportation, local public transit authorities, local governments, the campuses of the University of California and the California State University in the region, the United States Department of Defense, and other groups and residents of San Diego County.

(c) When forming the advisory committee, the authority shall make its selections for membership from individuals representing all elements of the County of San Diego.

170056. The port shall transfer the title and ownership of the San Diego International Airport to the authority. The transfer shall be consistent with the transition plan required under Section 170062 and shall include, but need not be limited to, all of the following:

(a) All real and personal property, including, but not limited to, all terminals, runways, taxiways, aprons, hangars, aids to air navigation, emergency vehicles or facilities, parking facilities for passengers and employees, and buildings and facilities used to operate, maintain, and manage the airport.

(b) All contracts with airport tenants, concessionaires, leaseholders, and others.

(c) All financial obligations secured by revenues and fees generated from the operations of the airport, including, but not limited to, bonded indebtedness associated with the airport.

(d) All financial reserves, including, but not limited to, sinking funds and other credits.

(e) All office equipment, including, but not limited to, computers, records and files, software required for financial management, personnel management, and accounting and inventory systems.

170058. Property that is adjacent to the San Diego International Airport, is owned by the port, and is commonly referred to as the "General Dynamics Property" shall continue to be operated by the port as a parking facility.

170058.5. If the authority is required to acquire the "General Dynamics Property" described in Section 170058 as part of an adopted airport expansion plan, the value of the property for purposes of that acquisition shall be set at the fair market value that the property holds on June 30, 2001, plus an adjustment for inflation.

170059. The port, in consultation with the authority, may relocate parking facilities. However, the port may not take any action to diminish the amount of parking available at the San Diego International Airport without the concurrence of the authority.

170060. The authority shall be the trustee of any public lands and other assets transferred from the port to the authority. The authority shall hold and administer those lands and assets pursuant to the terms and conditions set forth in the San Diego Port District Act for the purposes of operating airport facilities. The trusteeship of those lands and assets shall revert to the port on the date that airport operations cease on those lands.

170062. (a) Under the leadership of the interim board, a transition plan shall be developed to facilitate the transfer of the San Diego

International Airport to the authority. To facilitate the preparation of a transition plan, the authority and the port may jointly commission a certified audit to determine the financial condition of the San Diego International Airport, including, but not limited to, the obligations of the airport and the reasonableness of the overhead charges being paid by the airport to the port.

(b) The port shall cooperate in every way to facilitate the transfer of the San Diego International Airport to the authority.

(c) In the preparation of the transition plan, priority shall be given to ensuring continuity in the programs, services, and activities of the San Diego International Airport.

(d) The transfer of the San Diego International Airport to the authority shall be completed on December 2, 2002.

(e) The transfer may not in any way impair any contracts with vendors, tenants, employees, or other parties.

170064. (a) From revenues in reserve accounts attributable to airport operations, the port shall loan the authority the sum of one million dollars (\$1,000,000) for the first year of operation of the authority. The authority shall repay this loan with interest on or before January 1, 2008. The interest rate on the loan may be no greater than the discount rate established by the United States Federal Reserve Bank as of December 31, 2001.

(b) The authority may raise revenues to fund all of its activities, operations, and investments consistent with its purposes. The sources of revenue available to the authority may include, but are not limited to, imposing fees, rents, or other charges for facilities, services, the repayment of bonded indebtedness, and other expenditures consistent with the purposes of the authority.

(c) To the extent practicable, the authority shall endeavor to maximize the revenues generated from enterprises located on the property of the authority.

(d) The authority may receive state and federal grants for purposes of planning, constructing, and operating an airport and for providing ground access to the airport.

170066. (a) The authority is the only agency in the County of San Diego authorized to receive proceeds from state grants for the purposes of planning, constructing, or making other improvements to a civilian airport.

(b) The authority is the only agency authorized in the County of San Diego to receive proceeds from grants from the federal government, including, but not limited to, the Federal Aviation Administration, for purposes of planning, constructing, or making other improvements to a civilian airport.

(c) The authority shall cooperate with all other airports in the county to further the development of a countywide aviation system. To this end, the authority shall facilitate the pass-through of state and federal grants, without deduction for any cost associated with processing that pass-through, to local airport operators, if those grants are for purposes that are consistent with the aviation element of the regional transportation plan or with an adopted program of projects.

170068. The authority may accept the transfer of ownership of other publicly owned airports in the County of San Diego. Any transfer shall include the preparation of a transition plan to ensure the orderly transfer of assets and obligations. In accepting a transfer, the authority may assume no financial obligations other than those associated with the operation of the airport being transferred.

170070. (a) The authority may issue bonds, payable from revenue of any facility or enterprise operated, acquired, or constructed by the authority, in the manner provided by the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code).

(b) The authority is a local agency within the meaning of the Revenue Bond Law of 1941. For all the purposes of this article, the term "enterprise," as used in the Revenue Bond Law of 1941, includes the airport system or any or all facilities and all additions and improvements that the authority's governing board authorizes to be acquired or constructed.

(c) Nothing in this section prohibits the authority from availing itself of any procedure provided in this chapter for the issuance of bonds of any type or character for any of the authorized airport facilities. All bond proceedings may be carried on simultaneously or, in the alternative, as the authority may determine.

170072. The authority may levy special benefit assessments consistent with the requirements of Article XIII D of the California Constitution to finance capital improvements, including, but not limited to, special benefit assessments levied pursuant to any of the following:

(a) The Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code).

(b) The Improvement Bond Act of 1915 (Division 15 (commencing with Section 8500) of the Streets and Highways Code).

(c) The Municipal Improvement Act of 1913 (Division 12 (commencing with Section 10000) of the Streets and Highways Code).

(d) The Landscaping and Lighting Act of 1972 (Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code).

(e) Chapter 1 (commencing with Section 99000) of Part 11 of Division 10 of the Public Utilities Code, if the authority participates in the development of rail access to an airport.

170074. The authority may borrow money in accordance with Article 7 (commencing with Section 53820) of, Article 7.6 (commencing with Section 53850) of, or Article 7.7 (commencing with Section 53859) of, Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code.

170076. (a) The authority may borrow money in anticipation of the sale of any bonds that have been authorized to be issued, but have not been sold and delivered, and may issue negotiable bond anticipation notes therefor, and may renew the bond anticipation notes from time to time, but the maximum maturity of any bond anticipation notes, including the renewals thereof, may not exceed five years from the date of delivery of the original bond anticipation notes. The bond anticipation notes may be paid from any money of the authority available therefor and not otherwise pledged.

(b) If not previously otherwise paid, the bond anticipation notes shall be paid from the proceeds of the next sale of the bonds of the authority in anticipation of which they were issued. The bond anticipation notes may not be issued in any amount in excess of the aggregate amount of bonds that the authority has been authorized to issue, less the amount of any bonds of the authorized issue previously sold, and also less the amount of other bond anticipation notes therefore issued and then outstanding. The bond anticipation notes shall be issued and sold in the same manner as the bonds. The bond anticipation notes and the resolution or resolutions authorizing them may contain any provisions, conditions, or limitations that a resolution of the authority authorizing the issuance of bonds may contain.

170078. The authority may bring an action to determine the validity of any of its bonds, equipment trust certificates, warrants, notes, or other evidences of indebtedness pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

170080. All bonds or other evidences of indebtedness issued by the authority under this chapter, and the interest thereon, are free and exempt from all taxation within the state, except for transfer, franchise, inheritance, and estate taxes.

170082. (a) Notwithstanding any other provisions of this division or any other law, the provisions of all ordinances, resolutions, and other proceedings in the issuance by the authority of any bonds, bonds with a pledge of revenues, bonds for improvement districts, revenue bonds, equipment trust certificates, notes, or any and all evidences of indebtedness or liability constitute a contract between the authority and the holders of the bonds, equipment trust certificates, notes, or evidences of indebtedness or liability, and the provisions thereof are enforceable against the authority or any or all of its successors or assigns, by

mandamus or any other appropriate suit, action, or proceeding in law or in equity in any court of competent jurisdiction.

(b) Nothing in this division or in any other law shall be held to relieve the authority or the territory included within it from any bonded or other debt or liability contracted by the authority.

(c) Upon dissolution of the authority or upon withdrawal of territory therefrom, that territory formerly included within the authority, or withdrawn therefrom, shall continue to be liable for the payment of all bonded and other indebtedness or liabilities outstanding at the time of the dissolution or withdrawal as if the authority had not been so dissolved or the territory withdrawn therefrom, and it shall be the duty of the successors or assigns to provide for the payment of the bonded and other indebtedness and liabilities.

(d) Except as may be otherwise provided in the proceedings for the authorization, issuance, and sale of any revenue bonds, bonds secured by a pledge of revenues, or bonds for improvement districts secured by a pledge of revenues, revenues of any kind or nature derived from any revenue-producing improvements, works, facilities, or property owned, operated, or controlled by the authority shall be pledged, charged, assigned, and have a lien thereon for the payment of the bonds as long as they are outstanding, regardless of any change in ownership, operation, or control of the revenue-producing improvements, works, facilities, or property and it shall, in any later event or events, be the duty of the successors or assigns to continue to maintain and operate the revenue-producing improvements, works, facilities, or property as long as bonds are outstanding.

170084. The authority shall assume and be bound by the terms and conditions of employment set forth in any collective bargaining agreement between the port and any labor organization affected by the creation of the authority, as well as the duties, obligations, and liabilities arising from, or relating to, labor obligations imposed by state or federal law upon the port. The employees of the port affected by this division shall become employees of the authority and shall suffer no loss of employment or reduction in wages, health and welfare benefits, seniority, retirement benefits or contributions made to retirement plans, or any other term of condition of employment as a result of the enactment of this division.

SEC. 3. Section 4 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), as amended by Section 1 of Chapter 399 of the Statutes of 1996, is amended to read:

Sec. 4. (a) A port district for the acquisition, construction, maintenance, operation, development and regulation of harbor works and improvements, including rail and water, for the development,

operation, maintenance, control, regulation, and management of the harbor of San Diego upon the tidelands and lands lying under the inland navigable waters of San Diego Bay, and for the promotion of commerce, navigation, fisheries, and recreation thereon, may be established or organized and governed as provided in this act and it may exercise the powers expressly granted herein.

(b) Subject to Section 87 and any other provision of applicable law, the district may use the powers and authority granted pursuant to this section to protect, preserve, and enhance all of the following:

- (1) The physical access to the bay.
- (2) The natural resources of the bay, including plant and animal life.
- (3) The quality of water in the bay.

(c) Notwithstanding any other provision of law, the powers and authority specified in this section are to be used only as necessary or incident to the development and operation of a port and shall not apply to public utilities operated under the jurisdiction of the Public Utilities Commission of the State of California.

(d) This section shall become operative on December 2, 2002.

SEC. 4. Section 5 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), as amended by Section 1.5 of Chapter 399 of the Statutes of 1996, is amended to read:

Sec. 5. (a) The area within the district shall include all of the corporate area of each of the cities of San Diego, Chula Vista, Coronado, National City, and Imperial Beach which establish the district as provided in this act, and any unincorporated territory in the County of San Diego contiguous thereto, which is economically linked to the development and operation of San Diego Bay, included in the district by the board of supervisors of the county as provided in this act. The regulatory, taxing, and police power jurisdiction of the district, as otherwise provided for in this act, shall apply to the above-described area.

(b) In addition to the powers and authority described in subdivision (a), the district shall exercise its land management authority and powers over the following areas:

- (1) The tidelands and submerged lands granted to the district pursuant to this act or any other act of the Legislature.
- (2) Any other lands conveyed to the district by any city or the County of San Diego or acquired by the district in furtherance of the district's powers and purposes as provided in Section 87.

(c) This section shall become operative on December 2, 2002.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees,

or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

CHAPTER 947

An act relating to school facilities.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. The Legislature finds and declares as follows:

(a) Construction of new schools is of the utmost priority and importance, particularly in overcrowded school districts. New facilities will help decrease the number of pupils who must be bussed out of their home districts, ease crowded classrooms, and decrease the number of multitrack, year-round schools.

(b) Belmont Learning Center, located in the City of Los Angeles, has been near completion for two years. Yet, this desperately needed facility, located in a district that busses thousands of pupils out of the area every day, cannot open due to political and environmental controversies. It is the intent of the Legislature to clarify and ameliorate these concerns.

SEC. 2. (a) As used in this section, the following terms have the following meanings:

(1) "Department" means the Department of Toxic Substances Control.

(2) "District" means the Los Angeles Unified School District.

(3) "Remedial investigation and feasibility study" means a remedial investigation, as defined in Section 25322.2 of the Health and Safety Code, and a feasibility study, as defined in Section 25314 of the Health and Safety Code, in accordance with Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code.

(b) On or before January 1, 2003, the district shall do both of the following:

(1) Prepare a remedial investigation and feasibility study for the Belmont Learning Complex site located at the corner of Beaudry Avenue and First Street in the City of Los Angeles.

(2) Submit the study to the department for review.

(c) The district shall obtain the department's determination that the remedial investigation and feasibility study prepared pursuant to subdivision (b) is complete and meets all applicable requirements of

Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code before the district opens the Belmont Learning Complex as a school, or takes any action to use the Belmont Learning Complex for any nonschool purpose.

(d) The district may contract with an entity approved by the department to prepare the remedial investigation and feasibility study required by subdivision (b).

(e) The district shall reimburse the department for any oversight costs incurred by the department pursuant to this section. In determining these costs, the department shall comply with the applicable requirements of Chapter 6.66 (commencing with Section 25269) of Division 20 of the Health and Safety Code. On and after January 2, 2003, the district shall also make the remedial investigation and feasibility study available to the public by posting the study on its Internet Web site.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

CHAPTER 948

An act to add Part 12 (commencing with Section 2695.1) to Division 2 of the Labor Code, relating to sheepherders.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Part 12 (commencing with Section 2695.1) is added to Division 2 of the Labor Code, to read:

PART 12. SHEEPHERDERS

2695.1. (a) In enacting this legislation, it is the intent of the Legislature to codify certain labor protections that should be afforded to sheepherders, as defined. The provisions of this section are in addition to, and are entirely independent from, any other statutory or legal protections, rights, or remedies that are or may be available under this

code or any other state law or regulation to sheepherders either as individuals, employees, or persons.

(b) All terms used in this section and in Section 2695.5 have the meanings assigned to them by this code or any other state law or regulation.

2695.2. (a) (1) For a sheepherder employed on a regularly scheduled 24-hour shift on a seven-day-a-week “on-call” basis, an employer may, as an alternative to paying the minimum wage for all hours worked, instead pay no less than the monthly minimum wage adopted by the Industrial Welfare Commission on April 24, 2001. Any sheepherder who performs nonshepherding, nonagricultural work on any workday shall be fully covered for that workweek by the provisions of any applicable laws or regulations relating to that work.

(2) After July 1, 2002, the amount of the monthly minimum wage permitted under paragraph (1) shall be increased each time that the state minimum wage is increased and shall become effective on the same date as any increase in the state minimum wage. The amount of the increase shall be determined by calculating the percentage increase of the new rate over the previous rate, and then by applying the same percentage increase to the minimum monthly wage rate.

(b) (1) When tools or equipment are required by the employer or are necessary to the performance of a job, the tools and equipment shall be provided and maintained by the employer, except that a sheepherder whose wages are at least two times the minimum wage provided herein, or if paid on a monthly basis, at least two times the monthly minimum wage, may be required to provide and maintain handtools and equipment customarily required by the trade or craft.

(2) A reasonable deposit may be required as security for the return of the items furnished by the employer under provisions of paragraph (1) upon issuance of a receipt to the sheepherder for such deposit. The deposits shall be made pursuant to Article 2 (commencing with Section 400) of Chapter 3. Alternatively, with the prior written authorization of the sheepherder, an employer may deduct from the sheepherder’s last check the cost of any item furnished pursuant to paragraph (1) when the item is not returned. No deduction shall be made at any time for normal wear and tear. All items furnished by the employer shall be returned by the sheepherder upon completion of the job.

(c) No employer of sheepherders shall employ a sheepherder for a work period of more than five hours without a meal period of no less than 30 minutes, except that when a work period of not more than six hours will complete a day’s work, the meal period may be waived by the mutual consent of the employer and the sheepherder. An employer may be relieved of this obligation if a meal period of 30 minutes cannot reasonably be provided because no one is available to relieve a

shepherd tending flock alone on that day. Where a meal period of 30 minutes can be provided but not without interruption, a shepherd shall be allowed to complete the meal period during that day.

(d) To the extent practicable, every employer shall authorize and permit all shepherders to take rest periods. The rest period, insofar as is practicable, shall be in the middle of each work period. The authorized rest times shall be based on the total hours worked daily at the rate of 10 minutes net rest time per four hours, or major fraction thereof, of work. However, a rest period need not be authorized for shepherders whose total daily worktime is less than three and one-half hours.

(e) When the nature of the work reasonably permits the use of seats, suitable seats shall be provided for shepherders working on or at a machine.

(f) After January 1, 2003, during times when a shepherd is lodged in mobile housing units where it is feasible to provide lodging that meets the minimum standards established by this section because there is practicable access for mobile housing units, the lodging provided shall include at a minimum all of the following:

(1) Toilets and bathing facilities, which may include portable toilets and portable shower facilities.

(2) Heating.

(3) Inside lighting.

(4) Potable hot and cold water.

(5) Adequate cooking facilities and utensils.

(6) A working refrigerator, which may include a butane or propane gas refrigerator, or for no more than a one-week period during which a nonworking refrigerator is repaired or replaced, a means of refrigerating perishable food items, which may include ice chests, provided that ice is delivered to the shepherd, as needed, to maintain a continuous temperature required to retard spoilage and ensure food safety.

(g) After January 1, 2003, all shepherders shall be provided with all of the following at each worksite:

(1) Regular mail service.

(2) A means of communication through telephone or radio solely for use in a medical emergency affecting the shepherd or for an emergency relating to the herding operation. If the means of communication is provided by telephone, the shepherd may be charged for the actual cost of nonemergency telephone use. Nothing in this subdivision shall preclude an employer from providing additional means of communication to the shepherd which are appropriate because telephones or radios are out of range or otherwise inoperable.

(3) Visitor access to the housing.

(4) Upon request and to the extent practicable, access to transportation to and from the nearest locale where shopping, medical, or cultural facilities and services are available on a weekly basis.

(h) In addition to any other civil penalties provided by law, any employer or any other person acting on behalf of the employer who violates or causes to be violated the provisions of this section shall be subject to a civil penalty, as follows:

(1) For the initial violation, fifty dollars (\$50) for each underpaid employee for each pay period during which the employee was underpaid, plus an amount sufficient to recover the unpaid wages.

(2) For any subsequent violation, one hundred dollars (\$100) for each underpaid employee for each pay period during which the employee was underpaid, plus an amount sufficient to recover the unpaid wages.

(3) The affected employee shall receive payment of all wages recovered.

(i) If the application of any provision of any subdivision, sentence, clause, phrase, word, or portion of this legislation is held invalid, unconstitutional, unauthorized, or prohibited by statute, the remaining provisions thereof shall not be affected and shall continue to be given full force and effect as if the part held invalid or unconstitutional had not been included.

(j) Every employer of shearers shall post a copy of this part in an area frequented by shearers where it may be easily read during the workday. Where the location of work or other conditions make posting impractical, every employer shall make a copy of this part available to shearers upon request. Copies of this part shall be posted and made available in a language understood by the shearer. An employer is deemed to have complied with this subdivision if he or she posts where practical, or makes available upon request where posting is impractical, a copy of the Industrial Welfare Commission Order 14-2001, as adopted on April 14, 2001, relating to shearers, provided that the posted material includes a sufficient summary of each of the provisions of this part.

**CONCURRENT AND JOINT RESOLUTIONS
AND CONSTITUTIONAL AMENDMENTS**

2001-02

REGULAR SESSION

2001 RESOLUTION CHAPTERS

RESOLUTION CHAPTER 1

Assembly Concurrent Resolution No. 11—Relative to Dr. Martin Luther King, Jr. Day.

[Filed with Secretary of State January 29, 2001.]

WHEREAS, Monday, January 15, 2001, marks the 15th National Celebration of the National Holiday for Dr. Martin Luther King, Jr. and his fight for civil and human rights; and

WHEREAS, On Monday, January 15, 2001, Dr. Martin Luther King, Jr. would have been 71 years of age; and

WHEREAS, On April 10, 1970, California became the first state to pass legislation making Dr. King's birthday a school holiday and, subsequently, a statewide holiday; and

WHEREAS, Representative John Conyers (D-Michigan) submitted the first legislation for a national King Holiday, which was signed into law by President Ronald Wilson Reagan, on November 2, 1983; and

WHEREAS, January 20, 1986, marked the first observance of Dr. Martin Luther King, Jr. Day; and

WHEREAS, Dr. King and the Civil Rights Movement helped change public policy from segregation to integration, resulting in the repeal of the post-Reconstruction era state laws mandating racial segregation in the South known as the "Black Codes," in the passage of laws aimed at ending economic and social segregation in the North, and in the passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and other antidiscrimination, full citizen participation laws; and

WHEREAS, Dr. King and the Civil Rights Movement specifically changed public policy from closed access to open access in education, including higher education, employment and labor laws, transportation policy, election laws, and other aspects of public policy, particularly those relating to human rights; and

WHEREAS, These public policy changes at the national level influenced many changes in California public policy manifest in the Unruh Civil Rights Act and the Rumford Fair Housing Act, in open enrollment and access to higher education, specifically with respect to the California State University and the University of California, and in employment and labor laws, transportation policy, election laws, and other aspects of public policy; and

WHEREAS, The unfinished business of Dr. King and the Civil Rights Movement was and is the plight of the poor, the fight against war and for worldwide peace, and the struggle for a fair, equitable, and sensible economic system; and

WHEREAS, Dr. King and the Civil Rights Movement noted that a majority of Americans lived below the poverty line, and that the huge

income gaps between rich and poor, called for “changes in the structure of our society”; and

WHEREAS, Dr. King, in the last months of his life, began organizing a Poor People’s Campaign to, among other things, assemble “a multiracial army of the poor that would descend on Washington—engaging in nonviolent civil disobedience at the Capitol, if need be—until Congress enacted a poor people’s bill of rights”; and

WHEREAS, All of the aforementioned concerns and more continue to be the quest of civil and human rights organizations in the great State of California, across America, and throughout the world; and

WHEREAS, Dr. Martin Luther King, Jr. fought to change public policy from the “self-inflicted wound of segregation to the pluralistic diverse democracy” we continue to construct today; and

WHEREAS, Dr. Martin Luther King, Jr. and the Civil Rights Movement serve as a model for principled leadership and forward thinking, bipartisan public policy; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Monday, January 15, 2001, be observed as the official memorial of Dr. Martin Luther King, Jr.’s birth and his work in the Civil Rights Movement; and be it further

Resolved, That this day, Dr. Martin Luther King, Jr. and the Civil Rights Movement be commemorated for their help in changing public policy from segregation to integration, for the betterment of this, the great State of California and these United States of America.

RESOLUTION CHAPTER 2

Assembly Concurrent Resolution No. 13—Relative to emergency services.

[Filed with Secretary of State February 9, 2001.]

WHEREAS, On Tuesday, January 16, 2001, a truck crashed into the south side of the State Capitol building, resulting in the loss of a life and a fire that damaged the building; and

WHEREAS, Various government officials responded quickly and effectively to prevent further injuries and damage, investigate the cause of the crash, and remove the remaining debris; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That, the officers and employees of the Legislature commend the following government agencies and departments for their services in response to the tragedy and fire at the State Capitol building on Tuesday, January 16, 2001:

California Highway Patrol, the Federal Bureau of Alcohol, Tobacco and Firearms, the Federal Bureau of Investigation, the Sacramento County Sheriff's Department, Sacramento Police Department, the Department of Forestry and Fire Protection, Department of Motor Vehicles, the Department of General Services, the Sacramento County Fire Department, the Sacramento City Fire Department, the Sacramento County Coroner's Office and the staff of the Assembly and Senate.

RESOLUTION CHAPTER 3

Assembly Concurrent Resolution No. 14—Relative to Girls and Women in Sports Day.

[Filed with Secretary of State February 9, 2001.]

WHEREAS, By an act of the United States Congress, February 4, 1987 was proclaimed as the first national Girls and Women in Sports Day in memory of volleyball legend Flo Hayman, whose tragic death cut short a lifetime of determined effort for equality in sports; and

WHEREAS, Girls and women throughout the ages have participated in a variety of sports and games in schools and community and club programs; and

WHEREAS, Many female athletes have distinguished themselves and as representatives of California and the nation in the Olympic games; and

WHEREAS, Participation in sports is acknowledged as a positive force in developing and promoting the physical, mental, moral, social, and emotional well-being of individuals; and

WHEREAS, The need to encourage women of all ages to compete and contribute to sports at all levels of competition and to prepare the next generation of female sports leaders as we enter the new millennium; and

WHEREAS, The theme of this year's national celebration, "No Stopping Us Now," supports the accomplishments and positive influence of sports participation and the continuing struggle for equality and access; and

WHEREAS, The combined efforts of Girls Incorporated, the National Association for Girls and Women in Sport, the Women's Sports Foundation, the Girl Scouts of America, and the YWCA have served to bring needed information and important recognition of this day; and

WHEREAS, The continued support of the Girls and Women in Sports mission statement by the California Association for Health, Physical Education, Recreation, and Dance, the California Interscholastic Federation, and the National Federation of State High School

Associations have furthered the dreams and inspired today's female athletes; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature recognizes female athletes, coaches, officials, and sports administrators for their important contribution in promoting the value of sports in the achievement of full human potential and hereby proclaims February 7, 2001, as California Girls and Women in Sports Day; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 4

Assembly Concurrent Resolution No. 15—Relative to Black History Month.

[Filed with Secretary of State February 22, 2001.]

WHEREAS, The history of African-Americans here in the United States, as well as throughout the ages, is indeed unique and vibrant, and it is appropriate to celebrate this history during the month of February 2001, which has been proclaimed as Black History Month; and

WHEREAS, The history of the United States is rich with inspirational stories of great men and noble women whose actions, words, and achievements have united Americans and contributed to the success and prosperity of the United States; and

WHEREAS, Among those Americans who have enriched our society are the members of the African-American community—individuals who have been steadfast in their commitment to promoting brotherhood, equality, and justice for all; and

WHEREAS, From the earliest days of the United States, the course of its history has been greatly influenced by Black heroes and pioneers in many diverse areas, from science, medicine, business, and education to government, industry, and social leadership; and

WHEREAS, This year we celebrate Black History Month in a new century. An old African proverb states, "Only when you have crossed the river, can you say the crocodile has a lump on his snout." Therefore, as we move forward in the 21st Century, we believe it is time we began to cross the river. The river in this case will be historical contributions of Africans and African-Americans to our society. Quickly, we will try to bring to light historical accomplishments and facts of Africans and African-Americans across the globe; and

WHEREAS, Scholars and scientists generally accept that Africa is the continent where mankind first saw the light of day. Scientists believe that man, therefore, began in Africa and migrated out to populate the other continents; and

WHEREAS, One of the first civilizations in the history of the world was Egypt, an empire that rose about six thousand years ago along the Nile River. The ancient Egyptians had developed a very complex religious system, called Mysteries, which was also the first system of salvation. In addition, it is understood that Egyptians by their study of astronomy discovered the solar year and were the first to divide it into 12 parts and were the architects of the great pyramids of Egypt; and

WHEREAS, During the first millennium, the Catholic Church had three popes who were either from Africa or of African descent: Saint Victor I (189–99), Saint Miltiades (311–14), and Saint Gelasius I (492–96); and

WHEREAS, The slave trade was a tragic episode in African history and began before August 1619 when the first slaves arrived in Jamestown, Virginia. During the course of the slave trade, an estimated 50 million African men, women, and children were lost to their native continent, though only about 15 million arrived safely to a new home. The others lost their lives on African soil or along the Guinea coast, or finally in holds on the ships during the dreaded Middle Passage across the Atlantic Ocean; and

WHEREAS, In spite of the African slave trade, many Africans and African-Americans continued to move forward in society; during the Reconstruction period, two African-Americans served in the United States Senate and 14 sat in the House of Representatives; and

WHEREAS, The first American to shed blood in the revolution that freed America from British rule was Crispus Attucks (March 5, 1770, Boston Massacre), an African-American seaman and slave. African-Americans also fought in wars such as the battles of Lexington and Concord in April 1775, Ticonderoga, White Plains, Bennington, Brandywine, Saratoga, Savannah, Yorktown, Bunker Hill, the Revolutionary War, the battle of Rhode Island on August 29, 1775, the battle of New Orleans, the Civil War, the Spanish-American War, World Wars I and II, Korea, and Vietnam; and

WHEREAS, Africans and African-Americans have also been great inventors, inventing such things as the air-conditioning unit, almanac, automatic gear, blood plasma bag, cellular phone, clothes, doorknob, doorstop, electric lamp bulb, elevator, fire escape ladder, fire extinguisher, fountain pen, gas mask, golf tee, guitar, horseshoe, lantern, lawnmower, lawn sprinkler, lock lubricating cup, motor, refrigerator, riding saddles, spark plug, stethoscope, stove, phone transmitter, thermostat control, traffic light, and typewriter; and

WHEREAS, A number of these brave and accomplished individuals, such as Booker T. Washington, George Washington Carver, Matthew Hansen, Daniel Hale Williams, Dr. Charles Drew, Jackie Robinson, Jesse Owens, Curt Flood, Medgar Evers, and, of course, Dr. Martin Luther King, Jr., are noted prominently in the history books of students nationwide, thus enabling them to learn about the important and lasting contributions of these individuals; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature takes great pleasure in recognizing February 2001 as Black History Month, urges all citizens to join in celebrating the accomplishments of African-Americans during Black History Month, and encourages the people of California to recognize the many talents, achievements, and contributions that African-Americans make to their communities; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 5

Senate Concurrent Resolution No. 11—Relative to Library Lovers Month.

[Filed with Secretary of State February 22, 2001.]

WHEREAS, Libraries enable individuals to make informed decisions about their self-governance by promoting unrestricted access to information and by serving as community centers for lifelong learning; and

WHEREAS, In a world undergoing constant change, libraries provide enduring connections to the past and future of our communities, nations, and civilizations; and

WHEREAS, The expansion of electronic networks that link libraries and their resources makes possible better and more easily accessible information for library users around the world; and

WHEREAS, Libraries provide entry to important research about health, economics, housing, the environment, and countless other areas to support better living conditions and to help people lead longer, more productive, and fulfilling lives; and

WHEREAS, Libraries support a competitive workforce with basic literacy programs, computers, and other resources to help children and adults learn to find, evaluate, and use information they need for their jobs, health, education, and other needs; and

WHEREAS, Many libraries offer story hours for preschoolers and summer reading programs to encourage children to begin a habit of reading that will serve to benefit their personal and professional lives; and

WHEREAS, 16,500,000 Californians have library cards; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California proclaims the month of February 2001 as Library Lovers Month, and urges all Californians to visit a library and thank a librarian for making this unique and wonderful institution possible; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to Friends & Foundations of California Libraries.

RESOLUTION CHAPTER 6

Assembly Concurrent Resolution No. 17—Relative to a Day of Remembrance.

[Filed with Secretary of State February 27, 2001.]

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066, pursuant to which 120,000 Americans and resident aliens of Japanese ancestry were incarcerated in internment camps during World War II; and

WHEREAS, Executive Order 9066 deferred the American dream for 120,000 Americans and resident aliens of Japanese ancestry by inflicting a great human cost of abandoned homes, businesses, careers, and professional advancements, and disruption to family life; and

WHEREAS, Despite their families being incarcerated behind barbed wire in the United States, approximately 33,000 veterans of Japanese ancestry fought bravely for our country during World War II, serving in the 100th Battalion, the 442nd Regimental Combat Team, and the 522nd Field Artillery Battalion; and

WHEREAS, The 100th Battalion, the 442nd Regimental Combat Team, and the 522nd Field Artillery Battalion heroically suffered nearly 10,000 casualties and are honored as being among World War II's most decorated combat teams, receiving seven Presidential Distinguished Unit Citations, 52 Distinguished Service Crosses, 588 Silver Stars, 5,200 Bronze Stars, and 9,486 Purple Hearts; and

WHEREAS, On June 21, 2000, President William Jefferson Clinton elevated 20 Japanese Americans who served in the 100th Battalion and the 442nd Regimental Combat Team and were among 52 individuals

who received the nation's second highest award—the Distinguished Service Cross—to receive the nation's highest military honor—the Medal of Honor—bringing the total number of recipients who so received the Medal of Honor to 21; and

WHEREAS, Nearly 6,000 veterans of Japanese ancestry served with the Military Intelligence Service and have been credited for shortening the war by two years by translating enemy battle plans, defense maps, tactical orders, intercepted messages and diaries, and interrogating enemy prisoners; and

WHEREAS, Nearly 40 years subsequent to the United States Supreme Court decisions upholding the convictions of Fred Korematsu, Min Yasui, and Gordon Hirabayashi for violations of curfew and Executive Order 9066, it was discovered that the United States War Department and Department of Justice officials altered and destroyed evidence regarding the loyalty of Americans and resident aliens of Japanese ancestry and withheld information from the United States Supreme Court; and

WHEREAS, Dale Minami, Peggy Nagae, Rod Kawakami, and many attorneys and interns contributed innumerable hours to win a reversal in 1983 of the original convictions of Korematsu, Yasui, and Hirabayashi by filing a petition for writ of error coram nobis on the grounds that fundamental errors and injustice occurred; and

WHEREAS, On August 10, 1988, President Ronald Reagan signed into law the Civil Liberties Act of 1988, finding that Executive Order 9066 was not justified by military necessity and, hence, was caused by racial prejudice, war hysteria, and a failure of political leadership; and

WHEREAS, February 19, 2001, marks 59 years since the signing of Executive Order 9066, a policy of grave injustice against American citizens and resident aliens of Japanese ancestry; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California declares February 19, 2001, as a Day of Remembrance in this state to increase public awareness of the events surrounding the internment of Americans of Japanese ancestry during World War II; and be it further

Resolved, That the Legislature encourages the annual observance of this day in subsequent years so that California's youth may learn from our history; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the Superintendent of Public Instruction, the State Library, and the State Archives.

RESOLUTION CHAPTER 7

Senate Concurrent Resolution No. 2—Relative to College Awareness Month.

[Filed with Secretary of State February 27, 2001.]

WHEREAS, The California Education Round Table and its Intersegmental Coordinating Committee are sponsoring February 2001 as “College Awareness Month”; and

WHEREAS, California needs a college-educated workforce in order to maintain a strong and vibrant economy, a cohesive society, and an effective democracy; and

WHEREAS, Pupils have to learn the skills, competencies, and behaviors that will enable them to have a variety of choices after high school graduation, including entering and succeeding in college; and

WHEREAS, California is disadvantaged when pupils leave high school before they graduate, a situation that happens too frequently, or graduate without the skills that are necessary to participate productively in the state’s future; and

WHEREAS, Parents have important responsibilities in encouraging their daughters and sons to master the skills in elementary and secondary school that will prepare them to pursue a college education; and

WHEREAS, California’s educational community will be conducting a statewide campaign during the month of February to provide parents with information in the appropriate language that will assist them in serving as academic advisers and financial planners for their daughters and sons so that they can graduate from college; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California hereby supports the actions of the California Education Round Table by proclaiming February 2001 as “College Awareness Month”; and be it further

Resolved, That the Legislature urges the residents of California to encourage elementary and secondary school pupils to succeed in their academic endeavors so that they may earn a college education and contribute to the economic, social, and political future of this state; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Governor, the Superintendent of Public Instruction, and the California Education Round Table.

RESOLUTION CHAPTER 8

Senate Concurrent Resolution No. 7—Relative to POW Recognition Day.

[Filed with Secretary of State March 9, 2001.]

WHEREAS, Men and women have long answered our nation's call to duty and undertaken their mission as members of the United States Armed Forces; and

WHEREAS, Our military personnel have gone to battle in countries far and near to defend the ramparts of liberty and resist the agents of tyranny; and

WHEREAS, Hostile forces throughout the world continue to subvert the political and economic freedom for which American soldiers have sacrificed their lives; and

WHEREAS, Since World War I, there have been some 142,257 Americans captured and interned under deplorable conditions; and

WHEREAS, Most of our military personnel have returned home as heroes and proud veterans, but sadly another 92,457 other Americans were lost in combat, and their remains never recovered; and

WHEREAS, On April 9, 1865, General Robert E. Lee surrendered to General Ulysses S. Grant in Appomattox Court House, Virginia; and

WHEREAS, General King, the American Army General who surrendered the largest number of military fighting personnel ever surrendered at one time to an enemy force, was a student of history who chose April 9 of 1942, to surrender; and

WHEREAS, The surrender of American and Filipino troops by General King on April 9, 1942, on the Bataan Peninsula led to the infamous Bataan Death March; and

WHEREAS, April 9 was chosen by Congress to be the national day for honoring prisoners of war; and

WHEREAS, Each year, citizens throughout America join in observances to honor and recognize former American prisoners of war, and to remember those individuals still unaccounted for, so that we may rededicate ourselves to finding a resolution to their status that will allow their families to have the peace they deserve; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby designates April 9, 2001, as POW Recognition Day in California; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 9

Assembly Concurrent Resolution No. 24—Relative to Read Across America.

[Filed with Secretary of State March 12, 2001.]

WHEREAS, Members of the California Legislature have learned of the Read Across America campaign created by the National Education Association with the full support of the California Teachers Association to motivate children to read; and

WHEREAS, The Members of the California Legislature stand firmly committed to promoting reading as the catalyst for our pupils' future academic success, their preparation for California's and America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, The Members of the California Legislature believe in the importance of joining teachers in their efforts to enhance community involvement in the education of our youth; and

WHEREAS, The Members believe that education investment is the key to our state's well-being and long-term quality of life; and

WHEREAS, The National Education Association and the California Teachers Association Read Across America is a national celebration of Dr. Seuss' birthday on March 2 that is designed to promote reading and adult involvement in the education of our state's and nation's pupils; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the California Legislature hereby proclaims March 2, 2001, as Read Across California Day; and be it further

Resolved, That the California Legislature calls on the citizens of California to ensure that every child is in a safe place reading together with a caring adult on the evening of March 2, 2001; and be it further

Resolved, That the California Legislature enthusiastically endorses Read Across America and recommits our state to supporting programs and activities designed to make the children in our state and our nation the best readers in the world; and be it further

Resolved, That the California Legislature commends the National Education Association and the California Teachers Association for their efforts on behalf of Read Across America; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 10

Assembly Concurrent Resolution No. 33—Relative to Japan Peace Treaty Day.

[Filed with Secretary of State March 12, 2001.]

WHEREAS, The date of September 8, 2001, marks the 50th anniversary of the Treaty of Peace with Japan signed by 49 nations in the War Memorial Opera House in San Francisco; and

WHEREAS, In the first nationally televised event from the west coast, the Treaty of Peace restored Japan to the family of sovereign nations; and

WHEREAS, The Treaty of Peace with Japan led to a new generation of bilateral leadership with the postwar wisdom and vision to make investments that transformed California into the Golden State and that transformed Japan into a free democracy, an indispensable United States ally, and the world's second largest economy; and

WHEREAS, The United States-Japan-affiliated community is engaged in worthy and noble efforts to commemorate the actions of nations 50 years ago that led to California's prosperity and made it the "American Gateway to the Pacific." This commemoration will also explore the fundamentals of United States-Japan relations and set the stage for the next 50 years of bilateral progress; and

WHEREAS, A vitally important part of this memorial project shall be to help ensure that future generations comprehend their responsibility to respect humanity and preserve world peace; and

WHEREAS, Californians have every confidence that the extraordinary bonds between Japan and the United States will only grow stronger in the years, the decades, and the new century to come; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby proclaims the day of September 8, 2001, as Japan Peace Treaty Day and urges all Californians to observe this day of remembrance for the historic actions taken in San Francisco on September 8, 1951; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 11

Assembly Concurrent Resolution No. 16—Relative to Spay Day USA 2001.

[Filed with Secretary of State March 19, 2001.]

WHEREAS, Between six and 10 million dogs and cats are euthanized in the United States each year; and

WHEREAS, In most instances these are young, attractive, healthy, friendly, and playful animals that are euthanized simply because there are not enough good homes for them; and

WHEREAS, An additional unknown number of animals die each year due to abandonment, neglect, abuse, starvation, or cruelty because they are unwanted; and

WHEREAS, The spaying and neutering of dogs and cats directly addresses these problems by reducing the number of unwanted animals; and

WHEREAS, Californians can contribute to this effort by spaying and neutering their own pets and by supporting programs in their communities that offer spay and neuter services; and

WHEREAS, Veterinarians, humane societies, and national and local animal protection organizations will join together to advocate the spaying and neutering of dogs and cats on "Spay Day USA 2001," now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California declares February 27, 2001, to be Spay Day USA 2001 and that Californians are requested to observe the day by having their dogs or cats spayed or neutered or by contributing to those organizations that provide spay and neuter services; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 12

Senate Concurrent Resolution No. 3—Relative to a friendship state relationship with Punjab State, India.

[Filed with Secretary of State March 20, 2001.]

WHEREAS, India is one of the world's largest and most vibrant democratic market and is recognized globally as the market of the future; and

WHEREAS, Punjab State's average growth rate of 10 percent is among the highest in India, clearly reflecting the progressive economy of the state. This economy is characterized by agricultural and small- and

medium-scale industries, and the highest per capita income in the nation; and

WHEREAS, Punjab State and the State of California share many agricultural similarities. Punjab State was the first to translate agricultural technology in the “Green Revolution,” which stressed the introduction of modern farming methods, new seeds and fertilizers, and irrigation. The state records the highest growth rate in food production in India; and

WHEREAS, Punjab State leads in the manufacture of machine and hand tools, printing and paper cutting machinery, and auto parts and electrical switch gear. The state also provides more than 75 percent of the country’s requirement for bicycles, sewing machines, hosiery, and sporting goods; and

WHEREAS, Punjab State leads the nation in infrastructure with its developed and extensive network of about 30,000 miles of roadways and an efficient railway system; and

WHEREAS, Much like California, Punjab State values quality education and has four state universities and more than 200 professional, medical, and engineering colleges and technical institutions; and

WHEREAS, A friendship state relationship would promote mutual trade and commerce, and increase the potential for educational, environmental, and cultural relations between Punjab State and the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California, on behalf of the people of California, extends to the people of the Punjab State, India, an invitation to join with California in a friendship state relationship in order to encourage and facilitate mutually beneficial economic, educational, environmental, and cultural exchanges and to lead to a more indelible and lasting relationship between Californians and the people of the Punjab State, India; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Consul General of India, the Indo-American Trade and Commerce Council, the Government of Punjab State, India, the Governor of California, and each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 13

Senate Concurrent Resolution No. 4—Relative to a sister state relationship with Gujarat State, India.

WHEREAS, India is one of the world's largest and most vibrant democratic market and is recognized globally as the market of the future; and

WHEREAS, Gujarat State has emerged as a leading industrialized state with the largest population among the other regional states in India, offering a highly trained, peaceful, and productive workforce, an excellent road network linking all regions of the state, an efficient rail network connecting all important centers in the state, the highest number of airports (10) in the state, and three stock exchanges (the largest number in any one state); and

WHEREAS, Gujarat State was the first state to establish an International Trade Promotion Council at the state level for promotion of exports and has formulated and announced a comprehensive Industrial Policy titled "Gujarat 2000 AD & Beyond" that sets futuristic directions for development, such as increasing overall flow of investment in the industrial sector, creating large scale employment opportunities, accelerating the pace of development of infrastructure and human resources, achieving sustainable development, and encouraging entrepreneurship. Further, the state government has also announced sectoral policies in the following areas: infotech, tourism, power, ports, and roads; and

WHEREAS, Gujarat State is the largest producer of cotton and groundnut and stands second in production of tobacco in the country; the state is a major producer of inorganic chemicals and boasts the largest petrochemical complex in the country; the state is also richly endowed with essential mineral resources and ranks fourth in overall mining of minerals in India; and

WHEREAS, Gujarat State has the longest coastline (1,600 kilometers) among all states in India with two gulfs and dotted with 41 ports (1 major, 11 intermediate, and 29 minor), making it a natural gateway to international markets. The marine resources are an untapped source of wealth in the Gujarat State; the state produces over 70 percent of the salt in India and accounts for 30 percent of India's potential fish and prawn culture; and

WHEREAS, Much like the State of California, Gujarat State is a prestigious center of higher learning, containing the highest number of quality educational, professional, and vocational training institutions in India; and

WHEREAS, Both California and Gujarat State have ethnically diverse populations and are concerned with peaceful coexistence of the many cultures within their borders; and

WHEREAS, Gujarat State is inextricably linked with the life of the father of the nation, Mahatma Gandhi, as he was born there and spent his early years there; and

WHEREAS, A sister state relationship would promote mutual trade and commerce, and increase the potential for educational, environmental, and cultural relations between Gujarat State and the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California, on behalf of the people of California, extends to the people of the Gujarat State an invitation to join with California in a sister state relationship in order to encourage and facilitate mutually beneficial economic, educational, environmental, and cultural exchanges and to lead to a more indelible and lasting relationship between Californians and the citizens of the Gujarat State of India; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Consul General of India, the Indo-American Trade and Commerce Council, the Government of Gujarat State, India, to the Governor of California, and each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 14

Senate Concurrent Resolution No. 8—Relative to Arts Education Month.

[Filed with Secretary of State March 20, 2001.]

WHEREAS, Arts education, which includes dance, literature, music, theatre, and visual arts, is an essential part of the basic education necessary to provide balanced learning for all pupils in kindergarten and grades 1 to 12, inclusive; and

WHEREAS, Arts education is necessary to develop the full potential of pupils' minds; and

WHEREAS, Arts educators recognize that a program of arts education is defined as a comprehensive, balanced, sequential, in-school program of instruction in the arts, taught by qualified teachers, designed to provide pupils of all ages with skills and knowledge in the arts in accordance with high national, state, and local standards; and

WHEREAS, The adoption of arts education standards to guide the development and implementation of arts instruction and activities, facilitates a well-planned arts education program and enhances a pupil's opportunity to develop his or her initiative, creative ability, self-expression, self-evaluation, thinking skills, discipline, appreciation of beauty, and cross-cultural understanding; and

WHEREAS, National standards have been adopted for the visual and performing arts; and

WHEREAS, For 20 years the State of California has recognized the adopted visual and performing arts framework as the definition of arts education; and

WHEREAS, The State of California has adopted state standards for the visual and performing arts; and

WHEREAS, The arts education associations of the California Dance Educators Association, the California Music Educators Association, the California Educational Theatre Association, the California Arts Education Association, and the California Humanities Association each contribute to the betterment of arts education together and each in their own subject area; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California proclaim the month of March 2001 as Arts Education Month, as a symbol of their support to the value that arts education brings to the pupils' education and to the economic development within each community of this state; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to each school district in the State of California and to the arts education associations for their individual action in support of March 2001 as Arts Education Month.

RESOLUTION CHAPTER 15

Senate Concurrent Resolution No. 5—Relative to California Fitness Month.

[Filed with Secretary of State March 27, 2001.]

WHEREAS, Exercise and fitness activities can increase self-esteem, boost energy, strengthen the heart and muscles, burn calories, and improve cholesterol levels; and

WHEREAS, Exercise and fitness activities are excellent ways to relieve stress; lower the risk of heart disease, hypertension, and diabetes; prevent bone loss; and decrease the risk of some cancers; and

WHEREAS, A person's fitness level has a dramatic effect on the body's ability to produce energy and to reduce fat; and

WHEREAS, A fit person burns a higher percentage of fat not only during activity, but also at rest, fit people have a higher proportion of muscle tissue, which burns more calories than fat, and those with more

muscle mass can eat more calories and still maintain a healthy weight; and

WHEREAS, To lose weight and keep it off, one should do an enjoyable, moderate-intensity aerobic activity for 30 to 60 minutes, three to five times a week; and

WHEREAS, A person should also do muscle-strengthening exercises two or three times a week, and should concentrate on maintaining a balanced diet; and

WHEREAS, Most popular diet programs cannot produce long-lasting weight reduction results without exercise; and

WHEREAS, There is no age limit for physical activity. Among the elderly, exercise provides cardiovascular, respiratory, neuromuscular, metabolic, and mental health benefits; and

WHEREAS, Fitness activities have been shown to sharpen mental ability in all people, and to retard the aging process; and

WHEREAS, Maximizing one's energy level, increasing muscle mass, and reducing body fat increases one's chances of living a longer, healthier life; and

WHEREAS, More than 60 percent of American adults do not get the recommended amount of physical activity, and 25 percent of American adults are not active; and

WHEREAS, Nearly all American youths from 12 to 21 years of age are not vigorously active on a regular basis; and

WHEREAS, The State Department of Education reports that a majority of California's children are not physically fit; and

WHEREAS, The Legislature seeks to advance the physical fitness of all Californians by educating them about the benefits of exercise and a balanced diet; and

WHEREAS, The Legislature will increase public awareness about the benefits of exercise and physical fitness by encouraging members to host events in their districts that stimulate physical fitness and increase participation by Californians in activities that promote physical health and benefit both mental and physical well-being; and

WHEREAS, The Legislature encourages its members, as well as organizations, businesses, and individuals to sponsor and attend physical fitness events that are informative, fun, and result in a number of Californians becoming physically fit; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby proclaims the month of April 2001 as California Fitness Month, and encourages all Californians to enrich their lives through proper diet and exercise; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 16

Senate Concurrent Resolution No. 6—Relative to physical education.

[Filed with Secretary of State March 27, 2001.]

WHEREAS, Physical education is essential to the development of growing children; and

WHEREAS, Physical education helps improve the overall health of children by improving their cardiovascular endurance, muscular strength and power, and flexibility, and by enhancing weight regulation, bone development, posture, skillful moving, active lifestyle habits, and constructive use of leisure time; and

WHEREAS, Physical education helps improve the self-esteem, interpersonal relationships, responsible behavior, and independence of children; and

WHEREAS, Children who participate in high-quality daily physical education programs tend to be more healthy and physically fit; and

WHEREAS, Physically fit adults have significantly reduced risk factors for heart attacks and strokes; and

WHEREAS, The Surgeon General, in “Objectives for the Nation,” recommends increasing the number of mandated physical education programs that focus on health-related physical fitness; and

WHEREAS, The Secretary for Education, in “First Lessons - A Report on Elementary Education in America,” recognized that elementary schools have a special mandate to provide elementary school children with the knowledge, habits, and attitudes that will equip the children for a fit and healthy life; and

WHEREAS, A high-quality daily physical education program for all children in kindergarten and grades 1 to 12, inclusive, is an essential part of a comprehensive education; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby proclaims May 1 to May 7, 2001, as Physical Education and Sports Week and May as Physical Fitness and Sports Month in this state, and urges residents statewide to learn more about the relationship between physical and mental health and take appropriate steps to incorporate quality physical activities into their lives and those of their children; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 17

Senate Concurrent Resolution No. 16—Relative to California Adult Education Week.

[Filed with Secretary of State March 27, 2001.]

WHEREAS, Approximately 377 California adult schools serve the changing economic and cultural needs of a vigorous, expanding community; and

WHEREAS, Adult schools serve approximately 1,600,000 California students; and

WHEREAS, Adult schools provide instruction to those in the community who need English as a second language and citizenship courses; and

WHEREAS, Adult schools are a primary community resource for the teaching and instruction of adult family literacy; and

WHEREAS, Adult schools provide a way for adults to complete high school studies in their own time and pace; and

WHEREAS, Adult schools provide programs especially designed for older adult and handicapped populations; and

WHEREAS, Adult schools provide vocational and job training for adults seeking career changes or enhancements; and

WHEREAS, Adult schools provide instruction for parents, ranging from prebirth classes through a wide spectrum of parent education courses; and

WHEREAS, Adult schools provide education services as called for by the Federal Workforce Investment Act of 1998, and for participants of the CalWORKS program; and

WHEREAS, Adult schools have responded to provide education for the Immigration and Reform and Control Act, and Greater Avenues for Independence (GAIN) participants; and

WHEREAS, Adult schools provide for the unique needs of individuals in a diverse population; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature proclaims the week of March 26, 2001, to April 1, 2001, as California Adult Education Week, in honor of the many outstanding services and contributions provided by California adult schools; and be it further

Resolved, That the administrators, teachers, classified staff, and students of California's adult schools be commended for their support of, and contributions to, quality education in the state; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 18

Senate Joint Resolution No. 6—Relative to multifamily rental housing.

[Filed with Secretary of State March 27, 2001.]

WHEREAS, California is in the midst of a housing shortage, causing housing prices to rise out of the reach of most low- and middle-income families, and forcing many low- and moderate-income workers, including teachers, police officers, firefighters, construction workers, public sector employees, retail and service sector employees, and other low- and moderate-income workers to seek housing up to two or three commute hours away from employment centers, thereby increasing traffic congestion, air pollution, and reducing available family time, economic productivity, and quality of life; and

WHEREAS, There has been a continuous, appreciable, and verifiable decline in the number of building permits issued for multifamily housing since 1986, with the percentage of multifamily housing permits of the total number of housing construction permits granted in California dropping from 148,085 or 47 percent of total residential permits issued in 1986, to 36,000 or 25 percent of total residential permits issued in the year 2000, and the percentage of multifamily building permits has remained below 20 percent of the total number of housing permits issued for most of the 1990's; and

WHEREAS, There also has been a continuous, appreciable, and verifiable decline in the construction of multifamily units on a nationwide basis, with the percentage of multifamily housing permits of the total number of housing permits dropping from 656,000 or 38 percent of total residential permits issued in 1985, to 324,000 or 21 percent of total residential permits issued in the year 2000; and

WHEREAS, In California and most parts of the nation, most multifamily units currently under construction are for use as rental housing rather than owner-occupied housing; and

WHEREAS, Despite the rebound of the California economy over the last several years, increasing demand for rental housing, and accelerating rents, these market factors have not resulted in a

significantly increased level of private investment in multifamily housing, when compared to historical patterns of multifamily construction during economic upswings both within the state, as well as nationally, during the decades prior to 1986; and

WHEREAS, Although there are several factors that contribute to the inadequate pace of multifamily rental housing construction, most economists agree that provisions of the Tax Reform Act of 1986 that lengthened the number of years necessary to fully depreciate private investments in rental real property from 19 to 27.5 years and that restricted the ability of private investors to deduct passive losses resulting from investments in rental real property have significantly reduced the incentive to invest in and own multifamily rental housing; and

WHEREAS, A beneficial outcome of the Tax Reform Act of 1986 was the creation of the federal Low-Income Housing Tax Credit Program, that has enabled the construction of hundreds of thousands of rental housing units affordable to lower income households, but that by itself has been unable to satisfy the overall demand for new rental housing; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully requests the President and Congress of the United States to review federal tax law applicable to rental housing, including depreciation schedules and passive loss provisions, as they existed prior to the Tax Reform Act of 1986, and to enact new tax benefits that complement the Low- Income Housing Tax Credit Program and provide additional incentives to invest in multifamily rental housing, so that the significant shortage of multifamily rental housing both in California and throughout the United States may be addressed through increased private investment; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 19

Senate Joint Resolution No. 10—Relative to special education funding.

[Filed with Secretary of State March 27, 2001.]

WHEREAS, The Congress enacted the Education for All Handicapped Children Act of 1975 (P.L. 94-142), now known as the Individuals with Disabilities Education Act (IDEA), to ensure that all children with disabilities in the United States have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs, to ensure that the rights of children with disabilities and their parents or guardians are protected, to assist states and localities to provide for the education of all children with disabilities, and to assess and ensure the effectiveness of efforts to educate children with disabilities; and

WHEREAS, Since 1975, federal law has authorized appropriation levels for grants to states under the IDEA at 40 percent of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

WHEREAS, Congress continued the 40-percent funding authority in Public Law 105-17, the Individuals with Disabilities Education Act Amendments of 1997; and

WHEREAS, Congress has never appropriated funds equivalent to the authorized level, has never exceeded the 15-percent level, and has usually only appropriated funding at about the 8-percent level; and

WHEREAS, The federal budget for fiscal year 2001, signed by the President on December 22, 2000, made an additional \$1.4 billion available for special education, and this increased appropriation, when combined with the revised allocation formula in Public Law 105-17 will make the federal government more able to fund special education, and at higher levels than previously attained; and

WHEREAS, The California Master Plan for Special Education was approved for statewide implementation in 1980 on the basis of the anticipated federal commitment to fund special education programs at the federally authorized level; and

WHEREAS, The Governor's Budget for the 2001-02 fiscal year proposes \$2.6 billion in General Fund support for the state's share of funding for special education programs; and

WHEREAS, California anticipates receiving over \$650 million, including a \$140 million increase in federal special education funds under Part B of IDEA for the 2001-02 school year, even though the federally authorized level of funding, if fully reimbursed, would provide an additional amount of over \$1 billion annually to California; and

WHEREAS, Local educational agencies in California are required to pay for the underfunded federal mandates for special education programs, at a statewide total cost exceeding \$1 billion annually; and

WHEREAS, The decision of the Supreme Court of the United States in the case of Cedar Rapids Community Sch. Dist. v. Garret F. (1999) 143 L.Ed.2d 154, has had the effect of creating an additional mandate for

providing specialized health care, and will significantly increase the costs associated with providing special education and related services; and

WHEREAS, Whether or not California participates in the IDEA grant program, the California schools are required to meet the requirements of Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701) and its implementing regulations (34 C.F.R. 104), which prohibit recipients of federal financial assistance, including educational institutions, from discriminating on the basis of disability, yet no federal funds are available under that act for state grants; and

WHEREAS, California is committed to providing a free and appropriate public education and related services to children and youth with disabilities, in order to meet their unique needs; and

WHEREAS, Since 1997, the state has used federal special education funding increases to provide equity adjustments to school agencies consistent with the new special education funding model provided in Assembly Bill 602 of the 1997–98 Regular Session (Chapter 854 of the Statutes of 1997); and

WHEREAS, California is committed to the continued use of increases in federal funding for special education to recognize special education funding commitments made to local education agencies; and

WHEREAS, The California Legislature is extremely concerned that, since 1978, Congress has not provided states with the full amount of financial assistance necessary to achieve its goal of ensuring children and youth with disabilities equal protection of the laws; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the President and Congress of the United States to provide the full 40 percent federal share of funding for special education programs so that California and other states participating in these critical programs will not be required to take funding from other vital state and local programs in order to fund this underfunded federal mandate; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chair of the Senate Committee on Budget, to the Chair of the House Committee on the Budget, to the Senate Committee on Appropriations, to the Chair of the House Committee on Appropriations, to each Senator and Representative from California in the Congress of the United States, and to the United States Secretary of Education.

RESOLUTION CHAPTER 20

Assembly Concurrent Resolution No. 19—Relative to Colorectal Cancer Awareness Month.

[Filed with Secretary of State April 5, 2001.]

WHEREAS, Colorectal cancer is the second leading cause of cancer deaths in men and women combined in the United States; and

WHEREAS, It is estimated that in the year 2001, over 130,000 new cases of colorectal cancer will be diagnosed in the United States; and

WHEREAS, In the year 2001, the disease is expected to kill an estimated 60,000 individuals in this country; and

WHEREAS, An estimated 11,400 individuals in the State of California were diagnosed with colorectal cancer in the year 2000; and

WHEREAS, Screening for colorectal cancer is underutilized, and less than 50 percent of individuals above age 50 receive annual screenings for colorectal cancer; and

WHEREAS, Adopting a healthy diet at a young age can significantly reduce the risk of developing colorectal cancer; and

WHEREAS, Regular screenings can detect polyps that lead to colorectal cancer and can save lives; and

WHEREAS, Education can help inform the public of methods of prevention and symptoms of early detection; and

WHEREAS, The State of California should help inform the public about colorectal cancer prevention and screening; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the month of March 2001 is hereby declared “Colorectal Cancer Awareness Month” in California; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 21

Senate Concurrent Resolution No. 20—Relative to State Employee Mentor Awareness and Recruitment Day.

[Filed with Secretary of State April 6, 2001.]

WHEREAS, The development and success of California’s young people is threatened by the ongoing problems of early parenthood, drug and alcohol use, gang involvement and violence, and academic difficulties; and

WHEREAS, There is overwhelming evidence that young people who do not have the benefit of a caring adult in their lives are more likely to engage in destructive social behavior and fail in school; and

WHEREAS, Mentoring is a proven and effective way to match a caring adult with a young person to help boost the youth's self-esteem and foster the academic and social skills necessary to succeed in school and life; and

WHEREAS, The Governor and the First Lady have recognized the effectiveness of mentoring and local mentoring programs, and called for the recruitment of one million mentors by 2005 to assist California's children and teens in becoming productive, successful citizens; and

WHEREAS, State employees and state employee bargaining units, including the California Association of Professional Scientists (CAPS), the California State Employees Association (CSEA), and the Professional Engineers in California Government (PECG), share the Governor and First Lady's goal and are committed to helping to recruit a minimum of 10,000 state employee mentors in the next five years; and

WHEREAS, Many collective bargaining agreements allow state employees to receive up to 40 hours of paid mentoring leave per calendar year to volunteer as mentors provided an equal amount of their personal time is also used for mentor activities; and

WHEREAS, State agencies are directed to encourage state employees to become mentors and participate, at a minimum, at the level set forth in employee contracts; and

WHEREAS, There are an estimated 80,000 children in California on waiting lists for a mentor, and state employees will be referred to community and school-based mentor programs that have adopted the California Mentor Initiative's Quality Assurance standards; and

WHEREAS, The state employee mentor recruitment campaign will kick off with a lunchtime rally on the west steps of the State Capitol on April 3, 2001; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That April 3, 2001, shall be designed "State Employee Mentor Awareness and Recruitment Day," with the purpose of focusing positive attention on state employee mentors and encouraging others to mentor a young person.

RESOLUTION CHAPTER 22

Assembly Concurrent Resolution No. 8—Relative to Crime Victims' Rights Week.

WHEREAS, Violent crimes that invade homes and shatter even the most trusting relationships continue to plague the citizens of California; and

WHEREAS, All Californians are affected by these violent acts, not just the victims of violent crimes; and

WHEREAS, The most effective aid that we can provide to victims of crime is to prevent them from becoming victims in the first place; and

WHEREAS, The recognition and protection of victims' rights within the legal process is one of the most critical components of an effective criminal justice system; and

WHEREAS, Victims and witnesses of crime require our special attention to ensure that they are thoroughly informed about, and participate effectively in, our criminal justice system; and

WHEREAS, To the maximum extent allowed by law, victims of violent crime should receive compensation for their losses; and

WHEREAS, Each day, thousands of victims and witnesses receive assistance from victim support organizations, victim-witness assistance centers, private service providers, and state and local governments; and

WHEREAS, The criminal justice system in this state must continue efforts to better coordinate and improve the quality of services provided to victims and witnesses; and

WHEREAS, Time after time, California citizens have continually demonstrated their commitment to victims of violent crimes; and

WHEREAS, The Legislature and the voters by initiative have expanded the death penalty and enacted the "Three Strikes" law as deterrents to violent crime; and

WHEREAS, Each year, the observance of the National Crime Victims' Rights Week focuses on the problems confronting victims of crime and the services available to support these victims; and

WHEREAS, National Crime Victims' Rights Week increases the public's awareness of crime victims' circumstances and acknowledges the combined efforts of citizens, government, and the criminal justice system to improve victims' services in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the week of April 23 through 27, 2001, be recognized as Crime Victims' Rights Week in California; and be it further

Resolved, That on the occasion of Crime Victims' Rights Week, the Legislature encourages all Californians to join in this observance by wearing victim awareness ribbons to demonstrate their commitment to assisting victims and to the elimination of crime in the Golden State.

RESOLUTION CHAPTER 23

Assembly Concurrent Resolution No. 34—Relative to California Earthquake Preparedness Month.

[Filed with Secretary of State April 9, 2001.]

WHEREAS, The Federal Emergency Management Agency estimates that of the nation's \$4.4 billion average annual capital and income losses due to earthquakes, 74 percent of those losses occur in California; and

WHEREAS, Major earthquakes registering magnitudes between 6.3 and 8.3 have occurred in California every 5.4 years, on average, for the past 200 years; and

WHEREAS, These earthquakes have resulted in loss of life, significant property damage, and indirect costs; and

WHEREAS, The United States Geological Survey estimates that there is a 90 percent chance that a major earthquake will strike an urban area in California within the next 30 years; and

WHEREAS, The majority of Californians live within 20 miles of a major earthquake fault; and

WHEREAS, Mitigating measures can save lives, reduce property damage, and alleviate traffic and economic dislocation caused by earthquakes; and

WHEREAS, The Federal Emergency Management Agency estimates that for every dollar spent on earthquake mitigation, \$2 to \$6 is saved if an earthquake occurs; and

WHEREAS, Education about the danger of earthquakes in California and the value of mitigation is the key to taking action at the city, county, and state levels of government; and

WHEREAS, It is important for these levels of government to work cooperatively with citizens, each other, the federal government, and other nations to mitigate damage caused by earthquakes; and

WHEREAS, It is vital that we examine the lessons learned from recent earthquakes in Seattle, El Salvador, and India, and that we share our knowledge with other states and nations; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby declares that the month of April is California Earthquake Preparedness Month and urges all Californians and government agencies to engage in education, evaluation of seismic hazards, mitigation, safety activities, and the exchange of information related to earthquake preparedness with other states and nations during that month; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 24

Assembly Concurrent Resolution No. 39—Relative to Work Zone Safety Awareness Week.

[Filed with Secretary of State April 9, 2001.]

WHEREAS, Accidents in highway work zones resulted in 868 deaths nationwide in 1999; and

WHEREAS, Workers in highway work zones and motorists traveling through the zones have suffered injury or death as a result of accidents in the work zones; and

WHEREAS, Employees and private citizens of the State of California are among those who must regularly work within the public right-of-way and in close proximity to traffic while performing their responsibilities, including the maintenance of streets, the maintenance and repair of water and sewer lines, the maintenance and replacement of traffic signs and signals, the application of pavement markings, and the maintenance and landscaping of street medians; and

WHEREAS, To increase public awareness of the need for greater caution and care by motorists while driving through highway work zones and to promote safe practices by workers while working in highway work zones, the Federal Highway Administration, the American Traffic Safety Services Association, and the American Association of State Highway and Transportation Officials have jointly declared the week of April 9 to April 12, 2001, as “National Work Zone Safety Awareness Week”; and

WHEREAS, The State of California desires to promote the safety of its employees and to encourage motorists traveling in and through the state to exercise caution and care when encountering a work zone; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby proclaims the week of April 9 to April 12, 2001, as Work Zone Safety Awareness Week in California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 25

Assembly Concurrent Resolution No. 31—Relative to Women’s History Month and women’s history curriculum.

[Filed with Secretary of State April 18, 2001.]

WHEREAS, Women of every race, culture, class, and ethnic background have participated in the founding and building of our nation and have made important and heroic contributions to the growth and strength of California, the nation, and the world in countless recorded and unrecorded ways; and

WHEREAS, Women’s History Month will include International Women’s Day on March 8, originally proclaimed in 1910, to recognize and commemorate the valuable contributions women have made to the labor movement; and

WHEREAS, The state and national observance of Women’s History Month began with a local observance of women’s history in public schools initiated in the fall of 1977 by the Sonoma County Commission on the Status of Women; and

WHEREAS, The National Women’s History Project has adopted “Celebrating Women of Courage and Vision” as the theme for Women’s History Month 2001, inviting all Californians to honor the courage and vision of all women, those famous and those known to only a few, whose lives have inspired others; and

WHEREAS, Women have played and continue to play a critical economic, cultural, and social role in every aspect of life by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, Women have made significant achievements and valuable contributions in many fields, including science, government, sports, music, art, literature, business, education, technology, medicine, and journalism; and

WHEREAS, Women were early leaders in the forefront of every major progressive social change movement, including the struggle to secure their own rights of suffrage and equal opportunity, the abolitionist movement, the industrial labor movement, the civil rights movement, the peace movement, and other movements which helped create a more fair and just society for all; and

WHEREAS, The year 2001 celebrates the 90th anniversary of California women winning the right to vote; and

WHEREAS, California is the first state in the Union to elect two women to serve in the United States Senate; Senator Dianne Feinstein and Senator Barbara Boxer; and

WHEREAS, California is the only state to host two Women's National Basketball Association (WNBA) teams; the Los Angeles Sparks and the Sacramento Monarchs; and

WHEREAS, Despite these extensive contributions the role of women in history has been consistently overlooked and undervalued in the literature, teaching, and study of history in California public schools; and

WHEREAS, Education of California's children about the important achievements and contributions made by women is in the best interest of all Californians and the future of this state, and will better enable girls and boys to gain an understanding of today's world and to work together to create a future with fewer barriers, greater opportunities, and respect for all people; and

WHEREAS, The celebration of Women's History Month will provide an opportunity for schools and communities to focus attention on the important historical role and accomplishments of women, and for students in particular to benefit from an awareness of these contributions; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California takes pleasure in honoring the important contributions of women throughout history, and proclaims the month of March 2001 as Women's History Month; and be it further

Resolved, That the Legislature of the State of California urges all Californians to celebrate Women's History Month and join in the commemoration of International Women's Day on March 8, 2001; and be it further

Resolved, That the Legislature of the State of California urges all California public school districts to add an accurate and inclusive women's history component into approved curriculum and provide the corresponding educational materials for pupils in grades 1 to 12, inclusive; and be it further

Resolved, That the Legislature of the State of California urges the State Board of Education to ensure that the state curriculum framework includes accurate and inclusive instruction on the accomplishments and contributions of women throughout history; and be it further

Resolved, That the Legislature of the State of California urges the State Board of Education to ensure that state criteria for selecting textbooks include information to guide the selection of textbooks that emphasize the accomplishments and contributions of women throughout history; and be it further

Resolved, That a copy of this resolution be transmitted to the State Board of Education, the Superintendent of Public Instruction, the

California Commission on the Status of Women, and all local commissions on the status of women.

RESOLUTION CHAPTER 26

Assembly Concurrent Resolution No. 40—Relative to Mathematics Education Awareness Month.

[Filed with Secretary of State April 18, 2001.]

WHEREAS, The ideas, concepts, and skills of mathematics are fundamental building blocks, essential for success, both in school and in life; and

WHEREAS, Though the results of the 2000 STAR test demonstrate significant improvement in every grade over the 1999 scores, mathematics achievement in California is not yet at a satisfactory level; and

WHEREAS, A 2000 Rand study entitled, “Improving Student Achievement: What State NAEP Test Scores Tell Us” found that in a cross-state comparison of mathematics achievement of pupils from similar families, California ranked last; and

WHEREAS, The systematic mastery of mathematics skills is crucial to a great multitude of career paths that pupils might choose and will allow them to compete in the global market place; and

WHEREAS, These skills are best acquired through a rich and demanding mathematics curriculum, delivered by an effective teacher; and

WHEREAS, Pupils who value their future should not hesitate to challenge themselves by taking challenging mathematics courses and studying conscientiously; and

WHEREAS, Parents can give their children a considerable advantage in the area of mathematics achievement by simply taking the time to help them with their mathematics homework or play mathematics intensive games with them; and

WHEREAS, Teachers and administrators should not shrink from their responsibility to offer a rigorous, content-rich mathematics curriculum; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature proclaims April 2001 to be Mathematics Education Awareness Month; and be it further

Resolved, That the Legislature recognizes the state’s significant gains in mathematics achievement, and encourages all Californians, especially pupils, parents, teachers and administrators, to work together

to ensure that the mathematics curricula of their local schools are adequately preparing our children for the challenges of tomorrow.

RESOLUTION CHAPTER 27

Assembly Concurrent Resolution No. 12—Relative to child abuse and neglect.

[Filed with Secretary of State April 23, 2001.]

WHEREAS, Child abuse and neglect not only scar the lives of tens of thousands of California children each year but also directly cost the state over \$3 billion in added costs for the provision of social services and billions more in medical, mental health, and judicial costs; and

WHEREAS, Emerging child development research shows that exposure to violence negatively affects the brain development of young children; and

WHEREAS, California has assumed legal responsibility for over 100,000 children removed from abusive environments and has a special obligation to ensure that these children are provided the care, treatment, and educational opportunities needed to heal the scars of mistreatment; and

WHEREAS, Foster care can protect many children from further abuse and neglect; but for too many children foster care has failed to provide the healing and nurturing that these children need; and

WHEREAS, Policymakers should affirm the extraordinary obligation of the state to care for abused children and prevent abuse by helping troubled families; and

WHEREAS, When the state assumes the role of parent, it assumes the responsibility and the obligation to provide the highest quality of care; and

WHEREAS, Child abuse and neglect constitute behavior that can and must be prevented; and

WHEREAS, The state should encourage innovative programs by funding pilot programs, conducting rigorous evaluations, and aggressively replicating and expanding cost-effective strategies to minimize child abuse and the need for foster care placement; and

WHEREAS, Foster care caseloads are growing because more children are entering the system and staying longer; and

WHEREAS, Too many children are returned to foster care after failed attempts to reunify them with their families; and

WHEREAS, The adoption process is unnecessarily tedious and cumbersome, frustrating the goal of increasing the number of successful foster care adoptions, particularly for older children; and

WHEREAS, Children are staying in temporary placement too long, aggravating the trauma of separation and limiting opportunities for permanent placement in nurturing families; and

WHEREAS, When a child is placed in foster care, the child becomes a legal dependent of the state; the state must fully live up to its obligation to care for and nurture abused children under its protection by healing the traumas of maltreatment in order to speed these children toward successful adulthood; and

WHEREAS, Each case of child abuse is a personal tragedy and social malady with far-reaching consequences for all Californians; it is past time for policymakers to make abused and neglected children a priority and ensure that programs are managed effectively to respond comprehensively to this problem; and

WHEREAS, The Members of the Legislature recognize the need to focus on this important issue in the 2001–02 Regular Session; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature designate the year 2001 as the Year of Heightened Concern for Special Children; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 28

Assembly Concurrent Resolution No. 41—Relative to California Earth Day.

[Filed with Secretary of State April 23, 2001.]

WHEREAS, Thirty-one years ago, millions of Americans of all ages, walks of life, and political affiliations joined together on the first Earth Day in a demonstration of concern and support for the environment; and

WHEREAS, Public awareness of the environment, fostered by the first Earth Day, has led to the enactment of key federal laws, including the Clean Air Act and the Clean Water Act, and the creation of the Environmental Protection Agency, to protect the environment; and

WHEREAS, The spirit of the first Earth Day has continued, and increased public awareness has caused Californians to make individual decisions that will reduce adverse impacts on the environment; and

WHEREAS, California's environmental attributes, including its rocky coasts, sandy beaches, redwood forests, stark deserts, and towering mountains, make the state the most beautiful in the nation; and

WHEREAS, The Legislature recognizes and has helped safeguard the state's unique environmental attributes through the enactment of laws including the California Environmental Quality Act, the Coastal Protection Act, the Toxic Substances Control Act, the Integrated Waste Management Act, and the California Clean Air Act, which protect its scenic beauty, natural resources, and the quality of its water, air, and land; and

WHEREAS, New and continuing threats of increasing severity to our environment, including global climate change, stratospheric ozone depletion, acid rain, polluted oceans and waterways, loss of forests, wetlands, and other wildlife habitats, and contamination of air and drinking water sources by nuclear, hazardous, and solid wastes, demand renewed public involvement; and

WHEREAS, Critical federal and state laws and international agreements that protect the quality of the environment are needed now more than ever in the new millennium; and

WHEREAS, Activities to celebrate, on April 22, 2001, the 31st anniversary of the first Earth Day, will focus public attention and encourage personal and community participation in order to protect the environment through recycling, conserving energy and water, using efficient transportation, and other environmentally responsible personal actions; and

WHEREAS, Earth Day 2001 will provide an impetus for additional protection of the environment, and continued local, state, national, and international efforts will be required at an unprecedented level during the next decade in order to remedy the environmental problems that we face; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That April 22, 2001, is hereby declared to be "California Earth Day"; and be it further

Resolved, That the Legislature reaffirms its commitment to the fundamental principles that underlie the state's environmental laws, including the protection of human health from environmental hazards through the prevention of environmental risks and the maintenance of health-based standards; the continuance of programs to safeguard the quality of the air we breathe and the water we drink; the recycling and reuse of materials, whenever feasible, to reduce the economic and environmental costs of disposal, and to recapture the value of these materials for the state's economy; the effective cleanup of pollution of the state's land, air, and water resources; the preservation of natural ecosystems; and maintenance of the fundamental right of the public to

know about environmental hazards and to fully participate in public decisions regarding the environment; and be it further

Resolved, That California recognizes the importance of the environment and encourages residents to include in their daily lives those activities that promote the goals of Earth Day 2001; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit copies of this resolution to the Governor and to the Secretary for Resources and the Secretary for Environmental Protection.

RESOLUTION CHAPTER 29

Senate Concurrent Resolution No. 9—Relative to the Vicente “Vince” Andrade Memorial Bridge.

[Filed with Secretary of State April 30, 2001.]

WHEREAS, Vicente “Vince” Andrade, was born in Winslow, Arizona, and following his work experience as a land surveyor in Los Angeles and Alaska, he moved to the City of San Marcos where he formed the La Vara Surveying Company; and

WHEREAS, A powerful force both in the City of San Marcos and as a voice for North San Diego County’s Latino community, this man was recognized as making numerous invaluable contributions for the benefit and continued progress of the overall community; and

WHEREAS, Vince Andrade was recognized in May of 1998 when he received the Making A Difference Award, lauding Mr. Andrade’s leadership in founding El Grupo Sin Nombre, an umbrella organization aimed at giving 37 Latino groups a unified voice on political and social issues in North San Diego County; and

WHEREAS, Vince Andrade served as Chairperson of the Board of Directors for North County Health Services, President of the Hispanic Advisory Council at California State University, San Marcos, and Chairperson of the Latino Coalition for Education; and

WHEREAS, In 1996, after a three-year term on the planning commission, Vince Andrade was elected to the San Marcos City Council where he served with distinction and represented the city as a SANDAG board member and was instrumental in securing additional funds for construction of the Twin Oaks Valley Road interchange improvements; and

WHEREAS, Following a five year courageous battle against recurring cancer, this outstanding community leader died on January 23, 1999; and

WHEREAS, It would be a fitting tribute to Vicente “Vince” Andrade to name the recently completed Twin Oaks Valley Road Bridge on State Highway Route 78 in the City of San Marcos, San Diego County, in his memory; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby designates the Twin Oaks Valley Road Bridge on State Highway Route 78 in the City of San Marcos, San Diego County, as the Vicente “Vince” Andrade Memorial Bridge in honor and recognition of Vicente “Vince” Andrade; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those plaques and markers; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Director of Transportation and to the author for distribution.

RESOLUTION CHAPTER 30

Senate Concurrent Resolution No. 27—Relative to California Nonprofits and Philanthropy Week.

[Filed with Secretary of State April 30, 2001.]

WHEREAS, One of the great strengths of California is the presence of vigorous nonprofit and philanthropic organizations that provide a private means to pursue public purposes outside the confines of either the market or the state; and

WHEREAS, Citizens of California have joined together to form over 130,605 nonprofit organizations including 57,157 active 501(c)(3) charitable nonprofit organizations, 3,200 private foundations, and 25,187 religious groups that employ over 750,000 people and receive and spend over \$80 billion a year; and

WHEREAS, Nonprofit and philanthropic organizations touch the lives of every person in the state of California by serving people from all walks of life, all socioeconomic groups, political orientations, ethnicities, ages, genders, and cultural backgrounds; and

WHEREAS, Embraced within the nonprofit sector are some of our state’s premier universities, hospitals, symphonies, museums, theaters, and grassroots groups as well as thousands of community organizations

that channel our impulses for charity, justice, and compassion to serve the common good and support and empower those in greatest need; and

WHEREAS, Half of all hospital care, most of human services, a significant share of higher education, most of all low-cost housing, almost all arts and culture, and almost all social justice and environmental programs are provided by nonprofit organizations; and

WHEREAS, Over 15 million California citizens volunteer three to five hours per week with nonprofit organizations; and

WHEREAS, The 3,200 independent foundations, 100 corporate foundations, and 25 community foundations, with assets of \$18 billion, annually give \$1.28 billion in grants to California nonprofit organizations, an aggregate of 6.1 percent of assets, \$300 million more than required by law in 1997, and include seven of the nation's largest independent foundations, and seven of the nation's largest community foundations; and

WHEREAS, Nonprofit social service and philanthropic organizations have helped millions of Americans get back on their feet, enabling them to become active, productive citizens; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature recognizes the importance and value of nonprofit and philanthropic organizations; and be it further

Resolved, That the California Legislature hereby proclaims April 22–28, 2001 as California Nonprofits and Philanthropy Week presented by the California Association of Nonprofits and its Nonprofit Policy Council; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 31

Senate Joint Resolution No. 5—Relative to the Armenian Genocide.

[Filed with Secretary of State April 30, 2001.]

WHEREAS, Armenians living in their historic homeland in Asia Minor were subjected to severe persecution and brutal injustice by the Turkish rulers of the Ottoman Empire before and after the turn of the twentieth century, including widespread acts of destruction, mayhem, and murder during the period from 1894 to 1896, and again in 1909; and

WHEREAS, The horrible experience of the Armenians at the hands of their Turkish oppressors culminated with what is known by historians as the “First Genocide of the Twentieth Century,” or the “Forgotten Genocide”; and

WHEREAS, The Armenian Genocide began with the murder of hundreds of Armenian intellectuals, and political, religious, and business leaders who were arrested and taken from their homes in Constantinople before dawn on April 24, 1915; and

WHEREAS, The Young Turk regime then in control of the empire planned and executed the unspeakable atrocities committed against the Armenians from 1915 through 1923, including the torture, starvation, and murder of 1.5 million Armenians, death marches into the Syrian desert, and the exile of more than 500,000 innocent people; and

WHEREAS, While there were some Turks who jeopardized their safety in order to protect Armenians from the slaughter being perpetrated by the Young Turk regime, the massacres of the Armenians constituted one of the most atrocious violations of human rights in the history of the world; and

WHEREAS, The United States Ambassador to the Ottoman Empire, Henry Morgenthau, Sr., stated “Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecutions and injustice the most debased imagination can conceive, became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915. The killing of the Armenian people was accompanied by the systematic destruction of churches, schools, libraries, treasures of art, and cultural monuments in an attempt to eliminate all traces of a noble civilization with a history of more than 3,000 years”; and

WHEREAS, Contemporary newspapers like the New York Times carried headlines including, “Tales of Armenian Horrors Confirmed,” “Million Armenians Killed or in Exile,” and “Wholesale Massacre of Armenians by Turks”; and

WHEREAS, Adolph Hitler, in persuading his army commanders that the merciless persecution and killing of Jews, Poles, and other groups of people would bring no retribution, declared, “Who, after all, speaks today of the annihilation of the Armenians”; and

WHEREAS, Unlike other groups and governments that have admitted the abuses and crimes of predecessor regimes, and despite the overwhelming weight of the evidence, the Republic of Turkey has denied the occurrence of the crimes against humanity committed by the Young Turk rulers, and those denials compound the grief of the few remaining survivors of the atrocities and desecrate the memory of the victims; and

WHEREAS, Nations of the world have suffered reprisals and condemnations by Turkey because of efforts to commemorate the Armenian Genocide; and

WHEREAS, There have been concerted efforts to revise history through the dissemination of propaganda suggesting that Armenians were responsible for their fate in the period from 1915 through 1923 and by the funding of programs at American educational institutions for the purpose of furthering the cause of this revisionism and to counter, in the words of a Turkish official, “the Armenian view”; and

WHEREAS, Leaders of nations with strategic, commercial, and cultural ties to the Republic of Turkey should be reminded of their duty to encourage Turkish officials to cease efforts to distort facts and deny the history of events surrounding the Armenian Genocide; and

WHEREAS, The accelerated level and scope of denial and revisionism, coupled with the passage of time and the fact that very few survivors remain who serve as reminders of indescribable brutality and tormented lives, compel a sense of urgency in efforts to solidify recognition of historical truth; and

WHEREAS, By consistently remembering and forcefully condemning the atrocities committed against the Armenians and honoring the survivors, as well as other victims of similar heinous conduct, we guard against repetition of those acts of genocide; and

WHEREAS, California is home to the largest population of Armenians in the United States, and those citizens have enriched our state through their leadership in the fields of business, agriculture, academia, medicine, government, and the arts and are proud and patriotic practitioners of American citizenship; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby designates April 24, 2001, as “California Day of Remembrance for the Armenian Genocide of 1915–1923;” and be it further

Resolved, That the State of California respectfully memorializes the Congress of the United States to likewise act to commemorate the Armenian Genocide; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, Members of the United States Congress, the Governor, and Armenian churches and commemorative organizations in California.

RESOLUTION CHAPTER 32

Assembly Concurrent Resolution No. 7—Relative to California Peace Officers’ Memorial Day.

[Filed with Secretary of State May 1, 2001.]

WHEREAS, May 4, 2001, is California Peace Officers' Memorial Day, a day Californians observe in commemoration of those noble officers who have tragically sacrificed their lives in the line of duty; and

WHEREAS, Although California citizens are indebted to our California peace officers each day of the week, we make particular note of their bravery and dedication and we share in their losses on California Peace Officers' Memorial Day; and

WHEREAS, California peace officers have a job second in importance to none, and it is a job that is as difficult and dangerous as it is important; and

WHEREAS, The peace officers of California have worked devotedly and selflessly on behalf of the people of this great state, regardless of the peril or hazard to themselves; and

WHEREAS, By the enforcement of our laws, these same officers have safeguarded the lives and property of the citizens of California and have given their full measure to ensure those citizens the right to be free from crime and violence; and

WHEREAS, Special ceremonies and observances on behalf of California peace officers provide all Californians with the opportunity to appreciate the heroic men and women who have dedicated their lives to preserving public safety; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members designate Friday, May 4, 2001, as California Peace Officers' Memorial Day, and urge all Californians to remember those individuals who gave their lives for our safety and express appreciation to those who continue to dedicate themselves to making California a safer place in which to live and raise our families.

RESOLUTION CHAPTER 33

Assembly Concurrent Resolution No. 9—Relative to Law Enforcement Appreciation Week.

[Filed with Secretary of State May 1, 2001.]

WHEREAS, Public safety for the citizens of this state is of the utmost priority; and

WHEREAS, Law enforcement officers of this state are on the front lines daily risking their lives to ensure that each citizen can live in a safe and secure environment; and

WHEREAS, Law enforcement officers work in partnership with their community to protect life and property, solve neighborhood problems, and enhance the quality of life in this state; and

WHEREAS, Law enforcement officers bear the public trust and dedicate themselves to the protection of the safety and rights of the citizens of this state; and

WHEREAS, The third week of May has been dedicated to law enforcement officers by the United States Congress as National Police Memorial Week to honor all officers who have given the ultimate sacrifice while in the line of duty; and

WHEREAS, Ceremonies will be held in Sacramento in conjunction with National Police Memorial Week and Law Enforcement Appreciation Week, acknowledging the sacrifices and dedication of our local law enforcement professionals; and

WHEREAS, Law enforcement officers and their families and friends encourage the community to participate and acknowledge the sacrifices of those brave men and women who are entrusted with the public safety by attending these weeklong events starting with the opening ceremony on Sunday, May 13, 2001, and ending with a memorial ceremony on Saturday, May 19, honoring the memory of California officers killed in the line of duty; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby proclaim May 13 through May 19, 2001, as Law Enforcement Appreciation Week in California, and encourages all Californians to join in this observance to commend our law enforcement officers for their professionalism and commitment to the citizens of California; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 34

Assembly Concurrent Resolution No. 36—Relative to Meningitis Awareness Month.

[Filed with Secretary of State May 1, 2001.]

WHEREAS, Meningococcal disease, caused by the bacteria *Neisseria meningococcus*, is one of the most deadly and least understood infections in the United States; and

WHEREAS, This disease can affect otherwise healthy people without warning, and causes serious illness and often death; and

WHEREAS, The two most common types of meningococcal disease are: (1) meningitis, an infection of the fluid that surrounds the spinal cord and the brain, causing high fever, confusion, sleepiness, nausea, and

vomiting, and (2) meningococemia, an infection of the blood stream that causes a rash or spots; and

WHEREAS, Both of these diseases can be fatal within hours after the first symptoms appear; and

WHEREAS, Individuals who survive meningococcal infection can suffer from debilitating effects, such as hearing and vision loss, learning difficulties or mental retardation, loss of limbs, and paralysis; and

WHEREAS, The bacteria can be passed by direct and close contact with someone who is infected or is carrying the bacteria; and

WHEREAS, Approximately 20 to 25 percent of the general population carries the bacteria in the back of their noses and throats without developing the disease, but may pass the bacteria to others; and

WHEREAS, The bacteria causing meningococcal disease can be spread through the exchange of respiratory and throat secretions that result from coughing, kissing, and sharing items such as cigarettes, lipstick, food and drinks, toothbrushes, and mouth guards; and

WHEREAS, The bacteria causing meningococcal disease cannot be spread by being in the same room or by simply breathing the air where a person with the infection has been; and

WHEREAS, The disease usually develops within one to 10 days after exposure; and

WHEREAS, Meningococcal disease can be treated with a number of effective antibiotics, but it is important that treatment be started as early as possible in the course of the disease because the onset of symptoms is extremely rapid; and

WHEREAS, While in the past, the attack rate of meningococcal disease was highest among children six to 36 months of age, the risk now appears to be shifting toward older children and adolescents, with a number of outbreaks in schools, universities, and other organization-based settings; and

WHEREAS, People in the Sacramento region are experiencing an increase in the level of concern regarding meningococcal disease, with over 25 cases of the disease within the last year in Sacramento, El Dorado, and Placer Counties, with five of those resulting in death; and

WHEREAS, While a vaccination is available for four of the five common strains of the disease, the Centers for Disease Control and Prevention has recommended only that military recruits and college freshman living in dormitories and residence halls receive the vaccination; and

WHEREAS, The majority of meningitis deaths in the Sacramento region have been high school students; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the medical community is requested to inform, as a

routine practice, adolescent patients and their parents about the vaccination options against meningococcal disease; and be it further

Resolved, That the Legislature hereby designates April 2001 as Meningitis Awareness Month in this state in order to increase public awareness of this disease and the availability of successful vaccines.

RESOLUTION CHAPTER 35

Assembly Concurrent Resolution No. 45—Relative to California Community College Month.

[Filed with Secretary of State May 1, 2001.]

WHEREAS, The California Community Colleges are an essential resource of the State of California, its people, and its economy; and

WHEREAS, California's 108 community colleges provide an excellent general education foundation for more than 70,000 students per year who transfer into the California State University system, the University of California system, and into independent colleges and universities; and

WHEREAS, The California Community Colleges train students to be competitive in today's demanding workforce, ensuring those students a productive, higher-wage future and providing the state's fastest-growing industries with the skilled labor upon which their success depends; and

WHEREAS, The California Community Colleges bring higher education within the reach of every Californian because of their open admissions, low enrollment fees, financial assistance for low-income students, academic and career guidance, excellent teaching by dedicated faculty, and specialized support services for students who need extra help with the transition to college or to the mastery of college-level coursework; and

WHEREAS, During the 1999–2000 academic year, 2,500,000 Californians enrolled in a community college course or program to upgrade their job skills, train for a first or a new career, begin work towards a bachelor's degree, improve language or math skills, or pursue a quest for knowledge; and

WHEREAS, Community colleges provide a welcome into higher education for California's population in all of its diversity of race, ethnicity, and national origin; and

WHEREAS, April is celebrated as Community College Month across the nation, and April 2001 marks the Community College Centennial; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby recognizes April 2001 as California Community College Month, and commends the nation's community colleges on providing 100 years of opportunity and excellence in higher education and workforce preparation; and be it further

Resolved, That the Legislature urges the residents of California to participate in public events held on their local community college campuses during California Community College Month; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the California Education Round Table, and the Board of Governors of the California Community Colleges.

RESOLUTION CHAPTER 36

Assembly Concurrent Resolution No. 57—Relative to California Holocaust Memorial Week.

[Filed with Secretary of State May 1, 2001.]

WHEREAS, Sixty years have passed since the tragic events we now call the Holocaust transpired, in which the dictatorship of Nazi Germany murdered six million Jews as part of a systematic program of genocide known as “The Final Solution of the Jewish Question”; and

WHEREAS, The Holocaust was a tragedy of proportions the world had never before witnessed; and

WHEREAS, Five million other people were also murdered by the Nazis; and

WHEREAS, We must be reminded of the reality of the Holocaust's horrors so they will never be repeated; and

WHEREAS, Each person in California should set aside moments of his or her time every year to give remembrance to those who lost their lives in the Holocaust; and

WHEREAS, The United States Holocaust Memorial Council has designated the week of April 15 through April 22, 2001, as Holocaust Memorial Week—Days of Remembrance for Victims of the Holocaust; and

WHEREAS, April 19, 2001, is Yom HaSho'ah, and has been designated internationally as a day of remembrance for victims of the Holocaust; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the week of April 15 through April 22, 2001, be

proclaimed as California Holocaust Memorial Week, and that Californians are urged to observe these days of remembrance for victims of the Holocaust in an appropriate manner; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 37

Assembly Concurrent Resolution No. 35—Relative to skin cancer and melanoma awareness.

[Filed with Secretary of State May 8, 2001.]

WHEREAS, Malignant melanoma, a serious skin cancer, is characterized by the uncontrolled growth of pigment-producing tanning cells; and

WHEREAS, Melanoma has its beginnings in melanocytes, the skin cells that produce the dark protective pigment called melanin. Melanomas may suddenly appear without warning, but may also begin in or near a mole or other dark spot in the skin; and

WHEREAS, Melanoma generally begins as a mottled, light brown to black flat blemish with irregular borders, usually at least one-quarter inch in size. It may turn shades of red, blue or white, crust on the surface or bleed, and most frequently appears on the upper back torso, lower legs, head and neck; and

WHEREAS, Excessive exposure to the ultraviolet radiation of the sun is the most important preventable cause of melanoma. Other possible causes include genetic factors and immune deficiencies. Malignant melanoma has also been linked to past sunburns and sun exposure at younger ages; and

WHEREAS, Melanoma can affect men, women, and children, but individuals with increased risk include those with fair complexions, prior significant sunburns, a family member with melanoma, or a high number of atypical moles; and

WHEREAS, Atypical moles are unusual moles that are generally larger than normal moles, variable in color, often have irregular borders, and may occur in far greater number than regular moles; and

WHEREAS, The incidence of melanoma has doubled in the last 20 years, and it continues to rise faster than any other cancer in women, except for lung cancer. Melanoma is the most common form of cancer among people between 25 and 29 years of age, and experts estimate that if the present rate continues, soon melanoma will strike one in 75 Americans; and

WHEREAS, Six out of seven skin cancer deaths are from malignant melanoma. Advanced malignant melanoma spreads to other organs and may result in death. When detected early, surgical removal of thin melanomas can cure the disease in most cases; and

WHEREAS, Early detection is crucial. There is a direct correlation between the thickness of the melanoma and the survival rate. If a melanoma is detected and treated early, the cure rate is very high. Generally, as the disease advances, the tumor thickens and spreads, lowering the survival rate; and

WHEREAS, Correct aggressive treatment by qualified medical professionals can lead to positive results; and

WHEREAS, Melanoma in its early stages may only be detected by visual inspection. Dermatologists recommend regular self-examination of the skin to detect changes in its appearance, especially changes in existing moles or blemishes. Additionally, patients with risk factors should have a complete skin examination annually; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the month of May 2001 shall be recognized as Skin Cancer Awareness Month in California, and all Californians be encouraged to make themselves and their families aware of the risk of skin cancer and the preventive measures; and be it further

Resolved, That the Legislature hereby proclaims May 7, 2001, as Melanoma Awareness Monday in California to increase public awareness of the importance of routine complete skin examination to detect early melanomas.

RESOLUTION CHAPTER 38

Assembly Concurrent Resolution No. 52—Relative to California Professional Beauty and Barbering Industry Week.

[Filed with Secretary of State May 8, 2001.]

WHEREAS, The professional beauty and barbering industry in California annually generates nearly \$6 billion in revenues for the state economy; and

WHEREAS, This industry provides thousands of exciting employment opportunities for California citizens; and

WHEREAS, Those involved in the California beauty and barbering industry provide consumers with highly valued services and develop professional and positive long-term relationships with those clients; and

WHEREAS, April 30 is recognized as National Hairstylist Day; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California State Legislature recognizes the California beauty and barbering industry's positive impact on California's employment market and economy and declares the week of April 22 to April 28 the "California Professional Beauty and Barbering Industry Week"; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Bureau of Barbering and Cosmetology and to the author for appropriate distribution.

RESOLUTION CHAPTER 39

Assembly Concurrent Resolution No. 60—Relative to Keep California Beautiful Month.

[Filed with Secretary of State May 8, 2001.]

WHEREAS, California is environmentally diverse and uniquely beautiful; and

WHEREAS, California's vast natural resources are vital to the state's economic prosperity and the quality of life of its residents; and

WHEREAS, Keep California Beautiful is a nonpartisan, nonprofit public education organization chartered by the State of California in 1990; and

WHEREAS, The ongoing mission of Keep California Beautiful is to encourage grassroots responsibility for California's environment by promoting and coordinating cleanup, beautification, recycling, and waste reduction projects; and

WHEREAS, Keep California Beautiful actively develops and coordinates partnerships with businesses, governmental entities, and private organizations to accomplish these goals; and

WHEREAS, Governor Gray Davis has proclaimed the month of April 2001 as "Keep California Beautiful Month"; and

WHEREAS, During Keep California Beautiful Month, thousands of volunteers will take part in hundreds of cleanup and beautification efforts throughout the state; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby recognizes the Governor's proclamation of, and designates, April 2001 as "Keep California Beautiful Month"; and be it further

Resolved, That the Legislature extends its gratitude to the thousands of volunteers helping to preserve California's beauty for generations to come; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Keep California Beautiful, and to the author's office for appropriate distribution.

RESOLUTION CHAPTER 40

Senate Concurrent Resolution No. 24—Relative to organ and tissue donation.

[Filed with Secretary of State May 10, 2001.]

WHEREAS, More than 75,000 individuals nationwide, and 15,000 in California, are currently on a waiting list for an organ transplant; and

WHEREAS, Every two hours one person dies while waiting for a transplant; and

WHEREAS, A single donor donating the heart, lungs, pancreas, kidneys, liver, small intestine, and tissues can help more than 50 recipients; and

WHEREAS, Each year, 20,000 lives are saved, and the quality of life for many others is enhanced, by organ and tissue transplant procedures; and

WHEREAS, Many bereaved families find comfort in donating organs and tissue; and

WHEREAS, A state organ and tissue donor registry could substantially increase and expedite the number of donations; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature proclaims the week of April 15 to 21, 2001, as Organ and Tissue Donor Awareness Week; and be it further

Resolved, That the Senate and Assembly of the State of California encourages all Californians to learn the facts about organ and tissue donation, make a decision about becoming a donor, and discuss this decision with family members; and be it further

Resolved, That the Legislature recognizes organ and tissue donors and their surviving families as true heroes, for having given the ultimate gift.

RESOLUTION CHAPTER 41

Assembly Concurrent Resolution No. 21—Relative to the University of California.

[Filed with Secretary of State May 11, 2001.]

WHEREAS, The University of California is committed to enrolling a student body reflective of the diversity of the State of California; and

WHEREAS, It is vital to the future economic growth of the State of California that equal educational opportunities are available to all Californians; and

WHEREAS, Limiting educational opportunities in higher education at the undergraduate and professional level perpetuates inequity among Californians; and

WHEREAS, On July 20, 1995, the Regents of the University of California voted to adopt SP-1, a measure banning affirmative action policies in admissions; and

WHEREAS, This action by the regents has placed the university in the vortex of a divisive nationwide political movement, and has resulted in a dramatic decrease in the number of African-American, Latino, and Native American students offered admission to the University of California beginning in 1997; and

WHEREAS, In Fall 1999, underrepresented minorities, including African-Americans, Chicano/Latinos, and American Indians only represented 15.4 percent of all incoming freshman students, a percentage that is far less than their representation in the general population of the state; and

WHEREAS, From Fall 1994, before the passage of SP-1, to Fall 2000, the number of African-Americans who submitted applications to law school at UC Berkeley, UC Davis, and UCLA has dropped 52 percent from 1,105 to 531, and their acceptance rate over the same period has fallen 50 percent to an acceptance rate of 11 percent and a total of only 14 African-Americans enrolled in all three schools in Fall 2000; and

WHEREAS, From Fall 1994 to Fall 2000, the number of Latino students who submitted applications to law school at UC Berkeley, UC Davis, and UCLA has dropped 37 percent from 1,570 to 993, and their enrollment rate over the same period of time has fallen 22 percent, with only 58 Latino students enrolling in all three schools in Fall 2000 compared to 110 in Fall 1994; and

WHEREAS, SP-1 restricts selection criteria at each University of California campus by requiring that between 50 and 75 percent of each class be selected based on academic achievement alone, and thereby restricts the ability of the University of California to rigorously and

comprehensively review all applicants and take into consideration criteria such as social and economic hardship; and

WHEREAS, The dramatic decline in the number of underrepresented students gaining admission to the University of California has discouraged underrepresented minorities from applying to schools they perceive as hostile and unwelcoming; and

WHEREAS, By repealing SP-1, the regents would assert that the University of California is committed to enrolling all students, and would assure minority students that they are welcome and wanted; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California officially requests the Regents of the University of California to repeal SP-1 by the end of the 2000–01 academic year; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to each member of the Regents of the University of California.

RESOLUTION CHAPTER 42

Assembly Concurrent Resolution No. 64—Relative to charter schools.

[Filed with Secretary of State May 11, 2001.]

WHEREAS, Charter schools are public schools operating on the principles of accountability, flexibility, autonomy, and choice for parents and teachers; and

WHEREAS, Charter schools, in exchange for flexibility and autonomy, are held accountable by their sponsors for improving pupil achievement and for their financial and other operations; and

WHEREAS, Charter schools are in demand. There are over 300 charter schools in California serving 130,000 pupils in kindergarten and grades 1 to 12, inclusive; and

WHEREAS, Charter schools can tackle problems of low academic performance and overcrowding. Many have tackled the problems of at-risk and low-performing pupils, many times in urban areas, and they have been successful; and

WHEREAS, Both Democrats and Republicans have embraced charter schools as an important option to improving our education system; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California joins the California Network of Educational Charters and proclaims April 30

through May 4, 2001, as California Charter Schools Week and calls upon all Californians to observe this week by recognizing the benefits of charter schools; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 43

Assembly Concurrent Resolution No. 69—Relative to Day of the Teacher.

[Filed with Secretary of State May 11, 2001.]

WHEREAS, An educated citizenry serves as the very foundation of our democracy; and

WHEREAS, Today's teachers mold the minds and train the workforce of the future; and

WHEREAS, No other profession touches as many persons with such a lasting effect; and

WHEREAS, Good teaching grows in value and pays dividends far beyond the classroom; and

WHEREAS, California long ago recognized the immeasurable value of our teachers and has designated the second Wednesday in May to be Day of the Teacher, a special observance that honors teachers and the teaching profession; and

WHEREAS, Day of the Teacher has been sponsored by the California Teacher's Association and the Association of Mexican American Educators and was first recognized in 1982; and

WHEREAS, California has patterned its celebration after the traditional "El Dia del Maestro" festivities observed in Mexico and other Latin American countries; and

WHEREAS, Day of the Teacher should be a day for school districts, parents, public officials, and the community to recognize the dedication and commitment of teachers who are educating our children; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the day of May 9, 2001, be proclaimed Day of the Teacher; and be it further

Resolved, That the Legislature urges all Californians to observe the Day of the Teacher by taking the time to remember and honor all teachers who give the gift of knowledge through teaching; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 44

Senate Concurrent Resolution No. 31—Relative to 9-1-1 for Kids Week.

[Filed with Secretary of State May 16, 2001.]

WHEREAS, Every year, hundreds of thousands of calls are received at 9-1-1 emergency system centers across the state; and

WHEREAS, Over 20 percent of all calls made to those 9-1-1 emergency system centers are “abandoned” calls, where the caller either hangs up or does not speak, all of which must be traced by emergency system center personnel at enormous public cost; and

WHEREAS, In Houston, Texas, public safety officials found that 50 percent of the 160,000 9-1-1 calls that were dispatched in 1994 were deemed not to be emergencies and, at a median cost of \$350 for each basic emergency medical services response, the City of Houston alone could save \$12,000,000 per year by eliminating these nonemergency 9-1-1 calls; and

WHEREAS, Many 9-1-1 callers are young and curious or thrill seekers who do not understand that their misuse and abuse of the system wastes public resources and diverts emergency personnel and equipment from others who desperately need help; and

WHEREAS, In 1991 the San Jose Police Department, the California Chapter of the National Emergency Number Association, the State of California 9-1-1 Program office, corporations, and individuals began a collaborative effort to develop 9-1-1 educational materials targeting children, ages 4 to 7 years; and

WHEREAS, In the summer of 1994, work began on a “9-1-1 for Kids” curriculum and set of educational materials that would deliver easy to remember messages about the proper use of the 9-1-1 emergency system, hold children’s interest, have universal appeal to all children, have guaranteed wide application, and have a long shelf life; and

WHEREAS, Emmy and Peabody Award winning Tony Urbano Productions joined the project team and created the 9-1-1 for Kids mascot, “Red E. Fox,” that has captivated children and adults alike and helped deliver critical 9-1-1 information in a fun and memorable manner; and

WHEREAS, The nonprofit organization “9-1-1 for Kids” was formed in 1995 to distribute training program materials to public safety

agencies, schools, and community-based organizations throughout the state, and this tax-exempt organization is located at 355 Redondo Avenue, Long Beach, California 90814; and

WHEREAS, To date, the 9-1-1 for Kids educational program has been taught to over 1,000,000 children, ages 4 to 7 years, through the tireless, dedicated efforts of teachers, police officers, firefighters, and community volunteers; and

WHEREAS, 9-1-1 for Kids hopes to provide materials to teach another 500,000 children during 2001; and

WHEREAS, Children who complete the 9-1-1 for Kids classroom educational program will learn what an emergency is for purposes of using the 9-1-1 emergency system, how to place a 9-1-1 emergency call, and what to say to a 9-1-1 dispatcher in case of a police, fire, or medical emergency, and armed with this basic 9-1-1 information, children who complete the 9-1-1 for Kids training program will be able to call for help when they need it for themselves or for others, save lives and property, and avoid costly abuses of the 9-1-1 emergency system; and

WHEREAS, The State 9-1-1 Program, in the Telecommunications Division of the State Department of General Services, has recognized the 9-1-1 for Kids educational program as one of the most effective 9-1-1 emergency system classroom programs available; and

WHEREAS, National Football League star, Tim Brown, the captain of the Oakland Raiders and the 1987 Heisman Trophy winner, serves as the national spokesperson for 9-1-1 for Kids; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby designates the week of May 14, 2001, to May 18, 2001, inclusive, as “9-1-1 for Kids Week” in the State of California, in recognition of the valuable work of the 9-1-1 for Kids program; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 45

Assembly Concurrent Resolution No. 67—Relative to California Small Business Week.

[Filed with Secretary of State May 17, 2001.]

WHEREAS, The President of the United States, by proclamation, will designate the week of May 6, 2001, through May 12, 2001, as national Small Business Week in recognition of the outstanding contributions of the owners of small businesses to our nation; and

WHEREAS, Close to 98 percent of all California business establishments have fewer than 100 employees; and

WHEREAS, About one-half of all California workers are employed in small businesses; and

WHEREAS, There were 230,500 new small business employees in California in 1999; and

WHEREAS, Almost two-thirds of the new jobs created in California in 1999 were in small businesses; and

WHEREAS, More than 109,000 new small business jobs were created in 1999 from the services, manufacturing, construction, real estate, security and commodity brokers, and credit institution industries; and

WHEREAS, California represents approximately 11 percent of the national total of small business establishments and employees; and

WHEREAS, California high technology related products and services attracted 47 percent of the national total of venture capital in 1999, approximately \$16.8 billion; and

WHEREAS, California's small businesses have a vital role in expanding our state's trade relationships with Pacific Rim countries; and

WHEREAS, Small business people possess the dedication and entrepreneurial spirit to develop and market new technologies, thereby bringing more capital into the business market and further strengthening our economy; and

WHEREAS, The innovation, diversity, competitive strength, job generation, and quality of life that small businesses bring to our economy are vital elements of our state's long-term economic health; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Governor is hereby requested, in conjunction with the national designation thereof, to proclaim the week of May 6, 2001, through May 12, 2001, as California Small Business Week, in special recognition of the contributions that the owners of small businesses have made, and will continue to make, in our state; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 46

Assembly Concurrent Resolution No. 56—Relative to foster care.

[Filed with Secretary of State May 21, 2001.]

WHEREAS, More than 110,000 children throughout California are provided essential services through the foster care system each year; and

WHEREAS, Children who cannot live with their biological families because of abuse, neglect, or abandonment require the commitment and nurturing care of foster parents; and

WHEREAS, Foster parents play an essential role in breaking the cycle of child abuse and promoting the reunification of families requiring foster care services; and

WHEREAS, Foster parents contribute greatly to their communities and the state by meeting the vital needs of dependent children; and

WHEREAS, The Members of the California Legislature wish to acknowledge the important role of foster parents and the foster care system; and

WHEREAS, Public and private child welfare agencies throughout California host foster parent appreciation events during the month of May; and

WHEREAS, There remains a critical shortage of foster homes for teenagers, ethnic minorities, infants, and special needs children; now therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the month of May 2001 be recognized as “California Foster Care Awareness Month” and that all citizens be urged to give recognition and appreciation to foster parents for the care that they provide; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 47

Assembly Concurrent Resolution No. 27—Relative to the India earthquake of 2001.

[Filed with Secretary of State May 24, 2001.]

WHEREAS, On January 26, 2001, an earthquake measuring 7.9 on the Richter scale hit the country of India; and

WHEREAS, An estimated 1,000 buildings were destroyed, with the most damage reported in the Cities of Bhuj, Anjar, and Bhachau; and

WHEREAS, 17,000 men, women and children have been confirmed dead, and an estimated final death toll of 50,000 is expected; and

WHEREAS, Some 73,000 homes have been destroyed, leaving more than 500,000 victims homeless; and

WHEREAS, The Fiji American Civil Rights Association, in association with the Cultural Association of India, Kohinoor, Gujarati

Samaj and Brahaman Smaj and Saharafiji, has created the India Earthquake Relief Fund; and

WHEREAS, The India Earthquake Relief Fund raised more than \$5,000 during its inaugural meeting and has collected approximately \$50,000 to aid in the relief efforts for the earthquake victims; and

WHEREAS, The India Earthquake Relief Fund has set up several fundraising events, such as a “Live Aid” performance and an Indo-American band telethon, has provided interviews on public access television, and has set up collection booths; and

WHEREAS, Funds collected have been forwarded to the central earthquake relief director in Gujarat, India; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature expresses its deepest sympathy for those who died and those who lost loved ones in the earthquake that hit India on January 26, 2001, expresses its hope that the world never forgets this tragedy, and proudly acknowledges the efforts of the India Earthquake Relief Fund; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for distribution.

RESOLUTION CHAPTER 48

Assembly Concurrent Resolution No. 51—Relative to Parents Anonymous, Inc.

[Filed with Secretary of State May 24, 2001.]

WHEREAS, April is National Child Abuse Prevention Month and all Californians need to be made aware of the myriad problems associated with child abuse; and

WHEREAS, Parents Anonymous, Inc., was founded in California in 1970 and is the oldest child abuse prevention and treatment program dedicated to strengthening families; and

WHEREAS, Each year, tens of thousands of parents and their children create long-term positive changes for their families and develop leadership skills to help others through the weekly, mutual support groups of Parents Anonymous; and

WHEREAS, Research confirms that strengthening families is the key to preventing juvenile delinquency; and

WHEREAS, Recent psychological research highlights the importance of positive parent-child interaction during the first three years of life, further supporting early intervention program to prevent

child maltreatment, juvenile delinquency, and other social problems; and

WHEREAS, Research demonstrates that child abuse and neglect are often a precursor to delinquent and adult criminal behavior, and also shows that children who are abused or neglected are 40 percent more likely to engage in delinquency or adult criminal behavior; and

WHEREAS, Child abuse and neglect reports have increased at an alarming rate and child protective services is unable to adequately respond to this crisis; and

WHEREAS, Effective child abuse prevention programs that make child safety a priority by encouraging families to seek help early are needed at the community level, and Parents Anonymous, Inc., is such a program, and should be fostered and encouraged; and

WHEREAS, Parents Anonymous, Inc., has provided specialized program materials, extensive technical assistance, certified training, a new children's program, best practices strategies, and parent leadership training; and

WHEREAS, In 1997, Parents Anonymous, Inc., was selected by the United States Office of Juvenile Justice and Delinquency Prevention (OJJDP) as a national model proven to strengthen families and so to prevent juvenile delinquency, and in partnership with the OJJDP is expanding in select neighborhoods; and

WHEREAS, The OJJDP has produced a special publication on Parents Anonymous, Inc., and has committed to funding a new national outcome study; and

WHEREAS, In recognition of its status as the oldest child abuse and neglect prevention program in America, the United States Congress highlighted only Parents Anonymous, Inc., in the Child Abuse Prevention and Treatment Act of 1996 as an effective program that strengthens families in partnership with communities; and

WHEREAS, Congress also has recognized the expertise of Parents Anonymous, Inc., to train parent leaders in collaboration with professionals, government agencies and community-based organization to more effectively address the needs of families; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature commends Parents Anonymous, Inc., for its commitment to strengthening families, preventing child abuse, child neglect, and juvenile delinquency for more than 30 years in California and other states in spite of limited resources; and be it further

Resolved, That the Legislature extends to Parents Anonymous, Inc., its best wishes for continued success; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 49

Senate Concurrent Resolution No. 19—Relative to the California marine transportation system.

[Filed with Secretary of State May 24, 2001.]

WHEREAS, The sovereign State of California is the greatest maritime state in the nation; and

WHEREAS, The California marine transportation system includes ports, harbors, bays, rivers, channels, and canals; and

WHEREAS, The California marine transportation system is an integral part of the United States maritime industries; and

WHEREAS, California ports produce one-third of the value of all waterborne international trade nationwide; and

WHEREAS, The California marine transportation system is a vital component of the California transportation infrastructure; and

WHEREAS, The California marine transportation system is the cornerstone link for California's trade with the Pacific Rim; and

WHEREAS, The California marine transportation system provides Californians with thousands of industry related jobs, such as marine cargo handling, merchant marine officers, pilots and unlicensed crew members, marine construction, shipbuilding and repairing, long distance trucking, refrigerated warehousing and storage, petroleum and bulk chemicals, deep sea transportation of freight and passengers, passenger ferries, barge lines and operators, marine engineering services, and logistics management; and

WHEREAS, The California Maritime Academy, a unique institution of the California State University in the City of Vallejo, helps produce the future leaders of our nation's maritime and transportation industries; with notable impact on logistics, port, shipbuilding, fishing, oil, oceanographic, environmental, and marine engineering organizations that are significant contributors to our national and state economies; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That, commencing May 2001, the Legislature hereby proclaims the month of May as California Marine Transportation System Month; and be it further

Resolved, That the California marine transportation system be recognized as a vital component that is integral to the California transportation infrastructure; and be it further

Resolved, That the Legislature promote the funding and programs necessary to the advancement of the California marine transportation system; and be it further

Resolved, That the Legislature support the creation of events recognizing the indispensable role the California marine transportation system plays in the economic and general welfare of the State of California; and be it further

Resolved, That the Legislature intends to make this an annual event and, as a testimonial, declares that appropriate local events may be held commencing in May 2001 and further, that appropriate statewide events shall be held commencing May 2002 and thereafter in recognition of this resolution; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Governor, the Department of Boating and Waterways, the Department of Fish and Game, the Department of Transportation, the California Transportation Commission, and the State Lands Commission.

RESOLUTION CHAPTER 50

Assembly Concurrent Resolution No. 44—Relative to Gold Star Mothers Week.

[Filed with Secretary of State May 29, 2001.]

WHEREAS, To bear a Gold Star is to display the loss of one's child to war, as a recognition of the grand sacrifices of our fighting men and women, and to facilitate this acknowledgment there was founded, in the District of Columbia, an organization called the American Gold Star Mothers, originally incorporated on January 5, 1929, and comprised of mothers who had lost a son or daughter in World War I; and

WHEREAS, Eligibility for membership was expanded to include mothers who lost a son or daughter in World War II, the Korean War, the Vietnam War, or the Persian Gulf War; and

WHEREAS, Countless thousands displayed the Gold Star and did acknowledge that their child had helped to secure the blessings of liberty for this and all future generations; and

WHEREAS, In the windows of America can still be seen a shimmering gold star, each representing a child lost but never forgotten.

This candlelit display of a gold star accompanies the loss of ones so cherished and so generous as were our fallen heroes; and

WHEREAS, The purpose of the American Gold Star Mothers is to keep alive and develop the spirit that promoted world service and maintain the ties of fellowship born of that service and to assist and further all patriotic work; and

WHEREAS, To inculcate a sense of individual obligation to the community, state, and nation and to assist veterans of World War I, World War II, the Korean War, the Vietnam War, the Persian Gulf War, and other strategic areas and their dependents in the presentation of claims to the Veterans' Administration, aid in any way the men and women who served and died or were wounded or incapacitated during hostilities, and perpetuate the memory of those whose lives were sacrificed in our wars; and

WHEREAS, To maintain true allegiance to the United States of America, inculcate lessons of patriotism and love of the country in the communities in which we live, inspire respect for the Stars and Stripes in the youth of America, extend needful assistance to all American Gold Star Mothers and, whenever possible, their descendents, and promote peace and good will for the United States and all other nations; and

WHEREAS, Members of the American Gold Star Mothers spend countless hours contributing both time and resources to provide volunteer services for veterans and their family members; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby designate the last Monday in May, and the week following, as "Gold Star Mothers Week," and in this way may Californians be urged to pay heed to the heroic sacrifices of our fallen men and women and of the sacrifices made by their loving parents.

RESOLUTION CHAPTER 51

Senate Concurrent Resolution No. 26—Relative to Cesar Chavez Day.

[Filed with Secretary of State May 29, 2001.]

WHEREAS, On March 31, 1927, a true hero named Cesar Estrada Chavez was born in Yuma, Arizona, to Librado and Juana Chavez and became the second eldest in a family of five children. Cesar Chavez lived his life dedicated to improving the plight of farmworkers through struggle, sacrifice, and abnegation. He founded and led the first

successful farmworkers' union in United States history. He stood for dignity and justice for farmworkers. Today, he remains a symbol of hope to all Californians who find hope and peace in justice; and

WHEREAS, In the 1930's, during the Great Depression, Cesar Chavez' father lost his small farming business and the family went broke. The family became migrant workers and joined some 30,000 workers who followed the crops from Arizona into southern California, then up the length of the Central Valley and back again picking everything from peas to cotton. They lived in tents and other makeshift housing that often lacked a bathroom, electricity, or running water. Schooling for Cesar Chavez was irregular and haphazard. He attended some 30 different schools, often encountered discrimination, and was punished for speaking Spanish; and

WHEREAS, After graduation from the eight grade, Cesar Chavez was forced to quit school and take to the fields in order to help support his family. In 1944, at the age of 17, Cesar Chavez joined the Navy and served in World War II. After he completed his tour of duty, Cesar Chavez returned to California and married Helen Fabela, a woman who shared his dedication to the cause of the farmworker. They lived in San Jose in a tough Mexican neighborhood called "sal si puedes" which translated to "get out if you can," and together raised eight children; and

WHEREAS, As a farmworker, Cesar Chavez experienced firsthand the injustice of working long hours with little pay. Instilled with a sense of justice passed down from his mother, Cesar Chavez made a decision to speak up and fight for a change. He took part in his first strike in protest of low wages and poor working conditions for farmworkers. Although initially unsuccessful, his participation in that first strike was to mark the beginning of a long career in which he fought for improved working and living conditions for farmworkers; and

WHEREAS, In 1952, Cesar Chavez met Fred Ross who was with a group called the Community Services Organization (CSO). Struck by Cesar Chavez' engaging personality and leadership qualities, Fred Ross tapped Cesar Chavez to head voter registration efforts where he successfully registered 4,000 voters. The following year Chavez led organization efforts to establish CSO offices in every major barrio. He eventually spent 10 years with CSO and became general director in 1958. During this time, services were expanded to include citizenship classes, helping members secure driver's licenses, assistance in filling out applications for aid, and securing legal counsel; and

WHEREAS, In 1962, Cesar Chavez resigned his position with the CSO to embark on a bold new undertaking to form a farmworkers' union. He was joined by the great Dolores Huerta and together they became the architects of the National Farm Worker's Union, the forerunner to the present United Farm Workers (UFW); and

WHEREAS, In 1965, Cesar Chavez led a strike of California grape pickers to demand higher wages, and urged all Americans to boycott table grapes as a show of support. The strike included a 340-mile march from Delano to Sacramento in 1966 in which thousands of farmworkers and supporters marched in solidarity. The farmworkers and supporters carried banners with the black eagle with the words "HUELGA" (strike) and "VIVA LA CAUSA" (long live our cause); and

WHEREAS, Cesar Chavez preached nonviolence to the strikers even as they were physically abused by many of those opposed to the grape boycott. In 1968, Cesar Chavez began a fast, in the model of Mahatma Gandhi, to call attention to the migrant workers' cause. Although his dramatic act did little to solve the immediate problem, it increased public awareness of the conditions under which farmworkers labored. In 1973, the UFW organized a strike for higher wages from lettuce growers, and after many battles an agreement was finally reached in 1977 that gave the UFW the sole right to organize farmworkers; and

WHEREAS, During the 1980's, Cesar Chavez led the effort to call attention to the health problems of farmworkers caused by the use of certain pesticides on crops; and

WHEREAS, On April 23, 1993, Cesar Estrada Chavez died peacefully in his sleep in San Luis, Arizona. During Cesar Chavez' funeral, Cardinal Roger M. Mahoney, who celebrated the funeral mass, called Cesar Chavez "a special prophet for the world's farm workers"; and

WHEREAS, Many declared that the UFW would die without him, but on Cesar Chavez' birthday, March 31, 1994, under the leadership of his son-in-law Arturo Rodriquez, the UFW marched 343 miles from Delano to Sacramento, echoing Cesar Chavez' historic 1966 march, and demonstrated that the UFW still worked for farmworkers; and

WHEREAS, In 1990, Mexican President Salinas de Gortari awarded Cesar Chavez, the "El Aquila Azteca" (the Aztec Eagle), Mexico's highest award presented to people of Mexican heritage who have made major contributions outside of Mexico. He also became the second Mexican American to receive the Presidential Medal of Freedom, the highest civilian honor in the United States, which was presented posthumously to Helen Chavez and her children on August 8, 1994, by President Clinton; and

WHEREAS, In 1994, Cesar Chavez' family and the officers of the UFW created the Cesar E. Chavez Foundation to inspire current and future generations by promoting the ideals of Cesar Chavez' life, work, and vision. Communities throughout California and the United States have honored Cesar Chavez by naming parks, children's centers, streets, and other public works after the leader; and

WHEREAS, Cesar Chavez led by example, giving of himself so that he might help others. His relentless pursuit of the belief that the American dream should be available to all Americans, regardless of race or origin of birth, stands as a monument to our free society. His life and work is not only an inspiration to Latinos, but to working Americans of all nationalities. His legacy lives on in the improved working and living conditions of hundred of thousands of Californians and their families; and

WHEREAS, In the year 2000, the Legislature enacted Senate Bill 984 (Chapter 213 of the Statutes of 2000) to create an annual state holiday on Cesar Chavez' birthday, March 31; this holiday provides all Californians the opportunity to learn from Cesar Chavez' life and provides school children the opportunity to learn through community service; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby recognizes March 31 as the anniversary of the birth of Cesar Chavez, and calls upon all Californians to participate in appropriate observances to remember Cesar Chavez as a symbol of hope and justice to all citizens; and be it further.

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 52

Senate Concurrent Resolution No. 28—Relative to California Museum Month.

[Filed with Secretary of State May 29, 2001.]

WHEREAS, Museums significantly enhance the quality of life for California citizens; and

WHEREAS, California museums provide their communities with many services and activities that add to and enhance those services and activities provided by the public sector; and

WHEREAS, California is home to over 1300 museums that serve every community and region throughout the state; and

WHEREAS, There is at least one museum in every county of the state and these museums serve a total of over 26 million visitors annually; and

WHEREAS, Museums do important work that help the state meet its obligations to its citizens in the area of education; and

WHEREAS, Museums contribute to formal and informal learning at every stage of life, from the education of children in preschool through secondary school to the continuing education of adults; and

WHEREAS, In 1998, 1.85 million school children participated in organized museum visits and programs in California museums, and 91.2% of California museums had scheduled school visits or school programs; and

WHEREAS, Museums are a significant resource for in-service training of California teachers; and

WHEREAS, Museums act as a repository for California natural and cultural history, and are an important means of making available the best of our society's art, science, history, and culture available to California citizens; and

WHEREAS, Museums contribute significantly to California's economy by providing a huge economic boost to their communities by attracting tourists and local visitors, all of whom create a demand for services; and

WHEREAS, California's museums are a major industry for the state and serve as a source of community pride in a state of rich diversity; and

WHEREAS, Museums are the part of a community that provides a common experience and a safe place that people from all backgrounds can share; and

WHEREAS, California's museums are one of the best bargains around with half of the state's museums providing free admission to adults; and

WHEREAS, The California Association of Museums has served to bring important recognition of the month of May 2001, during which museums will celebrate the diversity of community services they provide by hosting an eclectic array of public programming; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California recognizes the important role that museums have in the State of California and proclaims May 2001 as California Museum Month; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 53

Assembly Concurrent Resolution No. 26—Relative to Mosquito and Vector Control Awareness Week.

[Filed with Secretary of State May 31, 2001.]

WHEREAS, Mosquitoes and other vectors, including but not limited to ticks, Africanized Honey Bees, rats, fleas, and flies, continue to be a

source of public nuisance, human suffering, illness, and death, in California and around the world; and

WHEREAS, Excess numbers of mosquitoes and other vectors reduce enjoyment of outdoor living spaces, both public and private, reduce property values, hinder outdoor work, reduce livestock productivity, and spread diseases of humans, livestock, and wildlife; and

WHEREAS, Mosquitoes and other vectors can disperse or be transported long distances from their sources and are, therefore, a public nuisance and a health risk; and

WHEREAS, Professional mosquito and vector control based on scientific research has made great advances in reducing mosquito and vector populations and the diseases they transmit; and

WHEREAS, Mosquito and vector-borne viruses that can cause human illness or even death have been routinely found in mosquitoes and other vectors in over one half of the counties in California; and

WHEREAS, The *Culex pipiens quinquefasciatus* (the southern house mosquito), a common mosquito found throughout California, may be a vector of the West Nile Virus, which struck New York with deadly force in 1999; and

WHEREAS, Established mosquito and vector-borne diseases such as plague, Lyme disease, and encephalitis, and new and emerging vector-borne diseases such as hantavirus, arenavirus, babesiosis, and ehrlichiosis cause illness and sometimes death every year in California; and

WHEREAS, Mosquito and vector control districts throughout the State of California work closely with the United States Environmental Protection Agency and the State Department of Health Services to reduce pesticide risks to humans, animals, and the environment while protecting human health from mosquito and vector-borne diseases and nuisance attacks; and

WHEREAS, The public's awareness of the health benefits associated with safe, professionally applied mosquito and vector control methods will support these efforts, as well as motivate the public to eliminate mosquito and vector breeding sites on private property; and

WHEREAS, Educational programs are being developed to include schools, civic groups, private industry, and government agencies, in order to meet the public's need for information about mosquito and other vector biology and control; and

WHEREAS, Adequate funding for mosquito and vector control and for surveillance of vector-borne disease organisms is not being provided in many counties; and

WHEREAS, Public awareness can result in reduced production of mosquitoes and other vectors on private, commercial, and public lands by responsible parties, avoidance of the bites of mosquitoes and other

vectors when the risk of disease transmission is high, detection of human cases of mosquito and vector-borne diseases that may be otherwise be misdiagnosed for lack of appropriate laboratory testing, and the formation of mosquito or vector control agencies where needed; and

WHEREAS, Public awareness can result in action to provide adequate funding for existing mosquito and vector control agencies or, in areas where there are no existing controls; and

WHEREAS, “Mosquito and Vector Control Awareness Week” will increase the public’s awareness of the activities of the various mosquito and vector research and control agencies within California, and will highlight the educational programs currently available; and

WHEREAS, The Mosquito and Vector Control Association of California has designated the week of May 21 through 28, 2001, as “Mosquito and Vector Control Awareness Week” in the State of California; now therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby declares that the week of May 21 through 28, 2001, be designated as Mosquito and Vector Control Awareness Week; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Health Services.

RESOLUTION CHAPTER 54

Assembly Concurrent Resolution No. 46—Relative to the Korean War Veterans Memorial Highway.

[Filed with Secretary of State May 31, 2001.]

WHEREAS, From June 25, 1950, until July 27, 1953, the United States was involved in a bloody conflict with North Korea and China following the North Korean invasion of South Korea; and

WHEREAS, Of the 1,789,000 Americans that served in Korea for the purpose of preventing the Communist takeover of South Korea, 36,516 Americans died, 103,284 were wounded, 7,245 were prisoners of war, and 8,176 are still unaccounted for; and

WHEREAS, There were 42 Kern County military personnel killed in action in Korea, three died while missing, two died while captured, and six died from wounds, and approximately 8,120 Korean War veterans presently live in Kern County; and

WHEREAS, Thirty-six Korean veterans recently organized as the Korean War Veterans Association (KWVA), Charles N. Bikakis Chapter, P.O. Box 10133, Bakersfield, CA 93389-0133; and

WHEREAS, Active participants of KWVA include Highway Committee Chairmen Michael Sabol and John Cave, representing Jeryl Matthews, President, Bob Friday, 1st Vice President, Bob Castle, 2nd Vice President, Tom Jones, Secretary, Ralph Smith, Treasurer, Gene Dixon, Historian, Isaac Ornelas, MIA/POW Officer, Ed LeLouis, Judge Advocate, James Ledbetter, Chaplain, John Bausano, Advisor, Harvey Ginn, Advisor, Tom Lewis, Publicity Chairman, and members James J. Abel, Samuel L. Barton, Daniel J. Boehm, Raymond Carlson, Billy Ellis, William M. Jackson, Ray M. Johnson Jr., Glenn E. Knox, Humberto Marques, Fred J. Moore, William L. Painter, James R. Parris, Frances Ramirez, Kenneth R. Raymond, James H. Robertson, Jose Rojas, Richard S. Smith, Leroy G. Stone, Walter E. Swanson, Neal T. Vance, Dale R. Wilson, and Joseph D. Yopez; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the portion of State Highway Route 99 that is between the northern Kern County line in Delano at County Line Road (J44) and the southern terminus of Route 99, three and one-half miles south of Mettler, is hereby officially designated as the Kern County Korean War Veterans Memorial Highway; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques, consistent with the signing requirements for the state highway system, showing the special designation and, upon receiving donations from nonstate sources covering that cost, to erect those plaques; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Transportation.

RESOLUTION CHAPTER 55

Assembly Concurrent Resolution No. 58—Relative to Asian and Pacific Islander American Heritage Month.

[Filed with Secretary of State May 31, 2001.]

WHEREAS, Asian and Pacific Islander Americans have played a critical role in the social, economic, and political development of California throughout its history; and

WHEREAS, Asian and Pacific Islander Americans are one of the fastest growing ethnic populations in California; and

WHEREAS, Asian and Pacific Islander Americans represent over 11 percent of California's population and represent ancestries that include Burmese, Cambodian, Chinese, East Indian, Filipino, Guamanian,

Hawaiian, Hmong, Indonesian, Iu-Mien, Japanese, Korean, Laotian, Singaporean, Thai, Tongan, and Vietnamese; and

WHEREAS, Asian and Pacific Islander American entrepreneurs have led many of California's businesses to the pinnacle of their respective industries; and

WHEREAS, Asian and Pacific Islander American communities throughout California actively promote their cultural heritage and promote cross-cultural understanding; and

WHEREAS, Asian and Pacific Islander Americans will continue to be an important part of California's diverse tapestry of cultures and ideas; and

WHEREAS, Asian and Pacific Islander American immigrants have contributed greatly to California's economic success, rural growth, and urban development; and

WHEREAS, Asian and Pacific Islander American refugees have revitalized many of California's communities, while bringing in new ideas and economic opportunities; and

WHEREAS, Asian and Pacific Islander American immigrants and refugees had to overcome tremendous odds and cultural barriers to establish a better life for their families; and

WHEREAS, Asian and Pacific Islander Americans have a proud legacy of service and dedication to the State of California and to the United States of America; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature commends Asian and Pacific Islander Americans for their notable accomplishments and outstanding service to the State of California, and recognizes the month of May 2001 as Asian and Pacific Islander American Heritage Month; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 56

Assembly Concurrent Resolution No. 63—Relative to state parks.

[Filed with Secretary of State May 31, 2001.]

WHEREAS, California is home to 266 state parks that facilitate the education, health, and inspiration of California's families by providing high-quality outdoor recreation; and

WHEREAS, California state parks contain the largest and most diverse natural and cultural heritage holdings of any state agency in the country; and

WHEREAS, Over 75 million people annually visit treasures such as redwood, rhododendron, and wildlife reserves; state beaches; recreation and wilderness areas; and reservoirs and historic parks; and

WHEREAS, The California state parks system manages the state's finest coastal wetlands, estuaries, beaches, and dune systems, and collaborates with local communities to invest in urban parks and recreational venues; and

WHEREAS, California state parks comprise nearly 1.3 million acres, with over 280 miles of coastline, 625 miles of lake and river frontage, nearly 18,000 campsites, and over 3,000 miles of hiking, biking, and equestrian trails; and

WHEREAS, California state parks host nearly 500 educational, interpretive, and multicultural events annually; and

WHEREAS, State Parks Month, which is celebrated in the month of May, promotes awareness of the natural environment and increases the use of state parks; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That May 2001 is proclaimed to be State Parks Month, and that the Legislature encourages all Californians to participate in activities held throughout the month of May to commemorate this observance.

RESOLUTION CHAPTER 57

Assembly Concurrent Resolution No. 6—Relative to Sober Graduation Month.

[Filed with Secretary of State June 4, 2001.]

WHEREAS, The Sober Graduation Program is an effective, antidrunk driving campaign geared towards high school seniors; and

WHEREAS, In 1998, almost 700 drivers between the ages of 15 and 20 years were involved in alcohol-related accidents during the months of May and June; and

WHEREAS, In Los Angeles County alone, 108 young people who had been drinking were involved in accidents during that period; and

WHEREAS, Since the Sober Graduation Program was established, the number of alcohol-related accidents involving young people has dramatically declined; and

WHEREAS, Pupils, teachers, parents, civic groups, law enforcement, and the business community should join together to raise public awareness of alcohol-related deaths and to encourage alcohol and

drug-free graduation celebrations commencing on May 31, 2001, to June 30, 2001; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby designate May 31, 2001, to June 30, 2001, inclusive, as Sober Graduation Month and encourages all Californians to join in this observance and join the Department of the California Highway Patrol in supporting the effort to save the lives of young people through the Sober Graduation Program; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 58

Assembly Concurrent Resolution No. 25—Relative to the Sonny Bono Memorial Freeway.

[Filed with Secretary of State June 4, 2001.]

WHEREAS, The life of Sonny Bono exemplifies the opportunities offered to everyone in the United States; and

WHEREAS, Sonny Bono left his boyhood home in Detroit, Michigan, for Hollywood, California, at a young age to become a star in show business; and

WHEREAS, His quest led him to a laborer's job as a meat truck driver and deliveryman and then in promotions for a record company; and

WHEREAS, Sonny Bono parlayed those jobs into an opportunity to showcase his ability as a showman and entertainer; and

WHEREAS, Those talents eventually led to a career of fame as a recording and television star, enabling him to touch the hearts of millions of people throughout the world; and

WHEREAS, Sonny Bono pursued another dream as a restaurant owner in Palm Springs; and

WHEREAS, His concern on behalf of his community as a businessman led him to public service eventually leading to his election as Mayor of Palm Springs in 1988; and

WHEREAS, As Mayor of Palm Springs, Sonny Bono energized the city and enabled the community to enhance its national and international prominence as a leader in business and tourism; and

WHEREAS, Sonny Bono's public service career eventually led him to the halls of the Congress of the United States in 1994 as the Representative from the Coachella Valley and Western Riverside County areas of southern California; and

WHEREAS, Sonny Bono's leadership ability as a Congressman benefited the Coachella Valley, Western Riverside County, and much of the Inland Empire; and

WHEREAS, Sonny Bono's achievements as a Congressman brought needed national attention to the environmental needs of the Salton Sea; and

WHEREAS, Sonny Bono tirelessly worked on behalf of his constituents bringing the needed federal funding for transportation and infrastructure projects for the Coachella Valley; and

WHEREAS, His efforts to improve transportation led to funding for significant highway improvements throughout the Coachella Valley and Riverside County; and

WHEREAS, Although Sonny Bono's career and life were tragically cut short by an accident, the memories of his leadership and values continue to positively shape progress throughout California; and

WHEREAS, It is fitting that the Legislature of the State of California honors the memory of Congressman Sonny Bono, and conveys the Legislature's appreciation for the Congressman's legacy and life of public service on behalf of California; and

WHEREAS, It would be a fitting tribute to Sonny Bono to name the Coachella Valley portion of Interstate 10 from a point just west of the State Highway 111 cutoff in the Palm Springs area to a point at the bottom of the grade east of the City of Coachella as the Sonny Bono Memorial Freeway; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby designates the Coachella Valley portion of Interstate 10, from a point just west of the State Highway 111 cutoff in the Palm Springs area to a point at the bottom of the grade east of the City of Coachella, the Sonny Bono Memorial Freeway in honor and recognition of Sonny Bono; and be it further

Resolved, That the Department of Transportation is hereby requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this special designation and, upon receiving donations from nonstate sources covering the cost, to erect those plaques and markers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Transportation and to the author for distribution.

RESOLUTION CHAPTER 59

Assembly Concurrent Resolution No. 28—Relative to the Peter Hillman Memorial Interchange.

[Filed with Secretary of State June 4, 2001.]

WHEREAS, Peter Hillman was a Deputy United States Marshal serving in the federal Eastern District of California (Fresno) when he was killed in the line of duty; and

WHEREAS, Peter Hillman was a 14-year veteran of the United States Marshal's Service, having entered that service in the federal Northern District of California in 1986 and serving in the Fresno office since 1988; and

WHEREAS, Peter Hillman was fondly known as the "Hillmanator" because of his relentless pursuit of narcotics fugitives throughout Merced and Stanislaus Counties; and

WHEREAS, Peter Hillman was a native of Montana, received a bachelor's degree in criminal justice and sociology from Fresno State University in 1976, and served eight years with the United States Forest Service as a firefighter prior to joining the U.S. Marshal's service; and

WHEREAS, During his career as a United States Marshal, Deputy Hillman took part in many out-of-district special assignments, including, but not limited to, Operation Sunrise, assisting in the Virgin Islands after Hurricane Marilyn, and assisting at the 1996 Olympic Games in Atlanta, Georgia; and

WHEREAS, Peter Hillman served as a dedicated, loyal, and courageous Deputy United States Marshal, gave 110 percent in all he did, had a zest for life and love of the outdoors, and always had a friendly smile to greet everyone, friends and strangers alike; and

WHEREAS, The loss of Deputy Hillman is mourned by the men and women of the United States Marshal's Service and all those who serve in law enforcement; and

WHEREAS, It would be a fitting tribute to Deputy United States Marshal Peter Hillman to name the Herndon Avenue Interchange on State Highway Route 168 in the City of Clovis as the Peter Hillman Memorial Interchange; now, therefore, be it,

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby designates the Bullard Avenue Interchange on State Highway Route 168 in the City of Clovis as the Peter Hillman Memorial Interchange in honor and recognition of Deputy United States Marshal Peter Hillman; and be it further

Resolved, That the Department of Transportation is hereby requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this

special designation and, upon receiving donations from nonstate sources covering the cost, to erect those plaques and markers; and be it further *Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Transportation and to the author of this resolution for distribution.

RESOLUTION CHAPTER 60

Assembly Concurrent Resolution No. 47—Relative to the George Alan Ingalls Memorial Highway.

[Filed with Secretary of State June 4, 2001.]

WHEREAS, George Alan Ingalls was born on March 9, 1946, in Hanford, California; and

WHEREAS, George Alan Ingalls entered into the service of the United States Army at Los Angeles, California, obtained the rank of Specialist Fourth Class, and was assigned to Company A, Second Battalion, Fifth Calvary, First Calvary Division (Airmobile); and

WHEREAS, This courageous, young Californian commenced his tour of duty in Vietnam on July 11, 1966; and

WHEREAS, On April 16, 1967, near Duc Pho, Republic of Vietnam, George Alan Ingalls, in a spontaneous act of great courage, which cost him his own life, threw himself on top of a hand grenade, thereby abating the grenade's full blast and saving the lives of the members of his squad; and

WHEREAS, George Alan Ingalls' gallantry and selfless devotion to his comrades earned him the Medal of Honor which was awarded posthumously on January 30, 1969; and

WHEREAS, On November 11, 2000, American Legion Post 3 of Hanford appropriately honored George Alan Ingalls' mother and family members at the tank memorial in the Hanford Cemetery; now therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby dedicates the portion of State Highway Route 198 that passes through the City of Hanford between Seventh Avenue and Twelfth Avenue in Hanford, as the George Alan Ingalls Memorial Highway, in memory of George Alan Ingalls, who made the greatest sacrifice a person can make to his community and country; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this

special designation, and upon receiving donations from nonstate sources sufficient to cover that cost, to erect those plaques and markers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Transportation and to the author for appropriate distribution.

RESOLUTION CHAPTER 61

Assembly Concurrent Resolution No. 4—Relative to the Stanley L. Van Vleck Memorial Highway.

[Filed with Secretary of State June 7, 2001.]

WHEREAS, Stanley L. Van Vleck was born on December 9, 1920, near Placerville, California; and

WHEREAS, Stanley L. Van Vleck was a third generation California rancher who spent his early childhood years in Pacific House, California, on his family's homestead that was established about 1850; and

WHEREAS, With his parents, Orin and Mabel Van Vleck, Stanley L. Van Vleck moved to their ranch in Sloughhouse, California; and

WHEREAS, Stanley L. Van Vleck excelled at academics and graduated from Elk Grove High School at the age of 16 years; he then attended then Sacramento City Junior College where he served as President of that college's prelaw society; and

WHEREAS, Stanley L. Van Vleck had a long and distinguished career as a rancher in the Sacramento region, and served in many leadership positions in agricultural organizations at the local, state, and national level, including the California Cattlemen's Association, the California Farm Bureau, the National Flying Farmers, and the National Cattlemen's Association; and

WHEREAS, Stanley L. Van Vleck, loved his country and took deep pride in helping those who protect our citizens by allowing the Federal Bureau of Investigation, the California Air National Guard, the California Department of Forestry, the Sacramento County Sheriff's Department, the Sacramento City Police Department, and the Sacramento Life Flight Unit to train on his ranch; and

WHEREAS, During his distinguished lifetime, Stanley L. Van Vleck provided significant philanthropic benefits to the Sacramento area including spearheading the creation of the Cosumnes River School District and serving as the President of that district's governing board for many years; and

WHEREAS, Stanley L. Van Vleck loved sharing his ranch with the entire community by allowing tens of thousands of Boy Scouts, 4-H'ers, Future Farmers of America, local students, California Operating Engineers, recreationists, and families a chance to experience agriculture and open space on his ranch; and

WHEREAS, Stanley L. Van Vleck was a loving father and grandfather to his children Doug, Van, Valerie, and Stan, and to his grandchildren Garrett, Vanessa, Kyle, and Christian; and

WHEREAS, Stanley L. Van Vleck lost his life in an accident while working at his beloved Sloughhouse ranch on September 7, 2000; and

WHEREAS, Stanley L. Van Vleck was widely known and respected by members of his community and is sadly missed by all who knew him; now, therefore, be it

Resolved, That the Legislature hereby dedicates the portion of State Highway Route 16 that is between Dillard Road in Sacramento County and the Amador County line as the Stanley L. Van Vleck Memorial Highway, in memory of Stanley L. Van Vleck, who served agriculture and his community so well; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this special designation, and upon receiving donations from nonstate sources sufficient to cover that cost, to erect those plaques and markers; and be it further

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Transportation and to the author for appropriate distribution.

RESOLUTION CHAPTER 62

Assembly Concurrent Resolution No. 43—Relative to the Merchant Marine.

[Filed with Secretary of State June 7, 2001.]

WHEREAS, The Merchant Marine has faithfully served our country in times of war and peace, transporting life and cargo to every corner of the world; and

WHEREAS, The Merchant Marine has helped win wars and maintain peace by providing necessary materials, food, and supplies to assist many nations in rebuilding their countries and economies; and

WHEREAS, During World War II, the Merchant Marine transported troops, and delivered 75 percent of all military equipment and supplies to battlefronts throughout the world in the face of attacks by the enemy and through violent seas; and

WHEREAS, In doing so, 6,835 were killed, over 11,000 wounded, and 604 taken as prisoners of war, of whom 61 died in POW camps; and

WHEREAS, The Merchant Marine contribution to the American Revolution, the War of 1812, World Wars I and II, the Korean War, the Vietnam War, and all other military and human relief efforts should be made known to all Americans; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby designate June 11 to June 17, 2001, as Merchant Marine Remembrance Week, and encourages all Californians to join in this observance; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 63

Assembly Concurrent Resolution No. 70—Relative to elder abuse prevention.

[Filed with Secretary of State June 11, 2001.]

WHEREAS, Older adults who are not able to live independently may be particularly vulnerable to mistreatment; and

WHEREAS, Elder abuse is prevalent in the United States with approximately one million cases occurring annually; and

WHEREAS, Reported cases of adult abuse to adult protective agencies has dramatically increased by 150 percent during the period of 1986 to 1996; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature designates the Month of May 2001 as Elder Abuse Prevention Month; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 64

Assembly Concurrent Resolution No. 78—Relative to National Flag Day.

[Filed with Secretary of State June 11, 2001.]

WHEREAS, By act of the Continental Congress of the United States, dated June 14, 1777, the first official flag of the United States was adopted; and

WHEREAS, By act of Congress dated August 3, 1949, June 14 of each year was officially designated as “National Flag Day”; and

WHEREAS, The Congress has requested the President to issue annually a proclamation designating the week in which June 14 occurs as “National Flag Week”; and

WHEREAS, On December 8, 1982, the National Flag Day Foundation was chartered to conduct educational programs and to encourage all Americans to pause for the pledge of allegiance to the flag as part of the celebration of National Flag Day throughout the nation; and

WHEREAS, By act of Congress, dated June 20, 1985, Public Law 99-54, was passed to have the Pause for the Pledge of Allegiance as part of the celebration of National Flag Day throughout the nation; and

WHEREAS, Flag Day celebrates our nation’s symbol of unity, a democracy in a republic, and stands for our country’s devotion to freedom, to the rule of law, and to equal rights; and

WHEREAS, Since the founding of our nation the flag has held a unique place in the hearts of those brave men and women who have served in our nation’s armed forces, whereby in each of our nation’s wars examples may be found of soldiers offering their lives not only in defense of our nation, but also in honor of our flag and the principles it embodies; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Thursday, June 14, 2001, should be designated as Flag Day of the State of California; and be it further

Resolved, That the Legislature urges all citizens of the State of California to pause at 4 p.m., on June 14, 2001, for the 22nd annual national Pause for the Pledge of Allegiance and join all Americans in reciting the Pledge of Allegiance to the Flag of the United States of America; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Governor of the State of California, and to the author for appropriate distribution.

RESOLUTION CHAPTER 65

Senate Concurrent Resolution No. 22—Relative to child abuse.

[Filed with Secretary of State June 11, 2001.]

WHEREAS, Child abuse and neglect continue to pose a serious threat to our nation's children; and

WHEREAS, In 1996, more than 3,000,000 children were reported to child protective agencies in the United States as having suffered abuse and neglect; and

WHEREAS, It is estimated that for every three dollars spent on child abuse and neglect, at least six dollars are saved that might be spent on child welfare services, special education services, medical care, foster care, counseling, and the housing of juvenile offenders; and

WHEREAS, Child abuse and neglect is a community problem and finding solutions depends on the involvement of people throughout the community; and

WHEREAS, The first organized statewide Blue Ribbon Campaign was originated in Norfolk, Virginia by the grandmother of Bubba Dickinson, a child who was murdered by his mother's abusive boyfriend; and

WHEREAS, In recent years, the National Committee to Prevent Child Abuse, the California chapter and other local affiliates, United States military bases, and other groups have organized Blue Ribbon Campaigns to increase public awareness of child abuse and to promote ways to prevent child abuse; and

WHEREAS, The National Committee to Prevent Child Abuse, in all its forms, has proclaimed April as National Child Abuse Prevention Month; and

WHEREAS, Blue ribbons are displayed to increase awareness of child abuse and as a strategy for Child Abuse Prevention Month; and

WHEREAS, This year's campaign is entitled "Parents Nurture, Kids Blossom" which recognizes that the nurturing of our children is an essential element to the well-being of society and that April is a fitting month to recognize this growth and nurturing; and

WHEREAS, The flexibility of this program offers numerous opportunities to be innovative and to create partnerships within business, professional, and community organizations; and

WHEREAS, The Senate and the Assembly encourage the community to work together for youth-serving prevention programs; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature does hereby acknowledge the month of April 2001, as Child Abuse Prevention Month and encourage the people of the State of California to support child abuse prevention activities in their communities and schools during that month and throughout the year; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 66

Assembly Joint Resolution No. 3—Relative to teachers.

[Filed with Secretary of State June 21, 2001.]

WHEREAS, The State Teachers' Retirement System has a higher contribution rate and better benefits than the Social Security system; and

WHEREAS, The State Teachers' Retirement System is not coordinated with the federal Social Security system; and

WHEREAS, The Social Security Act includes two offsets, the Government Pension Offset and the Windfall Elimination Provision, that reduce the Social Security benefits payable to persons who are entitled to benefits under other retirement systems, under certain conditions; and

WHEREAS, These provisions penalize individuals who move from private sector employment to teaching; and

WHEREAS, California has a significant teacher shortage and requires more than 16,000 new teachers per year to meet enrollment growth needs as well as retirement replacement; and

WHEREAS, California currently has some schools where more than 60 percent of the new teachers are not credentialed because of this teacher shortage; and

WHEREAS, Every child should have the opportunity to have a fully credentialed teacher in his or her classroom, but the Social Security Act offsets limit the number of fully credentialed teachers in the classroom by penalizing individuals who change from private to public employment; and

WHEREAS, The recruitment and retention of teachers from other states who are entitled to Social Security upon retirement is also limited and restricted by these offsets; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California requests the Congress of the United States to enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act, and further, the Legislature of the State of California requests President George W. Bush to sign that legislation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the

Speaker of the House of Representatives, the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 67

Assembly Joint Resolution No. 5—Relative to the United States Coast Guard.

[Filed with Secretary of State June 21, 2001.]

WHEREAS, The United States Coast Guard is a military, multimission, maritime service that has answered the calls of America continuously for over 210 years; and

WHEREAS, Over that history the Coast Guard's roles as lifesavers and guardians of the sea have remained constant, while their missions have evolved and expanded with a growing nation; and

WHEREAS, The Coast Guard mission is to protect the American public's most basic need, our safety and security, the environment, and our economy; and

WHEREAS, The Coast Guard responds to more than 50,000 calls for assistance and saves thousands of lives and billions of dollars in property; and

WHEREAS, The Coast Guard's five operating goals: safety; protection of natural resources; mobility; maritime security; and national defense, define the focus of the Coast Guard's service and enable it to touch everyone in the United States; and

WHEREAS, The goal of safety is pursued primarily through its search and rescue and marine safety missions; and

WHEREAS, No other government agency or private organization has the extensive inventory of assets and expertise to conduct search and rescue of both recreational boaters as well as commercial mariners, from the lakes, rivers, and nearshore areas to the high seas; and

WHEREAS, The Coast Guard provides the first line of defense in protecting the maritime environment through the marine safety program, ensuring the safe commercial transport of passengers, cargo, and oil through our waters, and by guarding our maritime borders from incursions from foreign fishing vessels; and

WHEREAS, The Coast Guard serves as a global model of efficient military, multimission, maritime service for the emerging coast guards of the world and helps friendly countries become positive forces of peace and stability, promoting democracy and the rule of law; and

WHEREAS, Coast Guard men and women are a highly motivated group of people who are committed to providing essential and valuable service to the American public; and

WHEREAS, The Coast Guard military structure, law enforcement authority, and humanitarian functions make the Coast Guard a unique arm of national security enabling it to support broad national goals; and

WHEREAS, The Coast Guard is well known for being the first to reach the scene when maritime disaster strikes, and continues to be tasked with protecting our waters from pollution, our borders from drug smuggling, and our fisheries from overharvest as well as additional assignments that stretch its people and resources thin; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State California urges the President and Congress of the United States to fully fund the Coast Guard's operational readiness and recapitalization requirements to ensure this humanitarian arm of our National Security remains Semper Paratus through the 21st century; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States and all members of Congress of the United States.

RESOLUTION CHAPTER 68

Assembly Concurrent Resolution No. 53—Relative to business community involvement with public education.

[Filed with Secretary of State June 22, 2001.]

WHEREAS, The public elementary and secondary schools, and community colleges of the state are the institutions that must prepare the workforce for satisfying and productive lives in the larger community, and for success in specific careers; and

WHEREAS, The private sector provides young people graduating from the state's public schools and community colleges with jobs and career opportunities and has a significant interest in the successful operation of the schools; and

WHEREAS, The California Partners in Education organization, through its leadership, has proclaimed that the organization will raise the awareness of business-education partnerships and their positive benefits to schools, community colleges, and businesses throughout California; and

WHEREAS, The business community, through the leadership of various organizations, should encourage a new and deeper commitment to education by making talent and resources available to schools and community colleges; and

WHEREAS, A number of business organizations have specifically chosen to make talent and resources available to schools and community colleges through a variety of school-business partnerships that match a particular business organization with a particular school or community college, bring business employees into the schools and colleges to work with teachers and instructors and students, and involve donations of materials and equipment; and

WHEREAS, This type of business community involvement with the public education fosters many benefits for students and the community; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature requests the business community to expand school-business partnership activities to as many schools and community colleges as possible, and that the Legislature requests that school administrators, teachers, and instructors of the elementary and secondary schools and community colleges of the state cooperate in the development of school-business partnership programs; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the State Department of Education and that the State Department of Education disseminate this resolution to school districts, community colleges, commerce, and other agencies and organizations interested in fostering cooperation between elementary and secondary schools, community colleges, and the business community.

RESOLUTION CHAPTER 69

Assembly Concurrent Resolution No. 85—Relative to Bone Marrow Registration and Testing Day.

[Filed with Secretary of State June 22, 2001.]

WHEREAS, Saturday, June 23, 2001, is Bone Marrow Registration and Testing Day, a day dedicated to strengthening the National Bone Marrow Donor Registry Program to increase its capacity and outreach in order to save as many lives as possible; and

WHEREAS, Bone marrow transplantation, once considered to be a last resort in the treatment of persons with leukemia, is now being successfully performed on persons with other forms of cancer and other life-threatening illnesses; and

WHEREAS, Bone marrow transplantation has become an accepted mode of treatment for over 60 identified life-threatening diseases; and

WHEREAS, Approximately 70 percent of patients who need bone marrow transplants do not have a family member who matches suitably to donate the needed marrow; and

WHEREAS, More than 11,000 individuals have donated bone marrow for unrelated patients since the National Bone Marrow Donor Registry Program began operation in 1987; and

WHEREAS, There are almost 4,000 potential bone marrow recipients searching the National Bone Marrow Donor Registry Program on a daily basis for a suitable donor match; and

WHEREAS, Minority patients face greater odds in finding a suitable donor match in that very few minorities have registered with the National Bone Marrow Donor Registry Program, thereby resulting in a disproportionate number of minority patients left untreated for a life-threatening disease that could otherwise be treated with a bone marrow transplant; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members designate Saturday, June 23, 2001, as Bone Marrow Registration and Testing Day, and urge all Californians to register with the National Bone Marrow Donor Registry Program in order to increase the number of potential matches for all persons who are in need of a bone marrow transplant.

RESOLUTION CHAPTER 70

Assembly Concurrent Resolution No. 23—Relative to religious freedom in Vietnam.

[Filed with Secretary of State June 27, 2001.]

WHEREAS, The United States Department of State and international human rights organizations have reported that the Government of the Socialist Republic of Vietnam continues to restrict unregistered religious activities and persecutes citizens on the basis of their religious affiliation through arbitrary arrests and detention, harassment, physical abuse, censorship, and the denial of the right of free association and religious worship; and

WHEREAS, The United States Department of State's Annual Report on International Religious Freedom for 2000 on Vietnam estimates that there are more than 30 religious detainees and religious prisoners but that the number is difficult to verify with any precision because of the secrecy surrounding the arrest, detention, and release process; and

WHEREAS, The Vietnam government's tactics include confiscation of church property, imprisonment of clerics and followers, restriction of church activities, including the right to ordain, publish written materials, or perform social services functions; and

WHEREAS, The Government of the Socialist Republic of Vietnam systematically violates the International Covenant on Civil and Political Rights in contravention of its status as a signatory to that agreement; and

WHEREAS, The Vietnamese American Interfaith Council which represents Catholics, Baptists, Buddhists, Cao Dai, and Hoa Hao, brought together hundreds of residents and local political and religious leaders in Westminster, California on January 6, 2001, to call for religious freedom in the Socialist Republic of Vietnam; and

WHEREAS, The Vietnam government's behavior toward religion in general and the Catholic Church in particular, was demonstrated as recently as December 2000; Father Tadeus Nguyen Van Ly and others were harassed and attacked; now therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California supports religious freedom for the people of the Socialist Republic of Vietnam, and recommends that the United States Congress demand that the government of that country release all religious prisoners, and immediately cease the harassment, detention, physical abuse, and imprisonment of all Vietnamese citizens who have exercised their legitimate rights to freedom of belief, expression, association, and religious worship; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 71

Senate Concurrent Resolution No. 25—Relative to the Alameda Corridor East Project.

[Filed with Secretary of State July 3, 2001.]

WHEREAS, The completion of the Alameda Corridor East Project in 2002 will increase train traffic through the Inland Empire by 120 percent; and

WHEREAS, The goal of the Alameda Corridor East Project is to ease the effects of the increased train traffic from downtown Los Angeles to the Colton Yards in the City of San Bernardino; and

WHEREAS, This goal enjoys unanimous, bipartisan support from local, state, and federal officials; and

WHEREAS, The Alameda Corridor East Project will reduce the amount of time residents spend at rail crossings by creating grade separations; and

WHEREAS, The Alameda Corridor East Project stops 221 tons of air pollutants from being emitted annually into the region; and

WHEREAS, The Alameda Corridor East Project is projected to create 192,000 jobs in the San Gabriel Valley/Inland Empire by 2020; and

WHEREAS, Assembly Bill No. 2928 of the 1999–00 Regular Session appropriates \$95 million to San Bernardino County to mitigate the impacts of the Alameda Corridor East Project; and

WHEREAS, The San Bernardino Associated Governments has approved the use of this money exclusively for grade separations, thereby assisting local governments to fund the design and construction of grade separations; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature commends the work of the San Bernardino Associated Governments in facilitating the Alameda Corridor East Project and, thereby, contributing to the continued growth in the national, state, and local economy through job creation and expanded trade to benefit all residents of San Bernardino County.

RESOLUTION CHAPTER 72

Assembly Concurrent Resolution No. 22—Relative to the Model Curriculum on Human Rights and Genocide.

[Filed with Secretary of State July 5, 2001.]

WHEREAS, The state has adopted legislation that requires the State Department of Education to develop a model curriculum on human rights and genocide and to make the curriculum available to teachers in the state to utilize in classrooms; and

WHEREAS, This model curriculum on human rights and genocide served as an exemplary educational product demonstrating again the state's leadership in forging new vistas in education; and

WHEREAS, Teachers across the state, as well as across the nation, have been using the model curriculum with praise; and

WHEREAS, The state appropriated \$99,000 in the Budget Act of 2000 for the reprinting and distribution of the model curriculum on human rights and genocide; and

WHEREAS, The model curriculum on human rights and genocide has been reissued by the State Board of Education; and

WHEREAS, The State Board of Education has announced that the model curriculum on human rights and genocide is now available for distribution to educators around the state; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California commends the State Board of Education and the State Department of Education for its swift and prompt action in developing the model curriculum on human rights and genocide and making it available for distribution; and be it further

Resolved, That the Legislature recommends that the State Department of Education issue proper notification to school districts throughout the state regarding the availability of the model curriculum on human rights and genocide; and be it further

Resolved, That the Legislature recommends that the State Department of Education and school districts convene workshops and teacher training seminars to introduce state educators to the curriculum; and be it further

Resolved, That teachers throughout the state be encouraged to utilize the exemplary curriculum to teach the millions of state pupils about human rights and genocide.

RESOLUTION CHAPTER 73

Assembly Concurrent Resolution No. 68—Relative to Cure Children's Cancer Week.

[Filed with Secretary of State July 5, 2001.]

WHEREAS, One in every 330 children in the United States develops cancer before the age of 19 years, decisively making cancer the leading disease afflicting our youth today; and

WHEREAS, While much progress in the development of effective new treatments and cures for cancer have been made in the past three decades, the rate of cancer among children is now on the rise and there are still many types of childhood cancer that have not yet yielded to research; and

WHEREAS, Since its founding in 1982, the Pediatric Cancer Research Foundation has been dedicated to the mission of improving the care, quality of life, and survival rate of children with malignant diseases, and has raised over \$10 million for cancer research activities; and

WHEREAS, This nonprofit organization was founded by parents, doctors, friends, and business and community leaders who joined forces

to translate laboratory research into immediate treatment for children with cancer; and

WHEREAS. The Pediatric Cancer Research Foundation provides over \$1.5 million each year for cancer research to the University of California, Irvine; Children's Hospital of Orange County; Children's Hospital of Los Angeles; the University of California, Los Angeles; Children's Hospital of New York; Columbia University ; and the National Marrow Donor Program; and

WHEREAS, During the week of July 9 to July 15, 2001, the Pediatric Cancer Research Foundation will host a variety of fundraising events and activities to raise community awareness and encourage participation in the fight against children's cancer; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby declares July 9 to July 15, 2001, as Cure Children's Cancer Week in the State of California.

RESOLUTION CHAPTER 74

Assembly Concurrent Resolution No. 71—Relative to Lake and Reservoir Appreciation Week.

[Filed with Secretary of State July 5, 2001.]

WHEREAS, The State of California has more than 200 lakes and reservoirs within its boundaries; and

WHEREAS, Lakes and reservoirs attract millions of visitors and vacationers each day, providing substantial economic benefits to local businesses, municipal governments, and local tourist industries; and

WHEREAS, Lakes and reservoirs provide water for many beneficial public uses, including municipal, industrial, and agricultural uses, and also provide recreational, environmental, and aesthetic benefits to the public; and

WHEREAS, These uses and benefits of lakes and reservoirs make a significant contribution to the quality of life for the residents of California; and

WHEREAS, Lakes and reservoirs deserve public acknowledgement for the important contributions they make to the quality of life for the residents of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That, annually commencing July 2001, the first week of July that includes both a weekend and July 4th be declared Lake and Reservoir Appreciation Week, to honor the lakes and reservoirs of the State of California; and be it further

Resolved, That the residents of California are encouraged by the Legislature to take note of the observance and to honor the lakes and reservoirs of the state; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 75

Assembly Concurrent Resolution No. 76—Relative to California Safety Month.

[Filed with Secretary of State July 5, 2001.]

WHEREAS, According to the National Safety Council, in 1999, about 14,500,000 people nationwide suffered disabling injuries in the home and in public places, and about 52,000 people died from injuries, an alarming 21 percent increase from the 43,000 deaths due to injury in 1992; and

WHEREAS, In 1999, 3.8 out of every 100,000 workers, or 5,110 total workers nationwide, died as a result of an unintentional injury in the workplace; and

WHEREAS, Motor vehicle fatalities totaled an unconscionable 40,800 in 1999; and

WHEREAS, Despite efforts to improve safety, including advancements in technology, and legislation intended to create a safer environment for Americans, the unintentional-injury death toll continues to rise; and

WHEREAS, According to the Bicycle Helmet Safety Institute, head injuries cause 75 percent of the estimated 900 deaths resulting from bicycle accidents each year, and wearing a bicycle helmet reduces the risk of serious head and brain injury due to an accident by 85 percent; and

WHEREAS, Brain surgeons and other doctors nationwide agree that wearing bicycle helmets can save lives; and

WHEREAS, More than 700,000 persons need hospital emergency room treatment each year for injuries related to skateboarding; and

WHEREAS, According to the Brain Injury Association, about 82,000 people suffer brain injuries each year while playing sports; and

WHEREAS, Injuries to persons riding scooters has increased dramatically during the past two years; and

WHEREAS, The summer season, traditionally a time of increased unintentional-injury fatalities, is an appropriate time to focus attention on safety issues; and

WHEREAS, Preventing unintentional injuries and deaths requires the efforts and cooperation of all levels of government, private associations, and members of the public; and

WHEREAS, The National Safety Council has declared June 2001 to be National Safety Month and has encouraged states to similarly observe that month and focus on safety issues; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Legislature of the State of California recognizes June 2001 as California Safety Month; and be it further

Resolved, That the Legislature encourages all Californians to practice and promote increased safety while engaging in recreation, work, and other activities in their homes, in the workplace, at school, on streets and highways, and in other public and private places; and be it further

Resolved, That the Legislature encourages all public agencies, community organizations, and other groups to distribute educational information, conduct programs, and engage in other appropriate activities to promote safety methods and practices among all Californians.

RESOLUTION CHAPTER 76

Assembly Joint Resolution No. 4—Relative to energy produced by biomass-to-energy facilities.

[Filed with Secretary of State July 5, 2001.]

WHEREAS, California is suffering an energy crisis during the winter of 2001 that threatens to adversely affect the health and safety of Californians through the summer of 2001; and

WHEREAS, Each year in California about 80 million tons of biomass waste are generated from municipal, industrial, agricultural, forestry, and government operations. Most of these materials are currently disposed of via landfills or open-air burning instead of being used for clean energy production; and

WHEREAS, California's biomass-to-energy industry provides a safe and environmentally sound means of converting organic wastes to green energy in a renewable cycle; and

WHEREAS, At least 14 of California's 29 biomass-to-energy facilities depend on wood waste derived from fire hazard reduction,

thinning, and forest product manufacturing activities for their fuel supply; and

WHEREAS, Combined, these facilities represent a generating capacity exceeding 260 megawatts, which is enough electricity to serve the needs of more than 300,000 households; and

WHEREAS, It is in the general interest of the state to encourage the continued conversion of biomass-to-energy power generation; and

WHEREAS, Approximately 37 percent of California is comprised of public and private forest lands with 54 percent of those forest lands owned by the federal government; and

WHEREAS, The long-term viability of green biomass-to-energy power generation is dependent on a reliable and adequate biomass waste fuel supply; and

WHEREAS, The unanimous passage of Assembly Joint Resolution No. 69 by the California State Legislature in 2000, called for the establishment of a cohesive strategy to reduce the overabundance of forest fuels and high risk of catastrophic wildfire; now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly, That in the interest of ensuring the long-term viability of green biomass-to-energy power generation in our state, the Legislature of the State of California hereby respectfully memorializes the United States Forest Service, the Congress, and the President of the United States to recognize the importance of the biomass industry in California, and to undertake discrete experiments and pilot projects that will reduce fuel loading in the Sierra Nevada and elsewhere in California while at the same time exploring a variety of new generation and fuel transport techniques that are ecologically sound and that are, or will become, cost-effective both for the generation of electricity and the reduction of fire risk ; and be it further

Resolved, That the Legislature of the State of California hereby respectfully memorializes the United States Forest Service, Bureau of Land Management, National Park Service, and Environmental Protection Agency to recognize environmental benefits including improved air quality, decreased global-warming gases, and reduced threat of catastrophic forest fires that energy production from biomass waste can provide; and be it further

Resolved, That the Legislature of the State of California, in the interest of public health and safety, hereby respectfully memorializes the Congress to encourage the continued operation of the existing biomass-to-energy industry by taking the reasonable measures necessary, including the consideration of tax incentives, to increase the availability and reduce the cost of biomass wastes diverted to powerplants for use as renewable energy or fuels; and be it further

Resolved, That the Legislature of the State of California hereby respectfully memorializes the United States Forest Service to utilize an appropriate mix of fire suppression activities and forest management methodologies, including selective thinning, selective harvesting, grazing, the removal of excessive ground fuels, and small-scale prescribed burns, including increased private, local, and state contracts for prefire treatments on lands in the Sierra Nevada national forests of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Environmental Protection Agency, the Chief of the United States Forest Service, the Director of the National Park Service, the Director of the Bureau of Land Management, and each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 77

Assembly Joint Resolution No. 16—Relative to the Fourth of July.

[Filed with Secretary of State July 5, 2001.]

WHEREAS, On July 4, 1776, the Continental Congress issued an unanimous pronouncement of the 13 colonies declaring their collective independence from Great Britain; and

WHEREAS, In enunciating the colonists' rationale for seeking their independence, the Declaration of Independence drew on the philosophical underpinnings of the Age of Enlightenment; and

WHEREAS, The Declaration of Independence proclaimed "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness"; and

WHEREAS, In declaring their independence, the 13 colonies articulated the concept that governments derive their powers from the consent of the governed and that those powers not specifically granted to the government are reserved by the people; and

WHEREAS, The United States government and state governments have often failed to adhere to these principles, propagating various policies that deprive individuals and groups of basic civil rights and liberties enjoyed by other Americans; and

WHEREAS, The principles espoused in the Declaration of Independence have led Americans and people the world over to challenge the injustices and inequalities of their respective societies; and

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California recognizes July 4, 2001, as the 225th anniversary of the Declaration of Independence and the founding of the United States; and be it further

Resolved, That on the 225th anniversary of the Declaration of Independence, the peoples and governments of the United States continue their efforts to realize the fundamental principles pronounced in that document; and be it further

Resolved, That the United States work to further international respect and observance of the inherent rights of individuals throughout the world; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 78

Senate Concurrent Resolution No. 13—Relative to the California Law Revision Commission.

[Filed with Secretary of State July 10, 2001.]

WHEREAS, The California Law Revision Commission is authorized to study only topics set forth in the calendar contained in its report to the Governor and the Legislature that are thereafter approved for study by concurrent resolution of the Legislature, and topics that have been referred to the commission for study by concurrent resolution of the Legislature; and

WHEREAS, The commission, in its annual report covering its activities for 2000 and 2001, recommends continued study or modification of 19 topics, all of which the Legislature has previously authorized or directed the commission to study; and

WHEREAS, The commission, in its annual report covering its activities for 2000 and 2001, recommends removal of one topic, which the Legislature has previously authorized or directed the commission to study and which the commission either has completed study of or found to be no longer appropriate for commission study; and

WHEREAS, The commission, in its annual report covering its activities for 2000 and 2001, recommends addition of one new topic to its calendar; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature approves for continued study by the California Law Revision Commission the topics listed below, all of which the Legislature has previously authorized or directed the commission to study, as modified:

(1) Whether the law should be revised that relates to creditors' remedies, including, but not limited to, attachment, garnishment, execution, repossession of property (including the claim and delivery statute, self-help repossession of property, and the Commercial Code provisions on repossession of property), confession of judgment procedures, default judgment procedures, enforcement of judgments, the right of redemption, procedures under private power of sale in a trust deed or mortgage, possessory and nonpossessory liens, insolvency, and related matters;

(2) Whether the California Probate Code should be revised, including, but not limited to, the issue of whether California should adopt, in whole or in part, the Uniform Probate Code, and related matters;

(3) Whether the law should be revised that relates to real and personal property including, but not limited to, a marketable title act, covenants, servitudes, conditions, and restrictions on land use or relating to land, powers of termination, escheat of property and the disposition of unclaimed or abandoned property, eminent domain, quiet title actions, abandonment or vacation of public streets and highways, partition, rights and duties attendant upon assignment, subletting, termination, or abandonment of a lease and related matters;

(4) Whether the law should be revised that relates to family law, including, but not limited to, community property, the adjudication of child and family civil proceedings, child custody, adoption, guardianship, freedom from parental custody and control, and related matters, including other subjects covered by the Family Code;

(5) Whether the law relating to offers of compromise should be revised;

(6) Whether the law relating to discovery in civil cases should be revised;

(7) Whether the acts governing special assessments for public improvement should be simplified and unified;

(8) Whether the law relating to the rights and disabilities of minors and incompetent persons should be revised;

(9) Whether the Evidence Code should be revised;

(10) Whether the law relating to arbitration, mediation, and other alternative dispute resolution techniques should be revised;

(11) Whether there should be changes to administrative law;

(12) Whether the law relating to the payment and the shifting of attorney's fees between litigants should be revised;

(13) Whether the Uniform Unincorporated Nonprofit Association Act, or parts of that uniform act, and related provisions should be adopted in California;

(14) Recommendations to be reported pertaining to statutory changes that may be necessitated by court unification;

(15) Whether the law of contracts should be revised, including the law relating to the effect of electronic communications on the law governing contract formation, the statute of frauds, the parol evidence rule, and related matters;

(16) Whether the law governing common interest housing developments should be revised to clarify the law, eliminate unnecessary or obsolete provisions, consolidate existing statutes in one place in the codes, establish a clear, consistent, and unified policy with regard to formation and management of these developments and transaction of real property interests located within them, and to determine to what extent they should be subject to regulation;

(17) Whether the statutes of limitation for legal malpractice actions should be revised to recognize equitable tolling or other adjustment for the circumstances of simultaneous litigation, and related matters;

(18) Whether the law governing disclosure of public records and the law governing protection of privacy in public records should be revised to better coordinate them, including consolidation and clarification of the scope of required disclosure and creation of a single set of disclosure procedures, to provide appropriate enforcement mechanisms, and to ensure that the law governing disclosure of public records adequately treats electronic information, and related matters;

(19) Whether the law governing criminal sentencing should be revised, nonsubstantively, to reorganize and clarify the sentencing procedure statutes in order to make them more logical and understandable; and be it further

Resolved, That the Legislature approves removal of the topic listed below from the calendar of the California Law Revision Commission:

Whether the laws within various codes relating to environmental quality and natural resources should be reorganized in order to simplify and consolidate relevant statutes, resolve inconsistencies between the statutes, and eliminate obsolete and unnecessarily duplicative statutes; and be it further

Resolved, That the Legislature approves for study the California Law Revision Commission the new topic listed below:

Whether the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7 of the Government Code) and the Mitigation Fee Act (Chapter 5 (commencing with Section 66000) Chapter 6 (commencing with Section 66010), Chapter 7 (commencing with Section 66012), Chapter 8 (commencing with Section 66016), and Chapter 9 (commencing with Section 66020) of Division 1 of Title 7 of the Government Code) should be revised to improve their organization, resolve inconsistencies, clarify and rationalize provisions, and related matters; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the California Law Revision Commission.

RESOLUTION CHAPTER 79

Senate Concurrent Resolution No. 14—Relative to the National Purple Heart Trail.

[Filed with Secretary of State July 10, 2001.]

WHEREAS, The Military Order of the Purple Heart is working to establish a national commemorative trail for recipients of the Purple Heart medal, which honors veterans who were wounded in combat; and

WHEREAS, All states in the union will designate highways for inclusion in the commemorative trail, and all of the designated highways will be interconnected to form the National Purple Heart Trail; and

WHEREAS, The commemorative trail in the states bordering California will include Interstate Highway Route 5 and Interstate Highway Route 80 to the point where those highways reach the California state line; and

WHEREAS, It now falls to California to designate its highway selections for connection to the National Purple Heart Trail; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the portions of Interstate Highway Route 5 and Interstate Highway Route 80 within California are hereby officially designated as California's selections for inclusion in the National Purple Heart Trail; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this special designation, and upon receiving donations from nonstate sources sufficient to cover that cost, to erect those plaques and markers; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Transportation and to the California Department for the Military Order of the Purple Heart.

RESOLUTION CHAPTER 80

Senate Concurrent Resolution No. 18—Relative to the Earle W. Wrieden Memorial Highway.

[Filed with Secretary of State July 10, 2001.]

WHEREAS, Earle W. Wrieden was born to Emma and John Wrieden in Middletown, California on February 8, 1910, and, except for one year in Berkeley, lived most of his life in Middletown; and

WHEREAS, Earle Wrieden and his wife, Herta, were married on July 9, 1939, and had a son, John, now deceased, and a daughter, Lynn; and

WHEREAS, Earle Wrieden was appointed to the Lake County Board of Supervisors in 1949, where he served for 24 years and where he was instrumental in many changes, advances, and improvements for the people of Middletown, Lake County, and northern California; and

WHEREAS, Earle Wrieden was heavily involved in water issues in Lake County, especially relating to Cache Creek and Putah Creek; and

WHEREAS, Earle Wrieden's prime interest was in roads, including securing funds for the construction and maintenance of county roads and facilitating the adoption of highly traveled county roads into the state highway system; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the portion of State Highway Route 29 in Lake County that is between the Napa county line and State Highway Route 175 is hereby officially designated the Earle W. Wrieden Memorial Highway; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing the special designation and, upon receiving donations from nonstate sources covering that cost, to erect those plaques and markers; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Transportation.

RESOLUTION CHAPTER 81

Senate Concurrent Resolution No. 36—Relative to the Stanley Mosk Library and Courts Building.

[Filed with Secretary of State July 10, 2001.]

WHEREAS, Justice Stanley Mosk was born September 4, 1912, in San Antonio, Texas, and was educated in the public schools of Rockford, Illinois; and

WHEREAS, Justice Stanley Mosk graduated from the University of Chicago, completed two years of law school at the University of Chicago, and received his law degree from Southwestern University in Los Angeles, California; and

WHEREAS, Justice Stanley Mosk has been a Californian since 1933; and

WHEREAS, Justice Stanley Mosk was admitted to the State Bar of California in 1935; and

WHEREAS, From 1939 to 1942, Justice Stanley Mosk served as Executive Secretary and Legal Advisor to Governor Culbert Olson; and

WHEREAS, In 1942, Governor Culbert Olson appointed Justice Stanley Mosk, then 30 years of age, to the Los Angeles County Superior Court, making him the youngest superior court judge in the State of California; and

WHEREAS, Justice Stanley Mosk, after serving in the Coast Guard Temporary Reserve in the early years of World War II, left the bench of the Los Angeles County Superior Court to enlist in the Army, where he served his country until the end of the war; and

WHEREAS, After World War II, Justice Stanley Mosk returned to the bench of the Los Angeles County Superior Court where he continued to serve until 1958. As a jurist of the Los Angeles County Superior Court, Justice Stanley Mosk distinguished himself in 1947 by striking down racially restrictive real estate covenants one year before the United States Supreme Court found those covenants to be unconstitutional; and

WHEREAS, Justice Stanley Mosk was elected to the position of Attorney General of California in 1958 by a margin of over one million votes; and

WHEREAS, During Justice Stanley Mosk's tenure from 1959 to 1964 as California's Attorney General, he issued nearly 2,000 written opinions, was instrumental in forcing the Professional Golfers Association to end its "whites only" clause, appeared before the United States Supreme Court representing California in the Arizona v. California water case, served on 10 boards and commissions, reorganized the Attorney General's office, and authored some of California's most constructive legislative proposals for the crime and

law enforcement professions, including the measure that created the Commission on Peace Officers' Standards and Training; and

WHEREAS, Justice Stanley Mosk, just weeks prior to his appointment to the California Supreme Court bench was described by Senator Ervin of North Carolina as "one of the finest constitutional lawyers in the United States"; and

WHEREAS, On August 18, 1964, Justice Stanley Mosk was appointed to the California Supreme Court by Governor Pat Brown, a position he held until his passing on June 19, 2001. Justice Stanley Mosk's tenure of 36 years and 10 months on the California Supreme Court bench made him the longest serving justice in this state; and

WHEREAS, While serving on the bench of the California Supreme Court, Justice Stanley Mosk was committed to protecting and expanding the rights of individuals, striving to ensure that all persons were treated equally under the law, and was the pioneer of the legal theory of "independent state grounds," a theory based on the principle that rights of individuals guaranteed by the Bill of Rights may be expanded under a state's constitution. Justice Stanley Mosk authored opinions that barred prosecutors from using racially discriminatory preemptive challenges in selecting a jury, struck down the University of California's use of racial quotas in its admission policies, and was the lone dissenter in a decision that permitted prosecutors to target gang members with civil injunctions. While personally opposed to the death penalty, Justice Stanley Mosk, nevertheless followed the letter of the law when faced with appeals of capital punishment; and

WHEREAS, In 1999, Justice Stanley Mosk became the seventh recipient of the California State Bar's prestigious Bernard E. Witkin Medal in recognition of his contributions to the quality of justice and legal scholarship in California. That award reads: "Unfailing in courtesy, kindness and collegiality, Justice Mosk's modest demeanor belies the magnitude of his contributions to the development of California Law"; and

WHEREAS, With the passing of Justice Stanley Mosk, California has lost one of its best legal minds and one of its foremost guardians of human rights; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That, in recognition of Justice Stanley Mosk's years of public service to the State of California, his commitment to protecting the rights of individuals, and his contributions to California's system of jurisprudence, the State Library and Courts Building shall be renamed as the Stanley Mosk Library and Courts Building.

RESOLUTION CHAPTER 82

Assembly Joint Resolution No. 1—Relative to the Americans with Disabilities Act.

[Filed with Secretary of State July 17, 2001.]

WHEREAS, The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990; and

WHEREAS, The ADA, a comprehensive civil rights act for people with disabilities, guarantees equal opportunity and access for disabled Americans in public and private sector services and employment; and

WHEREAS, More than 54 million Americans and 6.6 million Californians have one or more physical or mental disabilities, and this number is increasingly growing; and

WHEREAS, Discrimination against individuals with disabilities still exists in critical areas of employment, housing, public accommodations, education, transportation, communication, recreation, health services, and access to public services; and

WHEREAS, Individuals with disabilities are a distinct minority who continually experience restrictions and limitations in their daily lives; and

WHEREAS, Governments, businesses, and communities must strive to become inclusive and free of physical and social barriers; and

WHEREAS, The recent United States Court of Appeals, Eighth Circuit, decision in *Alsbrook v. City of Maumelle*, 184 F.3d 999 (1999) ruled that Title II of the Americans with Disabilities Act is unconstitutional and is not a proper exercise of Congress' power under the Fourteenth Amendment to the United States Constitution; and

WHEREAS, The recent United States Supreme Court decision in *Board of Trustees of the University of Alabama v. Garrett*, 121 S.Ct. 955 (2001) held that Title I of the Americans with Disabilities Act does not authorize private individuals with disabilities to recover money damages against any state; and

WHEREAS, This holding was based upon the view that Congress failed to make the factual findings necessary to abrogate the right of each state under the Eleventh Amendment to the United States Constitution to protection from damage suits under Title I of the American with Disabilities Act; and

WHEREAS, The rights of individuals as enumerated in the Americans with Disabilities Act and other civil rights legislation are fragile and must be watched over with great vigilance; and

WHEREAS, The federal government must continue to demonstrate leadership in the implementation and enforcement of the ADA at the federal and state level; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to do all of the following:

(1) Stand firm in their resolve to uphold the current provisions of the Americans with Disabilities Act.

(2) Affirm the intent and substance of the Americans with Disabilities Act by enacting new legislation that would nullify the effect of any court decision that weakens the act.

(3) Take appropriate measures to encourage both public and private entities to implement the provisions of the ADA.

(4) Establish whether the ADA has been applied in the manner in which it was intended, and whether any unintended consequences have resulted; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States and to all members of Congress of the United States.

RESOLUTION CHAPTER 83

Senate Concurrent Resolution No. 10—Relative to Mexican Independence Day.

[Filed with Secretary of State July 19, 2001.]

WHEREAS, Shortly before dawn on September 16, 1810, Miguel Hidalgo y Costilla made a momentous decision that revolutionized the course of Mexican history; and

WHEREAS, Dies y Seis de Septiembre, the 16th of September, marks the day that Miguel Hidalgo y Costilla, one of Mexico's founders, made the call for Mexico's independence; and on that day he issued the revolutionary document "El Grito de Dolores" (the Cry of Dolores) that called for racial equality, land reform, and independence from French-controlled Spain; and

WHEREAS, Hidalgo, who was approaching 60 years of age, had close ties with Mexican-born Spaniards, known as criollos, and was beloved and greatly respected by Mexicans; and

WHEREAS, Don Miguel's proclamation marked the beginning of the Mexican people's long struggle for independence from the tyranny of a distant monarchy; and

WHEREAS, Nearly 11 years later, New Spain won its independence from Old Spain and proclaimed itself the Republic of Mexico; and

WHEREAS, Forty years later, the Mexican people drove a new invader in the form of troops from France from their soil and established, once and for all, their independence from foreign domination; and

WHEREAS, Hidalgo is still revered as the father of Mexican independence, and concerned citizens of Mexican ancestry will be observing Dies y Seis de Septiembre, the 16th of September, as the day that Miguel Hidalgo y Costilla launched the war for Mexico's independence; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California hereby calls on all the people of California to join the people of Mexico and all Californians of Mexican heritage in celebrating Dies y Seis de Septiembre, the 16th of September, with the cry of Don Miguel Hidalgo: "Long live independence! Death to bad government!"

RESOLUTION CHAPTER 84

Senate Concurrent Resolution No. 17—Relative to the Department of Transportation.

[Filed with Secretary of State July 19, 2001.]

WHEREAS, California's economic vitality and the quality of California's communities and natural environment are expected to attract an additional half-million residents annually; and

WHEREAS, This growth rate presents challenges to the state in providing and maintaining sufficient infrastructure; and

WHEREAS, Transportation is essential to most activities affecting California's business, recreation, and economy, and is integrally linked to land-use decisionmaking, housing, and the environment; and

WHEREAS, The State Highway Route 99 corridor is a major corridor for commercial services and the movement of goods in the Central Valley and throughout the state; and

WHEREAS, The Central Valley is the most productive agricultural region in the world, and State Highway Route 99 serves as the major route for distributing its agricultural products for state, national, and export usage; and

WHEREAS, State Highway Route 99 between Bakersfield and Sacramento would benefit from infrastructure improvements; and

WHEREAS, The Governor and the Legislature last year committed an unprecedented investment in additional funds to transportation; and

WHEREAS, California's strong economy may again result in surplus moneys, and any surplus moneys will again provide an unprecedented

opportunity to invest in infrastructure improvements that will sustain California's growing population; and

WHEREAS, This opportunity is worthy of careful consideration so as to produce the greatest possible benefits; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby requests the Department of Transportation to identify those transportation-related needs on the State Highway Route 99 between Bakersfield and Sacramento that would result in traffic congestion relief and the increased transportation of goods; and be it further

Resolved, That the department is urged to prepare and submit to the Legislature, on or before January 1, 2002, a report on its findings; and be it further

Resolved, That in the preparation of the report, the department is urged to seek the cooperation and assistance of local transportation agencies and, to the extent feasible, utilize road conditions and financial data already in existence or contained in previously completed reports or surveys; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Department of Transportation.

RESOLUTION CHAPTER 85

Senate Concurrent Resolution No. 21—Relative to California Hispanic Heritage Month.

[Filed with Secretary of State July 19, 2001.]

WHEREAS, President Lyndon B. Johnson first proclaimed National Hispanic Heritage Week on September 17, 1968, in recognition of the contributions of Hispanic Americans to American culture and history; and

WHEREAS, The original weeklong commemoration was changed by Public Law No. 100-402 to National Hispanic Heritage Month on January 1, 1989; and

WHEREAS, The objectives of National Hispanic Heritage Month are to create a greater awareness of the contributions of Hispanic Americans to American culture, to illustrate the diversity of the Hispanic American community, and to encourage a greater curiosity within young people about the rich history and cultural heritage of Hispanic Americans; and

WHEREAS, Hispanic influence is evident in American culture whether it is in the area of music, arts, sciences, food, humanities, or business and trade; and

WHEREAS, Hispanic Americans from the time of the Revolutionary War to the Persian Gulf War in 1991 have proudly served this country in the Armed Forces and during their course of service, 38 Hispanic Americans, including nine from California have been awarded the Congressional Medal of Honor, the highest honor conferred for military bravery; and

WHEREAS, There are more than 9 million Hispanic Americans in California; and

WHEREAS, Hispanic Americans have contributed to the development and success of California by playing major roles in building this state through agriculture, medicine, science, entertainment, business, education, civil rights, politics, and sports; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby proclaims September 15 to October 15, 2001, inclusive, as California Hispanic Heritage Month, and encourages all Californians to observe this event in communities throughout the state; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 86

Senate Joint Resolution No. 1—Relative to slavery.

[Filed with Secretary of State July 19, 2001.]

WHEREAS, Approximately 4,000,000 Africans and their descendants were enslaved in the United States and the 13 American colonies in the period 1619 through 1865; and

WHEREAS, Slavery was a grave injustice that caused and continues to cause African-Americans to suffer enormous damages and losses, both material and intangible, including the loss of human dignity and liberty, the frustration of careers and professional lives, and the long-term loss of income and opportunity; and

WHEREAS, Slavery in the United States denied African-Americans the fruits of their own labor and was an immoral and inhumane deprivation of life, liberty, the pursuit of happiness, citizenship rights, and cultural heritage; and

WHEREAS, Although the achievements of African-Americans in overcoming the evils of slavery stand as a source of tremendous inspiration, the successes of slaves and their descendants do not

overwrite the failure of the nation to grant all Americans their birthright of equality and the civil rights that safeguard freedom; and

WHEREAS, An apology is an important and necessary step in the process of racial reconciliation, because a sincere apology accompanied by an attempt at real restitution is an important healing interaction; and

WHEREAS, A genuine apology may restore damaged relationships, whether they are between two people or between groups of people; and

WHEREAS, African-American art, history, and culture reflect experiences of slavery and freedom, and continued struggles for full recognition of citizenship and treatment with human dignity, and there is inadequate presentation, preservation, and recognition of the contributions of African-Americans within American society; and

WHEREAS, There is a great need for building institutions and monuments to promote cultural understanding of African-American heritage and further enhance racial harmony; and

WHEREAS, A commission to study reparation proposals for African-Americans should be established; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the United States Congress to enact legislation similar to House Concurrent Resolution 356, which was introduced on June 19, 2000, and House Resolution 40, which was introduced on January 6, 1999; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Speaker of the House of Representatives, the Chairpersons of the House and Senate Judiciary Committees, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 87

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article XIX B thereto, relating to transportation.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, California's continuing economic prosperity and quality of life depend, in no small part, upon an expansive and efficient transportation system; and

WHEREAS, The need to maintain, expand, and improve California's multimodal transportation system increases as California continues to grow; and

WHEREAS, Public investment in transportation has failed to keep pace with California's growth, and additional fiscal resources are needed simply to maintain, much less expand, California's transportation system; and

WHEREAS, The failure to address California's transportation funding needs will drain economic vitality, compromise public safety, and erode quality of life; and

WHEREAS, It is now necessary to address California's transportation problems by providing additional state funding, in a manner that protects existing constitutional guarantees set forth in Section 8 of Article XVI of the California Constitution, for the funding of public education; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2001–02 Regular Session commencing on the fourth day of December 2000, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Article XIX B thereto, to read:

ARTICLE XIX B

MOTOR VEHICLE FUEL SALES TAX REVENUES AND TRANSPORTATION IMPROVEMENT FUNDING

SECTION 1. (a) For the 2003–04 fiscal year and each fiscal year thereafter, all moneys that are collected during the fiscal year from taxes under the Sales and Use Tax Law (Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code), or any successor to that law, upon the sale, storage, use, or other consumption in this State of motor vehicle fuel, and that are deposited in the General Fund of the State pursuant to that law, shall be transferred to the Transportation Investment Fund, which is hereby created in the State Treasury.

(b) (1) For the 2003–04 to 2007–08 fiscal years, inclusive, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, in accordance with Section 7104 of the Revenue and Taxation Code as that section read on the operative date of this article.

(2) For the 2008–09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated solely for the following purposes:

(A) Public transit and mass transportation.

(B) Transportation capital improvement projects, subject to the laws governing the State Transportation Improvement Program, or any successor to that program.

(C) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by cities, including a city and county.

(D) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by counties, including a city and county.

(c) For the 2008–09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, as follows:

(A) Twenty percent of the moneys for the purposes set forth in subparagraph (A) of paragraph (2) of subdivision (b).

(B) Forty percent of the moneys for the purposes set forth in subparagraph (B) of paragraph (2) of subdivision (b).

(C) Twenty percent of the moneys for the purposes set forth in subparagraph (C) of paragraph (2) of subdivision (b).

(D) Twenty percent of the moneys for the purpose set forth in subparagraph (D) of paragraph (2) of subdivision (b).

(d) The transfer of revenues from the General Fund of the State to the Transportation Investment Fund pursuant to subdivision (a) may be suspended, in whole or in part, for a fiscal year if both of the following conditions are met:

(1) The Governor has issued a proclamation that declares that the transfer of revenues pursuant to subdivision (a) will result in a significant negative fiscal impact on the range of functions of government funded by the General Fund of the State.

(2) The Legislature enacts by statute, pursuant to a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, a suspension for that fiscal year of the transfer of revenues pursuant to subdivision (a), provided that the bill does not contain any other unrelated provision.

(e) The Legislature may enact a statute that modifies the percentage shares set forth in subdivision (c) by a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, provided that the bill does not contain any other unrelated provision and that the moneys described in subdivision (a) are expended solely for the purposes set forth in paragraph (2) of subdivision (b).

RESOLUTION CHAPTER 88

Assembly Joint Resolution No. 13—Relative to autism.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, The United States Congress formed the Coalition for Autism Research and Education (C.A.R.E.) on January 10, 2001, the first organization on Capitol Hill to call national attention to the autism disorder; and

WHEREAS, C.A.R.E. is the first registered congressional member organization (CMO) to focus its efforts on the autism spectrum disorder; and

WHEREAS, The formation of C.A.R.E. is a positive and crucial first step in expanding autism research; and

WHEREAS, Families across America are facing the challenges of raising children and loved ones who are autistic; and

WHEREAS, It is time for the federal government to help facilitate the discussion surrounding causes and cures for this disorder as well as recognize the need for federal funding for further, more advanced research; and

WHEREAS, C.A.R.E. will work to improve public awareness of autism, which has been neglected by federal health, medical, and scientific research programs for far too long; and

WHEREAS, C.A.R.E. will support initiatives that they believe are vital to the national effort to provide hope and answers to anxious parents and children with autism; and

WHEREAS, Autism is a complex developmental disability that is typically diagnosed during the first three years of life and affects at least one in every 500 children in America; and

WHEREAS, The disorder is more common than Down syndrome, muscular dystrophy, cystic fibrosis, and many forms of childhood cancer; and

WHEREAS, Autism has robbed at least 500,000 Americans of their ability to communicate and interact; and

WHEREAS, There is evidence that autism is increasing, but because the United States does not have a proper, nationwide tracking program to maintain autism statistics, no one knows for certain if the increase is a result of more cases of autism or instead a better understanding of the condition itself; and

WHEREAS, The creation of C.A.R.E. is a landmark and will ensure the continued and expanded support for autism research; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California hereby urges the President and Congress of the United States to fully support C.A.R.E. and the additional federal funding needed for advanced autism research; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the

Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 89

Assembly Concurrent Resolution No. 10—Relative to Red Ribbon Week.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, Californians for Drug-Free Youth, Inc. (CADFY), a statewide parent-community organization, the office of the Governor, the office of the Attorney General, the State Department of Alcohol and Drug Programs, the State Department of Education, the California Parent Teacher Association, and over 100 other statewide agencies, departments, and organizations are cosponsoring October 22 through October 28, 2001, as Red Ribbon Week; and

WHEREAS, Parents, youth, schools, businesses, law enforcement, religious institutions, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the State of California will demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this weeklong celebration; and

WHEREAS, The theme of this year's effort is "BE HEALTHY AND DRUG FREE!"; and

WHEREAS, Drug abuse stands as one of the major challenges our state faces in securing a safe and healthy future for our children; and

WHEREAS, The objective of Red Ribbon Week, 2001, will be to promote this view through drug prevention, education, parental involvement, and communitywide support; and

WHEREAS, The Assembly of the State of California has further committed its resources to ensure the success of the Red Ribbon Week celebration; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby proclaims its support for the Red Ribbon Week celebration by proclaiming October 22 through October 28, 2001, as Red Ribbon Week; and be it further

Resolved, That the Legislature encourages all Californians to help build drug-free communities and to participate in drug prevention activities by making a visible statement that we are firmly committed to healthy, productive, drug-free lifestyles; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Governor of the State of California, and to the author for appropriate distribution throughout the community.

RESOLUTION CHAPTER 90

Assembly Concurrent Resolution No. 86—Relative to National KidsDay.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, The children of California are the foundation upon which our future success is built; and

WHEREAS, Children look to their parents, mentors, and friends to aid them in reaching important goals; and

WHEREAS, Families and communities play vital roles in helping children develop a positive self image, a sense of belonging, and a sense of competence; and

WHEREAS, National KidsDay is a special day set aside each year (the first Sunday in August) to encourage and remind adults that the meaningful time they share with a child is important to the child's development; and

WHEREAS, the National KidsDay Alliance, comprised of Boys and Girls Clubs of America, 4-H, KidsPeace, and YMCA, together reach more than 20 million youth by providing services to the community; and

WHEREAS, National KidsDay emphasizes the importance of meaningful time spent with kids on this day and every day, throughout the year; and

WHEREAS, the National KidsDay Alliance is working to establish National KidsDay as a national holiday; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby proclaims August 5, 2001, as National Kidsday in the State of California, and calls upon all citizens to join in recognizing and commending the National KidsDay Alliance organizations in our state for providing their everyday contributions and commitment to improving the lives of the children and young adults in our communities; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for distribution.

RESOLUTION CHAPTER 91

Assembly Concurrent Resolution No. 89—Relative to Valley Fever Awareness Month.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, Valley fever (coccidioidomycosis), a progressive, multisymptom, respiratory disorder, is a debilitating disease; and

WHEREAS, It is caused by the inhalation of tiny airborne fungi that live in soil, but are released into the air by soil disturbance or wind; and

WHEREAS, Valley fever attacks the respiratory system causing infection which can lead to symptoms that resemble a cold, influenza, or pneumonia-like symptoms; and

WHEREAS, Left untreated or mistreated, infection can spread from the lungs into the bloodstream causing inflammation to the skin, permanent damage to lung and bone tissue, and swelling of the membrane surrounding the brain leading to meningitis, which can be devastating and even fatal; and

WHEREAS, Once serious symptoms of valley fever appear, including pneumonia and labored breathing, treatment must be prompt with antifungal drugs that are disagreeable and often toxic, especially for patients who have it injected beneath the base of their skull for meningitis, causing side effects such as nausea, fever, and kidney damage; and

WHEREAS, Within California alone, valley fever is found in portions of the Sacramento Valley, all of the San Joaquin Valley, desert regions, and portions of southern California; and

WHEREAS, Valley fever affects the young, the elderly, and those with lowered immune systems, which number in the tens of thousands; and

WHEREAS, Valley fever has been a disease studied for the past 100 years, but still remains impossible to control and difficult to treat; and

WHEREAS, There is no known cure to date for valley fever; however, researchers are closer than they ever have been in finding a much needed vaccine to this devastating disease; and

WHEREAS, The research effort to find a vaccine and the funding partnership, including funding from the State of California, was approved by the Legislature and signed by Governor Wilson in 1997; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby proclaim August 2001 as Valley Fever Awareness Month.

RESOLUTION CHAPTER 92

Senate Concurrent Resolution No. 12—Relative to highways.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, Dave Ghilarducci, the Fire Chief of the City of Rio Dell, passed away on March 22, 2000, leaving behind his wife Josephine and three children, Judy McKinley, Jeanette DeFazio, and Rich Ghilarducci; and

WHEREAS, Chief Ghilarducci was born and raised in Rio Dell and served the community as a volunteer fireperson for 52 years, including 32 years as fire chief; and

WHEREAS, Chief Ghilarducci volunteered his time and led his department on over 200 medical and fire calls to assist people in this rural area; and

WHEREAS, Chief Ghilarducci was the past President of the Humboldt County Fire Chiefs Association, and served as a State of California Deputy Fire Marshal; and

WHEREAS, Chief Ghilarducci organized and led the construction of the Rio Dell Community Park and community hall, exemplifying his volunteer efforts; and

WHEREAS, In 1992, the City of Rio Dell recognized Dave Ghilarducci for his years of volunteer service; and in 1998 this community leader was recognized by the Rio Dell School District as outstanding alumnus due to his outstanding accomplishments in life and his support of high standards in education; and

WHEREAS, Dave Ghilarducci and his wife, the former Josephine Manzi, celebrated their 50th wedding anniversary in 1997 in Rio Dell; and

WHEREAS, It is appropriate that the section of State Highway Route 101 from Bridge No. 4-16 to Bridge No. 4-221 that passes through Chief Ghilarducci's beloved Rio Dell be dedicated to the memory of this community leader; and

WHEREAS, Officer Daniel T. Fraembs, a City of Pomona police officer, was killed in the line of duty while on patrol in the City of Pomona on May 11, 1996; and

WHEREAS, Officer Daniel T. Fraembs, became the first officer shot to death in the Pomona Police Department's 108 year-history; and

WHEREAS, Officer Daniel T. Fraembs, was born an orphan in Hong Kong and was adopted at the age of nine months by Donald and Dorothy Fraembs of Cincinnati, Ohio; and

WHEREAS, Officer Daniel T. Fraembs became a citizen of the United States in 1963, graduated from high school and Fullerton Community College, and later joined the United States Marine Corps; and

WHEREAS, Officer Daniel T. Fraembs was appointed to the Orange County Sheriff's Department in 1988, where he worked for five years before joining the Pomona Police Department as a police officer; and

WHEREAS, Officer David T. Fraembs was mortally wounded when he was gunned down on an isolated street on May 11, 1996; and

WHEREAS, In recognition of his dedication to his office and community, it is appropriate to designate the portion of State Highway Route 71, within the city limits of the City of Pomona, the Police Officer Daniel T. Fraembs Memorial Highway; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby dedicates the section of State Highway Route 101 from Bridge No. 4-16 to Bridge No. 4-221 to the memory of Chief Dave Ghilarducci and State Highway Route 71 within the city limits of the City of Pomona to the memory of Officer Daniel T. Fraembs; and be it further

Resolved, That the described section of State Highway Route 101 shall be known as the "Dave Ghilarducci Memorial Highway" and, that State Highway Route 71, within the city limits of the City of Pomona, California, be officially dedicated the "Police Officer Daniel T. Fraembs Memorial Highway"; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of erecting the appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing these special designations, and, upon receiving donations from nonstate sources covering the cost, to erect those plaques and markers; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Department of Transportation and to the authors for appropriate distribution.

RESOLUTION CHAPTER 93

Senate Joint Resolution No. 2—Relative to Cesar Chavez.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, Cesar Chavez was a cherished American who left an extraordinary legacy of great accomplishments and service to humanity; and

WHEREAS, Cesar Chavez overcame the difficulties and barriers of poverty and migrant life; and

WHEREAS, Cesar Chavez exemplified, in his life and work, the indomitable spirit of human labor; and

WHEREAS, Cesar Chavez led by example and provided a role model for all people battling racial and economic discrimination; and

WHEREAS, Cesar Chavez demonstrated that the use of nonviolence was a viable means for resolving conflicts; and

WHEREAS, Cesar Chavez demonstrated that through service every person can make a contribution to improve American life and the human condition; and

WHEREAS, Cesar Chavez forged a legacy of conviction and principled leadership that serves as a beacon for all Americans; and

WHEREAS, Cesar Chavez received the highest civilian honors from both the United States and Mexico, that is, the Presidential Medal of Freedom and the Aguila Azteca; and

WHEREAS, California has declared, commencing March 31, 2001, Cesar Chavez' birthday as the "Cesar Chavez Day of Service and Learning" to provide all school children in California an opportunity for community service and to inculcate the value of service to others; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully requests the United States Postmaster General to issue a postage stamp with the image of Cesar Chavez to recognize his contributions to American life; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the United States Postmaster General.

RESOLUTION CHAPTER 94

Senate Joint Resolution No. 4—Relative to public employees' retirement.

[Filed with Secretary of State July 26, 2001.]

WHEREAS, Under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in their Social Security benefits; and

WHEREAS, These laws, contained in the federal Social Security Act and known as the government pension offset (42 U.S.C. Sec. 402(b)(4)(A)) and the windfall elimination provision (42 U.S.C. Sec.

415(a)(7)) greatly affect lower income public employees, particularly women; and

WHEREAS, Under the windfall elimination provision, Social Security benefits are significantly reduced through an alternative calculation for individuals who qualify for both a Social Security benefit based on their own covered employment and a government pension based on noncovered employment; and

WHEREAS, Under the government pension offset, the spousal or survivor benefit that would be based upon a spouse's Social Security covered employment can be eliminated, even though contributions are made by the individual and matched by the employer, if the survivor also qualifies for a government pension based upon work not covered by Social Security; and

WHEREAS, Other participants in Social Security do not have their benefits reduced in this manner; and

WHEREAS, To participate or not to participate in Social Security in public sector employment was a decision of the employer even though the government pension offset and the windfall elimination provision directly punishes the employee and surviving beneficiary; and

WHEREAS, Although the government pension offset was enacted in 1977 and the windfall elimination provision was enacted in 1983, most people do not become aware of the reduction in their Social Security benefits until the time they expect to begin receiving the benefits; and

WHEREAS, Several bills have been introduced over time in Congress in both the House of Representatives and the Senate that would modify the government pension offset and windfall elimination provision; and

WHEREAS, Each of those pieces of legislation would have limited the application of the government pension offset and windfall elimination provision; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the President and the Congress of the United States to enact legislation to eliminate the government pension offset (42 U.S.C. Sec. 402(b)(4)(A)) and the windfall elimination provision (42 U.S.C. Sec. 415(a)(7)) of the Social Security Act; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 95

Senate Concurrent Resolution No. 23—Relative to the Year of the Vulnerable Child.

[Filed with Secretary of State August 29, 2001.]

WHEREAS, The future of society is determined by the growth and achievements of its children, and they enter this world vulnerable, innocent, and dependent; and

WHEREAS, Children depend on adults to keep them safe and secure; and

WHEREAS, Child abuse and neglect is a severe societal disease and often involves multiple personal, social, and economic problems stemming from economic pressure and social isolation; and

WHEREAS, Child abuse occurs in every age group, every race, every religion, and every economic group, so that no community is untouched; and

WHEREAS, Young, preverbal children are unable to protect themselves, or communicate their need for help, and are therefore especially vulnerable to abuse and neglect; and

WHEREAS, Eighty-five percent of child abuse homicides are committed by a parent or caretaker and involve children under the age of four years; and

WHEREAS, Every day in California, two children are victims of child abuse homicide and many more are permanently disabled; and

WHEREAS, Preventing child abuse costs only a small fraction of the cost to human life, suffering, and irreparable damage to families and society as a whole; and

WHEREAS, The protection of children and the prevention of child abuse can be achieved through awareness and training for all levels of government, public and private organizations, and every citizen of the state; and

WHEREAS, Community child abuse councils, multidisciplinary child death review teams, and the State Department of Social Services Child Welfare Services Stakeholders Group, represent key examples of ongoing efforts in California committed to improving the lives of all vulnerable children; and

WHEREAS, Fifty-seven of our 58 counties have formed child death review teams; and

WHEREAS, The administration and the Legislature have assembled a team of stakeholders to examine the shortfalls of the current child welfare services system and provide a plan to put every child's safety first; and

WHEREAS, All children deserve the right to grow up in an environment free of violence, pain, and suffering, and to live up to their fullest potential; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the California Legislature declares the year 2001 as the Year of the Vulnerable Child.

RESOLUTION CHAPTER 96

Senate Concurrent Resolution No. 30—Relative to Reflex Sympathetic Dystrophy Syndrome Awareness Month.

[Filed with Secretary of State August 29, 2001.]

WHEREAS, Reflex Sympathetic Dystrophy (RSD) Syndrome, a progressive multisymptom, multisystem, neuromuscular, neurovascular disorder, is a debilitating disease simultaneously involving nerves, muscles, blood vessels, skin, bones, and tissue; and

WHEREAS, It can develop after an injury, minor or major, and generally occurs in a limb; and

WHEREAS, RSD attacks the sympathetic nervous system, causing it to become confused, leading to a variety of symptoms, resulting in devastating consequences; and

WHEREAS, If left untreated, or mistreated, RSD begins to damage the surrounding tissues, and can spread to other areas of the body and ultimately lead to total disability; and

WHEREAS, Early diagnosis is crucial. There is a short “window of time” during which RSD can possibly be helped, usually within the first three months after onset; and

WHEREAS, Correct aggressive treatment by qualified medical professionals can lead to a positive result; and

WHEREAS, As RSD progresses, treatment becomes increasingly difficult; and

WHEREAS, Although millions are affected with RSD, it is not well known by the public or some medical professionals and this lack of knowledge causes many patients to suffer needlessly for many years; and

WHEREAS, RSD knows no age limit and can strike young and old; and

WHEREAS, Other events that can cause RSD include infections, cuts, pricks of fingers or toes, soft tissue injuries, crush injuries, injury to any area rich in nerve endings, fractures, sprains, dislocations, broken bones, multiple trauma to a particular body part, some surgical procedures,

invasive procedures, and repetitive motion disorders, such as that which causes Carpal Tunnel Syndrome; and

WHEREAS, Some signs and symptoms of RSD include severe burning pain in a localized region that is out of proportion to the severity of the injury, localized edema or swelling that may not always be apparent in the later stages; hyperesthesia, which is oversensitivity to touch and light pressure; vasospasm, which affects color and temperature of skin; muscle atrophy; constant burning pain; decreased range of motion; muscle spasms; stiffness; restricted mobility; and rapid hair and nail growth; and

WHEREAS, Although RSD sufferers may experience some or all of the signs and symptoms, the one common element is constant burning pain, the intensity of which can fluctuate; and

WHEREAS, Although RSD dates to before the Civil War, there is no known cure; and

WHEREAS, Medical professionals must find the cause before they can find the cure; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature does hereby proclaim May 2001 as Reflex Sympathetic Dystrophy (RSD) Syndrome Awareness Month.

RESOLUTION CHAPTER 97

Senate Joint Resolution No. 12—Relative to the Arctic National Wildlife Refuge.

[Filed with Secretary of State August 29, 2001.]

WHEREAS, The Arctic National Wildlife Refuge, and the 1.5 million-acre coastal plain it contains, is one of America's greatest and most pristine wilderness ecosystems and wildlife sanctuaries; and

WHEREAS, The Arctic National Wildlife Refuge is home to a multitude of species, including grizzly bears, wolverine, wolves, musk oxen, arctic foxes, whales, and more than 160 bird species, including species whose migratory route includes much of the continental United States; and

WHEREAS, The Arctic National Wildlife Refuge contains the most important land denning habitat in Alaska for the Beaufort Sea polar bears and the primary calving habitat for the 130,000 member porcupine caribou herd; and

WHEREAS, Research by both the United States Fish and Wildlife Service and independent scientists has concluded that drilling in the Arctic National Wildlife Refuge would likely have a serious

environmental impact on many species, including the polar bear, caribou, musk oxen, and snow geese; and

WHEREAS, The porcupine caribou herd, the second largest herd in the United States, is a key source of food, clothing, and medicine for the people of the Gwich'in Nation; and

WHEREAS, California's current electricity shortage has been erroneously cited as a reason to drill for oil in the Arctic National Wildlife Refuge; however, California obtains less than 1 percent of its electric power from oil; and

WHEREAS, The latest study by the United States Geological Survey estimates that the Arctic National Wildlife Refuge contains less than a six-month supply of economically recoverable oil, and that oil production from the Arctic National Wildlife Refuge would not begin for at least a decade; and

WHEREAS, The environmental consequences of drilling in the biological heart of the Arctic National Wildlife Refuge far outweigh the benefits of recovering possibly six months worth of oil a decade from now; and

WHEREAS, Every effort should be made to protect the Arctic National Wildlife Refuge by prohibiting oil exploration and drilling in that area; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress to take necessary action to protect the Arctic National Wildlife Refuge by prohibiting oil exploration and drilling in any part of the Arctic National Wildlife Refuge; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, to all Members of the Congress of the United States, and the Secretary of the Interior.

RESOLUTION CHAPTER 98

Assembly Joint Resolution No. 9—Relative to the space shuttle.

[Filed with Secretary of State September 4, 2001.]

WHEREAS, The space shuttle is the most complex machine ever built, with more than 2.5 million parts, including almost 230 miles of wire, more than 1,060 plumbing valves and connections, over 1,440 circuit breakers, and more than 27,000 insulating tiles and thermal blankets; and

WHEREAS, In eight and one-half minutes after launch, the space shuttle accelerates from zero to about nine times as fast as a rifle bullet, or 17,400 miles per hour, to attain earth orbit; and

WHEREAS, This year saw the 100th space shuttle launch in history, a milestone for NASA's space workhorse that has taken over 600 passengers and 3 million pounds of cargo into orbit; and

WHEREAS, The shuttle fleet has spent almost two and one-half years in space, but even those shuttles with the most travel remain young in the lifetimes for which they were built; and

WHEREAS, NASA is preparing for the possibility of flying the space shuttle for at least another decade or longer in light of the cancellation of the X-33 Program by NASA that was intended as the next generation replacement of the space shuttle program; and

WHEREAS, With the cancellation by NASA of the X-33 Program, there is now a clear need for additional space shuttle orbiters to be built, and the expertise of the labor force in California is clearly the best equipped in the nation to perform this task; and

WHEREAS, Future upgrades to the space shuttles will make this American cornerstone of world space flight even better, with a goal of doubling launch safety by 2005; and

WHEREAS, The space shuttle program is the main element of America's space transportation system, and shuttles are used for space research and space applications; and

WHEREAS, The shuttles are the first vehicles capable of being launched into space and returning to earth on a routine basis and are designed to be used 100 times; and

WHEREAS, In 1969, shortly after the first moon landing of the Apollo Program, the President's Space Task Force recommended that the United States initiate a program to develop a new space transportation system; and

WHEREAS, In 1970, NASA initiated engineering, design, and cost studies dealing with the concept of a reusable manned spacecraft that utilized strap-on solid propellant rockets and an expendable liquid fuel/oxidizer tank; and

WHEREAS, In 1972, President Nixon gave NASA authority to proceed with development of this type of reusable space system; and

WHEREAS, Space shuttle operations are currently managed by a joint venture company known as the U.S. Alliance, owned jointly by the Boeing Company and Lockheed Martin under contract to NASA, and headquartered in Florida; and

WHEREAS, Shuttle launches and orbiter landings currently occur in Florida at the NASA Kennedy Space Center; and

WHEREAS, After landing at Kennedy, orbiters are serviced and parked in one of three special hangars or ferried to Boeing Reusable

Space Systems at Plant 42 in Palmdale, California, for overhaul, inspections, upgrades, or maintenance, where servicing includes purging liquid propellants and fuel/oxidizer byproducts on board, and removing the orbiter maneuvering system pods, forward reaction control system pod, and main engines for shipment to their original manufacturers; and

WHEREAS, After being ferried via Boeing 747 aircraft from Kennedy to Plant 42, the shuttles are removed from the 747 aircraft with a crane assembly and towed into one of two shuttle processing bays at Boeing Reusable Space Systems' location; and

WHEREAS, NASA is currently seeking to transfer the orbiter modification work to Florida rather than the current location in California, which will result in substantial job losses to local aerospace workers, and a substantial negative impact on the local economy of the Antelope Valley and on the State of California's economy; and

WHEREAS, The justification for the proposed move is alleged differences between Florida and California labor costs, despite the fact that employees at U.S. Alliance in Florida work in NASA facilities and NASA covers all of the administrative overhead; and

WHEREAS, There has been no accurate and comparative demonstration that this move will result in increased savings in the space shuttle program and, to the contrary, Florida lacks the necessary facility infrastructure and the workforce experience necessary to maintain the stellar program's safety record; and

WHEREAS, It is estimated that this move would cost over \$75 million and would entail the construction of a building and the complete outfitting of it; and

WHEREAS, In 1996, NASA and U.S. Alliance concluded an extensive study to determine the feasibility of an alternative approach to cost reduction that would eliminate much of Florida's shuttle processing workload by recovering shuttle orbiters returning from space directly at Plant 42, and that study concluded that it is technically feasible; and

WHEREAS, NASA subsequently developed cost data that suggest that all of the necessary Plant 42 infrastructure modifications could be completed for approximately \$21 million; and

WHEREAS, This study also concluded that landing shuttles in California would increase the margin for mission launch schedule success and support flight rate expansion, while eliminating the need to expand facilities and resources in Florida; and

WHEREAS, Perhaps most importantly, orbiter preparation and ferry costs would decrease, as would general demand on Kennedy facilities and resources, leaving Kennedy more time and money to focus on the launch process itself; and

WHEREAS, Landing at Plant 42 after a mission that is directly prior to an orbiter major modification or depot maintenance period would completely eliminate the need and costs of postflight and pre-ferry flight processing at Kennedy; and

WHEREAS, After the 1996 study was completed, the Astronaut Office concluded that Plant 42 landings were not only feasible, but ran several landing simulations to show the practicality as well as technical feasibility, and subsequent discussions with the Federal Aviation Authority resulted in their concurrence as well; and

WHEREAS, The importance of shuttle landings in California would have a substantial positive impact on the tourism industry in California, as evidenced by the crowd of approximately one million people who parked five miles away to watch the 1996 landing at Edwards Air Force Base; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President, the Congress of the United States, and NASA to consider the following: (1) ensure that a long-term commitment to keeping the Space Shuttle Modification Program at Plant 42 in Palmdale, California, is maintained; (2) authorize additional space shuttle orbiters in light of the recent cancellation of the X-33 Program by NASA; (3) require that the orbiters be built in California by California workers; and (4) move proactively to land space shuttle orbiters at Plant 42 in Palmdale when those orbiters are due for scheduled refurbishment, and thereby save the taxpayers of the United States nearly \$1 million each time this occurs; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, each Senator and Representative from California in the Congress of the United States, and to the Director of NASA.

RESOLUTION CHAPTER 99

Assembly Concurrent Resolution No. 20—Relative to the California Coastal Trail.

[Filed with Secretary of State September 4, 2001.]

WHEREAS, Through the appointments of Governor Gray Davis and the work of the nonprofit organization, Coastwalk, the White House Millennium Council has designated the California Coastal Trail from Oregon to Mexico as a Millennium Legacy Trail; and

WHEREAS, The California Coastal Trail is identified in the California Coastal Plan and the California State Parks Recreational Trail Plan; and

WHEREAS, Public access to and along the coast of California is protected under Article X of the California Constitution and the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code); and

WHEREAS, Trails and greenways have a beneficial impact on quality of life in California, including the environment, economy, health, education, and community livability; and

WHEREAS, The recognition and completion of the California Coastal Trail is an integral part of the state's responsibility to provide public coastal access for all in perpetuity; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby declares that the California Coastal Trail is an official state trail and urges the California Coastal Commission and the State Coastal Conservancy to work collaboratively on the completion of the trail; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 100

Assembly Concurrent Resolution No. 29—Relative to the Orange County Korean War Veterans Memorial Highway.

[Filed with Secretary of State September 4, 2001.]

WHEREAS, June 25, 2000, marked the 50th anniversary of the invasion of South Korea by North Korea and the start of the three-year Korean War with combat hostilities ending upon the signing of an armistice agreement by the United Nations and North Korea on July 27, 1953; and

WHEREAS, The Korean War is often called “The Forgotten War” because many of our nation's veterans who served in that conflict have been forgotten; and

WHEREAS, The nation is currently observing the 50th anniversary of the Korean War by special observances and commemorative activities that are occurring during the years 2000 to 2003, inclusive; and

WHEREAS, The public memorials that are dedicated to those who served, and to those who died in that conflict, will remind future generations of the sacrifices that these men and women made during the

Korean War, and stand as an eternal symbol that the State of California honors and remembers its veterans; and

WHEREAS, It is therefore fitting and proper that the portion of State Highway Route 1 that extends from its southern terminus in the City of San Juan Capistrano to its intersection with Golden West Street in the City of Huntington Beach be designated as the Orange County Korean War Veterans Memorial Highway; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby designates that portion of State Highway Route 1 that extends from its southern terminus in the City of San Juan Capistrano to its intersection with Golden West Street in the City of Huntington Beach as the Orange County Korean War Veterans Memorial Highway; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of erecting appropriate signs or markers, consistent with signing requirements for the state highway system, showing that special designation, and, upon receiving donations from nonstate sources covering that cost, to erect those signs or markers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Transportation and to the author for appropriate distribution.

RESOLUTION CHAPTER 101

Assembly Concurrent Resolution No. 59—Relative to 14 Mile House Historical Monument.

[Filed with Secretary of State September 4, 2001.]

WHEREAS, In June 1864, the Chico and Humboldt Wagon Road Company was incorporated, and John Bidwell and other Chicoans received the franchise to construct a road to connect the City of Chico with the Idaho Mines; and

WHEREAS, Nick Spires built accommodations on that road at a site located on the rim of Little Chico Creek Canyon for travelers and their livestock; and

WHEREAS, Paul Lucas bought the land from Nick Spires, and Paul Lucas' son, John Lucas, built a fine two-story hotel; and

WHEREAS, The hotel, a slaughter house, and a hide house, which later served as a school for Chico Canyon children, were collectively referred to as 14 Mile House; and

WHEREAS, Soon after the turn of the 19th century, the toll house that was adjacent to the road was moved four miles north, nearer to today's Forest Ranch, and the last remaining 14 Mile House building, the old barn, disappeared in the 1960's; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Transportation is requested to grant, without charge, the necessary encroachment permit authorizing an appropriate historical monument and plaque dedicated to 14 Mile House to be placed within the right-of-way of State Highway Route 32 in Butte County at a site that is located along State Highway Route 32, lying approximately 12.7 miles east of the junction of State Highway Route 32 and State Highway Route 99, at the site of the 14 Mile House; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Transportation and the Director of Parks and Recreation.

RESOLUTION CHAPTER 102

Senate Concurrent Resolution No. 32—Relative to the 32nd Anniversary of the First Moon Landing.

[Filed with Secretary of State September 7, 2001.]

WHEREAS, The Moon, lying 239,900 miles from the Earth, has fueled our imagination and whimsy since the dawn of time; and

WHEREAS, Some 400 years ago, Galileo first saw the Moon through the lens of a telescope; and

WHEREAS, Since that time, man has continuously studied, measured, and observed the Moon in an attempt to learn its mysteries; and

WHEREAS, Man's fascination with the Moon reached a fevered peak on October 4, 1957, when the former Soviet Union launched a 23-inch, 184-pound metal sphere called Sputnik 1 into the Earth's orbit. With that launch, the race to the Moon began; and

WHEREAS, In May of 1961, President John F. Kennedy made it a priority of his administration to land an American on the Moon and safely return him to Earth, and to achieve this goal before the end of the decade ; and

WHEREAS, The National Aeronautical Space Administration (NASA) was challenged to create a spacecraft that could carry three astronauts to an orbit around the Moon; thus the spacecraft, named the Apollo, was born; and

WHEREAS, On July 17, 1969, the world watched as the Apollo 11 spacecraft was launched from Cape Canaveral, Florida, and 11 minutes later, Astronauts Neil Armstrong, Edwin “Buzz” Aldrin, and Mike Collins were in orbit, gazing down at the Earth; and

WHEREAS, Three days later, on July 20, 1969, with 17 seconds of fuel to spare, the lunar module nicknamed “the Eagle” gently landed on a smooth patch of lunar sand called Tranquility Bay; and

WHEREAS, Back on Earth, an estimated 600 million pairs of eyes watched as the Apollo 11 and her astronauts made history; and

WHEREAS, Neil Armstrong’s booted foot, pressed firmly in the lunar soil, symbolized the stunning success of man’s highest adventure—the first man on the Moon; and

WHEREAS, This historic accomplishment was brought about by the high courage of the Apollo Program astronauts and the superb technical precision of the tens of thousands who supported them; and

WHEREAS, The Apollo mission awakened the country’s imagination and raised its awareness of the Earth’s place in the universe; and

WHEREAS, We have enjoyed the benefits of space exploration, including developments in telecommunications, navigation, and information systems; and

WHEREAS, The goal of former President John F. Kennedy has been achieved and the landing of the Apollo 11 has been one of the greatest technological and historical accomplishments in the United States; and

WHEREAS, The importance of every successful civilization has been its willingness to explore, expand, and succeed. As we remember our past or chart our future, it is important that we pay tribute to the anniversary of the first Moon landing because of the invaluable knowledge we have gained from space exploration; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California look back and reflect with pride and profound gratitude upon the achievements of our nation’s astronauts, engineers, and scientists; and be it further

Resolved, That the Legislature hereby designates July 20, 2001, as the 32nd Anniversary of the First Moon Landing and show appreciation to those who have committed themselves to promoting space exploration and its benefits; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 103

Senate Concurrent Resolution No. 33—Relative to Neighborhood Watch Month.

[Filed with Secretary of State September 7, 2001.]

WHEREAS, California's communities recognize the Neighborhood Watch as an effective means of keeping crime out of neighborhoods; and

WHEREAS, Neighbors and law enforcement agencies can work together to create an effective crime fighting team; and

WHEREAS, Approximately one residential burglary occurs every two minutes in the State of California; and

WHEREAS, The United States Attorney General has warned that juvenile crime arrests will more than double by the year 2010; and

WHEREAS, Much remains to be done to ensure the safety of our homes, our neighborhoods, and our communities for ourselves and our children; and

WHEREAS, The battle against crime will not be won by individuals acting alone; and

WHEREAS, Neighborhood Watch teaches children respect for the law, reinforces community values, and encourages the kind of individual responsibility that makes for healthy, creative neighborhoods that are populated by safer and happier citizens; and

WHEREAS, Neighborhood Watch programs put neighbors on guard for criminal activity that may occur near their homes, encourage the reporting of suspicious activity to the police, and provide escorts for elderly or vulnerable citizens; and

WHEREAS, The growth of Neighborhood Watch programs is truly encouraging; and

WHEREAS, Neighborhood Watch programs play a significant role and encompass a broad range of activities in making neighborhoods safe; and

WHEREAS, Because of the significance and scope of Neighborhood Watch programs in making neighborhoods safe, it is important that the State of California recognize the many contributions of the residents of this state and of law enforcement officers; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the month of August 2001 be declared Neighborhood Watch Month; and be it further

Resolved, That on the occasion of Neighborhood Watch Month, the Legislature commends those California residents who have participated in Neighborhood Watch programs for their distinguished service to their communities by uniting their neighborhoods and law enforcement to

keep their neighborhoods safe, and encourages all Californians to join in this effective means of fighting crime in their neighborhoods.

RESOLUTION CHAPTER 104

Senate Concurrent Resolution No. 35—Relative to Children’s Health Insurance Month.

[Filed with Secretary of State September 7, 2001.]

WHEREAS, Over 2,000,000 of California’s children do not have health insurance; and

WHEREAS, The State of California ranks only 45th in the nation in the percentage of children with health insurance; and

WHEREAS, Forty percent of California’s uninsured children live in poverty; and

WHEREAS, Eighty percent of our uninsured children live in families with working parents ; and

WHEREAS, Approximately 30 percent of Native American children, 30 percent of Latino children, 10 percent of African-American children, 10 percent of Asian Pacific Islander children, and 10 percent of non-Latino white children in California are uninsured; and

WHEREAS, Uninsured children tend to be in poorer health since they are less likely to have a usual source of medical care, and are more likely to delay, or go without, needed health care services; and

WHEREAS, Simple measures taken during childhood, such as receiving regular checkups and vaccinations, will lower health care costs by preventing more serious illnesses, diseases, and ailments later in life; and

WHEREAS, The State of California recognizes the importance of keeping our children well, which promotes healthy development and learning; and

WHEREAS, The State of California is striving to address the needs of the uninsured by providing no-cost and low-cost health insurance through the Healthy Families Program and the Medi-Cal program; and

WHEREAS, Over 30 percent of uninsured California children are eligible for benefits under the Healthy Families Program and over 40 percent of uninsured California children are eligible for benefits under the Medi-Cal program; and

WHEREAS, The State of California recognizes the need to bring all resources to bear in enrolling in health insurance programs our uninsured children who are eligible for enrollment in those programs; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby proclaims the month of September 2001 as Children's Health Insurance Month, and encourages outreach to increase enrollment of children in the Healthy Families Program and the Medi-Cal program in order to help California attain the goal of providing health care to every eligible child.

RESOLUTION CHAPTER 105

Senate Joint Resolution No. 11—Relative to the Vietnam Veterans Memorial Education Center.

[Filed with Secretary of State September 7, 2001.]

WHEREAS, The Vietnam Veterans Memorial is the most visited memorial in our nation's Capitol; and

WHEREAS, The Vietnam Veterans Memorial Education Act (S. 281 in the United States Senate and H.R. 510 in the United States House of Representatives), if enacted, would authorize the establishment of the Vietnam Veterans Memorial Education Center on the three-acre site of the Vietnam Veterans Memorial; and

WHEREAS, Engraved upon the majestic walls of the Vietnam Veterans Memorial are the names of 5,576 Californians in the over 58,000 names of those who gave their lives for our country serving with the United States Armed Forces in the Vietnam War; and

WHEREAS, The Vietnam Veterans Memorial Education Center will be built through private donations; and

WHEREAS, The focus of the Vietnam Veterans Memorial Education Center will be to educate young Americans about the history of the Vietnam War and the sacrifices made there; and

WHEREAS, Young people need a better appreciation of America's history in order to become better citizens and the center will be helpful in teaching young people about the impact of the Vietnam War; and

WHEREAS, The Legislature of the State of California gives its support to the plan by the United States Congress for an education center at the Vietnam Veterans Memorial; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to take appropriate measures to facilitate the design and construction of the Vietnam Veterans Memorial Education Center; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States and to all Members of Congress of the United States.

RESOLUTION CHAPTER 106

Senate Joint Resolution No. 18—Relative to the Railroad Retirement and Survivors Improvement Act.

[Filed with Secretary of State September 7, 2001.]

WHEREAS, The Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 Members of the United States House of Representatives in the 106th Congress, including 47 of the 52 California Members of the United States House of Representatives; and

WHEREAS, More than 80 United States Senators, including both California Senators, signed letters of support for this legislation in 2000; and

WHEREAS, Bills now before the 107th Congress would modernize the railroad retirement system for its 748,000 beneficiaries nationwide, including nearly 50,000 in California; and

WHEREAS, Railroad management, labor, and retiree organizations have agreed to support bills modernizing the railroad retirement system; and

WHEREAS, These bills would provide tax relief to freight railroads, Amtrak, and commuter lines; and

WHEREAS, These bills would provide benefit improvements for surviving spouses of rail workers who currently suffer deep cuts in income when the rail retiree dies; and

WHEREAS, No outside contributions from taxpayers are needed to implement the changes called for in these bills; and

WHEREAS, All changes will be paid for from within the railroad industry, including a full share by active employees; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urges the United States Congress to support legislation improving railroad retirement benefits for retirees and their survivors in the 107th Congress; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of

Representatives, and all members of the California congressional delegation.

RESOLUTION CHAPTER 107

Senate Joint Resolution No. 19—Relative to railroad grade crossings.

[Filed with Secretary of State September 7, 2001.]

WHEREAS, The Federal Railroad Administration is proposing regulations to carry out Section 20153 of Title 49 of the United States Code that, in general, require a locomotive horn to be sounded when a train is approaching and entering a public highway-rail grade crossing; and

WHEREAS, The adoption of those federal regulations will enable appropriate public entities to submit waiver petitions to the Federal Railroad Administration for the purpose of establishing quiet zones, within which locomotive horns may not be sounded, at eligible railroad grade crossings, together with proposals for the implementation of safety measures that adequately substitute for the sounding of the locomotive horn; and

WHEREAS, The applicable federal law also authorizes the Secretary of Transportation to provide, in advance of any rulemaking by the Federal Railroad Administration, for certain exceptions to the requirement to sound the locomotive horn, including exceptions for categories of railroad grade crossings that feature supplementary safety measures that, in the judgment of the secretary, compensate for the absence of the warning provided by the locomotive horn; and

WHEREAS, Many communities are likely to improve the safety of railroad grade crossings for the purpose of establishing quiet zones, thereby preventing fatalities and injuries relating to those crossings while improving the quality of living conditions for those living near crossings; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Federal Railroad Administration to adopt, as soon as possible, regulations relating to the establishment of quiet zones at eligible railroad grade crossings in accordance with Section 20153 of Title 49 of the United States Code; and be it further

Resolved, That the Legislature respectfully memorializes the Congress of the United States to approve legislation that provides the necessary funding to the states for the implementation of supplemental

safety measures for the purpose of establishing quiet zones in accordance with that federal law; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, each Senator and Representative from California in the Congress of the United States, the Secretary of Transportation, and the Federal Railroad Administrator.

RESOLUTION CHAPTER 108

Assembly Joint Resolution No. 12—Relative to the incarceration of undocumented alien felons.

[Filed with Secretary of State September 10, 2001.]

WHEREAS, There are over 20,000 undocumented alien felons in California prisons who are the responsibility of the federal government. If those inmates were moved to federal correctional facilities, five empty state prisons with available prison beds would immediately become available; and

WHEREAS, Excluding the fiscal impact to county jails and the Department of the Youth Authority, the Governor's Budget estimates that the cost of incarcerating alien felons in California prisons to be approximately \$550,000,000; and

WHEREAS, In the fiscal year 2000–01, California only received \$196,000,000 from the federal government to cover all the costs associated with incarcerating aliens at both the local and state level; and

WHEREAS, The federal government has proposed to reduce \$135,000,000 in federal reimbursement to the states for incarcerating undocumented alien felons in the 2002 federal budget. Typically, California receives more than 40 percent of the budgeted federal reimbursement to states for incarcerating alien felons. This proposed reduction would result in California receiving approximately \$60,000,000 less for this cost to California taxpayers; now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly, That the federal government should accept its responsibility and transfer out of California's correctional system and into the Federal Bureau of Prison system, all undocumented alien felons currently in institutions under the authority of the Department of Corrections; and be it further

Resolved, That the Clerk of the Assembly transmit copies of this resolution to the Majority Leader of the Senate and the Speaker of the House of Representatives of the United States, and the Director of the Federal Bureau of Prisons.

RESOLUTION CHAPTER 109

Senate Concurrent Resolution No. 34—Relative to Muslim holidays.

[Filed with Secretary of State September 17, 2001.]

WHEREAS, Islam is the religion of more than 1.2 billion diverse people around the world; and

WHEREAS, The population of Muslims in the United States is estimated to be 9 to 12 million citizens; and

WHEREAS, Muslims have played a productive and important role in the history of the United States going back to the 16th century; and

WHEREAS, It is essential to promote balanced and accurate information about Islam in order to improve understanding between Muslims and other citizens of the United States and to reduce hate crimes and discrimination; and

WHEREAS, Recognition of the two major Muslim holidays and the historically significant day of Israa acknowledges the importance of Muslims in American society; and

WHEREAS, In the year 2001, these two holidays occur on the following dates: Eid-al-Adha on March 6 and Eid-al-Fiter on December 16, and the historically significant day of Israa ; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California hereby calls on the people of California to join Californians of Muslim heritage in recognizing the two Muslim holidays of Eid-al-Adha and Eid-al-Fiter, and the historically significant day of Israa.

RESOLUTION CHAPTER 110

Senate Concurrent Resolution No. 38—Relative to the Francis B. Mathews Memorial Rest Area.

[Filed with Secretary of State September 17, 2001.]

WHEREAS, Francis B. Mathews was a well respected attorney and community leader in Trinity and Humboldt Counties for over 50 years,

and also was a real estate developer, logger, builder, fishing boat and marina owner; and

WHEREAS, Although Francis B. Mathews was known largely for his representation of timber, logging, and sawmill companies, his pro bono services and dedication to the citizens of Trinity and Humboldt Counties and the Hoopa and Yurok Indian tribes were well known throughout the region; and

WHEREAS, Francis B. Mathews' reputation for integrity and his dedication to community endeavors were unsurpassed; and

WHEREAS, An Eagle Scout in the Boy Scouts of America, Francis B. Mathews sat on the scout council and was an active fundraiser and contributor to the scouting programs in Trinity and Humboldt Counties; and

WHEREAS, Francis B. Mathews was also dedicated to his country, having served in the Army Air Corps during World War II; and

WHEREAS, Francis B. Mathews was instrumental in the founding of Trinity Village at Hawkins Bar in Trinity County, a large planned community built upon reclaimed land; and

WHEREAS, Francis B. Mathews was a naturalist and lifetime birdwatcher who donated his entire bird book collection of over 3,000 books to California State University, Humboldt; and

WHEREAS, There is an unnamed roadside rest area on Highway 299 in Trinity County, near Trinity Village, that would be a fitting memorial to Francis B. Mathews; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the unnamed rest area on Highway 299 in Trinity County, which is approximately midway between the communities of Hawkins Bar and Salyer, be redesignated the Francis B. Mathews Memorial Rest Area; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with signing requirements for the state highway system, showing the special designation and, upon receiving donations from nonstate sources covering that cost, to erect those plaques and markers; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Transportation.

RESOLUTION CHAPTER 111

Senate Concurrent Resolution No. 40—Relative to the California Task Force on Youth and Workplace Wellness.

WHEREAS, Exercise and fitness activities can increase self-esteem, boost energy, strengthen the heart muscles, burn calories, and improve cholesterol levels; and

WHEREAS, Nearly all American youths from 12 to 21 years of age are not vigorously active on a regular basis; and

WHEREAS, A healthy, fit workplace can greatly enhance the quality of life for California workers and their families, prevent burnout and illness, and enhance productivity of California businesses; and

WHEREAS, Corporate America traditionally overlooks the importance of employee well-being in relation to the work environment. A task force is necessary to provide a framework and support to help California companies evolve to a more holistic, long-term approach to employees and working conditions; and

WHEREAS, Technological advancements in our modern economy have drastically increased both the pace of work and stress levels faced by workers. More attention must be paid to the fallout that occurs in the areas of physical health and emotional well-being of employees when a balanced lifestyle is ignored in favor of business success; and

WHEREAS, Work often impedes efforts to attain health and fitness. A task force can help the California workplace be more supportive to the health and fitness efforts of California employees; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the California Task Force on Youth and Workplace Wellness is hereby established to promote fitness and health in schools and workplaces; and be it further

Resolved, That the task force shall be comprised of Members of the Legislature and experts as follows:

(a) The task force shall have 12 voting members, with additional advisory members as requested or needed.

(b) The Speaker of the Assembly shall appoint two Members from the Assembly, and the Senate Committee on Rules shall appoint two Members from the Senate. Additionally, both the Speaker of the Assembly and the Senate Committee on Rules shall each appoint one member, from each of the following categories:

(1) One member from the field of education.

(2) One member from the field of industry or business.

(3) One member from the field of health.

(4) One member from the field of fitness; and be it further

Resolved, That the Members of the Legislature who serve on the task force shall serve only to the extent that their service is consistent with their duties as Members of the Legislature; and be it further

Resolved, That the Senate Committee on Rules shall name the chair of the task force; and be it further

Resolved, That members of the task force shall be at will appointees serving at the pleasure of the Senate Committee on Rules and the Speaker of the Assembly and shall be appointed before July 1, 2002; and be it further

Resolved, That the task force shall convene at the call of the chair and establish procedures before December 31, 2002; and be it further

Resolved, That the members of the task force shall conduct the business of the task force on a volunteer basis and shall not receive a salary for services nor be reimbursed for travel and other expenses incurred in the performance of their duties as task force members; and be it further

Resolved, That the task force shall have all of the following duties:

(a) To meet twice a year to discuss strategies. The task force shall strive to generate media and public interest in the activities of the task force and its annual meeting in a manner that elevates the importance of healthy and fit schools and workplaces in the minds of all Californians.

(b) To produce a Web site before December 31, 2003, and to publicize the task force mission statement and inform visitors of resources available to California citizens, schools, and companies. Features shall include a library of wellness tips, a downloadable wellness handbook, case studies of successful school and corporate wellness programs, including individual success stories, and biographies of task force members.

(c) To publish a wellness handbook before December 31, 2003, that offers step-by-step instructions for implementing fitness wellness programs. The handbook shall be made available in booklet form and downloadable pdf form.

(d) To generate media attention for the task force to increase awareness of wellness issues.

(e) To submit a report on the work of the task force to the Legislature on or before June 30, 2004; and be it further

Resolved, That the task force shall create two subcommittees, one on youth wellness, and another on corporate wellness, to specialize work and expertise. Other subcommittees may be created as the members of the task force deem appropriate. Each subcommittee shall report on its work and findings to the entire task force; and be it further

Resolved, That the task force is authorized to accept private funds and in-kind donations to pay expenses incurred in conducting its business. These expenses include, but are not limited to, staff, administrative, meeting, and publication expenses; and be it further

Resolved, That the task force shall cease to exist on July 1, 2004, unless a later enacted resolution that is enacted before that date deletes or extends that date.

RESOLUTION CHAPTER 112

Senate Joint Resolution No. 3—Relative to reproductive rights.

[Filed with Secretary of State September 17, 2001.]

WHEREAS, Reproductive rights are central to the ability of women to exercise their full rights under federal and state law; and

WHEREAS, Abortion has been a legal and constitutionally protected medical procedure throughout the United States since the United States Supreme Court decision in *Roe v. Wade* (1973) 410 U.S. 113; 35 L.Ed.2d 147; and

WHEREAS, The 1973 United States Supreme Court decision in *Roe v. Wade* established constitutionally based limits on the power of states to restrict the right of a woman to choose to terminate a pregnancy; and

WHEREAS, Women should not be forced into illegal and dangerous abortions, as they often were prior to the *Roe v. Wade* decision; and

WHEREAS, Every effort should be made at the state and federal level to protect *Roe v. Wade*; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to take necessary action to preserve the integrity of the United States Supreme Court decision in *Roe v. Wade* because it was an appropriate decision and secures an important constitutional right; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, each Senator and Representative from California in the Congress of the United States, the Attorney General of the United States, the Chief Justice of the United States, and the Secretary of the United States Department of Health and Human Services.

RESOLUTION CHAPTER 113

Senate Joint Resolution No. 8—Relative to social security.

[Filed with Secretary of State September 17, 2001.]

WHEREAS, For more than 20 years, the Older Women's League has served as a voice for the concerns of midlife and older women; and

WHEREAS, The Older Women's League has put forth the following principles regarding women and Social Security:

(1) Social Security must always remain an earned right. America's government has a contract with its older citizens to enable them to have a secure retirement. Social Security is an integral component of that compact, and must always provide equitable coverage for those who have paid for it.

(2) Social Security should be an equitable program. Women, the disabled, racial and ethnic minorities, low- and moderate-income working people, and families must all be treated in a way that will provide fair and equal outcomes today and in the future. Structural barriers in the design of the Social Security system that have the unintended consequence of creating inequities must be removed for future recipients.

(3) Social Security should be genuinely gender-neutral in its outcomes. The specific inequities faced by women, caused by their traditional employment histories and life patterns, must be specifically addressed so that women of future generations will, when they retire, receive all the benefits to which they are entitled.

(4) Social Security should provide adequacy-maintaining benefit levels for all recipients. As pension coverage and savings decline for many persons, a larger proportion of retirement income will come from Social Security. Any proposed "across the board" benefit cuts implemented in efforts to maintain the program's solvency would disproportionately harm women and minorities; temporary, seasonal and part-time workers; and the chronically under- and unemployed.

(5) All existing and new revenue sources must be explored before any changes in Social Security's structure are undertaken to assure its future solvency. Modification of existing program fundamentals, such as the calculations of cost-of-living increases through the Consumer Price Index, changes in the retirement age, and raising the floor for the taxation of benefits; as well as ideas such as income caps, earnings sharing, taxation of unearned income, shifts in the allocation of spousal and survivor benefits, and the use of general revenues, must be carefully analyzed for their consequences for women, and their distributional impact generally, before any radical changes that could destroy the foundation of the program are proposed.

(6) Social Security must keep Americans secure. No changes should affect current recipients.

(7) Major changes in Social Security must not be made in isolation. Any changes in benefits or revenues must be considered in the context of projected changes in Medicare, medicaid, private retirement benefits and other aspects of the government's social insurance programs that have a profound impact on women's lives.

(8) Information on the impact of Social Security reform must be provided to the public by the Social Security Administration. Adequate funding should be provided for comprehensive public education about Social Security and any changes being proposed. The distributional and other effects of structural reform and other proposed policy options for Social Security and other programs administered by the Social Security Administration must be analyzed and made publicly available; and

WHEREAS, The Older Women's League expresses concern that a federal commission has been directed to recommend that part of the Social Security system be privatized, as follows:

The President's Commission to Strengthen Social Security (hereafter "the Commission") has been ordered to recommend a plan in which the outcome, privatization, is already predetermined. While the Commission has been instructed to report its recommendations or a plan to alter the Social Security system, the President has provided a "roadmap of six principles" that the Commission must follow. One of these principles is that the plan must include "individually controlled, voluntary personal retirement accounts." Thus, the Commission is not required to conduct a study of whether privatization is feasible or advisable, but rather it is required to recommend a plan to privatize a portion of the existing Social Security system; and

WHEREAS, The Older Women's League points out that women have more to lose from privatization due to factors such as the following:

(1) Many older women depend almost entirely on the Social Security system for their income. Nearly half of women over 65 years of age rely on Social Security for 90 percent of their retirement income.

(2) Women experience more years out of the labor market as they volunteer their time to raise families and care for family members. This work pattern reduces their contributions into the Social Security system.

(3) A system of private accounts would disadvantage women since they would start with less to invest, due to lower annual salaries, and would have fewer working years for private account funds to accumulate. Thus, American workers stand to lose from privatization and women in the workforce would be especially hard hit.

(4) Women would lose the often desperately needed cost-of-living adjustment (COLA) built into the current Social Security program, and because of their longevity would face the very real possibility of outliving their assets. Most women, particularly those receiving the smallest benefits, would receive even less income under privatization

schemes than under the current system. There is not a single private annuity available today that provides protection against inflation; and

WHEREAS, Privatization accounts may undermine the promise that Social Security has offered to Americans for 66 years. By allowing individuals to withhold part of their contributions, the financial viability of the entire Social Security system will suffer, and its social insurance principle will be undermined. Withholding funds from the Social Security Fund does nothing to ensure the solvency of Social Security in the future, when the demands on the system will be greater. Diverting funds away from Social Security will serve to accelerate the time when the Social Security Fund will have insufficient funds to pay all beneficiaries; and

WHEREAS, Privatization fundamentally changes the structure of the system from one based on guaranteed benefits and shared risk to a system based on individual investments and individual risk. The fall in the stock market in the year 2000 shows that investments are not guaranteed, and indicate that privatized benefits can be placed at risk; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature endorses these principles and concerns; and be it further

Resolved, That the federal government is respectfully requested to take appropriate steps to implement the principles and address the concerns expressed by the Older Women's League in making changes to the Social Security system; and be it further

Resolved, That the Senate and Assembly of the State of California oppose privatizing Social Security; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, the Minority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States and to the President's Commission to Strengthen Social Security.

RESOLUTION CHAPTER 114

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2.5 to Article II thereof, relating to suffrage.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2001–02 Regular Session commencing on the fourth day of December 2000, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 2.5 to Article II thereof, to read:

SEC. 2.5. A voter who casts a vote in an election in accordance with the laws of this state shall have that vote counted.

RESOLUTION CHAPTER 115

Assembly Joint Resolution No. 15—Relative to border crossing deaths.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, On May 24, 2001, following an extensive rescue search by the United States Border Patrol, 25 migrants who were abandoned by their smugglers were found in the Cabeza Prieta National Wildlife Refuge in southwest Arizona; and

WHEREAS, After being driven for one and one-half hours through the wildlife refuge, the migrants were told by the smugglers that it was only a short walk to a nearby highway; and

WHEREAS, In fact, in order to reach their destination the migrants were required to travel across 70 miles of harsh desert in an area known as “The Devil’s Path” and endure air temperatures in excess of 115 degrees and desert floor temperatures of 130 degrees; and

WHEREAS, Fourteen of those victims died of exposure and dehydration and 11 survivors were hospitalized in the deadliest crossing of the border since 1987, when 18 Mexican men died in a locked boxcar near Sierra Blanca, Texas; and

WHEREAS, Since 1994, border enforcement initiatives such as “Operation Gatekeeper” on the California-Mexico border have increased patrols and constructed steel walls near urban areas, forcing migrants to make more dangerous crossings in rural, often open desert areas; and

WHEREAS, Most migrants are unaware and unprepared to make a desert crossing, thereby leading to a substantial increase in fatalities due to dehydration in the summer and hypothermia in cold weather; and

WHEREAS, Deaths of migrants along the desert areas of the border have increased exponentially since the implementation of these initiatives, with reported deaths increasing from 25 in 1994 to 369 in 1999 and 491 in 2000, according to figures released by the Mexican

government, as well as an unknown number of undiscovered and unreported deaths; and

WHEREAS, As a result of the increase in border crossings and deaths in these desert areas, concerns have been expressed by humanitarian organizations, civil rights organizations, churches, and the Mexican government that the United States Border Patrol's current enforcement program effectively is operating as a channeling operation, rather than a general border interdiction program; and

WHEREAS, Immediately after this incident both the United States and Mexican governments jointly announced that they were launching an investigation of the incident, issued a statement condemning the actions of smugglers, and reaffirmed their commitment to combat the trafficking of migrants; and

WHEREAS, Both governments also recognized the need for the two nations to continue to work together to reach agreements on migration and border safety; and

WHEREAS, President George W. Bush and President Vicente Fox have established a high-level working group on migration cochaired by Attorney General John Ashcroft and Secretary Colin Powell of the United States and by Mexico's Foreign Secretary and its Secretary of Government; and

WHEREAS, This working group on migration and border safety plans to continue to meet to discuss specific measures to prevent future occurrences of these tragedies and to promote safe and orderly migration; and

WHEREAS, At a minimum, the potential solutions to this tragic problem require a comprehensive examination of the consequences of border initiatives, enhanced investigations by the Mexican government of criminal gangs of smugglers, providing the United States Border Patrol with increased search and rescue resources such as lifesaving gear and emergency medical training, and consensus on a long-term agreement between the United States and Mexico on migration and border security policies; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California urges the President and Congress of the United States and the United States Border Patrol to proceed in a cooperative effort with the Mexican government through the working group on migrations and border safety to achieve a comprehensive examination of border safety and migration issues, an assessment of the impact of United States border initiatives, enhanced investigations and prosecutions of criminal gangs of smugglers, and increasing search and rescue operations along the border; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, all members of the Congress of the United States, and the Mexican Consulate in Washington, D.C.

RESOLUTION CHAPTER 116

Assembly Joint Resolution No. 17—Relative to veterans' home loan programs.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The States of Alaska, California, Oregon, Texas, and Wisconsin have established veterans' home loan programs; and

WHEREAS, The States of Alaska, California, Oregon, Texas, and Wisconsin have authority in the Internal Revenue Code to issue qualified veteran mortgage bonds to finance their respective veteran home loan programs; and

WHEREAS, Veterans' eligibility under current federal tax law restricts the eligibility to veterans who served on active duty prior to January 1, 1977; and

WHEREAS, The federal tax law devalues the service to our country given by those men and women who have served in the military of the United States since 1977 by denying them access to a benefit that has been available to their counterparts from other eras; and

WHEREAS, Service in uniform should be accorded the same respect and stature irrespective of the moment in time during which it was provided. The men and women who have served since 1977 should have the same opportunity to take root in the communities they have defended as was offered those who "made the world safe for democracy" in World War II, or were called upon to "pay any price, bear any burden, support any friend or oppose any foe to ensure the survival and success of liberty..." during the Vietnam and Cold War eras; and

WHEREAS, The Directors of Veterans Affairs of the States of Alaska, California, Oregon, Texas, and Wisconsin are desirous of extending their respective veteran home loan programs to include the men and women of the United States of America who are dispatched to participate in any conflict that has occurred or will occur on or after January 1, 1977; and

WHEREAS, Nearly 3 million veterans reside in California. Of those, 1.05 million, began their active military service on or after January 1, 1977, and over one-quarter million of those served in Desert Storm; and

WHEREAS, Since 1922, California has operated, at no expense to its General Fund, the Cal-Vet Farm and Home Loan Program. Cal-Vet is a

qualified veterans mortgage bond (QVMB) program that has helped 408,000 California veterans become homeowners; and

WHEREAS, Opening participation in this home loan benefit to post-1976 veterans requires no direct budget expenditure by Congress and the well-established benefits of home ownership to local communities will be enhanced and expanded; and

WHEREAS, Veterans of all conflicts should receive benefits consistent with the benefits available to veterans of previous armed conflicts; and

WHEREAS, Those veterans have been qualified for eligibility into congressionally chartered veterans' organizations by prior acts of the Congress of the United States; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress and the President of the United States to urge the Congress of the United States to amend paragraph (4) of Section 143(l) of the Internal Revenue Code of 1986 to read: “(6) Qualified veteran—For purposes of this subsection, the term ‘qualified veteran’ means any veteran—(A) who meets such requirements as may be imposed by the State law pursuant to which qualified veterans’ mortgage bonds are issued”; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, and to the Speaker of the House of Representatives, the President of the Senate, and each Member in the Congress of the United States.

RESOLUTION CHAPTER 117

Assembly Joint Resolution No. 18—Relative to child support automation systems.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, California and other states have been subject to federal penalties since 1998 due to their failure to fully implement a certified statewide child support automation system; and

WHEREAS, These penalties, which progressively increase from 4 percent to 30 percent of the federal share of the Child Support Services program’s administrative costs, are levied against the state until the state has a certified statewide automation system in place; and

WHEREAS, California will reach the 30 percent penalty level in the 2002–03 federal fiscal year; and

WHEREAS, California is expected to incur a penalty of approximately \$113.5 million for the 2001–02 federal fiscal year, \$163.2 million for the 2002–03 federal fiscal year, and \$197.6 million for the 2003–04 federal fiscal year; and

WHEREAS, California’s child support automated system is expected to be operational by the 2006–07 federal fiscal year, by which time California’s cumulative penalties will have reached over \$1 billion; and

WHEREAS, California has increased program spending by an average of 17 percent for the last two years and that increase in program spending has increased the federal penalty by increasing the federal base on which the penalty is calculated, which means that for every state general fund dollar spent, it must budget an additional \$0.58 to cover penalties; and

WHEREAS, The federal penalties have served their intended purpose by capturing the state’s attention regarding the importance of a statewide child support automation system; and

WHEREAS, Effective January 2000, California significantly restructured its child support program to include the creation of a new Department of Child Support Services and new local child support agencies; and

WHEREAS, California has set a strong course toward securing a statewide automation system that will comply with all the federal certification requirements and improve program performance; the new Department of Child Support Services has been charged as the owner of the California Child Support Automation Project and the Franchise Tax Board is responsible for procuring, developing, implementing, and operating the system; and

WHEREAS, California is in compliance with a federal Department of Health and Human Services approved corrective action plan governing the development and implementation of a new automated system; and

WHEREAS, The federal penalties no longer serve their intended purpose and in fact: (a) penalize the state for increasing its spending on program improvements and automation development; (b) force system procurement and technology decisions to focus on avoiding federal penalties, rather than prudent technology goals and system objectives; and (c) reduce the ability of the program to continue to collect child support payments for largely low-income families who have left the welfare system or are able to avoid relying on welfare; and

WHEREAS, The Legislature supports the policy directive of the National Governors Association which states, in part, that the governors are interested in working with Congress and the Bush administration to develop options for penalty reinvestment for child support penalties; and

WHEREAS, The Legislature supports the American Public Human Services Association’s policy which states, in part, that accountability

for completing program or technology requirements is appropriate, but that accountability should not impede a state's ability to direct resources to the problem or to invest in other program initiatives and that the ultimate goal is to ensure systems and policies that improve services to children and families, and achieve the Congressional objectives for the child support program; and

WHEREAS, The State of California is working in partnership with the federal Department of Health and Human Services to implement a statewide system that complies with federal standards and meets all performance measures; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature respectfully memorializes the Congress of the United States, and each Senator and Representative from California in the Congress of the United States to enact legislation to allow states that have been assessed federal penalties to reinvest those child support automation penalties in child support program improvements and automation system development, which would allow California and other states to enhance and improve their child support automation systems; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Speaker of the House of Representatives, the President of the Senate, and each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 118

Assembly Joint Resolution No. 20—Relative to Filipino veterans.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The Philippine Islands, as a result of the Spanish-American War, were a possession of the United States between 1898 and 1946; and

WHEREAS, In 1934, the Philippine Independence Act (P.L. 73-127) set a 10-year timetable for the eventual independence of the Philippines and in the interim established a government of the Commonwealth of the Philippines with certain powers over its own internal affairs; and

WHEREAS, The granting of full independence ultimately was delayed for two years until 1946 because of the Japanese occupation of the islands from 1942 to 1945; and

WHEREAS, Between 1934 and the final independence of the Philippine Islands in 1946, the United States retained certain sovereign powers over the Philippines, including the right, upon order of the

President of the United States, to call into the service of the United States Armed Forces all military forces organized by the Commonwealth government; and

WHEREAS, President Franklin D. Roosevelt, by Executive order of July 26, 1941, brought the Philippine Commonwealth Army into the service of the United States Armed Forces of the Far East under the command of Lieutenant General Douglas MacArthur; and

WHEREAS, Under the Executive Order of July 26, 1941, Filipinos were entitled to full veterans benefits; and

WHEREAS, Approximately 200,000 Filipino soldiers, driven by a sense of honor and dignity, battled under the United States Command after 1941 to preserve our liberty; and

WHEREAS, The vast majority of American soldiers who opposed the Japanese invasion of the Philippines from December 1941 through March 1942 were Filipinos, who gallantly fought down the length of the Bataan peninsula, and endured unbearable hardships during the siege of Corregidor; and

WHEREAS, Following the surrender of Corregidor Filipino soldiers, isolated from the rest of the world with only the hope that American forces might someday return, courageously waged guerrilla warfare against the Japanese occupation; and

WHEREAS, Filipino soldiers fought bravely alongside returning Allied forces to liberate the Philippines and restore order in the war-torn islands until the official end of hostilities in 1947; and

WHEREAS, There are four groups of Filipino nationals who are entitled to all or some of the benefits to which United States veterans are entitled. These are:

(1) Filipinos who served in the regular components of the United States Armed Forces.

(2) Regular Philippine Scouts, called "Old Scouts," who enlisted in Filipino-manned units of the United States Army prior to October 6, 1945. Prior to World War II, these troops assisted in the maintenance of domestic order in the Philippines and served as a combat-ready force to defend the islands against foreign invasion, and during the war, they participated in the defense and retaking of the islands from Japanese occupation.

(3) Special Philippine Scouts, called "New Scouts," who enlisted in the United States Armed Forces between October 6, 1945, and June 30, 1947, primarily to perform occupation duty in the Pacific following World War II.

(4) Members of the Philippine Commonwealth Army who on July 26, 1941, were called into the service of the United States Armed Forces. This group includes organized guerrilla resistance units that were recognized by the United States Army; and

WHEREAS, The first two groups, Filipinos who served in the regular components of the United States Armed Forces and Old Scouts, are considered United States veterans and are generally entitled to the full range of United States veterans benefits; and

WHEREAS, The other two groups, New Scouts and members of the Philippine Commonwealth Army, are eligible for certain veterans benefits, some of which are lower than full veterans benefits; and

WHEREAS, United States veterans medical benefits for the four groups of Filipino veterans vary depending upon whether the person resides in the United States or the Philippines; and

WHEREAS, The eligibility of Old Scouts for benefits based on military service in the United States Armed Forces has long been established; and

WHEREAS, The federal Department of Veterans Affairs operates a comprehensive program of veterans benefits in the present government of the Republic of the Philippines, including the operation of a federal Department of Veterans Affairs office in Manila; and

WHEREAS, The federal Department of Veterans Affairs does not operate a program of this type in any other country; and

WHEREAS, The program in the Philippines evolved because the Philippine Islands were a United States possession during the period 1898–1946, and many Filipinos have served in the United States Armed Forces, and because the preindependence Philippine Commonwealth Army was called into the service of the United States Armed Forces during World War II (1941–1945); and

WHEREAS, Our nation has failed to meet the promises made to those Filipino soldiers who fought as American soldiers during World War II; and

WHEREAS, The Congress passed legislation in 1946 limiting and precluding Filipino veterans that fought in the service of the United States during World War II from receiving most veterans benefits that were available to them before 1946; and

WHEREAS, Many Filipino veterans have been unfairly treated by the classification of their service as not being service rendered in the United States Armed Forces for purposes of benefits from the federal Department of Veterans Affairs; and

WHEREAS, All other nationals who served in the United States Armed Forces have been recognized and granted full rights and benefits, but the Filipinos, as American nationals at the time of service, were and still are denied recognition and singled out for exclusion, and this treatment is unfair and discriminatory; and

WHEREAS, On October 20, 1996, President Clinton issued a proclamation honoring the nearly 100,000 Filipino veterans of World War II, soldiers of the Philippine Commonwealth Army, who fought as

a component of the United States Armed Forces alongside allied forces for four long years to defend and reclaim the Philippine Islands, and thousands more who joined the United States Armed Forces after the war; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States during the First Session of the 107th Congress to take action necessary to honor our country's moral obligation to provide these Filipino veterans with the military benefits that they deserve, including, but not limited to, holding related hearings, and acting favorably on legislation pertaining to granting full veterans benefits to Filipino veterans of the United States Armed Forces; and be it further

Resolved, That the Clerk of the Assembly transmit a copy of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 119

Assembly Joint Resolution No. 21—Relative to International Literacy Day.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, More than 27 million Americans are illiterate; and

WHEREAS, More than 20 percent of adults read at or below a fifth-grade level; and

WHEREAS, Over 40 million Americans age 16 and older have significant literacy needs; and

WHEREAS, Literacy is the ability to read, write, and speak proficiently, to compute and solve problems, and to use technology in order to become a lifelong learner and to be effective in the family, in the workplace, and in the community; and

WHEREAS, Illiteracy affects a multitude of social and economic issues from juvenile delinquency and welfare dependency to unemployment, low productivity, costly errors in the workplace and an inability to read employers' health and safety regulations; and

WHEREAS, Our future depends on education and education begins with literacy; and

WHEREAS, Reading and writing are the foundation for all school-based learning. Reading is the basic skill that enables individuals to learn the major subjects—including history and social studies, the

language arts, science, and mathematics. Writing allows students to communicate their ideas effectively and to show what they have learned; and

WHEREAS, Every individual needs a range of literacy skills to achieve their personal life goals, pursue a successful career, and play an active role as a citizen; and

WHEREAS, High levels of literacy also enable individuals to keep pace with changing educational expectations and technologies and support the educational attainments of their families; and

WHEREAS, Collaborative, multidisciplinary, after school intensive reading literacy programs are a proven method of establishing and increasing literacy; and

WHEREAS, In small classes, tutors and instructors can help students improve their functional literacy; and

WHEREAS, We should ensure that all Americans with literacy needs have access to services that can help them gain the basic skills necessary for success in the workplace, family, and community in the 21st century; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California hereby urges the President and Congress of the United States to fully support September 8, 2001, as International Literacy Day; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 120

Assembly Concurrent Resolution No. 32—Relative to transportation funding.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The State of California is expected to experience dramatic population growth of nearly 11 million persons in the next 20 years, while relatively little new funding is expected for new highway construction or additional public transit if the state continues to rely on existing revenue sources; and

WHEREAS, Even with new revenues, it will be difficult for the state to maintain the existing transportation system and target its remaining resources to the best performing investments; and

WHEREAS, Transportation planning agencies throughout the state are responsible for preparation of the Regional Transportation Plans (RTP) and the Regional Transportation Improvement Programs (RTIP) under Sections 65080 and 65082 of the Government Code; and

WHEREAS, Transportation planning agencies are dependent on transportation revenue available under Section 7104 of the Revenue and Taxation Code, relating to the Transportation Investment Fund; and

WHEREAS, The reasons for the revenue shortfall in funding the state's transportation system include the projected loss of gasoline tax revenues, the projected costs of operating and maintaining the existing transportation system, and the end of existing local transportation sales taxes in several counties throughout California; and

WHEREAS, Technological improvements required to meet emission reductions will result in a motor vehicle fleet that will likely consume less gasoline and rely on alternative energy sources; and

WHEREAS, The potential market penetration of alternative fuel vehicles, in addition to more fuel-efficient vehicles, would erode the revenues generated by gasoline sales and would diminish the gas tax as a reliable source of transportation revenue; and

WHEREAS, Further potential erosion of transportation revenues may be caused by increases in Internet spending, in which consumers do not pay local and state sales taxes; and

WHEREAS, Local sales taxes for transportation as well as Transportation Development Act revenues, which are derived from a $\frac{1}{4}$ percent sales tax, would be directly impacted by the current trends in retail sales; and

WHEREAS, Much of the revenue for transportation generated from excise taxes, sales taxes, or transit fares, depends on overall economic conditions; and

WHEREAS, Transportation planning agencies throughout California may experience revenue shortfalls in the event of a potential decrease in state transportation revenue; and

WHEREAS, Funding shortfalls throughout the state would likely result in the inability of governments to maintain and make improvements in the existing state transportation system; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is in the best interest of the people of the State of California to prepare a careful study of potential decreases in transportation revenue affecting transportation planning agencies in California; and be it further

Resolved, That the California Transportation Commission, working with the Department of Transportation and in consultation with the regional transportation planning agencies authorized to prepare and

adopt regional transportation plans under Sections 65080 and 65082 of the Government Code, is requested to produce and submit to the Assembly and Senate Committees on Transportation, by January 1, 2003, a study of potential decreases in transportation revenue for transportation planning agencies, including, but not be limited to, identifying all of the following:

(1) Whether a decrease may potentially occur in transportation revenue available to transportation planning agencies under Section 7104 of the Revenue and Taxation Code, relating to the Transportation Investment Fund.

(2) Whether transportation planning agencies in California are likely to in fact experience funding shortfalls from the potential expiration of local transportation sales taxes, a decline or leveling in state-supplied revenues and funding assistance, or shortfalls in other funding sources.

(3) Whether transportation planning agencies are anticipating transportation funding shortfalls and how those agencies are addressing the potential shortfalls.

(4) Whether cities, counties, or cities and counties are likely to experience transportation funding shortfalls from insufficient, declining, or expiring funding sources.

(5) Suggested legislative and other remedies to address potential funding shortfalls; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies to the California Transportation Commission, the Department of Transportation, regional transportation planning agencies, and to the fiscal and transportation policy committees of the Legislature.

RESOLUTION CHAPTER 121

Assembly Concurrent Resolution No. 73—Relative to the California State University.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The faculty of the California State University must comply with the highest standards of educational achievement, experience, and professional conduct, as exemplified by the advanced degrees, and other academic honors, that they have earned; and

WHEREAS, The appointment of fully qualified faculty members ensures that the students of the California State University receive instruction and guidance from individuals with the education, background, and experience to be recognized as experts in their fields of academic endeavor; and

WHEREAS, Tenured and tenure-track faculty bear the primary responsibility for student advising, program development and revision, and participation in shared governance; and

WHEREAS, Before tenure may be awarded to a member of the California State University faculty, that person must possess a record of demonstrated excellence in the performance of his or her professional duties; and

WHEREAS, Students enrolled at the California State University must be provided the full range of academic services by the most qualified faculty members that the university can employ; and

WHEREAS, While the assigned workload of faculty members in tenure and tenure-track appointments includes duties related to student advising, professional development, and the design of curricula, the assigned workload of faculty members in temporary appointments generally does not include those duties; and

WHEREAS, Appointments of faculty to tenured and tenure-track positions recognize a mutually beneficial relationship that contributes to the long-term development of the faculty member and the quality of the instructional program available to California State University students; and

WHEREAS, Tenured faculty of the California State University who have recently retired have often been replaced by faculty members in temporary appointments rather than by tenure-track faculty; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California urges the Trustees of the California State University to study its faculty hiring practices over the past decade in order to effectuate improvements in those practices; and be it further

Resolved, That the Legislature urges the Trustees of the California State University, the Academic Senate of the California State University, and the California Faculty Association to jointly develop a plan that will accomplish all of the following:

(a) Raise the percentage of tenured and tenure-track faculty to at least 75 percent, with the unit of measurement to be developed jointly by the entities described in this resolved clause.

(b) Provide that no lecturers currently employed by the university will lose their jobs as a result of implementing the plan.

(c) Provide that qualified lecturers will be seriously considered for tenure-track positions.

(d) Provide for the continued improvement of faculty diversity; and be it further

Resolved, That the California State University is urged to provide a report outlining the plans developed by the entities described in the

previous resolved clause to the Legislature by May 1, 2002; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Trustees of the California State University, the Academic Senate of the California State University, and the California Faculty Association.

RESOLUTION CHAPTER 122

Assembly Concurrent Resolution No. 77—Relative to assisted living for the elderly and disabled.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The number of elderly and disabled Americans is dramatically increasing; and

WHEREAS, The number of people who are 65 years of age and older in California will increase 23 percent to 4.5 million by the year 2010; and

WHEREAS, The elderly population growth rate will be higher in California than in the country as a whole and, as a result, the need for community-based services is expected to increase; and

WHEREAS, Residential care facilities provide assisted living services through supplying housing and providing or arranging for a range of other services to over 140,000 elderly and disabled individuals in California; and

WHEREAS, Assisted living is an option that allows elderly and disabled individuals a choice in their living environment, including the choice to remain in the least restrictive and most homelike environment as they age or grow frail; and

WHEREAS, Elderly and disabled individuals should have access to appropriate health care and personal assistance, regardless of their income level, health status, or choice of housing arrangement; and

WHEREAS, The California Center for Assisted Living proudly joins the National Center for Assisted Living in sponsoring Assisted Living Week of 2001; and

WHEREAS, The theme of National Assisted Living Week 2001 is “Sharing the Wisdom of Generations,” which highlights the knowledge, experiences, and history imparted from generation to generation and ensconced in today’s seniors; and

WHEREAS, The California Assisted Living Facilities Association and the California Association of Homes and Services for the Aging join the California Center for Assisted Living in the celebration of assisted living in the State of California; now, therefore be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby proclaim the week of September 9 through September 15, 2001, as Assisted Living Week in California and encourages all citizens to visit friends and loved ones who reside in residential care facilities for elderly and disabled individuals and also to learn more about assisted living services and how vital these services are to residents; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor, and to the author for appropriate distribution throughout the community.

RESOLUTION CHAPTER 123

Assembly Concurrent Resolution No. 80—Relative to school crossing guards.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, In the task of keeping our children safe, the genuine heroes of the day are those who keep alert to the dangers that threaten the lives of our most vulnerable citizens and it is they who regularly act with unflinching and selfless bravery, often placing themselves at risk of physical harm, all in the interest of keeping our children safe; and

WHEREAS, These heroes bear the title of “School Crossing Guard,” a position that is necessary for the protection of children and a job from which one derives a tremendous sense of personal satisfaction and respect; and

WHEREAS, Great accolades are deserved by these heroes, our school crossing guards, Californians who, if gathered together from the wide expanses of this great state, would number into the thousands and would represent a collection of our finest residents, for these are the good people who believe in selfless duty, who practice kindness, who never hesitate to act bravely, and who face both the elements and their fellow person with a smile and with the confidence and simple gratitude that stems from doing something important for the community; and

WHEREAS, The toll to children who are struck by a car while walking make this the leading cause of death for children between five and 12 years of age, a fact that puts upon our society even greater impetus to view the School Crossing Guard program as one of the best and most cost-efficient ways to protect the lives of our children; and

WHEREAS, This state, which has long been the chief agent in the conduct of the School Crossing Guard program, respectfully acknowledges and offers profound thanks to local governments and

school districts, for collectively providing our children with effective School Crossing Guard programs; and

WHEREAS, It is necessary that recognition be given to our school crossing guards for their civic spirit and personal bravery, and to our cities and school districts for providing this essential service; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby designate the week commencing September 3, 2001, as “School Crossing Guards Week,” and that the Members of the Legislature wish to offer their most sincere thanks, on behalf of the people of this great state, to our school crossing guards, for keeping our children safe, for displaying warmth of spirit in the conduct of their duties, and for the selfless acts of bravery; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 124

Assembly Concurrent Resolution No. 87—Relative to Military Families Recognition Week.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Military families play an integral role in ensuring the effectiveness of America’s Armed Forces; and

WHEREAS, Without fanfare, military families selflessly provide behind-the-scenes support to service members, their units, and their commands worldwide; and

WHEREAS, Their devotion to their loved ones, the military, and their country is unfaltering; and

WHEREAS, Military families frequently and bravely bid farewell, as wives, husbands, children, and parents depart for missions in far off and often hostile areas; and

WHEREAS, Military families face abrupt separations which often create single-parent families to endure not only the absence of a loved one but the hardship of rearing children alone for extended periods of time; and

WHEREAS, Military families are uprooted from their hometowns and moved to foreign soil for tours in isolated locations away from friends and relatives; and

WHEREAS, As they adjust to conditions around the world, military families learn to do without many of the conveniences that most Americans consider part of their basic lifestyle; and

WHEREAS, Military families quickly and adeptly transform unfamiliar quarters into welcoming homes, forming bonds of friendship with others in the unit, and sharing their hopes, dreams, and aspirations; and

WHEREAS, Military families in foreign lands act as goodwill ambassadors, representing all Americans; and

WHEREAS, Military families are committed to preserving freedom and democracy for all, and these families provide the continuity and stability essential to the well-being of our soldiers, sailors, airmen, Marines, and the members of our Coast Guard, National Guard, and the Reserves; and

WHEREAS, We have long recognized the importance of families in the retention and readiness of military members; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature, in honor of military families throughout the world who are supporting the American men and women who defend the cause of freedom at home and abroad, hereby designates the week of November 18 through November 24, 2001, as Military Families Recognition Week.

RESOLUTION CHAPTER 125

Assembly Concurrent Resolution No. 88—Relative to the Veterans of Foreign Wars Month.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The Veterans of Foreign Wars (VFW) traces its beginnings to 1899 when veterans of Cuba and the Philippines met separately to form organizations that would represent them in their quest for medical care and pensions; and

WHEREAS, This was especially important since the government provided little for them in benefits or care, even for those disabled or those who suffered from tropical diseases; and

WHEREAS, In September, 1899, the first group was formed in Columbus, Ohio, and was called “The American Veterans of Foreign Service”; and

WHEREAS, In December, 1899, “The Society of the Army of the Philippines” was formed in Denver, Colorado and three separate groups

of Cuban, Chinese, and Philippine service veterans were formed in Pennsylvania; and

WHEREAS, By 1914, the need to have one all-encompassing national veterans organization was obvious, and, on the eve of World War I (WWI), an amalgamation of the separate groups took place and the name “Veterans of Foreign Wars of the United States” was adopted; and

WHEREAS, Following WWI, the VFW grew rapidly, and during the 1920’s, it was instrumental in the creation of the United States Veterans Bureau, later to become the Department of Veterans Affairs with a representative in the President’s Cabinet, another major accomplishment of the VFW; and

WHEREAS, Throughout the 20th century, the VFW has grown in size and influence, and includes within its ranks veterans of all the wars and conflicts; and

WHEREAS, Across the spectrum of veterans’ entitlements, the VFW has led the way proposing legislation and lobbying Congress for its passage; and

WHEREAS, Today, with over 2,000,000 members, the VFW offers its services to members and nonmembers alike as it continues to fulfill the commitment adopted by its founders in 1899: “Honor the Dead by Helping the Living”; and

WHEREAS, In 2001, the 102nd anniversary of the VFW, we will celebrate over 10 decades of service to veterans and service to the nation through the VFW’s many programs and projects and will set the course for the next 100 years; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is fitting and proper that the Legislature hereby proclaims the month of October 2001, as Veterans of Foreign Wars Month; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 126

Assembly Concurrent Resolution No. 92—Relative to the California Arts Council.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The year 2001 marks the 25th anniversary of the California Arts Council, which was established in 1976 to encourage artistic awareness, participation, and expression in the arts; and

WHEREAS, The stated mission of the California Arts Council is to make available and accessible quality art that reflects all of California's diverse cultures; to support the state's broad economic, educational, and social goals through the arts; to provide leadership for all levels of the arts community; and to present effective programs that add a further dimension to our cities, our schools, our jobs, and our creative spirit; and

WHEREAS, Nonprofit arts contribute more than \$2 billion to California's economy and \$100 million in state and local tax revenues and provide 150,000 nonprofit arts jobs and an additional 500,000 in commercial entertainment sector jobs; and

WHEREAS, The arts in California are a strong magnet for cultural tourists, resulting in hundreds of millions of dollars annually in spending on food, transportation, and lodging; and

WHEREAS, Research has shown that there is a significant relationship between school children involved in expansive arts programs and increased creative, cognitive, and personal skills needed for academic success; and

WHEREAS, Arts partnership programs give at-risk and underprivileged youth access to the resources needed for lifetime success in the workplace, universities, schools, churches, businesses, and social service agencies; and

WHEREAS, The arts develop essential skills such as creativity, perception, and imagination that fuel California's high-tech and entertainment industries, which are the state's most economically lucrative sectors; and

WHEREAS, As part of its 25th Anniversary celebration, the California Arts Council has launched "The Year of the Arts—2001," a major public outreach and public awareness campaign to generate support for the importance and impact of the arts in California; and

WHEREAS, "The Year of the Arts—2001" is the first major public and private sector partnership in the arts designed to build a media and press foundation as the first phase of a multiyear effort to increase public valuation of the arts; and

WHEREAS, The campaign has two simple messages: (1) that the arts are important to California's economy, to the education and job preparedness of our children, and to civic life throughout the state, and (2) that the arts are everywhere in terms of educating and informing the public about the breadth and depth of the arts in California; and

WHEREAS, The California Arts Council and the California Department of Parks and Recreation are cooperating in a joint pilot project to bring performing artists to 15 state park venues; and

WHEREAS, In addition to these special events, "The Year of the Arts—2001" will sponsor arts activities throughout the year, such as recognizing July as Multicultural Arts Month; August as Music Month;

September as Theater Month; October as National Arts and Humanities Month, including October 10th as California Arts Day; November as Folk Arts Month; and December as Local Arts Month; and

WHEREAS, These special events, commemorations, and other local community events will help change the perception that the arts are not merely a luxury, but an integral part of the economic, educational, and social fabric of our state and our nation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby recognizes and extends congratulations to the California Arts Council on its 25th anniversary and joins in the commemoration of the California Arts Council's "The Year of the Arts—2001" campaign; and be it further

Resolved, That October 10, 2001, is hereby declared California Arts Day; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 127

Assembly Concurrent Resolution No. 93—Relative to the Donna P. Mauzy Memorial Freeway.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Officer Donna P. Mauzy, a City of San Diego Police Officer, was killed while driving on Interstate Highway 8 in the City of El Cajon, on her way to work, the morning of June 23, 2001; and

WHEREAS, The driver of the vehicle causing the accident was arrested on the scene, on suspicion of vehicular manslaughter and felony driving while under the influence of alcohol; and

WHEREAS, Officer Donna P. Mauzy was an admired and respected veteran of the San Diego Police Department; and

WHEREAS, Officer Donna P. Mauzy also had served as a police officer for the City of El Cajon; and

WHEREAS, Officer Donna P. Mauzy had many close friends in the San Diego Police Department, which were shocked and saddened by the loss of their fellow officer, a tragedy made worse by the involvement of alcohol in the accident; and

WHEREAS, Officer Donna P. Mauzy was survived by her husband, City of San Diego Police Officer Ralph Mauzy, and their son, Danny, and daughter, Stephanie; and

WHEREAS, It would be a fitting tribute to Officer Donna P. Mauzy to name a portion of Interstate Highway 8 as the Donna P. Mauzy Memorial Freeway; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Legislature hereby dedicates the portion of Interstate Highway 8 in the City of El Cajon, from State Highway 67 to Greenfield Drive, as the Donna P. Mauzy Memorial Freeway in honor and recognition of San Diego Police Officer Donna P. Mauzy; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this special designation, and upon receiving donations from nonstate sources sufficient to cover that cost, to erect those plaques and markers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Transportation and to the author for appropriate distribution.

RESOLUTION CHAPTER 128

Assembly Concurrent Resolution No. 95—Relative to the Randy Bolt Memorial Highway.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, On May 9, 1995, William Randall “Randy” Bolt was killed in a traffic accident while on duty as a special agent with the Department of Justice, Bureau of Narcotic Enforcement; and

WHEREAS, On that date, Randy Bolt was driving eastbound State Route 37, east of Skaggs Island Road, Solano County, California, when at approximately 7:25 a.m., a party driving a vehicle westbound crossed the painted double yellow lines directly into the path of Randy Bolt’s unmarked Department of Justice vehicle; and

WHEREAS, The two vehicles collided head-on and both Randy Bolt and the party driving the other vehicle died instantly; and

WHEREAS, Randy Bolt was only 48 years old at the time of his death; and

WHEREAS, Randy Bolt began his tenure as a law enforcement officer for the State of California in the year 1968 with the Fremont Police Department and subsequent to that employment, he was employed by the Placer County Sheriff’s Department and the San Rafael Police Department; and

WHEREAS, On May 1, 1988, Randy Bolt was appointed to the Department of Justice and assigned to the Bureau of Narcotic Enforcement, Riverside regional office; and

WHEREAS, In January 1990, Randy Bolt was transferred to the Bureau of Narcotic Enforcement, San Francisco regional office where he worked until his untimely death; and

WHEREAS, It is fitting that the Legislature of the State of California honor the memory of Special Agent Randy Bolt, and convey the Legislature's appreciation of his life of public service as a law enforcement officer on behalf of California; and

WHEREAS, It would be a fitting tribute to Randy Bolt to redesignate State Route 37, between State Route 29 and Skaggs Road, as the Randy Bolt Memorial Highway; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby redesignates State Route 37, between State Route 29 and Skaggs Road, the Randy Bolt Memorial Highway in honor and recognition of Randy Bolt; and be it further

Resolved, That the Department of Transportation is hereby requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this special designation and, upon receiving donations from nonstate sources covering the cost, to erect those plaques and markers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Transportation and to the author for distribution.

RESOLUTION CHAPTER 129

Assembly Concurrent Resolution No. 96—Relative to the Joe A. Gonsalves Memorial Interchange.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Joe A. Gonsalves was born to Joaquim Gonsalves and Elvira Silva Gonsalves in Holtville, California, on October 13, 1919; and

WHEREAS, Joe A. Gonsalves was the proud father of nine sons; and

WHEREAS, Joe A. Gonsalves was elected to the City Council of the City of Dairy Valley, now known as the City of Cerritos, in 1958; and

WHEREAS, Joe A. Gonsalves was twice elected the Mayor of Dairy Valley; and

WHEREAS, Joe A. Gonsalves was elected to the California State Assembly, representing the 66th Assembly District, in 1962, being the

first person of Portuguese ancestry to be elected to the California State Legislature; and

WHEREAS, Joe A. Gonsalves during his 12 years in the California Legislature served as Chair of the Assembly Rules Committee, Revenue and Taxation Committee, and the Joint Committee on Rules and, served as a member of the Assembly Education Committee, and the State Allocation Board; and

WHEREAS, Joe A. Gonsalves was honored to have the “Joe A. Gonsalves Elementary School” in the City of Cerritos named for him by the ABC Unified School District Board of Trustees in 1972; and

WHEREAS, Joe A. Gonsalves was honored to have the “Joe A. Gonsalves Park” named for him by the City of Cerritos in 2000; and

WHEREAS, Joe A. Gonsalves authored many key pieces of legislation during his years of public service in the Assembly; and

WHEREAS, Joe A. Gonsalves operated the only three-generation lobbying firm in Sacramento, with his son, Anthony Gonsalves, and his grandson, Jason Gonsalves; and

WHEREAS, Joe A. Gonsalves passed away on July 7, 2000; and

WHEREAS, Section 405 of the Streets and Highways Code as enacted in 1963 described State Highway Route 105 as running from State Highway Route 5, to the junction of State Highway Routes 101 and 110, which would have caused State Highway Route 105 to cut through the Cities of Norwalk and La Mirada; and

WHEREAS, At the requests of the Cities of Norwalk and La Mirada and their residents, Joe A. Gonsalves was instrumental in having Section 405 of the Streets and Highways Code amended in 1968, so that State Highway Route 105 ended at State Highway Route 605 rather than cutting through the Cities of Norwalk and La Mirada; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, that the interchange where State Highway Route 105 connects with State Highway Route 605 be officially named the Joe A. Gonsalves Memorial Interchange; and be it further

Resolved, That the Department of Transportation is requested to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this special designation, and upon receiving donations from nonstate sources sufficient to cover that cost, to erect those plaques and markers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Transportation and to the author for appropriate distribution.

RESOLUTION CHAPTER 130

Assembly Concurrent Resolution No. 97—Relative to Constitution Week and Constitution Day.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, It is appropriate and fitting that Californians commemorate the historical contributions that the United States Constitution has made to citizens and its significance in preserving the individual freedoms, liberties, and common welfare of the people who live in the United States; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby declares the third week in September as Constitution Week and September 17 as Constitution Day; and be it further

Resolved, That the Governor is hereby requested to proclaim Constitution Week and Constitution Day and that the proclamation shall:

(1) Call upon the news media, educators, state and local officers, professional, business, and labor leaders, and others in positions of authority or influence to bring to the attention of California's citizens the importance of the United States Constitution in shaping and articulating the basic values that underlie the unique character of America civilization and culture, based on the belief that sovereignty emanates from the people who comprise a society and that governmental authority is based upon the consent of the governed.

(2) Encourage elected and appointed officers and employees at all levels of government and in all public and educational institutions to develop new programs and new ideas by which the citizens of this state and nation can better understand and improve the effectiveness of all branches of government established within the American constitutional system.

(3) Direct appropriate officers and agencies to develop recommendations by which federal, state, and local policies for the preservation of historical records can be formulated and put into effect, so that the cultural and informational resources that are essential to a constitutional form of government are preserved and made accessible to present and future generations of citizens.

(4) Remind all citizens that the preservation of the American constitutional form of government, and the freedom and liberty guaranteed by the United States Constitution, are based upon the responsibility of each citizen to uphold and defend the Constitution; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Governor of the State of California.

RESOLUTION CHAPTER 131

Assembly Concurrent Resolution No. 99—Relative to Health Cares About Domestic Violence Day.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Domestic violence is a serious public health problem in California and nationally. Its victims are overwhelmingly women. Nearly one-third of American women report being physically or sexually abused by a husband, boyfriend, or partner at some point in their lives. At least three women are killed by intimate partners every day; and

WHEREAS, California has initiated a vigorous response to domestic violence. Laws have been dramatically strengthened in the past decade. When the California Legislature adopted major welfare reform legislation in 1997, the Legislature decided that counties could temporarily suspend certain welfare requirements for battered women and their children who risk further abuse if forced to comply with those requirements. Clinics and hospitals now must have protocols in place for addressing domestic violence. The California Medical Training Center, created by the Legislature in 1995, provides free training on identification of, and intervention in, domestic violence to health care providers; and

WHEREAS, Most victims of abuse visit a health care provider for routine or emergency care. In addition to immediate trauma and injury, domestic violence often contributes to chronic health problems including migraines, ulcers, back and pelvic pain, and STDs. Domestic violence also interferes with the management of other illnesses. Too often the underlying source of these illnesses goes undetected, since currently less than 10 percent of primary care physicians routinely screen for partner abuse during regular office visits; and

WHEREAS, Properly trained physicians and other health care providers are uniquely positioned to assist domestic violence victims. Domestic violence, like other chronic health problems such as tobacco use and high blood pressure, often requires multiple interventions over time before it is resolved. By routinely screening patients for warning signs of domestic violence, and offering safety information, referrals and followup, health care providers can provide valuable assistance, often before a crisis occurs. “Screening to Prevent Abuse” information is available through the Family Violence Prevention Fund by calling

1-888-Rx-ABUSE toll free or online at <http://fvpf.org/programs/healthcare>. The California Medical Training Center Web site is located at <http://web.ucdmc.ucdavis.edu/medtrng/> and the telephone number is 916-734-4141; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California State Legislature does hereby proclaim October 10, 2001, as Health Cares About Domestic Violence Day. This special day is an opportunity to raise awareness about the importance of health care settings for assessing domestic violence risk, promoting safety planning, and providing information and referrals as part of the routine health care that is provided.

RESOLUTION CHAPTER 132

Assembly Concurrent Resolution No. 100—Relative to Truck Driver Appreciation Week.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Professional truck drivers safely deliver important goods to every home, community, school, and business in the United States, traveling more than 200 billion miles and delivering eight billion tons of freight; and

WHEREAS, The trucking industry generated \$486.1 billion in freight revenues in 2000, and California truck drivers are the backbone of this essential industry; and

WHEREAS, Trucks deliver freight for 57,100 manufacturing companies, supply goods to 164,000 retail stores, stock 72,400 wholesale trade companies, and supply goods to over 36,000 agriculture businesses, while transporting their produce and products to market, all within California; and

WHEREAS, Approximately 79 percent of California communities are served exclusively by trucks; and

WHEREAS, Truck drivers keep the shelves of our local supermarkets fully stocked, play a vital role in bringing the newspaper to front doors every morning, and deliver blood, medicine, and diagnostic equipment to hospitals and clinics; and

WHEREAS, Truck drivers ensure that raw materials and intermediate products for cars, trucks, appliances, and other important consumer goods are delivered to the assembly line safely and on time and then deliver the finished products to stores; and

WHEREAS, The economic system of this country rides on the wheels of trucks; and it is the men and women who drive those trucks that keep that system going; and

WHEREAS, The trucking industry is committed to safe travel for all motorists on California's roads and highways; and

WHEREAS, The California Highway Patrol reports that in the past five years, truck travel in California has increased approximately 60 percent, while the rate of truck involvement in fatal accidents decreased 55 percent; and

WHEREAS, Professional truck drivers have been honored as among the safest drivers on our highways, many receiving awards for extraordinary acts of heroism and bravery, for saving fellow motorists from injury and death; and

WHEREAS, Truck drivers are the unsung heroes of the American highway and the United States economy; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby proclaims its support for National Truck Driver Appreciation Week by proclaiming the week of August 25 through September 1, 2001, as Truck Driver Appreciation Week in California in honor of those men and women in America who deliver our goods by truck, and encourages businesses, schools, communities, churches, and other organizations to join in this observance by commending professional truck drivers for the vital role they play in the lives of Americans; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 133

Assembly Concurrent Resolution No. 103—Relative to prostate cancer.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The American Cancer Society has estimated that 198,100 new cases of prostate cancer will be diagnosed and that 31,500 men will die of the disease in 2001; and

WHEREAS, Although prostate cancer is the most diagnosed nonskin cancer in the United States and comprises more than 15 percent of all nonskin cancer cases, prostate cancer research receives only 5 percent of federal cancer research dollars; and

WHEREAS, African Americans have the highest incidence of prostate cancer in the world; and

WHEREAS, The number of new cases of prostate cancer in California is estimated to be 17,500 in 2001; and

WHEREAS, One in six men will be diagnosed with prostate cancer in his lifetime; and

WHEREAS, Considering the devastating impact of the disease among men and their families, prostate cancer research remains woefully underfunded; and

WHEREAS, It is hoped that more resources devoted to clinical and translational research at the National Institutes of Health will be highly determinative of whether rapid advances can be attained in treatment and of ultimately whether a cure for prostate cancer will be found; and

WHEREAS, Greater awareness of the incidence of prostate cancer is necessary to accomplish these advances; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Legislature hereby proclaims the month of September 2001 as Prostate Cancer Awareness Month; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the President of the United States, the Governor of the State of California, the Director of the United States Department of Health and Human Services, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 134

Assembly Concurrent Resolution No. 104—Relative to California Retired Teachers Week.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, The California Retired Teachers Association was formed by Laura E. Settle 71 years ago during the depths of the Great Depression with the goal of relieving the economic hardships suffered by retired teachers, and has since become a leading advocate for providing teachers, with sufficient retirement income; and

WHEREAS, California Retired Teachers Association also provides continuing support to active and future teachers, including scholarships exceeding \$350,000 a year; and

WHEREAS, All of California's retired teachers share a commitment to improve their communities through volunteer activities; and

WHEREAS, Retired teachers continue to give freely of their own time to support a wide range of charitable and community activities, including volunteer tutoring, participation in Gateway reading and HeadStart programs, service as hospital and hospice aides, providing

transportation for the blind, collecting food and clothing for the needy, caring for the children of teenage parents so that the teens may complete their schooling, and a host of other activities; and

WHEREAS, The annual dollar value of this volunteer time donated by retired teachers exceeded \$24 million during the most recent reporting period for 2001; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in recognition of the vital role retired teachers fulfill in every community in California, and to honor their ongoing commitment to all teachers, we therefore declare the week of October 14 to October 20, 2001 be proclaimed California Retired Teachers Week; be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 135

Assembly Concurrent Resolution No. 107—Relative to commemorative state seals.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, For thousands of years, Native Americans have lived within the boundaries of present day California and Native American names dot the landscape of California; and

WHEREAS, Native Americans were the first Californians, and Californians today should be educated about the enduring legacy of the Native American heritage of our state; and

WHEREAS, In recognition of the continuing influence and contributions of Native Americans, the Legislature declares its intent to memorialize generations of Native Americans in California through a monument at the State Capitol; and

WHEREAS, In addition, the Spanish and Mexican era represents the colonial and the first frontier history of our great state, inasmuch as Spain brought European civilization to California, and Mexico administered California for nearly 25 years as its northernmost frontier; and

WHEREAS, Spanish names dot our landscape, and the pueblos, presidios, missions, and ranchos of Spain established the beginnings of California's political and institutional life; and

WHEREAS, The Spanish era in California dates from approximately 1769 to 1822, inclusive, and the Mexican era of California dates from 1822 to 1848, inclusive, and Californians should be educated about the enduring legacy of the Spanish and Mexican heritage of our state; and

WHEREAS, In recognition of the relationship between Spain and Mexico and California, the Legislature declares its intent to memorialize the Spanish and Mexican era of California through a monument at the State Capitol; and

WHEREAS, The Legislature, through Assembly Concurrent Resolution 57 (Resolution Chapter 104 of the Statutes of 1999) created the 13-member Commemorative Seals Advisory Committee to make recommendations to the Governor and the Legislature regarding the design, construction, and dedication of two commemorative seals, one honoring Native Americans in California and the other honoring California's Spanish and Mexican heritage, for installation on the landing of the upper steps on the west side of the State Capitol on the level below the Great Seal of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Commemorative Seals Advisory Committee be extended indefinitely and that existing members of the committee be authorized to continue serving; and be it further

Resolved, That the actions of the committee to date be ratified; and be it further

Resolved, That the committee shall make recommendations to the Legislature regarding the design, construction, and dedication of two bronze commemorative seals, one honoring Native Americans in California, and the other honoring California's Spanish and Mexican heritage, for installation on the steps on the west side of the State Capitol; and be it further

Resolved, That each of the seals be smaller than the Great Seal of California that is located on the landing of the upper steps on the west side of the State Capitol and that each seal be installed on the landing of the steps on the west side of the State Capitol on the level below the Great Seal of California; and be it further

Resolved, That the Chief Clerk of the Assembly provide copies of this resolution to the Governor, the Director of General Services, and the author for appropriate distribution.

RESOLUTION CHAPTER 136

Assembly Concurrent Resolution No. 108—Relative to Veterans Day, 2001.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Today there is, and perhaps there always will be, conflict in the world; but the United States fortunately enjoys peace and freedom; and

WHEREAS, Like other things of great value, this security did not come cheaply, as part of the cost has already been paid by Americans who answered the call to military duty when their country needed them; and

WHEREAS, Those veterans have long answered our nation's call to duty and have served with honor and at great personal cost in undertaking their mission as members of the United States Armed Forces; and

WHEREAS, Another part of freedom's cost must continue to be paid long after the guns have been silenced, and this is the debt that is owed to American veterans; and

WHEREAS, There are three million veterans in the State of California; and

WHEREAS, The people of California have a special affinity for, and are greatly indebted to, the myriad brave men and women in the United States military who serve and have served to protect and defend our precious freedom; and

WHEREAS, All Californians are encouraged to remember the great debt of gratitude that we as free Californians owe to our veterans; and

WHEREAS, Since the days of the American Revolution (1776–81), nearly 42,000,000 patriots have taken up arms to defend America, and to guarantee that the blessings of liberty are indeed secure; and

WHEREAS, The significance of November 11 is that it was originally set aside as Armistice Day in the United States to remember the sacrifices that men and women made during the First World War (1914–18) in order to ensure a lasting peace; and

WHEREAS, Each year, on the 11th day of the 11th month, we pause to look back and reflect with pride and profound gratitude upon the achievements of our nation's veterans; and

WHEREAS, Let us pause and pay homage to the 1,359,114 American soldiers, airmen, Marines, and sailors who perished during our country's 225-year history and the 1,419,971 servicemen and servicewomen who were wounded for the cause of freedom, the security of this most sovereign nation, and the American way of life; and

WHEREAS, Nearly 2,000 Americans are still missing in action (MIA) or unaccounted for from the Vietnam War (1957–75); and countless other Americans remain MIA or unaccounted for from World War II (1939–45), the Korean War (1950–53), and the Persian Gulf War (1991); and

WHEREAS, It is appropriate, on this 83rd anniversary of the first Armistice Day, that California's veterans be commemorated for their heroic efforts in the struggle for democracy; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature recognizes our nation's veterans for the great service and sacrifices that they have made for our liberty; and be it further

Resolved, That all Californians are encouraged to remember the great debt of gratitude that we as free Californians owe to our veterans, and we freely participate in patriotic activities in our communities; and be it further

Resolved, That the Legislature hereby designates November 11, 2001, as California Veterans Day, 2001 to promote the recognition and appreciation of the great service and sacrifices made by California's veterans in order to secure our liberty; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the author for distribution.

RESOLUTION CHAPTER 137

Assembly Concurrent Resolution No. 109—Relative to Coastal Cleanup Day.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, California is blessed with an 1,100-mile coastline that is a world-renowned symbol of the meeting of land and sea; and

WHEREAS, California's coastal-related businesses, which include tourism, transportation at the ports, fishing, and recreation, contribute over \$17,000,000,000 per year to the state's economy; and

WHEREAS, These industries have developed as a result of the state's reputation for striking coastal features, clean ocean waters, spectacular views, diversity of marine species, and numerous ocean-based recreational opportunities; and

WHEREAS, Nonpoint source pollution or polluted runoff, including trash, is the state's most significant source of water pollution, impairing estuaries, bays, and nearshore waters along the coast; and

WHEREAS, Last year, more than 43,000 individuals participated in Coastal Cleanup Day, and they picked up more than 700,000 pounds of trash and debris; and

WHEREAS, For economic, aesthetic, and environmental reasons, the quality of California's coast and beaches is a paramount concern to all residents; and

WHEREAS, Coastal Cleanup Day is sponsored by the California Coastal Commission, with local cosponsorship by many civic, community, and corporate organizations; and

WHEREAS, Coastal Cleanup Day is a celebration of individual commitment to preserving our coastal environment; it is a day when tens of thousands of individuals will take to the beaches from San Diego to the Oregon border, to the lakefront of Lake Tahoe, and to the shorelines, inland creeks, rivers, and other waterways throughout California, to collect the debris that fouls our beaches; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That, in recognition of the common thread of individual action and active commitment to maintaining the beauty and well-being of California's streams, rivers, and ocean, the Legislature hereby proclaims Saturday, September 15, 2001, as the 17th annual Coastal Cleanup Day in California.

RESOLUTION CHAPTER 138

Assembly Concurrent Resolution No. 110—Relative to breast cancer.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Breast cancer is an epidemic that will strike one out of eight women in their lifetime; and

WHEREAS, Breast cancer is the most common form of cancer among women and is second only to lung cancer as the leading cause of cancer deaths among women, both nationally, and in California; and

WHEREAS, In the United States, approximately 40,000 women will die of breast cancer and some 192,000 new cases will be diagnosed in 2001; and

WHEREAS, In the State of California, approximately 4,000 women will die of breast cancer and nearly 21,000 new cases will be diagnosed in 2001; and

WHEREAS, In California, the highest incidence of breast cancer is found in Anglo women, the highest mortality rate occurs among African-American women, and the greatest percentage of late-stage diagnosis occurs among Latino and African-American women; and

WHEREAS, Breast cancer is increasingly being diagnosed among women in their 30's and 40's; and

WHEREAS, More than 70 percent of women with breast cancer exhibit none of the known risk factors; and

WHEREAS, Although evidence is emerging about a link between environmental factors and breast cancer, not enough research is being funded to pursue this link; and

WHEREAS, Despite over 25 years of the “war on cancer,” there is still no known cause, cure, or method of preventing breast cancer; and

WHEREAS, While mammography remains an important method for breast cancer detection, it often fails to identify the disease effectively, particularly among women in their 20’s, 30’s, and 40’s; and

WHEREAS, Historically, breast cancer research has been grossly underfunded at the federal level, topping a decade of erosion in federal appropriations in the 1980’s for all cancer research; and

WHEREAS, According to the National Cancer Institute, the incidence of breast cancer in the United States increased 32 percent between 1982 and 1989; and

WHEREAS, By the following decade, the 105th Congress appropriated almost \$530 million for federal breast cancer research. However, much more is needed to fund research directed at finding a cure and means of preventing breast cancer adequately; and

WHEREAS, Californians now have a unique opportunity to support breast cancer research in this state through the California Breast Cancer Research Fund Act, which allows individuals to make a voluntary contribution to support research when filing state income tax returns; and

WHEREAS, Heightened public awareness and education about breast cancer are crucial to the national effort to eradicate this epidemic; and

WHEREAS, Prominent organizations like the National Breast Cancer Coalition focus on three important goals to achieve such a worthy purpose; (1) increasing appropriations for high quality, peer-reviewed research, and working within the scientific community to focus research on prevention and finding a cure, (2) increasing access for all women to high quality treatment and care and to breast cancer clinical trials, and (3) increasing the influence of women living with breast cancer and other breast cancer activists in the decisionmaking that impacts all issues surrounding breast cancer; and

WHEREAS, It is in the best interest of all women, men, and families to join together to promote greater awareness about a disease that affects all Californians, the need for true early detection and adequate treatment options, and the urgency of finding a cure; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California, in order to heighten public awareness about breast cancer, including the need to redouble efforts to prevent and cure this disease, declares the month of October as Breast Cancer Awareness Month; and be it further

Resolved, The Legislature of the State of California, in order to recognize that, to date, breast exam and mammography are still the primary methods of breast cancer detection available to women, and that, therefore, all women should perform monthly breast self-exams, women over 40 years of age should have regularly scheduled mammograms every year, and women 20 to 39 years of age, inclusive, should have a clinical breast examination performed by their health care provider, declares October 19, 2001, as Breast Exam and Mammography Awareness Day; and be it further

Resolved, That the Legislature of the State of California emphasizes that the public education efforts conducted during the month of October should be part of an ongoing, year-round effort to raise public awareness across the state, and be it further

Resolved, That the Legislature of the State of California recognizes that while early detection through routine mammograms, clinical exams, and breast self-exams are important, the only effective means of protecting women against breast cancer is to make breast cancer research a priority and fund critically needed research into the cause, cure, and prevention of breast cancer; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 139

Assembly Concurrent Resolution No. 112—Relative to Economic Literacy Week.

[Filed with Secretary of State September 24, 2001.]

WHEREAS, Young people should understand our economic system to perform effectively as workers, consumers, savers, and citizens; and

WHEREAS, In turn, this state's economy depends on economically informed, educated citizens to maintain its competitive edge; and

WHEREAS, Unfortunately, adults and high school pupils do not have a grasp of rudimentary economic concepts, according to a recent Louis Harris poll surveying 1,000 adults and 1,000 high school pupils nationwide; and

WHEREAS, While those polled were nearly unanimous in their belief that basic economics should be taught in high school, both pupils and adults lack a fundamental understanding of scarcity, money, and inflation, with less than half of the participants demonstrating knowledge of these concepts; and

WHEREAS, Legislation in the 1984–85 Regular Session established a one-semester course in economics as a requirement for graduation from high school; and

WHEREAS, New standards, adopted by the State Board of Education in November 1988, include an economics strand integrated into the social science curriculum, kindergarten through grade 11, inclusive; and

WHEREAS, The California Council on Economic Education works with the California State University system, other colleges and universities and Centers for Economic Education to help teachers implement new standards; and

WHEREAS, With the leadership of the California Council on Economic Education, the State Board of Education adopted new history social science standards that promote economic reasoning and an understanding of the United States economy in a global setting; and

WHEREAS, Jim Charkins, Ph.D., currently Professor of Economics at California State University, San Bernardino, is the Executive Director of the California Council on Economic Education; and

WHEREAS, The economics strand helps students view history not as a series of random events, but as the result of decisions made by individuals; and

WHEREAS, These concepts help students evaluate major decisions that will affect them for the rest of their lives, including teen marriage and pregnancy, careers and school versus work; and

WHEREAS, California has made great progress in economic education and is one of only 13 states that include an economics course in the high school graduation requirements; and

WHEREAS, The adoption of the 1998 history social science standards, economics now plays a greater role in the kindergarten through grade 12, inclusive, classroom since the economics strand runs through the entire curriculum; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the week of October 22, 2001, through October 26, 2001, be recognized as Economic Literacy Week in this state.

RESOLUTION CHAPTER 140

Senate Concurrent Resolution No. 15—Relative to Public Employees' Retirement.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, Retired members of the Public Employees' Retirement System (PERS) have provided valuable services to the public during their working careers; and

WHEREAS, Retired PERS members have a right to a quality of life that acknowledges their contributions and sacrifices; and

WHEREAS, Most retired PERS members are dependent upon their PERS pension and related benefits, such as health, dental, and vision coverage, to meet basic necessities, such as food, clothing, shelter, and health care; and

WHEREAS, Retirees are living longer and leading more active lives, and therefore are dependent upon their retirement benefits to protect them for many years into the future; and

WHEREAS, There is no adequate mechanism in place to increase the pensions and benefits of retired PERS members to keep pace with inflation or to prevent retirees from falling into poverty; and

WHEREAS, There are, or in the future there may be, prudent reserves available in the Public Employees Retirement Fund (PERF); and

WHEREAS, There is no adequate program to enable retired PERS members to share in PERF investment earnings that exceed prudent reserves; and

WHEREAS, Since PERS' current retirees' pension contributions during their working careers helped fund the retirement system, a fair and equitable portion of the income generated through the extraordinary investment performance of the PERF funds in excess of any prudent reserves should be designated for the improvement of retirement pensions and benefits for active and retired PERS members; and

WHEREAS, Retired PERS members are not subject to collective bargaining or the meet and confer provisions of laws specific to active employees; and

WHEREAS, Any pension and benefit increases for retired PERS members are dependent upon the legislative process; and

WHEREAS, Funds to improve the pension and benefits of retired PERS members must, under current statute, be funded through state or local moneys; and

WHEREAS, Retired PERS members must, therefore, compete with all other related and nonrelated interests of the state and local governments in order to gain pension and benefit adequacy to be funded by these moneys; and

WHEREAS, Most state and local government employers' retirement contributions have decreased due to the extraordinary performance of PERS investments; and

WHEREAS, Retired PERS members have not received increased benefits which have the proportional monetary equivalent to those

received by active public employees when improvements have been made in the retirement formula over the past decade; and

WHEREAS, There is a need for improved annual pension and benefit supplementation; and

WHEREAS, The pensions and benefits of retired PERS members may not have kept pace with expenses in spite of fixed annual cost-of-living increases currently provided by law; and

WHEREAS, The actual cost-of-living expenses for retirees may not be adequately measured in current inflation indexes; and

WHEREAS, Many PERS retirement pensions are below the state and federal poverty levels; and

WHEREAS, The current minimum retirement allowance for members of the Public Employees' Retirement System was established by law in 1955 at \$100 per month and has not been changed since that date; and

WHEREAS, A large number of retired PERS members receive pensions that are as much as five times lower than the pensions of employees retiring today because public employee salaries have increased at a much higher rate than the pensions of current retirees due to the fact that active employees have received actual cost-of-living adjustments instead of fixed cost-of-living adjustments; and

WHEREAS, Pensions and benefits of retired PERS members must be improved when warranted; and

WHEREAS, The current system of fixed cost-of-living adjustments is insufficient and does not address ongoing adequacy levels of the pensions and benefits of retired PERS members; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That retired PERS members have a right to a quality of life that acknowledges their dedicated contributions to the people of the State of California; and be it further

Resolved, That retired PERS members have a right to an adequate level of pension benefits that protects them from inflation and changing economies; to adequate levels of health, dental, and vision coverage; to share in the extraordinary performance of investment earnings of the Public Employees' Retirement System and to have their pension, health, and other benefits increased when there are extraordinary earnings that exceed prudent reserves; and to have their health plan premium contributions reduced when an employers' retirement contributions are reduced due to extraordinary earnings that exceed prudent reserves in the PERF; and be it further

Resolved, That retired PERS members have a right to have representation in decisions that affect their pensions and benefits; to have the PERS Board of Administration include recommendations on the adequacy of pensions and other benefits for retired members in its

Annual Cost of Living Report to the Governor and Legislature; and to have their retirement benefits increased in a similar or cost equivalent manner whenever active public employees receive improved benefits through the collective bargaining process or the meet and confer process; and be it further

Resolved, That in compliance with any applicable federal statutes, retired PERS members have a right to voluntarily participate in financial or other programs developed and offered by PERS to its active members which will help retirees provide for their own continued, secure retirement; and be it further

Resolved, That the Legislature encourages the establishment of actuarial, financial, and other appropriate systems to annually determine a minimum standard of pension adequacy for all retired members of the Public Employees' Retirement System and to identify funding resources for the sole purpose of annually adjusting retired members' pensions to ensure that the pensions of all retired members are not less than the minimum standard; and be it further

Resolved, That the Legislature encourages the establishment of systems to identify extraordinary earnings in excess of any prudent reserves of the Public Employees' Retirement Fund for the purpose of enhancing pension benefits of retired members; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Governor, the members of the Board of Administration of the Public Employees' Retirement System, the President pro Tempore of the Senate, the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the Assembly, the Majority Floor Leader of the Assembly, the Minority Floor Leader of the Assembly, the Chair and the Vice Chair of the Senate Committee on Public Employment and Retirement, and the Chair and the Vice Chair of the Assembly Committee on Public Employees Retirement and Social Security.

RESOLUTION CHAPTER 141

Senate Concurrent Resolution No. 37—Relative to biotechnology.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, Biotechnology is a rapidly growing industry that will fuel the state's economic future; and

WHEREAS, California is the nation's leader in biotechnology innovation and production; in 1998 more than 212,000 biotechnology-related workers were employed in this state; and

WHEREAS, The Los Angeles region has an abundance of world-class higher education institutions that are innovative leaders in the life science and technology fields, yet the region fails to retain significant numbers of new biotechnology enterprises, and highly trained biotechnology experts leave not only Los Angeles County, but in some cases, the state; and

WHEREAS, To operate effectively, biotechnology enterprises must be located in an environment that has close proximity to research labs, medical services, and production facilities, and that has access to a skilled and available workforce; and

WHEREAS, Biotechnology parks located in one geographical area have proved to be the most efficient and entrepreneurial in operation; and

WHEREAS, The close geographic proximity of educational institutions, bioscience industries, incubation services, and government agencies provides a strong anchor, facilitates multiuser participation, and acts as a dynamic catalyst in leveraging local investment; and

WHEREAS, Recent studies by the County of Los Angeles and the University of Southern California support the need for developing a university related biotechnology research park in close proximity to the University of Southern California Health Sciences campus; and

WHEREAS, On June 13, 2001, the Board of Supervisors of the County of Los Angeles issued a statement of support for creating a biomedical park around the Los Angeles County and University of Southern California Medical Center campus, noting that the project would bring jobs to the Los Angeles area; and

WHEREAS, A biotechnology research park affiliated with the University of Southern California will accommodate both incubation facilities for new startup companies, as well as established companies, with the capacity to create immediate employment for the region; and

WHEREAS, The proposed biotechnology research park is expected to generate \$25.8 million in income tax revenue to the state, \$15.2 million in annual tax revenue to the City and the County of Los Angeles, and more than \$10 million to other local jurisdictions; and

WHEREAS, Employment projections for work associated with the park total 8,000 to 9,000 jobs in the construction phase, and nearly 13,000 jobs at completion; and

WHEREAS, The creation of a University of Southern California biotechnology research park will require acquisition of land located adjacent to the University of Southern California Health Sciences campus, which currently houses a county juvenile detention center, court facilities, public works road department yard, and flood control center; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That it is the intent of the Legislature that, upon the

appropriation of funds for this purpose, the County of Los Angeles develop a plan for a biotechnology research park in conjunction with the University of Southern California, other local higher education institutions, bioscience industries, and other relevant entities that will be designed to do both of the following:

(1) Foster biotechnology industry clusters in the Los Angeles region that will support research, development, and commercialization of biotechnology innovation.

(2) Foster collaboration strategies among higher education institutions in the Los Angeles area, thereby providing a cohesive response to market-driven forces in the high growth biotechnology industry; and be it further

Resolved, That the plan by the County of Los Angeles include an assessment of the feasibility of relocating county-owned public facilities currently housed at the proposed site to facilitate development of a biotechnology research park affiliated with the University of Southern California.

RESOLUTION CHAPTER 142

Senate Concurrent Resolution No. 39—Relative to public employees' health care.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, The health program administered pursuant to the Public Employees' Medical and Hospital Care Act (PEMHCA) pays approximately \$1.8 billion in health care premiums annually to provide health care benefits to 1.1 million California public employees, making it the second largest health care buying pool in the country; and

WHEREAS, The PEMHCA program is financed by contributions of both active and retired public employees and California taxpayers; and

WHEREAS, The annual cost of the PEMHCA program has increased dramatically during recent years, with estimated premium hikes for next year ranging from 5.5 percent to 41 percent over the current year; and

WHEREAS, Projections indicate that the cost of the PEMHCA program will continue to escalate during future years, possibly to the extent that the quality of service provided by the program could be endangered; and

WHEREAS, A major contributing factor to the increase in health care costs is prescription drugs, as indicated by the fact that during the last five years total spending on prescription drugs increased by 85 percent

nationally, with consumers over 65 years of age purchasing an average of 15 new prescriptions per year; and

WHEREAS, It is in the best interest of the people of the State of California that every effort be made to contain and reduce PEMHCA program costs without compromising the level of service offered by the program; and

WHEREAS, The federal Health Care Financing Administration predicts that prescription drugs costs will continue to rise at a faster rate than any other category of health care services, and for those over 65 years of age the average yearly bill will rise from the current sum of \$1,989 to \$4,818 per person in 2011; and

WHEREAS, The Journal of the American Pharmaceutical Association reported that misuse of prescription drugs costs the economy more than \$177 billion annually in hospital admissions, long-term care admissions, and physician and emergency department visits, and further noted that drug misuse was responsible for approximately 218,000 patient deaths in 2000, so that the costs from drug-related problems exceed the actual cost of the medications; and

WHEREAS, Academic studies and research have indicated that pharmacy benefit programs can be improved through pharmacist activities, including drug utilization review, patient consultation, management of patients with chronic diseases to increase compliance with their drug therapy, and development and refinement of drug formulas and related programs that benefit patients and also reduce the spiraling cost of prescription drugs; and

WHEREAS, Although the cost of health care coverage is very important, it is also necessary to consider issues of program quality and effectiveness because of the impact on the health productivity and stability of the state's public employee workforce; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That a special panel be formed to study the funding of pharmacy benefits, copayments, and other benefit structures of the PEMHCA program; and be it further

Resolved, That the Chair of the Senate Committee on Public Employment and Retirement shall convene the panel no later than September 15, 2001; and be it further

Resolved, That the panel shall recommend improvements, additions, or changes to pharmacy benefit programs offered by PEMHCA providers and health plans in order to best provide cost-effective benefits for the state's active and retired public employees; and be it further

Resolved, That panel membership shall consist of the Chair of the Senate Committee on Public Employment and Retirement or a committee member appointed by the Chair, the Chair of the Assembly Committee on Public Employees, Retirement and Social Security or a

committee member appointed by the Chair, and the Chair of the Health Benefits Committee of the State Public Employees' Retirement System Board or a committee member appointed by the Chair; and be it further

Resolved, That the Speaker of the Assembly shall appoint to the panel a member of the faculty of a school of pharmacy, a representative of the California Pharmacist Association, a representative from the California Association of Health Plans, a representative from the Pharmaceutical Research and Manufacturers of America, a member of the Assembly Republican Caucus, and a consumer representative; and be it further

Resolved, That the Senate Committee on Rules shall appoint to the panel three representatives from among the employee organizations which represent both active and retired beneficiaries of the PEMHCA program, a representative from the California Medical Association, a representative of the California Nurses Association, and a member of the Senate Republican Caucus; and be it further

Resolved, That the panel shall submit to the Senate Committee on Public Employment and Retirement and the Assembly Committee on Public Employees, Retirement and Social Security a preliminary report of its conclusions and recommendations by March 1, 2002, and a final report of its conclusions and recommendations no later than June 1, 2002.

RESOLUTION CHAPTER 143

Senate Concurrent Resolution No. 41—Relative to state employee merit awards.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, Section 19823 of the Government Code authorizes the Department of Personnel Administration to make awards to current or retired state employees who propose procedures or ideas that are subsequently adopted and placed in effect that will result in eliminating or reducing state expenditures or improving state operations; and

WHEREAS, Any award granted under Section 19823 of the Government Code that is larger than \$5,000 must be approved by concurrent resolution of the Legislature; and

WHEREAS, Processing, or intake, of newly committed inmates at correctional reception centers at the Department of Corrections involves a lengthy procedure of interviewing the inmate, dictating and transcribing a report, and completing the Institutional Staff Recommendation Summary (ISRS) report; and

WHEREAS, In the past 10 years, there has been a 122-percent increase in the volume of inmates processed through reception centers; and

WHEREAS, Joseph Beatty suggested and developed a computer program that automated the ISRS report, thereby reducing the time required to interview inmates, complete the ISRS, and place the inmate into a facility; and

WHEREAS, The department realized a first-year savings of \$484,260 based on the reduction of the intake processing time from three to five days per newly committed inmate to one day; and

WHEREAS, As a result of these savings, it is unnecessary to appropriate funds for payment of the award to Mr. Beatty; and

WHEREAS, Unemployment Continued Claim Forms (DE 4581s) often are damaged and cannot be scanned by the optical character reader and must be sent by mail, causing a delay in processing the payment of unemployment insurance wages; and

WHEREAS, Four hours a day was required to prepare and mail up to 108 bags of unscannable materials at a cost of 78 cents to \$5.00 a bag; and

WHEREAS, Darlene Miller suggested that the Employment Development Department revise the DE 4581 process by streamlining the handling of the forms and transmitting by facsimile all unscannable material; and

WHEREAS, The streamlined process for handling Continued Claim Forms eliminated delays, reduced duplication, and reduced staff and mailing costs; and

WHEREAS, The department realized first-year savings of \$2,038,389 based on elimination of delays and reduction of costs for postage, salaries, and related benefits; and

WHEREAS, As a result of these savings, it is unnecessary to appropriate funds for payment of the award to Ms. Miller; and

WHEREAS, Training classes for peace officers at the Department of the California Highway Patrol in specific law enforcement subjects are mandatory and must be tracked by the training officers to ensure officers are not deficient in meeting training requirements; and

WHEREAS, The previous manual training tracking system was cumbersome and time-consuming; and

WHEREAS, Christopher A. Berry and Gary Britton developed an interactive automated training record data system to track training of all department employees; and

WHEREAS, The newly automated tracking system eliminated the need to manually process up to 130 individual training folders several times a year and allows automated processing of training records, the

creation of numerous ad hoc reports, and online access to departmental forms; and

WHEREAS, The department realized a first-year savings of \$222,825 based on the reduction of staff time for processing, reviewing, and researching training records; and

WHEREAS, As a result of these savings it is unnecessary to appropriate funds for payment of the awards to Mr. Berry and Mr. Britton; and

WHEREAS, The Safe Streets Act of 1995 requires the Department of Motor Vehicles (DMV) to send notices of driver license suspension or revocation by certified mail; and

WHEREAS, Due to a legal challenge, the contract to supply certified mail processing and forms to DMV was not renewed, which eliminated the department's ability to contract for certified mail forms and processing and required the department to seek an alternate method; and

WHEREAS, Bobette M. Hudson suggested that DMV process certified mail in-house and use the certified mail forms available free of charge from the United States Postal Service; and

WHEREAS, The department realized a first-year savings of \$170,112 based on the reduction of processing time, mail operation costs, and staff time; and

WHEREAS, The Prison Industry Authority (PIA) is responsible for the manufacture and sale of office furniture and other accessories; and

WHEREAS, In the past, PIA utilized the bid process to purchase fabrics; and

WHEREAS, Only a limited number of vendors participated in the costly bid process, which resulted in a limited choice of fabrics; and

WHEREAS, Gary Dias suggested establishing an approved brands list to purchase chair fabrics rather than utilizing the bid process; and

WHEREAS, PIA's use of the approved brands list to purchase chair fabrics allowed more bidders to qualify, creating greater competition and lower bid prices; and

WHEREAS, The authority realized a first-year savings of \$124,741 based on the savings for chair fabric purchases; and

WHEREAS, As a result of these savings, it is unnecessary to appropriate funds for payment of the award to Mr. Dias; and

WHEREAS, PIA required potential bidders to first test their products for conformance with the department's specifications, which reduced the number of participating vendors; and

WHEREAS, Gary Dias suggested revising the method of the fabric bid process for office panels and upholstered wall modular office systems by using industry standards developed by the Association for Contract Textiles; and

WHEREAS, Use of the new fabric bid process has significantly increased the number of bidders and created greater competition and lower bid prices; and

WHEREAS, The department realized a first-year savings of \$597,093; and

WHEREAS, As a result of these savings, it is unnecessary to appropriate funds for payment of the award to Mr. Dias; and

WHEREAS, Due to a shortage of energy throughout California, energy conservation is necessary and welcome; and

WHEREAS, Gerald L. Tripp suggested replacing incandescent lighting with light emitting diodes (LEDs) in the red light of traffic signal heads; and

WHEREAS, Because the LEDs consume less power, last longer, and are as bright as incandescent illuminations, the suggestion was implemented by the Department of Transportation statewide, and produces significant energy savings for the State of California; and

WHEREAS, The department realized a first-year savings of \$4,052,780 based on energy savings after installation of the LEDs; and

WHEREAS, As a result of these savings, it is unnecessary to appropriate funds for payment of the award to Mr. Tripp; and

WHEREAS, Registered nurses are increasingly working in independent settings in which it is desirable to display a wall certificate; and

WHEREAS, Between 1972 and 1989 approximately 136,000 registered nurses were not issued wall certificates for display; and

WHEREAS, Ruth Caouette and Dan R. Cope suggested wall certificates be made available for purchase by registered nurses via mail order for a cost of \$30 each; and

WHEREAS, The department realized revenue of \$117,761; and

WHEREAS, As a result of these savings, it is unnecessary to appropriate funds for payment of the award to Ms. Caouette and Mr. Cope; and

WHEREAS, Implementation of these suggestions has resulted in actual savings and revenue of \$7,807,961; and

WHEREAS, As a result of these savings and increased revenue, it is unnecessary to appropriate additional funds for payment of awards to these employees; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby declares that merit award payments, authorized by the Department of Personnel Administration, are hereby made to Joseph M. Beatty in the amount of \$43,426, Darlene R. Miller in the amount of \$45,000, Christopher A. Berry and Gary Britton in the amount of \$6,142, to be divided equally, Bobette M. Hudson in the amount of \$12,011, Gary Dias in the amount of \$7,474,

Gary Dias in the amount of \$40,860, Gerald L. Tripp in the amount of \$45,000, and Ruth Caouette and Dan R. Cope in the amount to \$6,776, to be divided equally, and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Controller and the Department of Personnel Administration.

RESOLUTION CHAPTER 144

Senate Concurrent Resolution No. 42—Relative to Christianity in Armenia.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, In the first century A.D., two of the apostles of Jesus Christ, Thaddeus and Bartholomew, brought the light of Christianity to the Armenian nation; and

WHEREAS, In the year 301 A.D., Armenia became the first nation to officially adopt, embrace, and proclaim Christianity as its state religion with the conversion and baptism of King Trdat by St. Gregory the Illuminator, the First Catholicos of All Armenians; and

WHEREAS, In 451 A.D., under the leadership of St. Vartan Mamigonian, the Armenian nation fought against a powerful neighboring empire. While the vastly outnumbered Armenians lost on the battlefield, they were the ultimate victors in the struggle for freedom of their religion and of their national identity. The Battle of Avarayr, the first recorded war in defense of Christianity, became a spiritual victory for the Armenian nation as the neighboring kings henceforth recognized the Armenian claims for freedom of worship. On the eve of the battle, the Armenian soldiers led by St. Vartan received Holy Communion together. St. Vartan and the 1,036 soldiers martyred at Avarayr are held in special respect as saints of the Church by the Armenian people, who continue to hold fast to their Christian faith and to their national identity in spite of centuries of foreign domination and subjugation; and

WHEREAS, The spread of the gospel among Armenians was greatly facilitated by the invention of the Armenian alphabet in 406 by Mesrob Mashdots, an Armenian monk whose work, supported by King Vramshapuh and Catholicos Sahag, allowed for the subsequent translation of the Holy Bible into Armenian over the next 30 years; and

WHEREAS, The adoption of Christianity is the single most formative factor in Armenian history, culture, and heritage; and

WHEREAS, The religious, national, and cultural identities of Armenians are so interconnected that the Armenian historian Yeghishe

observed in the fifth century: “It took only 150 years, following the conversion of Armenia to the light of Christianity, that the new religion became an inseparable part of the Armenian identity”; and

WHEREAS, The devotion of the Armenian nation and people to God led them to create distinctive styles of Christian art, music, manuscript illumination, architecture, stone sculptures, and textiles, that are recognized in and have contributed to the international community; and

WHEREAS, The Armenian people have been persecuted historically by neighboring forces of religious intolerance, culminating in the Armenian Genocide (1915-23), in which the Armenian people endured unimaginable suffering, torture, and death at the hands of the Ottoman Empire; and

WHEREAS, Most recently following the independence of the Republic of Armenia after 70 years of Soviet oppression, including attempts to chill the practice of Christianity, the Armenian Church and the entire nation are experiencing a rejuvenation and spiritual rebirth in celebrating the 10th anniversary of the founding of a free and independent Republic of Armenia; and

WHEREAS, In this jubilee year of 2001, Armenians throughout the world are celebrating the 1700th Anniversary of this momentous and holy event; and

WHEREAS, More than 100 communities throughout the United States are celebrating the 1700th Anniversary of the acceptance of Christianity in Armenia with cultural events, community activities, and special worship and ecumenical services; and

WHEREAS, The 1700th Anniversary is an appropriate occasion to celebrate the ideals and values shared by those of Armenian descent in California and in the United States, as well as the people of Armenia; and

WHEREAS, For the last 100 years, the Armenian Church has established parishes throughout California and has contributed to the quality of life in this state; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California acknowledges the significant contribution the Armenian Church has made to the fabric of life of all peoples in California, and congratulates the Republic of Armenia on the occasion of the 1700th Anniversary of the acceptance of Christianity in Armenia; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 145

Senate Concurrent Resolution No. 44—Relative to the Ten Year Anniversary of the California Urban Water Conservation Council.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, The California Urban Water Conservation Council was created in 1991, to increase efficient water use statewide, through partnerships among urban water suppliers, public advocacy organizations, and other interested groups; and

WHEREAS, The council integrates urban water conservation practices, referred to as Best Management Practices (BMPs), in the planning and management of California's water resources and pioneered the historic Memorandum of Understanding Regarding Urban Water Conservation in California, which was signed by nearly 100 urban water agencies and environmental groups in December 1991, who pledged to develop and implement 14 comprehensive BMPs; and

WHEREAS, The council delivers quality technical assistance to approximately 260 current members, in a variety of forms including building successful partnerships, BMP reporting and handbooks, skillful presentations, an informative Web site, training workshops, and serves as the inspiration for many state, federal and international water conservation programs; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature congratulates the council for its strong leadership and unwavering dedication during the past 10 years, to promote and achieve greater efficiency of urban water use in California; and be it further

Resolved, That the Legislature commends the council for making California a better place to live for present and future generations; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 146

Senate Joint Resolution No. 20—Relative to global warming.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, Average temperatures on earth have climbed more than one degree Fahrenheit over the past century, while average temperatures

have increased only 5 to 9 degrees since the last ice age 10,000 years ago; and

WHEREAS, There is overwhelming scientific evidence that pollution released into the atmosphere as a result of human activities significantly contributes to this phenomenon of global warming; and

WHEREAS, If we continue current rates of pollution and releases of greenhouse gases, scientists predict that the average temperature of the earth will increase as much as 11 degrees this century; and

WHEREAS, Scientific evidence links global warming to increased flooding, storms, droughts, and heat waves, which all have devastating effects on the environment, agriculture, wildlife, and public health; and

WHEREAS, Experts estimate that the current climate crisis requires a 70-percent reduction of greenhouse gases to avoid catastrophic effects on human existence; and

WHEREAS, Although the United States comprises only 4 percent of the world's population, it produces 25 percent of all greenhouse gases; and

WHEREAS, The Kyoto Protocol to the United Nations Framework Convention on Climate Change sought to address climate change by setting binding targets for reductions in greenhouse gas emissions by developed countries; and

WHEREAS, An effective emissions control program would not necessarily cause a significant negative impact on our nation's economy due to recommended technology and devices that would also reduce the nation's dependency on fossil fuels; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature hereby declares its support for the Kyoto Protocol to the United Nations Framework Convention on Climate Change, and strongly urges the President of the United States to take proactive steps to curb greenhouse emissions and work with other nations to address the increasing dangers of global warming; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 147

Senate Joint Resolution No. 21—Relative to the political status of Puerto Rico.

WHEREAS, On December 10, 1898, the Treaty of Paris was signed by the United States and later ratified by the United States on February 6, 1899, formally concluding the Spanish-American War and establishing Puerto Rico as a territory of the United States; and

WHEREAS, On March 2, 1917, President Woodrow Wilson signed the Puerto Rican Federal Relations Act, popularly known as the Jones Act, which extended United States citizenship to the residents of Puerto Rico, but did not provide them with voting representation in the United States Congress or give them the right to vote for the President of the United States; and

WHEREAS, Since 1917, 200,000 United States citizens in Puerto Rico have served valiantly in every war and armed conflict in which our nation has fought in defense of democratic principles and self-determination; and

WHEREAS, Four heroic Puerto Ricans, Hector Santiago-Colon, Euripides Rubio, Carlos James Lozada, and Luis Fernando Garcia, have been awarded the Congressional Medal of Honor for their valor in defending American democracy and freedoms; and

WHEREAS, We recognize the many social, economic, and political contributions that the 3.8 million United States citizens residing in Puerto Rico make to preserve and enhance this nation's democratic values; and

WHEREAS, The State of California has a significant Puerto Rican community and an ever-increasing Latino population from which many of our state's business, cultural, and political leaders are drawn; and

WHEREAS, California's great history, including the ascension to statehood, is intertwined with our state's Latino heritage; and

WHEREAS, In 1997 the Legislature of Puerto Rico formally petitioned the United States Congress to respond to the democratic aspirations of the United States citizens of Puerto Rico by means of a federally sanctioned plebiscite to be held no later than 1998 and Congress has not yet responded to this petition; and

WHEREAS, As we begin a new millennium, we recognize that the time has come for Puerto Rico to exercise its right to self-determination regarding its desire to attain full self-government within the context of a congressionally authorized plebiscite; and

WHEREAS, The California Latino Legislative Caucus urges all Californians and the citizens of the United States to support the enactment of a federal law leading to full self-government for Puerto Rico; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California and the California Latino Legislative Caucus request that the Congress and the President of the United States enact legislation that would define the political

status options available to the United States citizens of Puerto Rico and authorize a plebiscite to provide an opportunity for Puerto Ricans to make an informed decision regarding the island's future political status; and be it further

Resolved, That the Legislature of the State of California and the California Latino Legislative Caucus request the California congressional delegation to actively promote and support timely action on this important national issue; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, each Senator and Representative from California in the Congress of the United States, and the Governor of Puerto Rico.

RESOLUTION CHAPTER 148

Senate Joint Resolution No. 26—Relative to terrorist attacks.

[Filed with Secretary of State September 26, 2001.]

WHEREAS, Through the hijacking of civilian airliners, a terrorist organization on September 11, 2001, launched the most heinous attack directly upon the citizens of the United States of America, targeting thousands of innocent men, women, and children; and

WHEREAS, This terrorist organization attacked and partially destroyed our nation's national defense headquarters when the United States was not in a state of war; and

WHEREAS, The terrorists also attacked and destroyed a crucial portion of our nation's financial and business center; and

WHEREAS, Due to the crash of one of the hijacked airliners, the terrorists narrowly failed to strike another devastating blow upon another key American target; and

WHEREAS, The nature of these attacks clearly constitutes an act of war under international law; and

WHEREAS, The United States of America has stood for more than 200 years as a beacon of political, religious, and economic freedom and opportunity, and for the past century as the world's leading defender of liberty and human rights; and

WHEREAS, The United States is a diverse nation of many races, ethnicities, religions, and national origins, bound together by common respect for law, order, justice, and a belief that all people should be free and safe within their homes and places of business; and

WHEREAS, This nation must never allow itself to be intimidated by terrorism or threat of war into retreating from its ongoing advance and global leadership for all the above values; and

WHEREAS, The residents of California, comprising approximately 12 percent of the nation's population, share the grief and outrage of their American brothers and sisters in New York City and the Washington, D.C. area and elsewhere who have been killed, maimed, widowed, or orphaned in these horrendous, cowardly terrorist attacks; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California expresses to the people of the City and State of New York, the District of Columbia, and other affected communities the overwhelming, heartfelt sympathy of the people of California and affirm our offer of assistance during this tragedy; and be it further

Resolved, That the Legislature expresses to the President of the United States of America that the Legislature stands in bipartisan unity behind his leadership as he goes about the business of healing this damage, ensuring our national security, restoring our financial and transportation infrastructure, bringing the perpetrators to justice, holding accountable any organizations or nations that may have been complicit in this act of war, and exercising, with the advice of the Congress, the full array of responses; and be it further

Resolved, That the Legislature memorializes the United States Congress to fully support the President in all his efforts, and memorializes the Legislatures of our sister states, commonwealths, and territories to join in supporting the victims and their families, the President, and Congress as our nation moves, deeply wounded but unbowed and unintimidated, together through this national tragedy; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Congress of the United States and to the author for appropriate distribution.

RESOLUTION CHAPTER 149

Assembly Concurrent Resolution No. 5—Relative to sudden oak death.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, Coast live oak, tanoak, and black oak trees are a treasured part of California's landscape and history, and play an integral role in California's ecology; and

WHEREAS, Tanoaks were first reported dying of a disease known as sudden oak death in large numbers in Marin County in 1995, and this disease also has now affected unusually large numbers of coast live oaks and black oaks in Marin County, causing widespread death; and

WHEREAS, The estimated number of coast live oak, tanoak, and black oak trees, including seedlings and saplings, affected by sudden oak death are in the hundreds of thousands, and sudden oak death appears to be spreading, with confirmed reports of coast live oak, tanoak, and black oak trees dying or dead in other coastal counties of California, including Sonoma, Napa, Santa Cruz, Mendocino, San Mateo, and Monterey Counties; and

WHEREAS, These oak trees are generally capable of withstanding wildfires, but when they are impacted by sudden oak death, there is an increased risk of crown fires and accelerated accumulation of fuels on the ground; and

WHEREAS, Many individual homes and communities are built within, around, and adjacent to these trees, and are now increasingly at risk for wildfires; and

WHEREAS, Many species of wildlife, such as deer, birds, rodents, and fish, and endangered species such as spotted owl and salmon, depend upon coast live oaks, black oaks, and tanoaks for food and shelter, and may be at risk if this disease continues to spread; and

WHEREAS, Pathologists at the University of California have isolated a previously unknown species of *Phytophthora* from infected species found in most areas where sudden oak death has been reported, and this fungus is considered to be the prime candidate for the underlying cause of sudden oak death; and

WHEREAS, Sudden oak death has been found in buckeye, madrone, bay, huckleberry, and rhododendron; and

WHEREAS, There is currently no known cure for sudden oak death, and more research is critically needed to determine all of the interacting factors associated with sudden oak death, the geographic extent and distribution of this epidemic within California, and the movement of the disease over the landscape; and

WHEREAS, Management options must be developed to mitigate the impacts of sudden oak death, including the increased risk of wildfires, the ecological impacts of changing species compositions of forests, and the resulting impacts on birds, fish, and wildlife; and

WHEREAS, Treatment or control of this epidemic must be found before it spreads to other parts of California and other states; and

WHEREAS, The California Oak Mortality Task Force was established to bring together concerned state and federal public agencies, nonprofit organizations, and private interests to implement a comprehensive and unified approach for research, management, education, and public policy focused on sudden oak death; and

WHEREAS, The goals of the California Oak Mortality Task Force are to minimize the impacts of sudden oak death on oak forests and individual trees and to coordinate an integrated response by all interested parties to sudden oak death; and

WHEREAS, Funding is critically needed for the California Oak Mortality Task Force to achieve all of the following objectives:

(1) Assisting communities affected and threatened by sudden oak death to maintain a safe and healthy environment.

(2) Developing and maintaining an adaptive integrated pest management program for sudden oak death.

(3) Providing information and education to interested parties regarding causes, treatments, and consequences of sudden oak death.

(4) Coordinating efforts to prevent the spread of pathogens and insects associated with sudden oak death.

(5) Identifying additional funding avenues, staffing, and resource needs to address sudden oak death; and

WHEREAS, United States Senator Barbara Boxer has introduced S997 in the United States Senate and Congresswoman Lynn Woolsey has introduced H214 in the United States House of Representatives; and

WHEREAS, Each federal bill would provide more than \$70,000,000 in funding over the next five years to local, state, and federal agencies, and direct the Secretary of Agriculture to conduct research, monitoring, management, treatment, and public outreach on sudden oak death, and authorize the establishment of a sudden oak death committee and funding for projects and research; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That concerned state agencies act with all deliberate speed to coordinate with federal agencies to seek all necessary and immediate state and federal funds for research, public education, increased emergency wildfire response capability in affected counties, and the creation of a revolving loan program, grants, or other means to aid homeowners and local governments with the significant costs of tree removal, final disposition of trees, and replanting of affected areas; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of the Resources Agency, the Director of Fish and Game, the Director

of Forestry and Fire Protection, and the Director of Parks and Recreation.

RESOLUTION CHAPTER 150

Assembly Concurrent Resolution No. 98—Relative to the 1915 Ridge Route Highway Historical Monument.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, Begun in 1914 and completed in late 1915, the Ridge Route Highway, officially named the “Castaic-Tejon Route,” connected Castaic Junction in Los Angeles County to Bakersfield; and

WHEREAS, The 1915 Ridge Route Highway was one of the first products of the newly formed State Bureau of Highways, paid for through the passage of a 1910 bond act; and

WHEREAS, The 1915 Ridge Route Highway was considered an engineering marvel of its day and was the first mountain highway built in California; and

WHEREAS, Many credit the 1915 Ridge Route Highway, which opened up travel and commerce between the Los Angeles basin and the San Joaquin Valley, with having prevented California from separating into two separate states; and

WHEREAS, Workers carved out the original 20-foot wide roadway by using horse and mule drawn scrapers and graders, going from ridge top to ridge top across the western San Gabriel mountains; and

WHEREAS, Originally completed as an oiled, graded gravel road, the 1915 Ridge Route Highway was paved in 1919; and

WHEREAS, The 1915 Ridge Route Highway was well known for its 697 curves, the most notorious of which was Deadman’s Curve near Tejon, that if added together, would make 110 complete circles; and

WHEREAS, The 1915 Ridge Route Highway was replaced in 1933, by a straighter, three-lane highway, which was later widened and became State Highway 99; and

WHEREAS, On September 25, 1997, 17.6 miles of the 1915 Ridge Route Highway south of Gorman, was accepted into the National Registry of Historic Places; and

WHEREAS, The Ancient and Honorable Order of E Clampus Vitus has proposed to construct and dedicate, at no cost to the public, a monument and plaque in honor of the historical significance of the 1915 Ridge Route Highway; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Department of Transportation is requested to grant,

without charge, the necessary encroachment permit authorizing an appropriate historical monument and plaque dedicated to commemorate the 1915 Ridge Route Highway, to be placed within the rights-of-way of State Highway Route 126 and Interstate Highway 5, where those highways converge; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Transportation, the Director of Parks and Recreation, the Ridge Route Preservation Organization, and to the Platrix Chapter No. 2, Queen of the Cow Counties of the Ancient and Honorable Order of E Clampus Vitus.

RESOLUTION CHAPTER 151

Assembly Concurrent Resolution No. 105—Relative to the 90th Anniversary of Women’s Suffrage.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, The women of California won the right to vote after a decade-long effort culminating on October 10, 1911, when a majority of California men voted for political equality and passed the women’s suffrage amendment to the California Constitution; and

WHEREAS, The struggle for political liberty was waged without violence or animosity, speaking to California men from all walks of life and finding support in all corners of the state; and

WHEREAS, California was only the sixth state in the nation to approve political equality, approving women’s suffrage in California nine years before the 19th Amendment to the United States Constitution was ratified; and

WHEREAS, With little central organization, supporters throughout the state worked in cooperation with each other, dividing up the state and the responsibilities of the intensive eight-month campaign to best utilize the abilities of all, winning the support of editors, teachers, ministers, the Governor, the Legislature, and finally a majority of the state’s male voters; and

WHEREAS, The innovative California campaign broke new creative ground in promoting “Votes for Women” by incorporating the latest in advertising and publicity techniques including electric signs, automobile tours, giant billboards, open-air speeches, leaflets in five languages, colorful citywide displays, and countless other new means of outreach; and

WHEREAS, The enfranchisement of California women was ensured by farmers, businessmen, and working men in small towns, distant

counties, and rural areas who responded to the call to “Give Your Girl an Equal Chance With Your Boy” and who overcame the opposition in the largest cities; and

WHEREAS, The women’s suffrage amendment, initially thought to be defeated, triumphed after delayed returns from rural areas swung the election in women’s favor, passing by less than 1 percent of the vote, 125,037 to 121,450, an average margin of one in every voting precinct in the state; and

WHEREAS, The victory in California doubled the number of women in the United States who could vote, offered new hope to supporters throughout the nation, and for a time made San Francisco the largest city in the country where women could vote; and

WHEREAS, The intensive statewide campaign in small towns and rural areas calling for “Justice for California Women” proved to be an inspiration to supporters around the world and helped encourage women’s suffrage in other states; and

WHEREAS, Women voters immediately used their new powers responsibly and to the credit of the state, and formed civic leagues and associations for the betterment of California; and

WHEREAS, This successful, historic effort by courageous and resolute citizens of all races and origins dedicated to the ideal of true democracy has nearly been forgotten and has for too long been denied its rightful place in the history of our state and nation; now, therefor, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby recognizes October 10, 2001, as the 90th Anniversary of Women’s Suffrage in California and encourages all Californians to join in this observance; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 152

Assembly Concurrent Resolution No. 113—Relative to the California Department of Forestry and Fire Protection firefighters.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, The California Department of Forestry and Fire Protection (CDF) firefighters perform an essential public service, and CDF is the third largest fire fighting agency in the country and operates 634 fire stations in the state; and

WHEREAS, It is important to recognize the significant duties, responsibilities, hazards, and sacrifices of the approximately 4,500 CDF firefighters, 1,200 of whom work for local governments pursuant to contractual agreements between CDF and local governments for fire fighting services; and

WHEREAS, The men and women of CDF continue to devote themselves to their jobs regardless of the potential hazards and dangers to themselves; and

WHEREAS, They selflessly respond to such emergencies as the Oakland Hills Fire, the Dunsmuir Flood, and assisting in the rescue efforts in Oklahoma City after the 1995 bombing; and

WHEREAS, CDF firefighters answer over 300,000 calls a year and only 2.5 percent, approximately, of those calls relate to wildland fires; and

WHEREAS, The firefighters of CDF perform the same work as other municipal fire departments, such as responding to structural fires, automobile accidents, attending to victims of heart attacks, drownings, and rescuing flood and earthquake victims; and

WHEREAS, According to the California Department of Personnel Administration, CDF firefighters, as of July 2001, are earning approximately 40 percent less than other firefighters employed by local governments; and

WHEREAS, CDF firefighters work an average of 72 hours per week while local government firefighters work an average of 56 hours per week; and

WHEREAS, Because of these facts CDF firefighters work approximately one-third more hours for one-third less pay than do firefighters employed by other jurisdictions; and

WHEREAS, The California Firefighters' Memorial in Capitol Park will bear the names of approximately 400 firefighters who died in the line of duty and approximately 70 of those will be the names of CDF firefighters who have lost their lives protecting our citizens, their homes, parks, and communities; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California does hereby recognize and commend the bravery and selflessness of the firefighters of the California Department of Forestry and Fire Protection, and expresses its appreciation for their continued service and dedication to the citizens of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Forestry and Fire Protection, and to each

Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 153

Assembly Concurrent Resolution No. 115—Relative to Certified Public Accountants Week.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, The California Board of Accountancy in 1901 licensed the first certified public accountants and began what is now a 100-year tradition of excellence and integrity serving the citizens of California and now the global community in this Internet age; and

WHEREAS, Certified public accountants provide a full range of financial, estate planning, personal financial planning, and management advisory services to business, government, and individuals; and

WHEREAS, The original 47 licensed certified public accountants in California have grown to 55,000 certified public accountants, and California's citizens have recognized the value certified public accountants, with their education, integrity, dedication, and professionalism, bring to individuals and business; and

WHEREAS, The work of certified public accountants helps millions of Californians achieve the American dream by assuring shareholders reliable financial information and by helping individuals to obtain fair treatment on tax obligations; and

WHEREAS, The work of California certified public accountants has assisted in making California the fifth largest economy in the world; and

WHEREAS, All businesses and government agencies rely on the expertise of certified public accountants to design financial and accounting systems that support honesty and efficiency in millions of daily transactions; and

WHEREAS, The role of the profession continues to change dramatically as technology changes and the needs of the public for instantaneous information and analysis of complex transactions increases; and

WHEREAS, Certified public accountants individually and as members of an influential and enduring profession are evolving into the preeminent trusted advisors to individuals, business, government, and others providing clarity in complex financial matters, anticipating opportunities, and providing solutions to financial problems for Californians; and

WHEREAS, Certified public accountants are committed to ensuring that the profession represents the diversity of California's population and is undertaking an unprecedented recruitment program to encourage young people to join what has become an exciting, challenging profession by designing high school and college outreach programs in every community in California championed by volunteers who share a love for the certified public accountant profession; and

WHEREAS, California certified public accountants, during the week of November 4 through 10 are planning a week of activities to increase community awareness of the role of certified public accountants in California's economy and to celebrate the 100th anniversary of the certified public accountant profession in California, now therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby proclaims November 4 through 10, 2001, as Certified Public Accountants Week in the State of California.

RESOLUTION CHAPTER 154

Assembly Concurrent Resolution No. 116—Relative to honoring the family.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, The family plays a key role in establishing a foundation of values and morality in individuals, and, consequently, in developing responsible citizens; and

WHEREAS, It is within the family that individuals, as family members, learn right from wrong, and learn how to be kind to others and how to love one another; and

WHEREAS, The family is our most important social institution; and

WHEREAS, Today's society is at risk of abandoning the heritage that was passed on to us by our parents, resulting in the breakdown of the family and in cultural decline; and

WHEREAS, It is becoming increasingly difficult for families to impart standards of ethical behavior to their children and to pass on a cultural heritage for the benefit of humanity; and

WHEREAS, The President of the United States of America and the United States Congress have traditionally declared a week in November as National Family Week; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That mothers, fathers, husbands, wives, and children be

encouraged to join together as a family to protect and nurture each other to ensure the tremendous blessings that are a result of having a family; and be it further

Resolved, That the Legislature commends the mothers, fathers, sons, and daughters that have shown the discipline necessary to preserve a code of moral and ethical behavior by maintaining strong families; and be it further

Resolved, That the Legislature directs the attention of the public to the positive contributions to the people of California by the family; and be it further

Resolved, That the Legislature recognizes the month of November 2001 as California Family Month; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 155

Assembly Concurrent Resolution No. 117—Relative to the Tall Ships Challenge 2002.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, During California's Sesquicentennial Celebration in 1999, tall ships from around the world visited the California ports of San Francisco, Los Angeles, and San Diego; and

WHEREAS, These ships were the Concordia from Canada, the Kaiwo Maru II from Japan, the Dewaruci from Indonesia, the Gloria from Colombia, and the Guayas from Ecuador; and

WHEREAS, These tall ships were joined by the USS Eagle, the United States Coast Guard's training sail ship; and

WHEREAS, These tall ships were also joined by over 40 tall ships and square-rigged ships from the United States; and

WHEREAS, These tall ship visits were aided by funding from the state to assist these ports in hosting these vessels; and

WHEREAS, These visits were a financial boost to these ports by drawing recordbreaking crowds to visit the ships; and

WHEREAS, These visits received widespread national and international media coverage and boosted California's status as a worldwide, international economic power; and

WHEREAS, The visit of these tall ships increased California's appreciation for its rich maritime history and traditions dating back to the earliest days of California's recorded history; and

WHEREAS, The American Sail Training Association has created the Tall Ships Challenge in order to bring tall ships and young sailors from North America and around the globe to the shores and harbors of the United States each year in friendly international competition and in celebration of the enduring values of teamwork, adventure, and courage that built a great society in North America; and

WHEREAS, The San Diego Maritime Museum, the Los Angeles Maritime Museum, and Sail San Francisco have joined together with the American Sail Training Association to bring the Tall Ships Challenge to California in 2002; and

WHEREAS, The trans-Pacific race will originate in Yokohama and sail to Puget Sound, Washington, a distance of more than 4,200 nautical miles, with an intermediate stop at a port in the Aleutian Islands. Ships in this race will then join others in Seattle for the start of Tall Ships Challenge 2002. After a visit in the Pacific Northwest, the ships will race south to San Francisco, followed by a second race to Los Angeles, and then a cruise-in-company, for the Los Angeles to San Diego leg; and

WHEREAS, Events like the Tall Ships Challenge 2002 bring local people together with visiting sailors from across the ocean in a shared sense of excitement that is truly unique, joining appreciation for maritime history and traditions in celebrations that are an extraordinary cross-cultural experience; and

WHEREAS, The great port cities, San Francisco, Los Angeles, and San Diego, California will serve as hosts to the largest gathering of tall ships seen on the Pacific Coast since the 19th century; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California commends the American Sail Training Association for its advancement of international understanding, its continuing commitment to the values that built a great nation and brought the peoples and cultures of the world together, and its dedication to the personal growth and development of the young people who will lead the nation and the world in the next generation; and be it further

Resolved, That the Legislature of the State of California congratulates the host ports, San Diego Maritime Museum, the Los Angeles Maritime Museum, and Sail San Francisco on their efforts to provide a warm California welcome to the ships of the Tall Ships Challenge 2002, and for their commitment to the important work carried on by those ships; and be it further

Resolved, That the Legislature of the State of California hereby invites the nations of the world to send their tall ships to participate in the Tall Ships Challenge 2002; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 156

Assembly Concurrent Resolution No. 118—Relative to terrorism in New York City and the Pentagon.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, On Tuesday, September 11, 2001, unknown terrorists hijacked an American Airlines flight and a United Airlines flight and flew the planes into the World Trade Center buildings in Lower Manhattan, and also hijacked another American Airlines flight and crashed it into the Pentagon building; and

WHEREAS, A separate United Airlines flight also was hijacked on that day and crashed in Pennsylvania near Camp David; and

WHEREAS, These acts of terrorism have caused the destruction of the two giant World Trade Center towers, nearby buildings, a portion of the Pentagon building, four airline jets, and the loss of an untold number of innocent American lives and injuries to many others; and

WHEREAS, The scale of destruction and loss of life is unimaginable and horrific, and all Californians join with the American public in pouring out their hearts in grief and sympathy for our beloved fellow citizens who have perished or suffered injuries in this profoundly shocking tragedy; and

WHEREAS, The Legislature salutes and remembers the hundreds of heroic men and women of the police and fire departments, and the paramedics and medical personnel at the disaster sites who put their personal safety at risk and lost their lives or were seriously injured in their courageous efforts to protect and serve their fellow citizens; and

WHEREAS, It is fitting at this point in history for all Americans to remind ourselves that the United States is a nation of healing, hope, and resilience; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature joins freedom-loving people around the world in condemning the vicious attack aimed at the United States and in observing a time of prayer and remembrance for the victims of this tragedy and for their families; and be it further

Resolved, That the Legislature stands firm with all Americans to preserve our liberties and our freedom, and wholly supports our national efforts to obtain justice against the cowardly terrorists who destroyed so many innocent lives; and be it further

Resolved, That our nation, firm in purpose and direct in its response, will thereby safeguard our national heritage and honor the memory of the Americans who died as a result of this unprecedented act of terror.

RESOLUTION CHAPTER 157

Assembly Joint Resolution No. 29—Relative to flight training schools.

[Filed with Secretary of State October 2, 2001.]

WHEREAS, The United States was attacked on September 11, 2001, by terrorists who hijacked four commercial airliners and flew three of them into the World Trade Center and the Pentagon to maximize the number of innocent victim deaths; and

WHEREAS, These terrorists took the lives of thousands of innocent individuals; and

WHEREAS, Investigations have revealed that some, if not all, of the hijackers trained at flight training schools in the United States in preparation for their terrorist attacks; and

WHEREAS, There are a number of flight training schools in California that provide training similar to that received by the above-mentioned terrorists; and

WHEREAS, The ability to pilot an aircraft gives the pilot an awesome power over the lives of not only passengers but persons on the ground; and

WHEREAS, Currently, these flight schools are not required to do any background checks, fingerprinting, or other confirmation of identification, allowing literally anyone with sufficient money to enroll in flight training; and

WHEREAS, The events of September 11, 2001, reveal the need for increased security in flight training schools to minimize the possibility of a repeat of the horrendous attacks against buildings and innocent civilians; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of California respectfully memorializes the Congress of the United States to instruct the Federal Aviation Administration to implement security measures including, but not limited to, identification, fingerprinting, and domestic and international background checks for students and trainees at private or government operated flight training schools; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the

Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

2001 – 02

FIRST EXTRAORDINARY SESSION

EXTRAORDINARY SESSION SPECIAL RULES OF EFFECTIVENESS

Except for a statute calling an election, a statute providing for a tax levy or an appropriation calling for the usual current expenses of the state, and an urgency statute, all of which take effect immediately following enactment, a statute adopted during an extraordinary session takes effect on the 91st day following the adjournment of the special session (see subdivision (c) of Section 8 of Article IV of the California Constitution). The effective date of a joint or a concurrent resolution is the date it is filed with the Secretary of State.

The 2001–02 First Extraordinary Session convened on January 3, 2001, and adjourned *sine die* on May 14, 2001. The 91st day after adjournment is August 13, 2001.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



A PROCLAMATION
By the
Governor of the State of California

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now therefore,

I GRAY DAVIS, Governor of the State of California, by virtue of the power and authority vested in me by Section 3(b) Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the 3rd day of January, 2001, at a time appointed by each house of the Legislature of said day for the following purpose and to legislate upon the following subjects:

1. To consider and act upon legislation affecting the availability, supply, consumption, and use of energy in California.
2. To consider and act upon legislation affecting the organization, corporate governance, including finances, and oversight of the California Independent System Operator (CAISO) and the California Power Exchange (CalPX), California not-for-profit corporations.
3. To consider and act upon legislation affecting the operation, maintenance, and finances of facilities owned or controlled directly or indirectly by persons or corporations that provide heat, light, and power to California residents and businesses.
4. To consider and act upon legislation affecting the interaction between wholesale and retail markets for energy supply, capacity and reliability.
5. To consider and act upon legislation protecting the health and safety of California residents with respect to facilities that generate and deliver energy service in California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 3rd day of January 2001.


Governor of California

ATTEST:


Secretary of State



STATUTES OF CALIFORNIA

2001–02

FIRST EXTRAORDINARY SESSION

2001 CHAPTERS

CHAPTER 1

An act to amend Sections 335 and 341.2 of, to add Sections 352 and 352.5 to, and to repeal and add Section 337 of, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor January 18, 2001. Filed with
Secretary of State January 18, 2001.]

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

SECTION 1. Section 335 of the Public Utilities Code is amended to read:

335. In order to ensure that the interests of the people of California are served, a five-member Electricity Oversight Board is hereby created as provided in Section 336. For purposes of this chapter, any reference to the Oversight Board shall mean the Electricity Oversight Board. Its functions shall be all of the following:

(a) To oversee the Independent System Operator and the Power Exchange.

(b) (1) To exercise the exclusive right to decline to confirm the appointments of members of the governing board of the Independent System Operator.

(2) To determine the composition and terms of service and to exercise the exclusive right to decline to confirm the appointments of specific members of the governing board of the Power Exchange.

(c) To serve as an appeal board for majority decisions of the Independent System Operator governing board, as they relate to matters subject to exclusive state jurisdiction, as specified in Section 339.

(d) Those members of the Power Exchange governing board whose appointments the Oversight Board has the exclusive right to decline to confirm include proposed governing board members representing agricultural end users, industrial end users, commercial end users, residential end users, end users at large, nonmarket participants, and public interest groups.

SEC. 2. Section 337 of the Public Utilities Code is repealed:

SEC. 3. Section 337 is added to the Public Utilities Code, to read:

337. (a) Within 90 days of the effective date of the act adding this section, the existing Independent System Operator governing board shall be replaced by a five-member independent governing board of directors appointed by the Governor. Any reference in this chapter or in any other provision of law to the Independent System Operator governing board means the independent governing board appointed under this subdivision.

(b) A member of the independent governing board appointed under subdivision (a) may not be affiliated with any actual or potential participant in any market administered by the Independent System Operator.

(c) (1) All appointments shall be for one-year terms.

(2) There is no limit on the number of terms that may be served by any member.

(d) The Oversight Board shall require the articles of incorporation and bylaws of the Independent System Operator to be revised in accordance with this section, and shall make filings with the Federal Energy Regulatory Commission as the Oversight Board determines to be necessary.

SEC. 4. Section 341.2 of the Public Utilities Code is amended to read:

341.2. The Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) applies to meetings of the Oversight Board. In addition to the allowances of that act, the Oversight Board may hold a closed session to consider the appointment of one or more candidates to the governing board of the Independent System Operator or the Power Exchange, deliberate on matters involving the removal of a member of the governing board of the Power Exchange, or to consider a matter based on information that has received a grant of confidential status pursuant to regulations of the Oversight Board, provided that any action taken on such a matter shall be taken by vote in an open session.

SEC. 5. Section 352 is added to the Public Utilities Code, to read:

352. The Independent System Operator may not enter into a multistate entity or a regional organization as authorized in Section 359 unless that entry is approved by the Oversight Board.

SEC. 6. Section 352.5 is added to the Public Utilities Code, to read:

352.5. (a) The Independent System Operator shall make publicly available a list of all power plants located in the state that are not operational due to a planned or unplanned outage.

(b) For the purposes of complying with subdivision (a), the Independent System Operator shall make the list available over the Internet.

(c) The Independent System Operator shall update the list established pursuant to subdivision (a) on a daily basis.

SEC. 7. 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. 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 make the Independent System Operator more accountable to the people of this state by eliminating stakeholder governing boards, thereby acting to mitigate the state's current energy crisis, it is necessary for this act to take effect immediately.

CHAPTER 2

An act to amend Sections 216, 330, and 377 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor January 18, 2001. Filed with
Secretary of State January 18, 2001.]

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

SECTION 1. Section 216 of the Public Utilities Code is amended to read:

216. (a) "Public utility" includes every common carrier, toll bridge corporation, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system corporation, and heat corporation, where the service is performed for, or the commodity is delivered to, the public or any portion thereof.

(b) Whenever any common carrier, toll bridge corporation, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system corporation, or heat corporation performs a service for, or delivers a commodity to, the public or any portion thereof for which any compensation or payment whatsoever is received, that common carrier, toll bridge corporation, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system corporation, or heat corporation, is a public utility subject to the jurisdiction, control, and regulation of the commission and the provisions of this part.

(c) When any person or corporation performs any service for, or delivers any commodity to, any person, private corporation,

municipality, or other political subdivision of the state, that in turn either directly or indirectly, mediately or immediately, performs that service for, or delivers that commodity to, the public or any portion thereof, that person or corporation is a public utility subject to the jurisdiction, control, and regulation of the commission and the provisions of this part.

(d) Ownership or operation of a facility that employs cogeneration technology or produces power from other than a conventional power source or the ownership or operation of a facility which employs landfill gas technology does not make a corporation or person a public utility within the meaning of this section solely because of the ownership or operation of that facility.

(e) Any corporation or person engaged directly or indirectly in developing, producing, transmitting, distributing, delivering, or selling any form of heat derived from geothermal or solar resources or from cogeneration technology to any privately owned or publicly owned public utility, or to the public or any portion thereof, is not a public utility within the meaning of this section solely by reason of engaging in any of those activities.

(f) The ownership or operation of a facility that sells compressed natural gas at retail to the public for use only as a motor vehicle fuel, and the selling of compressed natural gas at retail from that facility to the public for use only as a motor vehicle fuel, does not make the corporation or person a public utility within the meaning of this section solely because of that ownership, operation, or sale.

(g) Ownership or operation of a facility that has been certified by the Federal Energy Regulatory Commission as an exempt wholesale generator pursuant to Section 32 of the Public Utility Holding Company Act of 1935 (Chapter 2C (commencing with Section 79) of Title 15 of the United States Code) does not make a corporation or person a public utility within the meaning of this section, solely due to the ownership or operation of that facility.

(h) The ownership, control, operation, or management of an electric plant used for direct transactions or participation directly or indirectly in direct transactions, as permitted by subdivision (b) of Section 365, sales into the Power Exchange referred to in Section 365, or the use or sale as permitted under subdivisions (b) to (d), inclusive, of Section 218, shall not make a corporation or person a public utility within the meaning of this section solely because of that ownership, participation, or sale.

SEC. 2. Section 330 of the Public Utilities Code is amended to read:
330. In order to provide guidance in carrying out this chapter, the Legislature finds and declares all of the following:

(a) It is the intent of the Legislature that a cumulative rate reduction of at least 20 percent be achieved not later than April 1, 2002, for residential and small commercial customers, from the rates in effect on

June 10, 1996. In determining that the April 1, 2002, rate reduction has been met, the commission shall exclude the costs of the competitively procured electricity and the costs associated with the rate reduction bonds, as defined in Section 840.

(b) The people, businesses, and institutions of California spend nearly twenty-three billion dollars (\$23,000,000,000) annually on electricity, so that reductions in the price of electricity would significantly benefit the economy of the state and its residents.

(c) The Public Utilities Commission has opened rulemaking and investigation proceedings with regard to restructuring California's electric power industry and reforming utility regulation.

(d) The commission has found, after an extensive public review process, that the interests of ratepayers and the state as a whole will be best served by moving from the regulatory framework existing on January 1, 1997, in which retail electricity service is provided principally by electrical corporations subject to an obligation to provide ultimate consumers in exclusive service territories with reliable electric service at regulated rates, to a framework under which competition would be allowed in the supply of electric power and customers would be allowed to have the right to choose their supplier of electric power.

(e) Competition in the electric generation market will encourage innovation, efficiency, and better service from all market participants, and will permit the reduction of costly regulatory oversight.

(f) The delivery of electricity over transmission and distribution systems is currently regulated, and will continue to be regulated to ensure system safety, reliability, environmental protection, and fair access for all market participants.

(g) Reliable electric service is of utmost importance to the safety, health, and welfare of the state's citizenry and economy. It is the intent of the Legislature that electric industry restructuring should enhance the reliability of the interconnected regional transmission systems, and provide strong coordination and enforceable protocols for all users of the power grid.

(h) It is important that sufficient supplies of electric generation will be available to maintain the reliable service to the citizens and businesses of the state.

(i) Reliable electric service depends on conscientious inspection and maintenance of transmission and distribution systems. To continue and enhance the reliability of the delivery of electricity, the Independent System Operator and the commission, respectively, should set inspection, maintenance, repair, and replacement standards.

(j) It is the intent of the Legislature that California enter into a compact with western region states. That compact should require the publicly and investor-owned utilities located in those states, that sell

energy to California retail customers, to adhere to enforceable standards and protocols to protect the reliability of the interconnected regional transmission and distribution systems.

(k) In order to achieve meaningful wholesale and retail competition in the electric generation market, it is essential to do all of the following:

(1) Separate monopoly utility transmission functions from competitive generation functions, through development of independent, third-party control of transmission access and pricing.

(2) Permit all customers to choose from among competing suppliers of electric power.

(3) Provide customers and suppliers with open, nondiscriminatory, and comparable access to transmission and distribution services.

(l) The commission has properly concluded that:

(1) This competition will best be introduced by the creation of an Independent System Operator and an independent Power Exchange.

(2) Generation of electricity should be open to competition.

(3) There is a need to ensure that no participant in these new market institutions has the ability to exercise significant market power so that operation of the new market institutions would be distorted.

(4) These new market institutions should commence simultaneously with the phase in of customer choice, and the public will be best served if these institutions and the nonbypassable transition cost recovery mechanism referred to in subdivisions (s) to (w), inclusive, are in place simultaneously and no later than January 1, 1998.

(m) It is the intention of the Legislature that California's publicly owned electric utilities and investor-owned electric utilities should commit control of their transmission facilities to the Independent System Operator. These utilities should jointly advocate to the Federal Energy Regulatory Commission a pricing methodology for the Independent System Operator that results in an equitable return on capital investment in transmission facilities for all Independent System Operator participants.

(n) Opportunities to acquire electric power in the competitive market must be available to California consumers as soon as practicable, but no later than January 1, 1998, so that all customers can share in the benefits of competition.

(o) Under the existing regulatory framework, California's electrical corporations were granted franchise rights to provide electricity to consumers in their service territories.

(p) Consistent with federal and state policies, California electrical corporations invested in power plants and entered into contractual obligations in order to provide reliable electrical service on a nondiscriminatory basis to all consumers within their service territories who requested service.

(q) The cost of these investments and contractual obligations are currently being recovered in electricity rates charged by electrical corporations to their consumers.

(r) Transmission and distribution of electric power remain essential services imbued with the public interest that are provided over facilities owned and maintained by the state's electrical corporations.

(s) It is proper to allow electrical corporations an opportunity to continue to recover, over a reasonable transition period, those costs and categories of costs for generation-related assets and obligations, including costs associated with any subsequent renegotiation or buyout of existing generation-related contracts, that the commission, prior to December 20, 1995, had authorized for collection in rates and that may not be recoverable in market prices in a competitive generation market, and appropriate additions incurred after December 20, 1995, for capital additions to generating facilities existing as of December 20, 1995, that the commission determines are reasonable and should be recovered, provided that the costs are necessary to maintain those facilities through December 31, 2001. In determining the costs to be recovered, it is appropriate to net the negative value of above market assets against the positive value of below market assets.

(t) The transition to a competitive generation market should be orderly, protect electric system reliability, provide the investors in these electrical corporations with a fair opportunity to fully recover the costs associated with commission approved generation-related assets and obligations, and be completed as expeditiously as possible.

(u) The transition to expanded customer choice, competitive markets, and performance based ratemaking as described in Decision 95-12-063, as modified by Decision 96-01-009, of the Public Utilities Commission, can produce hardships for employees who have dedicated their working lives to utility employment. It is preferable that any necessary reductions in the utility workforce directly caused by electrical restructuring, be accomplished through offers of voluntary severance, retraining, early retirement, outplacement, and related benefits. Whether workforce reductions are voluntary or involuntary, reasonable costs associated with these sorts of benefits should be included in the competition transition charge.

(v) Charges associated with the transition should be collected over a specific period of time on a nonbypassable basis and in a manner that does not result in an increase in rates to customers of electrical corporations. In order to insulate the policy of nonbypassability against incursions, if exemptions from the competition transition charge are granted, a firewall shall be created that segregates recovery of the cost of exemptions as follows:

(1) The cost of the competition transition charge exemptions granted to members of the combined class of residential and small commercial customers shall be recovered only from those customers.

(2) The cost of the competition transition charge exemptions granted to members of the combined class of customers other than residential and small commercial customers shall be recovered only from those customers. The commission shall retain existing cost allocation authority provided that the firewall and rate freeze principles are not violated.

(w) It is the intent of the Legislature to require and enable electrical corporations to monetize a portion of the competition transition charge for residential and small commercial consumers so that these customers will receive rate reductions of no less than 10 percent for 1998 continuing through 2002. Electrical corporations shall, by June 1, 1997, or earlier, secure the means to finance the competition transition charge by applying concurrently for financing orders from the Public Utilities Commission and for rate reduction bonds from the California Infrastructure and Economic Development Bank.

(x) California's public utility electrical corporations provide substantial benefits to all Californians, including employment and support of the state's economy. Restructuring the electric services industry pursuant to the act that added this chapter will continue these benefits, and will also offer meaningful and immediate rate reductions for residential and small commercial customers, and facilitate competition in the supply of electric power.

SEC. 3. Section 377 of the Public Utilities Code is amended to read:

377. The commission shall continue to regulate the facilities for the generation of electricity owned by any public utility prior to January 1, 1997, that are subject to commission regulation until the owner of those facilities has applied to the commission to dispose of those facilities and has been authorized by the commission under Section 851 to undertake that disposal. Notwithstanding any other provision of law, no facility for the generation of electricity owned by a public utility may be disposed of prior to January 1, 2006. The commission shall ensure that public utility generation assets remain dedicated to service for the benefit of California ratepayers.

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 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. 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 ensure that public utility generation assets remain dedicated to service for the benefit of California ratepayers, and are not deregulated as a consequence of market valuation, without appropriate review and authorization of the Public Utilities Commission pursuant to Section 851 of the Public Utilities Code, it is necessary that this act take effect immediately.

CHAPTER 3

An act to add and repeal Section 200 of the Water Code, relating to public utilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor January 19, 2001. Filed with
Secretary of State January 19, 2001.]

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

SECTION 1. Section 200 is added to the Water Code, to read:

200. (a) The Legislature finds and declares that there is an urgent short-term need for the State of California, through the department, to assist in meeting the public's electricity needs through the emergency purchase of electricity. It is the intent of the Legislature that this section clarify on a temporary basis the department's authority to purchase electricity and make it available to assist in meeting California's energy needs.

(b) For a period not to exceed 12 days from the effective date of this section, the department may purchase electric power from any party and make that electric power available at the cost of its purchase, plus any administrative costs (not to exceed a total amount of one million dollars (\$1,000,000) for all purchases entered into pursuant to this section), transmission and scheduling costs, and other related costs, incurred by the department, to the Independent System Operator, public utility electrical corporations, or retail end-use customers. With respect to electric power made available to retail end-use customers, the customers shall be responsible for costs at no more than the rates established by the Public Utilities Commission in effect on the date the power is made available to the customers.

(c) The purchases made pursuant to this section are separate and apart from the State Water Resources Development System, and the obligations incurred and funding of those contracts and arrangements shall be maintained by the department, separate and distinct from the funds, moneys and obligations of the State Water Resources Development System.

(d) Notwithstanding any other provision of law, the department shall use any and all means feasible, as determined by the department, to secure the state's right and ability to recover funds expended pursuant to this section.

(e) No contract or purchase agreement shall contain terms that diminish the state's interest in recovering any funds expended for purchase of power at rates that exceed just and reasonable rates.

(f) There is hereby established in the State Treasury the Department of Water Resources Electric Power Fund. Notwithstanding Section 13340 of the Government Code, money in the fund is continuously appropriated without regard to fiscal year to the department for purposes of this section. All revenues payable to the department under this act shall be deposited in the fund. Notwithstanding any other provision of law, interest accruing on money in the fund shall remain in the fund and shall be used for the purposes of this act. Payments from the fund may be made only for the purposes authorized by this section.

(g) All contracts authorized by this act shall be payable solely from the fund established pursuant to this section.

(h) Neither the full faith and credit nor the taxing power of the state are or may be pledged for payment for any obligation authorized under this section.

(i) The Public Utilities Commission shall adopt and implement emergency regulations that shall become effective on the operative date of this section to provide for delivery and payment mechanisms relating to the sale of electric power purchased by the department for sale directly or indirectly to the Independent System Operator, public utilities, or retail end-use customers.

(j) No purchases of electric power shall be entered into pursuant to this section after February 1, 2001. No purchases of electric power entered into pursuant to this section may extend in duration past February 15, 2001.

(k) This section shall become inoperative on February 2, 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. The sum of four hundred million dollars (\$400,000,000) is hereby transferred from the General Fund to the Department of Water

Resources Electric Power Fund, established by Section 200 of the Water Code, for the purposes of implementing Section 1 of this act.

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 that the State of California and its citizens have an adequate supply of electricity, thereby preserving the public health, safety, and welfare, it is necessary that this act take effect immediately.

CHAPTER 4

An act to amend Section 366.5 of, and to add Section 360.5 to, and to repeal Section 355.1 of, the Public Utilities Code, and to add Division 27 (commencing with Section 80000) to the Water Code, relating to electric power, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 1, 2001. Filed with
Secretary of State February 1, 2001.]

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

SECTION 1. Section 355.1 of the Public Utilities Code is repealed.

SEC. 2. Section 360.5 is added to the Public Utilities Code, to read:

360.5. The commission shall determine that portion of each existing electrical corporation's retail rate effective on January 5, 2001, that is equal to the difference between the generation related component of the retail rate and the sum of the costs of the utility's own generation, qualifying facility contracts, existing bilateral contracts, and ancillary services. That portion of the retail rate shall be known as the California Procurement Adjustment. The commission shall further determine the amount of the California Procurement Adjustment that is allocable to the power sold by the department. That amount shall be payable, by each electrical corporation, upon receipt by the electrical corporation of the revenues from its retail end use customers, to the department for deposit in the Department of Water Resources Electric Power Fund, established by Section 80200 of the Water Code. The amount determined pursuant to this subdivision shall be known as the Fixed Department of Water Resources Set-Aside.

SEC. 3. Section 366.5 of the Public Utilities Code is amended to read:

366.5. (a) No change in the aggregator or supplier of electric power for any small commercial customer may be made until one of the following means of confirming the change has been completed:

- (1) Independent third-party telephone verification.
- (2) Receipt of a written confirmation received in the mail from the consumer after the consumer has received an information package confirming the agreement.
- (3) The customer signs a document fully explaining the nature and effect of the change in service.
- (4) The customer's consent is obtained through electronic means, including, but not limited to, computer transactions.

(b) No change in the aggregator or provider of electric power for any residential customer may be made over the telephone until the change has been confirmed by an independent third-party verification company, as follows:

(1) The third-party verification company shall meet each of the following criteria:

(A) Be independent from the entity that seeks to provide the new service.

(B) Not be directly or indirectly managed, controlled, or directed, or owned wholly or in part, by an entity that seeks to provide the new service or by any corporation, firm, or person who directly or indirectly manages, controls, or directs, or owns more than 5 percent of the entity.

(C) Operate from facilities physically separate from those of the entity that seeks to provide the new service.

(D) Not derive commission or compensation based upon the number of sales confirmed.

(2) The entity seeking to verify the sale shall do so by connecting the resident by telephone to the third-party verification company or by arranging for the third-party verification company to call the customer to confirm the sale.

(3) The third-party verification company shall obtain the customer's oral confirmation regarding the change, and shall record that confirmation by obtaining appropriate verification data. The record shall be available to the customer upon request. Information obtained from the customer through confirmation shall not be used for marketing purposes. Any unauthorized release of this information is grounds for a civil suit by the aggrieved resident against the entity or its employees who are responsible for the violation.

(4) Notwithstanding paragraphs (1), (2), and (3), an aggregator or provider of electric power shall not be required to comply with these provisions when the customer directly calls an aggregator or provider of electric power to change service providers. However, an aggregator or provider of electric power shall not avoid the verification requirements

by asking a customer to contact an aggregator or provider of electric power directly to make any change in the service provider.

(c) No change in the aggregator or provider of electric power for any residential customer may be made via an Internet transaction, in which the customer accesses the website of the aggregator or provider, unless both of the following occur with respect to confirming the change:

(1) In addition to any other information gathered in the course of the transaction, the customer shall be asked to read and respond to a separate screen that states, in easily legible text, the following:

“I acknowledge that in entering this transaction I am voluntarily choosing to change the entity that supplies me with my electric power.”

(2) The separate screen shall offer the customer the option to complete or terminate the transaction.

(d) (1) No change in the aggregator or provider of electric power for any residential customer may be made via a written transaction unless the change has been confirmed, as provided in this subdivision. In order to comply with this subdivision, in addition to any other information gathered in the course of the transaction, and in addition to any other signature required, the customer shall be asked to sign and date a document separate from that written transaction, containing the following words printed in 10-point type or larger:

“I acknowledge that in signing this contract or agreement, I am voluntarily choosing to change the entity that supplies me with electric power.”

(2) The acknowledgment document described in paragraph (1) may not be included with a check or in connection with a sweepstakes solicitation.

(e) Any aggregator or provider of electric power offering electricity service to residential and small commercial customers that switches the electric service of a customer without the customer’s consent shall be liable to the aggregator or provider of electric power offering electricity services previously selected by the customer in an amount equal to all charges paid by the customer after the violation and shall refund to the customer any amount in excess of the amount that the customer would have been obligated to pay had the customer not been switched.

(f) An aggregator or provider of electric power shall keep a record of the confirmation of a change pursuant to subdivision (b), (c), or (d) for two years from the date of that confirmation, and shall make those records available, upon request, to the customer and to the commission in the course of a commission investigation of a customer complaint or an investigation pursuant to subdivision (c) of Section 394.2.

(g) Public agencies are exempt from this section to the extent they are serving customers within their jurisdiction.

(h) Notwithstanding subdivisions (c) and (d), the commission may require third-party verification for all residential changes to electric service providers if it finds that the application of subdivisions (c) and (d) results in the unauthorized changing of a customer's electric service provider.

(i) An electrical corporation is exempt from this section for customers that default to the service of the electrical corporation.

(j) Electric power sold to customers pursuant to Section 80100 of the Water Code is not subject to this section.

SEC. 4. Division 27 (commencing with Section 80000) is added to the Water Code, to read:

DIVISION 27. PURCHASE AND SALE OF ELECTRIC POWER

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

80000. The Legislature hereby finds and declares all of the following:

(a) The furnishing of reliable reasonably priced electric service is essential for the safety, health, and well-being of the people of California. A number of factors have resulted in a rapid, unforeseen shortage of electric power and energy available in the state and rapid and substantial increases in wholesale energy costs and retail energy rates, with statewide impact, to such a degree that it constitutes an immediate peril to the health, safety, life and property of the inhabitants of the state, and the public interest, welfare, convenience and necessity require the state to participate in markets for the purchase and sale of power and energy.

(b) In order for the department to adequately and expeditiously undertake and administer the critical responsibilities established in this division, it must be able to obtain, in a timely manner, additional and sufficient personnel with the requisite expertise and experience in energy marketing, energy scheduling, and accounting.

80002. Nothing in this division shall be construed to reduce or modify any electrical corporation's obligation to serve. The commission shall issue orders it determines are necessary to carry out this section. Nothing in this section shall be construed to obligate the department for any procurement cost obligations of any electrical corporation that may have existed as of the effective date of this section.

80002.5. It is the intent of the Legislature that power acquired by the department under this division shall be sold to all retail end use customers being served by electrical corporations, and may be sold, to the extent practicable, as determined by the department, to those local publicly owned electric utilities requesting such power. Power sold by

the department to retail end use customers shall be allocated pro rata among all classes of customers to the extent practicable.

80003. (a) The development and operation of a program as provided in this division is in all respects for the welfare and the benefit of the people of the state, to protect the public peace, health, and safety, and constitutes an essential governmental purpose.

(b) This division shall be construed in a manner so as to effectuate the purposes and objectives thereof.

80004. (a) The powers and responsibilities of the department established under this division are within the scope of the primary duties of the department, but are not governed by the provisions relating to the State Water Resources Development System.

(b) The Department of Water Resources Electric Purchases Fund, established by Section 80200, and the money in that fund are separate and distinct from any other fund and money administered by the department.

80010. As used in this division, unless the context otherwise requires, the following terms have the following meanings:

(a) "Bonds" means bonds, notes, or other evidences of indebtedness issued solely for the purposes of paying the cost of electric power and transmission, scheduling, and other related expenses incurred by the department on and after the effective date of this division, or to reimburse expenditures from the fund for those purposes; repaying to the General Fund any advances made to the department from appropriations made to the fund pursuant hereto or hereafter for purposes of this division, any advances made to the department from the Water Resources Electric Power Fund, and General Fund moneys expended by the department pursuant to the Governor's Emergency Proclamation dated January 17, 2001; establishing or maintaining reserves in connection with the bonds; costs of issuance of bonds or incidental to their payment or security; capitalized interest; or to renew or refund any bonds.

(b) "Commission" means the Public Utilities Commission.

(c) "Electrical corporation" has the same meaning as that term is defined in Section 218 of the Public Utilities Code.

(d) "Fund" means the Department of Water Resources Electric Power Fund established by Section 80200.

(e) "Local publicly owned electric utility" includes the entities defined in subdivision (d) of Section 9604 of the Public Utilities Code and publicly owned utilities that provide electricity.

(f) "Power" means electric power and energy, including, but not limited to, capacity and output, or any of them.

(g) "Public utility" has the same meaning as that term is defined in Section 216 of the Public Utilities Code.

80012. The department shall do those things necessary and authorized under Chapter 2 (commencing with Section 80100) to make power available directly or indirectly to electric consumers in California. Except as otherwise stated, nothing in this division authorizes the department to take ownership of the transmission, generation, or distribution assets of any electrical corporation in this state.

80014. (a) The department and commission may adopt regulations for purposes of this division as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For purposes of that Chapter 3.5, including Section 11349.6 of the Government Code, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservations of the public peace, health and safety, and general welfare. Notwithstanding subdivision (e) of Section 11346.1 of the Government Code, the regulations shall be repealed 180 days after their effective date, unless the adopting authority or agency complies with that Chapter 3.5, as provided in subdivision (e) of Section 11346.1 of the Government Code.

(b) Unless the department determines that application of any such provision to such contracts is detrimental to accomplishing the purposes of this division, the provisions of the Government Code and Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements and prompt payment requirements, apply to contracts entered into under this division.

80016. All state agencies and other official state organizations, and all persons connected therewith, shall and are hereby authorized to, at the request of the department, give the department reasonable assistance or other cooperation in carrying out the purposes of this division.

CHAPTER 2. POWER PROGRAM

Article 1. Powers of the Department

80100. Upon those terms, limitations, and conditions as it prescribes, the department may contract with any person, local publicly owned electric utility, or other entity for the purchase of power on such terms and for such periods as the department determines and at such prices the department deems appropriate taking into account all of the following:

(a) The intent of the program described in this division is to achieve an overall portfolio of contracts for energy resulting in reliable service at the lowest possible price per kilowatthour.

(b) The need to have contract supplies to fit each aspect of the overall energy load profile.

(c) The desire to secure as much low-cost power as possible under contract.

(d) The duration and timing of contracts made available from sellers.

(e) The length of time sellers of electricity offer to sell such electricity.

(f) The desire to secure as much firm and nonfirm renewable energy as possible. Prior to commencement of the program described in this division, the department shall assess the need for power in the state in consultation with the Public Utilities Commission and local publicly owned electric utilities and electrical corporations in the state and such other entities in the state as the department determines are appropriate. The department may also enter into options or forward contracts with respect to the foregoing, and contract with any person, local publicly owned electric utility, or other entity for transmission, scheduling, and other related power services necessary or desirable to accomplish the purposes of this division.

80102. (a) Contracts under this division may provide for the assignment thereof on any terms and conditions as the contracts may specify.

(b) Any contract for the purchase or sale of electric power shall contain any contractual terms and security provisions as are determined by the department to be necessary or appropriate and the department may enter into such arrangements as may be necessary or appropriate to implement the foregoing.

(c) Notwithstanding any other provision of law, the department may pay or provide for the payment of power or use of transmission or distribution facilities and other related services prior to the delivery or utilization thereof, provided that the department determines that prepayment is beneficial to ratepayers and that adequate provision has been made for the security of the department.

80104. Upon the delivery of power to them, the retail end use customers shall be deemed to have purchased that power from the department. Payment for any sale shall be a direct obligation of the retail end use customer to the department.

80106. (a) The department may contract with the related electrical corporation or its successor in the performance of related service, for the electrical corporation or its successor in the performance of related service, to transmit or provide for the transmission of, and distribute the power and provide billing, collection, and other related services, as agent of the department, on terms and conditions that reasonably compensate the electrical corporation for its services.

(b) At the request of the department, the commission shall order the related electrical corporation or its successor in the performance of related service, to transmit or provide for the transmission of, and

distribute the power and provide billing, collection, and other related services, as agent of the department, on terms and conditions that reasonably compensate the electrical corporation for its services.

80108. The commission may issue rules regulating the enforcement of the agency function pursuant this division, including collection and payment to the department.

80110. The department shall retain title to all power sold by it to the retail end use customers. The department shall be entitled to recover, as a revenue requirement, amounts and at the times necessary to enable it to comply with Section 80134, and shall advise the commission as the department determines to be appropriate. Such revenue requirements may also include any advances made to the department hereunder or hereafter for purposes of this division, or from the Department of Water Resources Electric Power Fund, and General Fund moneys expended by the department pursuant to the Governor's Emergency Proclamation dated January 17, 2001. For purposes of this division and except as otherwise provided in this section, the Public Utility Commission's authority as set forth in Section 451 of the Public Utilities Code shall apply, except any just and reasonable review under Section 451 shall be conducted and determined by the department. The commission may enter into an agreement with the department with respect to charges under Section 451 for purposes of this division, and that agreement shall have the force and effect of a financing order adopted in accordance with Article 5.5 (commencing with Section 840) of Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, as determined by the commission. In no case shall the commission increase the electricity charges in effect on the date that the act that adds this section becomes effective for residential customers for existing baseline quantities or usage by those customers of up to 130 percent of existing baseline quantities, until such time as the department has recovered the costs of power it has procured for the electrical corporation's retail end use customers as provided in this division. After the passage of such period of time after the effective date of this section as shall be determined by the commission, the right of retail end use customers pursuant to Article 6 (commencing with Section 360) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code to acquire service from other providers shall be suspended until the department no longer supplies power hereunder. The department shall have the same rights with respect to the payment by retail end use customers for power sold by the department as do providers of power to such customers.

80112. All money collected with respect to any power acquired and sold pursuant to this division and the Governor's Emergency Proclamation dated January 17, 2001, and all money paid directly or indirectly to or for the account of the department with respect to any sale,

exchange, transfer, or disposition of power acquired pursuant hereto, shall constitute property of the department and shall be deposited in the fund in accordance with subdivision (b) of Section 80200. To the extent any moneys are received by an electrical corporation pursuant to Section 80106 in the process of collection, and pending their transfer to the department, they shall be segregated by the electrical corporation on terms and conditions established by the department and shall be held in trust for the benefit of the department.

80114. The commission shall take those actions necessary to ensure that all, or a portion of, the component rates that are available to electrical corporations for the purchase of their net short position of electricity are used to recover the revenue requirements established pursuant to this division.

80116. The department may sell any power acquired by the department pursuant to this division to retail end use customers, and to local publicly owned electric utilities, at not more than the department's acquisition costs, including transmission, scheduling, and other related costs, plus other costs as provided in Section 80200, or exchange power with any person or public or private entity. The department may not sell power to any local publicly owned electric utility, as defined in Section 9604 of the Public Utilities Code, which is itself a net seller of power. However, to the extent that any acquired power is not required for use within the state, if it is otherwise advantageous and necessary, the power may be sold, transferred, or otherwise disposed of, or an option may be granted with respect to the power, to any person or public or private entity. Except to maintain system integrity, the department shall sell the power that is to be delivered to retail end use customers within the service area of the electrical corporations that purchase power from the electrical corporations directly to the retail end use customers.

80120. The department may fix and establish the procedure and charges for the sale or other disposal of power purchased by the department.

80122. The department may do any of the following as may be, in the determination of the department, necessary for the purposes of this division:

(a) Hire and appoint employees as required, at salary levels determined by the director to be competitive to attract and retain persons with the necessary expertise and skills. Prior to hiring or appointing an employee at a salary in excess of a salary approved by the Department of Personnel Administration, the director shall submit the proposed salary to the Director of Finance who shall submit it to the Legislature in accordance with Section 27.00 of the annual Budget Act. No excess salary authorized under this section may be paid on or after January 1, 2003. The excess portion of a salary authorized under this section may

not be considered salary in the calculation of final compensation for purposes of benefits under the Public Employees' Retirement System.

(b) Engage the services of private parties to render professional and technical assistance and advice and other services in carrying out the purposes of this division.

(c) Contract for the services of other public agencies.

(d) The State Personnel Board and the Department of Personnel Administration shall assist the department in expediting the hiring of personnel necessary and desirable for the timely and successful implementation and administration of the department's duties and responsibilities pursuant to this division.

CHAPTER 2.5. BONDS

80130. The department may incur indebtedness and issue bonds as evidence thereof, provided that bonds may not be issued in an amount the debt service on which, to the extent payable from the fund, is expected by the department to exceed the amounts expected to be available in the fund for their payment. In no event shall the department authorize the issuance of bonds (excluding notes issued in anticipation of the issuance of bonds and retired from the proceeds of those bonds) in an aggregate amount greater than the amount calculated by multiplying by a factor of four the annual revenues generated by the California Procurement Adjustment, as determined by the commission pursuant to Section 360.5. In addition, before the issuance of bonds, the department shall establish a mechanism to ensure that the bonds will be sold at investment grade ratings and repaid on a timely basis from pledged revenues. This mechanism may include, but is not limited to, an agreement between the department and the commission as described in Section 80110.

80132. (a) Bonds may be issued by the department upon authorization by written determination of the director of the department with the approval of the Director of Finance and the State Treasurer. The Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations of its written determination. The bonds shall be sold at such prices and in such manner, and on such terms and conditions, as shall be specified in such determination, and such determination may contain or authorize any other provision, condition, or limitation not inconsistent herewith and such provisions as may be deemed reasonable and proper for the security of the bondholders. Bonds may mature at such time or times, and bear interest at such rate or rates, which may be fixed or variable and be determined by reference to an index or such other method, as shall be specified in

such determination. Neither the person executing the determination to issue bonds nor any person executing bonds shall be personally liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

(b) In the discretion of the department, any bonds may be secured by a trust agreement by and between the department and a corporate trustee, which may be any trust company or bank having trust powers within or without the state, or the State Treasurer. Notwithstanding any other provision of law, the State Treasurer shall not be deemed to have a conflict of interest by reason of acting as such trustee. The department may enter into such contracts or arrangements as it shall deem to be necessary or appropriate for the issuance and further security of the bonds.

(c) Bonds shall be legal investments for all trust funds, the funds of all insurance companies, banks both commercial and savings, trust companies, executors, administrators, trustees, and other fiduciaries, for state school funds, pension funds, and, for any funds that may be invested in county, school, or municipal bonds.

(d) Notwithstanding that bonds may be payable from a special fund, they shall be deemed to be negotiable instruments for all purposes.

(e) Any and all bonds, their transfer and the income therefrom shall at all times be free from taxation of every kind by the state and by all political subdivisions of the state.

(f) Bonds shall not be deemed to constitute a debt or liability of the state or of any political subdivision thereof, other than the department, or a pledge of the faith and credit of the state or of any such political subdivision, other than the department, but shall be payable solely from the funds herein provided for. All bonds shall contain a statement to the following effect: “Neither the faith and credit nor the taxing power of the State of California is pledged to the payment of the principal or of interest on this bond.” The issuance of bonds shall not directly or indirectly or contingently obligate the state or any political subdivision thereof to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

(g) The department may pledge or assign any revenues under any obligation entered into, and rights to receive the same, and moneys on deposit in the fund and income or revenue derived from the investment thereof, as security for the department’s obligations hereunder. It is the intention of the Legislature that any pledge of moneys, revenues, or property made by the department shall be valid and binding from the time when the pledge is made; that the moneys, revenues, or property so pledged and thereafter collected from retail end use customers, or paid directly or indirectly to or for the account of the department, is hereby made, and shall immediately be, subject to the lien of such pledge

without any physical delivery thereof or further act; that the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the department irrespective of whether such parties have notice thereof, and that no resolution or instrument by which such pledge or lien created pursuant to this subdivision is expressed, confirmed, or approved need be filed or recorded in order to perfect such pledge or lien. The provisions hereof shall in all respects govern the creation, perfection, priority, and enforcement of any lien created hereby or hereunder.

80134. (a) The department shall, and in any obligation entered into pursuant to this division may covenant to, at least annually, and more frequently as required, establish and revise revenue requirements sufficient, together with any moneys on deposit in the fund, to provide all of the following:

(1) The amounts necessary to pay the principal of and premium, if any, and interest on all bonds as and when the same shall become due.

(2) The amounts necessary to pay for power purchased by it and to deliver it to purchasers, including the cost of electric power and transmission, scheduling, and other related expenses incurred by the department, or to make payments under any other contracts, agreements, or obligations entered into by it pursuant hereto, in the amounts and at the times the same shall become due.

(3) Reserves in such amount as may be determined by the department from time to time to be necessary or desirable.

(4) The pooled money investment rate on funds advanced for electric power purchases prior to the receipt of payment for those purchases by the purchasing entity.

(5) Repayment to the General Fund of appropriations made to the fund pursuant hereto or hereafter for purposes of this division, appropriations made to the Department of Water Resources Electric Power Fund, and General Fund moneys expended by the department pursuant to the Governor's Emergency Proclamation dated January 17, 2001.

(6) The administrative costs of the department incurred in administering this division.

(b) The department shall notify the commission of its revenue requirement pursuant to Section 80110.

CHAPTER 3. DEPARTMENT OF WATER RESOURCES ELECTRIC POWER FUND

80200. (a) There is hereby established in the State Treasury the Department of Water Resources Electric Power Fund. Notwithstanding Section 13340 of the Government Code, all moneys in the fund are

continuously appropriated, without regard to fiscal year, to the department, and shall be available for the purposes of this division. It is the intent of the Legislature that this fund be a continuation of the fund created in Chapter 3 of the Statutes of 2001 (SB 7 of the First 2001–02 Extraordinary Session).

(b) All revenues payable to the department under this division shall be deposited in the fund. Notwithstanding any other provision of law, interest accruing on money in the fund shall remain in the fund and shall be used for the purposes of this division. Payments from the fund may be made only for the purposes authorized by this division, including, but not limited to, payments for any of the following:

(1) The cost of electric power and transmission, scheduling, and other related expenses incurred by the department.

(2) The pooled money investment rate on funds advanced for electric power purchases prior to the receipt of payment for those purchases by the purchasing entity.

(3) Payment of any bonds or other contractual obligations authorized by this division.

(4) Repayment to the General Fund of appropriations made to the fund pursuant hereto or hereafter for purposes of this division, appropriations made to the Department of Water Resources Electric Power Fund, and General Fund moneys expended by the department pursuant to the Governor’s Emergency Proclamation dated January 17, 2001. It is the intent of the Legislature that such repayment be made as soon as practicable.

(c) Except as provided in subdivision (b) of Section 5 of the statute adding this section, the administrative costs of the department incurred in administering this division shall be provided in the annual Budget Act.

(d) Obligations authorized by this division shall be payable solely from the fund. Neither the full faith and credit nor the taxing power of the state are or may be pledged for any payment under any obligation authorized by this division.

(e) While any obligations of the department incurred under this division remain outstanding and not fully performed or discharged, the rights, powers, duties, and existence of the department and the commission shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of or parties to such obligations. The department may include this pledge and undertaking of the state in the department’s obligations.

CHAPTER 4. REPORTING

80250. The department shall make quarterly and annual reports to the Governor and the Legislature regarding its activities and expenditures pursuant to this division.

CHAPTER 5. TERMINATION OF AUTHORITY TO CONTRACT

80260. On and after January 1, 2003, the department shall not contract under this division for the purchase of electrical power. This section does not affect the authority of the department to administer contracts entered into prior to that date or the department's authority to sell electricity.

CHAPTER 6. AUDIT

80270. The Bureau of State Audits shall conduct a financial and performance audit of the department's implementation of this division. The audit shall be completed before December 31, 2001. The bureau shall issue a final report on or before March 31, 2003.

SEC. 5. The following sums are hereby transferred or appropriated from the General Fund, as follows:

(a) Four hundred ninety-five million seven hundred fifty-five thousand dollars (\$495,755,000) is hereby transferred to the Department of Water Resources Electric Power Fund, established by Section 80200 of the Water Code, for the purposes of Division 27 (commencing with Section 80000) of the Water Code. The four hundred ninety-five million seven hundred fifty-five thousand dollars (\$495,755,000) shall be repaid from the fund to the General Fund at the earliest possible time.

(b) Four million two hundred forty-five thousand dollars (\$4,245,000) is appropriated to the department for the 2000–01 fiscal year for the administrative costs incurred by the department for the purposes of Division 27 (commencing with Section 80000) of the Water Code.

SEC. 6. The Department of Finance may authorize the creation of deficiencies for the appropriation made by Section 5 of the act adding this section. No deficiency may be approved under this section any sooner than 10 days after written notification of the proposed deficiency is given to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations.

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 address the rapid, unforeseen shortage of electric power and energy available in the state and rapid and substantial increases in wholesale energy costs and retail energy rates, that endanger the health, welfare, and safety of the people of this state, it is necessary for this act to take effect immediately.

CHAPTER 5

An act to amend Section 332.1 of, and to add Section 332.2 to, the Public Utilities Code, relating to electric power, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 6, 2001. Filed with
Secretary of State April 9, 2001.]

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

SECTION 1. Section 332.1 of the Public Utilities Code is amended to read:

332.1. (a) (1) It is the intent of the Legislature to enact Item 1 (revised) on the commission's August 21, 2000 agenda, entitled "Opinion Modifying Decision (D.) D.00-06-034 and D.00-08-021 to Regarding Interim Rate Caps for San Diego Gas and Electric Company," as modified below.

(2) It is also the intent of the Legislature that to the extent that the Federal Energy Regulatory Commission orders refunds to electrical corporations pursuant to their findings, the commission shall ensure that any refunds are returned to customers.

(b) The commission shall establish a ceiling of six and five-tenths cents (\$0.065) per kilowatt hour on the energy component of electric bills for electricity supplied to residential, small commercial, and street lighting customers by the San Diego Gas and Electric Company, through December 31, 2002, retroactive to June 1, 2000. If the commission finds it in the public interest, this ceiling may be extended through December 2003 and may be adjusted as provided in subdivision (d).

(c) The commission shall establish an accounting procedure to track and recover reasonable and prudent costs of providing electric energy to retail customers unrecovered through retail bills due to the application of the ceiling provided for in subdivision (b). The accounting procedure shall utilize revenues associated with sales of energy from utility-owned or managed generation assets to offset an undercollection, if

undercollection occurs. The accounting procedure shall be reviewed periodically by the commission, but not less frequently than semiannually. The commission may utilize an existing proceeding to perform the review. The accounting procedure and review shall provide a reasonable opportunity for San Diego Gas and Electric Company to recover its reasonable and prudent costs of service over a reasonable period of time.

(d) If the commission determines that it is in the public interest to do so, the commission, after the date of the completion of the proceeding described in subdivision (g), may adjust the ceiling from the level specified in subdivision (b), and may adjust the frozen rate from the levels specified in subdivision (f), consistent with the Legislature's intent to provide substantial protections for customers of the San Diego Gas and Electric Company and their interest in just and reasonable rates and adequate service.

(e) For purposes of this section, "small commercial customer" includes, but is not limited to, all San Diego Gas and Electric Company accounts on Rate Schedule A of the San Diego Gas and Electric Company, all accounts of customers who are "general acute care hospitals," as defined in Section 1250 of the Health and Safety Code, all San Diego Gas and Electric Company accounts of customers who are public or private schools for pupils in kindergarten or any of grades 1 to 12, inclusive, and all accounts on Rate Schedule AL-TOU under 100 kilowatts.

(f) The commission shall establish an initial frozen rate of six and five-tenths cents (\$0.065) per kilowatt-hour on the energy component of electric bills for electricity supplied to all customers by the San Diego Gas and Electric Company not subject to subdivision (b), for the time period ending with the end of the rate freeze for the Pacific Gas and Electric Company and the Southern California Edison Company pursuant to Section 368, retroactive to February 7, 2001. The commission shall consider the comparable energy components of rates for comparable customer classes served by the Pacific Gas and Electric Company and the Southern California Edison Company and, if it determines it to be in the public interest, the commission may adjust this frozen rate, and may do so, retroactive to the date that rate increases took effect for customers of Pacific Gas and Electric Company and Southern California Edison Company pursuant to the commission's March 27, 2001, decision. The commission shall adjust the California Procurement Adjustment and the Fixed Department of Water Resources Set-Aside determined pursuant to Section 360.5 for customers subject to this section to reflect a retail rate consistent with the rate for the energy component of electric bills as determined in this subdivision, in place of the retail rate in effect on January 5, 2001. This section shall be construed

to modify the payment provisions, but may not be construed to modify the electric procurement obligations of the Department of Water Resources, pursuant to any contract or agreement in accordance with Division 27 (commencing with Section 80000) of the Water Code, and in effect as of February 7, 2001, between the Department of Water Resources and San Diego Gas and Electric Company.

(g) The commission shall institute a proceeding to examine the prudence and reasonableness of the San Diego Gas and Electric Company in the procurement of wholesale energy on behalf of its customers, for a period beginning at the latest on June 1, 2000. If the commission finds that San Diego Gas and Electric Company acted imprudently or unreasonably, the commission shall issue orders that it determines to be appropriate affecting the retail rates of San Diego Gas and Electric Company customers including, but not limited to, refunds.

(h) Nothing in this section shall be construed to limit the authority of the Department of Water Resources pursuant to Division 27 (commencing with Section 80000) of the Water Code, including without limitation, the authority to fix and establish the procedure and charges for the sale or other disposal of power purchased by the department and sold to retail end-use customers and the authority to recover its revenue requirements.

SEC. 2. Section 332.2 is added to the Public Utilities Code, to read:

332.2. Rates set by the commission that are subject to subdivision (f) of Section 332.1 shall not result in any retroactive recovery of undercollections by the San Diego Gas and Electric Company. Any undercollection resulting from the retroactive rate reductions ordered pursuant to this chapter, retroactive to February 7, 2001, shall not result in a revenue undercollection to San Diego Gas and Electric Company.

SEC. 3. 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. 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 safeguard economic viability of the communities in the San Diego region, it is necessary that this act take effect immediately.

CHAPTER 6

An act to amend Section 332.1 of, and to add Section 332.2 to, the Public Utilities Code, relating to electric power, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 11, 2001. Filed with
Secretary of State April 12, 2001.]

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

SECTION 1. Section 332.1 of the Public Utilities Code is amended to read:

332.1. (a) (1) It is the intent of the Legislature to enact Item 1 (revised) on the commission's August 21, 2000 agenda, entitled "Opinion Modifying Decision (D.) D.00-06-034 and D.00-08-021 to Regarding Interim Rate Caps for San Diego Gas and Electric Company," as modified below.

(2) It is also the intent of the Legislature that to the extent that the Federal Energy Regulatory Commission orders refunds to electrical corporations pursuant to their findings, the commission shall ensure that any refunds are returned to customers.

(b) The commission shall establish a ceiling of six and five-tenths cents (\$0.065) per kilowatt-hour on the energy component of electric bills for electricity supplied to residential, small commercial, and street lighting customers by the San Diego Gas and Electric Company, through December 31, 2002, retroactive to June 1, 2000. If the commission finds it in the public interest, this ceiling may be extended through December 2003 and may be adjusted as provided in subdivision (d).

(c) The commission shall establish an accounting procedure to track and recover reasonable and prudent costs of providing electric energy to retail customers unrecovered through retail bills due to the application of the ceiling provided for in subdivision (b). The accounting procedure shall utilize revenues associated with sales of energy from utility-owned or managed generation assets to offset an undercollection, if undercollection occurs. The accounting procedure shall be reviewed periodically by the commission, but not less frequently than semiannually. The commission may utilize an existing proceeding to perform the review. The accounting procedure and review shall provide a reasonable opportunity for San Diego Gas and Electric Company to recover its reasonable and prudent costs of service over a reasonable period of time.

(d) If the commission determines that it is in the public interest to do so, the commission, after the date of the completion of the proceeding described in subdivision (g), may adjust the ceiling from the level

specified in subdivision (b), and may adjust the frozen rate from the levels specified in subdivision (f), consistent with the Legislature's intent to provide substantial protections for customers of the San Diego Gas and Electric Company and their interest in just and reasonable rates and adequate service.

(e) For purposes of this section, "small commercial customer" includes, but is not limited to, all San Diego Gas and Electric Company accounts on Rate Schedule A of the San Diego Gas and Electric Company, all accounts of customers who are "general acute care hospitals," as defined in Section 1250 of the Health and Safety Code, all San Diego Gas and Electric Company accounts of customers who are public or private schools for pupils in kindergarten or any of grades 1 to 12, inclusive, and all accounts on Rate Schedule AL-TOU under 100 kilowatts.

(f) The commission shall establish an initial frozen rate of six and five-tenths cents (\$.065) per kilowatthour on the energy component of electric bills for electricity supplied to all customers by the San Diego Gas and Electric Company not subject to subdivision (b), for the time period ending with the end of the rate freeze for the Pacific Gas and Electric Company and the Southern California Edison Company pursuant to Section 368, retroactive to February 7, 2001. The commission shall consider the comparable energy components of rates for comparable customer classes served by the Pacific Gas and Electric Company and the Southern California Edison Company and, if it determines it to be in the public interest, the commission may adjust this frozen rate, and may do so, retroactive to the date that rate increases took effect for customers of Pacific Gas and Electric Company and Southern California Edison Company pursuant to the commission's March 27, 2001, decision. The commission shall determine the Fixed Department of Water Resources Set-Aside pursuant to Section 360.5 for customers subject to this section, reflecting a retail rate consistent with the rate for the energy component of electric bills as determined in this subdivision, in place of the retail rate in effect on January 5, 2001. This section shall be construed to modify the payment provisions, but may not be construed to modify the electric procurement obligations of the Department of Water Resources, pursuant to any contract or agreement in accordance with Division 27 (commencing with Section 80000) of the Water Code, and in effect as of February 7, 2001, between the Department of Water Resources and San Diego Gas and Electric Company.

(g) The commission shall institute a proceeding to examine the prudence and reasonableness of the San Diego Gas and Electric Company in the procurement of wholesale energy on behalf of its customers, for a period beginning at the latest on June 1, 2000. If the

commission finds that San Diego Gas and Electric Company acted imprudently or unreasonably, the commission shall issue orders that it determines to be appropriate affecting the retail rates of San Diego Gas and Electric Company customers including, but not limited to, refunds.

(h) Nothing in this section shall be construed to limit the authority of the Department of Water Resources pursuant to Division 27 (commencing with Section 80000) of the Water Code.

SEC. 2. Section 332.2 is added to the Public Utilities Code, to read:

332.2. Rates set by the commission that are subject to subdivision (f) of Section 332.1 shall not result in any retroactive recovery of undercollections by the San Diego Gas and Electric Company. Any undercollection resulting from the retroactive rate reductions ordered pursuant to this chapter, retroactive to February 7, 2001, shall not result in a revenue undercollection to San Diego Gas and Electric Company.

SEC. 3. 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. 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 safeguard economic viability of the communities in the San Diego region, it is necessary that this act take effect immediately.

CHAPTER 7

An act to amend Section 15814.20 of, and to add and repeal Chapter 3.5 (commencing with Section 4240) of Division 5 of Title 1 of, the Government Code, to amend Section 25402.5 of the Public Resources Code, and to add Sections 740.7, 740.9, 740.10, and 740.11 to the Public Utilities Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 11, 2001. Filed with
Secretary of State April 12, 2001.]

I have signed Senate Bill 5X with the following line item vetoes and reductions to more closely align the bill with my expenditure plan and to prioritize conservation measures for this summer.

I am eliminating the following appropriation:

\$10 million to the California Energy Commission (CEC) for incentives for installation of light-emitting diode (LED) traffic signals.

In addition, I am reducing the following allocations:

From the funds appropriated to the Public Utilities Commission, reduce the allocation from \$16.3 million to \$12 million for pump and motor retrofits for oil and gas producers and pipelines.

From the funds appropriated to the CEC, reduce the allocation from \$60 million to \$40 million for allocation to locally owned public utilities for energy efficiency, peak demand reduction and low-income assistance measures. However, I am directing the Department of Community Services and Development to offset this reduction by proportionally increasing the Low-Income Home Energy Assistance Program (LIHEAP) funds appropriated by this bill to community based organizations in areas served by locally owned public utilities.

From the funds appropriated to the CEC, reduce the allocation from \$35 million to \$30 million for programs for the low-energy usage building materials program.

From the funds appropriated to the CEC, reduce the allocation from \$75 million to \$70 million for the purchase of high-efficiency electrical agricultural equipment.

From the funds appropriated to the Department of General Services, reduce the allocation from \$50 million to \$40 million for energy efficiency projects in state buildings, including community colleges.

Regretfully, a previous version of this bill contained a \$15.4 million appropriation to the Department of Water Resources to implement recommendations from my Advisory Drought Planning Panel. These funds would have provided incentives to better manage surface and groundwater resources to create greater energy and water efficiencies. I encourage the Legislature to appropriate funds for this important purpose.

GRAY DAVIS, Governor

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

SECTION 1. The Legislature finds and declares as follows:

(a) California is currently experiencing an energy crisis which threatens to adversely affect the economic and environmental well-being of the state.

(b) One of the most cost-effective, efficient, and environmentally beneficial methods of meeting the state's energy needs is to encourage the efficient use of energy.

(c) The purpose of this act is to ensure the immediate implementation of energy efficiency programs in order to reduce consumption of energy and to assist in reducing the costs associated with energy demand.

(d) To the maximum extent feasible, the expenditure of funds appropriated pursuant to this act shall be prioritized based upon immediate benefits in peak energy demand reduction and more efficient use of energy.

SEC. 2. Section 15814.20 of the Government Code is amended to read:

15814.20. The board shall not enter into leases and energy service contracts authorized under this chapter sooner than 15 days after notification in writing of the necessity therefor has been submitted to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of each house, or sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. At the request of the chairperson of the joint committee, the joint committee may hold a hearing within 15 days of receipt of the notification. If a hearing is held, the affected agencies shall be provided all information available to the joint committee at least 10 days in advance of the hearing. In the event that a hearing is conducted, the joint committee may recommend to the board approval, modification, or rejection of leases or energy service contracts.

SEC. 3. Chapter 3.5 (commencing with Section 4240) is added to Division 5 of Title 1 of the Government Code, to read:

CHAPTER 3.5. STATE ENERGY PROJECTS

4240. It is the intent of the Legislature to permit state agencies to implement energy conservation and efficiency measures on public property in accordance with this chapter in the most expedient manner possible.

4241. As used in this chapter, and as used in Section 3 of the act adding this chapter, "state energy project" means equipment, load management techniques, and other measures or services that reduce energy consumption and provide for more efficient use of energy in state buildings or facilities, or buildings or facilities owned or operated by community colleges.

4242. State energy projects may be implemented under this chapter with the approval of the Director of General Services and the Director of Finance.

4243. Prior to awarding or entering into a contract, agreement, or lease, the state agency shall request proposals from qualified persons. After evaluating the proposals, the state agency shall award contracts based on qualifications, including the consideration of such factors as the experience of the contractor, the type of technology to be employed by the contractor on the energy project, the cost to the agency, and any other relevant considerations. State agencies may also award contracts to persons selected from the pool of qualified energy service companies established pursuant to Section 388 of the Public Utilities Code, when it is determined they are qualified to perform the work on a particular project. For purposes of this chapter, energy projects shall be exempt from Chapter 10 (commencing with Section 4525).

4244. Notwithstanding Section 4243, the Director of General Services may exempt a state energy project from the advertising and competitive bidding requirements of this code and the Public Contract Code, if the director deems the exemption necessary to implement the purpose of this chapter, to reduce peak electricity demand, and to improve energy efficiency.

4245. At the discretion of the Department of Finance, state energy projects may be exempted from the capital outlay process, including, but not limited to, Section 13332.11.

4246. The Department of General Services may adopt regulations for purposes of this chapter as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2. For purposes of Chapter 3.5, including, but not limited to, Section 11349.6, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of public peace, health, safety, and general welfare. Notwithstanding the 120-day limit specified in subdivision (e) of Section 11346.1, the regulations shall be repealed 180 days after their effective date, unless the department complies with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 as provided in subdivision (e) of Section 11346.1.

4246.5. On or before October 1, 2001, and quarterly thereafter, the Department of Finance shall provide to the Chairperson of the Joint Legislative Budget Committee a report of all state energy projects implemented pursuant to the exemptions provided either in Section 4244 or 4245 of this chapter.

4247. This chapter shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

SEC. 4. Section 25402.5 of the Public Resources Code is amended to read:

25402.5. (a) As used in this section, "lighting device" includes, but is not limited to, a lamp, luminaire, light fixture, lighting control, ballast, or any component of those devices.

(b) (1) The commission shall consider both new and replacement, and both interior and exterior, lighting devices as lighting which is subject to subdivision (a) of Section 25402.

(2) The commission shall include both indoor and outdoor lighting devices as appliances to be considered in prescribing standards pursuant to paragraph (1) of subdivision (c) of Section 25402.

(3) The Legislature hereby finds and declares that paragraphs (1) and (2) are declarative of existing law.

(c) The commission shall adopt efficiency standards for outdoor lighting. The standards shall be technologically feasible and

cost-effective. As used in this subdivision, "outdoor lighting" refers to all electrical lighting that is not subject to standards adopted pursuant to Section 25402, and includes, but is not limited to, street lights, traffic lights, parking lot lighting, and billboard lighting. The commission shall consult with the Department of Transportation (CALTRANS) to ensure that outdoor lighting standards that affect CALTRANS are compatible with that department's policies and standards for safety and illumination levels on state highways.

SEC. 5. In order to achieve a total reduction in peak electricity demand of not less than 2,585 megawatts, the sum of seven hundred eight million nine hundred thousand dollars (\$708,900,000) is hereby appropriated from the General Fund to the Controller for allocation according to the following schedule:

(a) In order to achieve a reduction in peak electricity demand and meet urgent needs of low-income households, two hundred forty six million three hundred thousand dollars (\$246,300,000) for allocation by the Public Utilities Commission for the customers of electric and gas corporations subject to commission jurisdiction, to be expended in the following amounts:

(1) Fifty million dollars (\$50,000,000) to encourage the purchase of energy efficient equipment, and retirement of inefficient appliances and improvements in the efficiency of high-efficiency heating, ventilating, and air-conditioning (HVAC) equipment insulation or other efficiency measures. Any funds expended pursuant to this paragraph for the purchase of refrigerators, air-conditioning equipment, and other similar residential appliances shall be expended pursuant to the following criteria:

(A) Priority for the expenditure of funds shall be given for the purchase or retirement of those appliances in low- and moderate-income households, and for the replacement of the oldest and least efficient appliances.

(B) Any retirement of residential equipment and appliances undertaken pursuant to this paragraph shall be undertaken in a manner that protects public health and the environment. Nothing in this paragraph affects the requirements of Article 10.1 (commencing with Section 25211) of Chapter 6.5 of Division 20 of the Health and Safety Code and Chapter 3.5 (commencing with Section 42160) of Part 3 of Division 30 of the Public Resources Code.

(2) One hundred million dollars (\$100,000,000) to provide immediate assistance to electric or gas utility customers enrolled in, or eligible to be enrolled in, the California Alternative Rates for Energy (CARE) Program established pursuant to Section 739.1 of the Public Utilities Code. Funds appropriated pursuant to this paragraph shall be expended to increase and supplement CARE discounts and to increase

enrollment in the CARE program. These funds shall be available to assist those customers enrolled or eligible for CARE who are on payment arrangements or have current or pending overdue notices due to increases in energy rates. Not more than 10 percent of the funds appropriated in this subdivision shall be allocated for mass marketing to increase enrollment. The funding provided in this subdivision is intended to supplement, but not replace, surcharge-generated revenues utilized to fund the CARE program.

(3) Twenty million dollars (\$20,000,000) to augment funding for low-income weatherization services provided pursuant to Section 2790 of the Public Utilities Code, and to fund other energy efficient measures to assist low-income energy users.

(4) Sixteen million three hundred thousand dollars (\$16,300,000) for high-efficiency and ultra-low-polluting pump and motor retrofits for oil or gas, or both, producers and pipelines. For the purposes of this paragraph, “ultra low polluting” means retrofit equipment which exceeds the requirements for best available control technology within the air district in which the pump or motor is located.

(5) Sixty million dollars (\$60,000,000) to provide incentives to encourage replacement of low-efficiency lighting with high-efficiency lighting systems.

(b) In order to achieve a reduction in peak electricity demand, two hundred eighty-two million six hundred thousand dollars (\$282,600,000) to the State Energy Resources Conservation and Development Commission (hereafter the Energy Commission), to be expended in the following amounts for the following purposes:

(1) Sixty million dollars (\$60,000,000) for allocation by the Energy Commission to locally owned public utilities for energy efficiency, peak demand reduction, and low income assistance measures in the service areas of the locally owned public utilities analogous to those measures and programs funded in the service areas of the electric and gas corporations subject to the jurisdiction of the Public Utilities Commission pursuant to subdivision (a).

To the extent that any of the funds allocated to the locally owned public utilities are used to encourage the purchase of energy efficiency equipment and retirement of inefficient appliances and improvements in the efficiency of high-efficiency heating, ventilating, and air-conditioning (HVAC) equipment insulation, and other efficiency measures, funds expended pursuant to this paragraph for the purchase of refrigerators, air-conditioning equipment, and other similar residential appliances shall be expended pursuant to the following criteria:

(i) Priority for expenditure of funds shall be given for the purchase of those appliances in low- and moderate-income households, and for the replacement of the oldest and least efficient appliances.

(ii) Any retirement of residential equipment and appliances undertaken pursuant to this paragraph shall be undertaken in a manner that protects public health and the environment. Nothing in this paragraph affects the requirements of Article 10.1 (commencing with Section 25211) of Chapter 6.5 of Division 20 of the Health and Safety Code and Chapter 3.5 (commencing with Section 42160) of Part 3 of Division 30 of the Public Resources Code.

(2) Thirty-five million dollars (\$35,000,000) to implement programs to improve demand-responsiveness in heating, ventilation, air-conditioning, lighting, advanced metering of energy usage, and other systems in buildings. Of the amount appropriated pursuant to this paragraph, ten million dollars (\$10,000,000) shall be used to encourage the purchase and installation of advanced metering and telemetry equipment for agricultural and water pumping customers in order to improve load management and demand responsiveness techniques particularly applicable to this sector.

(3) Thirty-five million dollars (\$35,000,000) to implement a low-energy usage building materials program, and other measures to lower air-conditioning usage in schools, colleges, universities, hospitals, and other nonresidential buildings. These funds shall not be available for community college facilities if Assembly Bill No. 29 of the First Extraordinary Session is enacted, becomes effective, and provides funding for energy efficiency measures to the community college from the Proposition 98 Reversion Account.

(4) Fifty million dollars (\$50,000,000) to implement a program to encourage third parties to implement innovative peak demand reduction measures.

(A) Of the amount appropriated pursuant to this paragraph, ten million dollars (\$10,000,000) shall be used for the California Agricultural Pump Energy Program to facilitate the efficiency testing of existing agricultural water pumps and to provide incentives for the retrofitting of pumps to increase efficiency as necessary. Up to one million dollars (\$1,000,000) of those funds shall be used for grants to local public agencies to enhance and expedite the testing of agricultural water pumps.

(B) Of the amount appropriated pursuant to this paragraph, not more than one million dollars (\$1,000,000) shall be expended by the commission to fund one-time startup costs for innovative voluntary programs to reduce air emissions through energy conservation and related actions pursuant to programs authorized by law in effect on the effective date of this act.

(5) Seventy-five million dollars (\$75,000,000) to implement programs to reduce peak load electricity usage, encourage bio-gas digestion power production technologies, enhance conservation and

encourage the use of alternative fuels, including, but not limited to instate natural gas resources for the agricultural and water pumping sector. These funds shall be allocated by the Energy Commission, in the form of rebates or grants, in the following amounts for the following purposes:

(A) Forty-five million dollars (\$45,000,000) to encourage the purchase of high efficiency electrical agricultural equipment, installed, on or after January 1, 2001, and incentives for overall electricity conservation efforts. Eligible equipment shall include, but not be limited to, lighting, refrigeration, or cold storage equipment. Any agricultural energy conservation incentive program shall recognize the increased demand due to currently reduced water supply conditions.

(B) Fifteen million dollars (\$15,000,000) to offset the costs of retrofitting existing natural gas powered equipment to burn alternative fuels, including, but not limited to, instate produced "non-spec" or "off-spec" natural gas.

(C) Fifteen million dollars (\$15,000,000) in grants to be used for pilot projects designed to encourage the development of bio-gas digestion power production technologies.

(i) Ten million dollars (\$10,000,000) of these funds shall be used to provide grants for the purpose of encouraging the development of manure methane power production projects on California dairies.

(ii) Five million dollars (\$5,000,000) of these funds shall be used to provide grants to reduce peak usage in southern California by revision of system operations to produce replacement energy as a byproduct of the anaerobic digestion of bio-solids and animal wastes.

(6) Ten million dollars (\$10,000,000) to provide incentives for installation of light-emitting diode (LED) traffic signals.

(7) Seven million dollars (\$7,000,000) to implement a program to teach school children about energy efficiency in the home and at school.

(8) Ten million dollars (\$10,000,000) for incentives for the retrofit of existing distributed generation owned and operated by municipal water districts to replace diesel and natural gas generation with cleaner technology that reduces oxides of nitrogen emissions. Funds expended pursuant to this paragraph shall be expended exclusively for retrofit equipment that meets or exceeds the requirements for best available control technology within the air district in which the distributed generation owned and operated by a municipal water district is located, or with standards adopted by the state Air Resources Board pursuant to Section 41514.9 of the Health and Safety Code upon the effective date of those standards. Technologies eligible pursuant to this paragraph include natural gas reciprocating engines, microturbines, fuel cells, and wind and solar energy renewable technologies.

(9) Six hundred thousand dollars (\$600,000) for four personnel-years to improve the ability of the Energy Commission to provide timely and accurate assessments of electricity and natural gas markets.

(c) Except for funds expended to implement programs established pursuant to Section 25555 of the Public Resources Code, for which the Public Utilities Commission or the Energy Commission has adopted and published guidelines pursuant to that section, funds appropriated pursuant to subdivisions (a) and (b) shall be expended pursuant to guidelines adopted by each commission. The guidelines shall be exempt from the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of the Division 3 of Title 2 of the Government Code and shall do all of the following:

(1) Establish cost-effectiveness criteria for programs funded. Within 10 days from the date of the adoption of criteria pursuant to this paragraph, each commission shall provide a copy of the criteria to the chairperson of the Legislative Budget Committee, to the chairpersons of the appropriate policy and fiscal committees of both houses of the Legislature, and to the Governor.

(2) Limit administrative costs to not more than 2¹/₂ percent of the amount of the funds expended. For the purposes of this paragraph, "administrative costs" means commission personnel and overhead costs associated with the implementation of each measure or program. However, "administrative costs" does not include costs associated with marketing or evaluation of a measure of a program, including any two-year limited positions, as approved by the Department of Finance, necessary to implement the programs.

(3) Allow reasonable flexibility to shift funds among program categories in order to achieve the maximum feasible amount of energy conservation, peak load reduction, and energy efficiency by the earliest feasible date.

(4) Establish matching fund criteria that, except for funds appropriated pursuant to paragraphs (2) and (3) of subdivision (a), ensure that entities eligible to receive funds appropriated pursuant to subdivisions (a) and (b) pay an appropriate share of the cost of acquiring or installing measures to achieve the maximum feasible amount of energy conservation, peak load reduction, and energy efficiency by the earliest feasible date.

(5) Establish mechanisms and criteria that ensure that funds expended pursuant to this section through electric and gas corporations are not seized by the creditors of those corporations in the event of a bankruptcy. In implementing this paragraph, the commissions shall adopt mechanisms such as the segregation of funds by the electric or gas corporation, the holding of those funds in trust until they are expended, and the reversion of funds to the General Fund in the event of bankruptcy.

(6) Establish tracking and auditing procedures to ensure that funds are expended in a manner consistent with this act.

(d) Within six months of the effective date of this section, each commission shall contract for an independent audit of the expenditures made pursuant to subdivisions (a) and (b) for the purpose of determining whether the funds achieved demonstrable energy peak demand reduction while limiting administrative costs associated with expenditures made pursuant to those subdivisions. Within one year of the effective date of this section, each commission shall submit the audit prepared pursuant to this paragraph to the Chairperson of the Joint Legislative Budget Committee, to the chairpersons of the appropriate policy and fiscal committees of both houses of the Legislature, and to the Governor.

(e) Ten million dollars (\$10,000,000) to the Department of Consumer Affairs to implement a public awareness program to reduce peak electricity usage. Any public awareness program to reduce peak electricity usage conducted by the Department of Consumer Affairs after November 30, 2001, shall be conducted pursuant to a contract in accordance with Article 4 (commencing with Section 10335) of Chapter 2 of the Public Contract Code. The department shall ensure that the program includes the use of nontraditional mass media, including, but not limited to, the use of community based organizations, mass media in different languages, and media targeted to low-income and ethnically diverse communities.

(f) Fifty million dollars (\$50,000,000) to the Department of General Services to be expended for the purposes of implementing Chapter 3.5 (commencing with Section 4240) of Division 5 of Title 1 of the Government Code. The department shall limit its administrative costs to not more than 2¹/₂ percent of the funds expended. For the purposes of this paragraph, "administrative costs" means personnel and overhead costs associated with implementation of each measure or program. However, "administrative costs" does not include costs associated with marketing or evaluation of a measure or program.

(g) One hundred twenty million dollars (\$120,000,000) to the Department of Community Services and Development for the purpose of supplementing the Low-Income Home Energy Assistance Program (LIHEAP). The department may also use these funds for the purposes of increasing participation in the LIHEAP program. The department shall use funds appropriated pursuant to this paragraph in the following manner:

(1) The department shall implement a California Low Income Home Energy Assistance Program (LIHEAP). Services provided by California's LIHEAP shall be designed to do both of the following:

(A) Increase energy conservation and reduce demand for energy services in low-income households.

(B) Assure that the most vulnerable households cope with high energy costs.

(2) The program shall include weatherization and conservation services, energy crisis intervention services, and cash assistance payments.

(3) (A) Eligibility for California LIHEAP shall include households with incomes that do not exceed the greater of either of the following:

(i) An amount equal to 60 percent of the state median income.

(ii) An amount equal to 80 percent of the county median income.

(B) In no area shall eligibility be provided to households whose income is greater than 250 percent of the federal poverty level for this state.

(4) The department shall examine the penetration of other energy programs, including, but not limited to, those provided through federal LIHEAP, utility companies, and other parties, to identify the adequacy of services to elderly persons, disabled persons, limited-English-speaking persons, migrant and seasonal farmworkers and households with very young children. California LIHEAP funds shall be distributed so as to ensure that vulnerable populations have comparable access to energy programs.

(5) The department shall ensure that services under California LIHEAP are delivered using all of the following requirements:

(A) The department shall establish reasonable limits for expenditures, including up to 15 percent for outreach and training for consumers.

(B) Grantee agencies shall do special outreach to vulnerable households, including outreach to senior centers, independent living centers, welfare departments, regional centers, and migrant and seasonal farmworkers.

(C) Grantee agencies shall be required to coordinate with other low-income energy programs, and to demonstrate plans for using all energy resources efficiently for maximum outreach to low-income households.

(D) Grantee agencies shall spend the maximum feasible amount of California LIHEAP funds for weatherization assistance, but in no event less than 50 percent of the funds available by grantee. The balance shall be used for cash assistance and energy crisis intervention. The department shall provide grantees with maximum flexibility to use energy crisis and cash assistance funds to resolve energy crisis for households and to serve the maximum number of households. Cash assistance payments may be used as a supplement to federal LIHEAP cash assistance payments.

(6) The department shall do the following in addition to administering the program:

(A) Explore, with grantee agencies, standards for determining effective, efficient intake, and procedures to combine outreach for federal, state, and utility low-income energy programs into a single intake process.

(B) Report to the policy and budget committees of the Legislature on the extent to which increased flexibility in weatherization measures and flexibility in cash assistance and crisis intervention payments have increased service and reduced energy demand. If barriers to flexibility exist, the report should identify those barriers.

(C) Report to the policy and budget committees of the Legislature on the number of recipients of service, the number of grantees providing service, categories of expenditure, estimated impact of funds on energy demand, estimated unmet need, and plans for automated reporting of this information routinely.

(7) For any funds distributed in 2001, the department shall distribute funds as follows:

(A) Funds shall be distributed to have maximum possible impact on reducing energy demand immediately.

(B) First priority shall be to distribute funds through community-based programs with whom it has existing contracts.

(C) If additional capacity is needed beyond the existing network, or if vulnerable populations cannot be served within the existing contracts, the department may develop an RFP process to solicit additional grantees.

(8) The department shall limit administrative costs to not more than 2¹/₂ percent of the funds expended. For the purposes of this paragraph, "administrative costs" means personnel and overhead costs associated with the implementation of each measure or program. However, "administrative costs" does not include costs associated with the marketing or evaluation of a measure or program.

(h) Each state agency receiving funds appropriated pursuant to this section shall ensure, where appropriate, not less than 85 percent of the funds shall be expended for direct rebates, purchases, direct installations, buy-downs, loans, or other incentives that will achieve reductions in peak electricity demand and improvements in energy efficiency.

(i) On or before January 1, 2002, each state agency receiving funds appropriated pursuant to this section shall provide quarterly reports to the Chairperson of the Joint Legislative Budget Committee, to the chairpersons of the appropriate policy and fiscal committees of both houses of the Legislature, and to the Governor, which include all of the following information:

- (1) The amount of funding expended.
- (2) The measures, programs, or activities that were funded.

(3) A description of the effectiveness of the measures, programs, or activities funded in reducing peak electricity demand and improving energy efficiency, as measured in kilowatthours of electricity reduced per dollar expended.

(j) To the extent that local government entities may apply for, and receive funds pursuant to this section, and to the extent they otherwise qualify for the funds, federally recognized California Indian tribes may apply for funds appropriated pursuant to this section on behalf of their tribal members, and the applications shall be considered on their merits. Each commission shall ensure that its efforts to provide public information on programs funded pursuant to this section shall include outreach to California Indian tribes.

SEC. 6. Any contracts entered into pursuant to Section 5 of this act by a state agency are exempt from the following requirements of the Government Code and the Public Contracts Code:

(a) Services contracts are exempt from Article 4 (commencing with Section 10335) of Chapter 2 of Part 2 of Division 2 of the Public Contract Code.

(b) Consulting services contracts are exempt from Article 5 (commencing with Section 10359) of Chapter 2 of Part 2 of Division 2 of the Public Contract Code.

(c) Architectural and engineering contracts are exempt from Chapter 10 (commencing with Section 4525) of Division 5 of Title 1 of the Government Code, and from Sections 6106 and 6106.5 of the Public Contract Code.

(d) All contracts are exempt from Section 10295 of the Public Contract Code, relating to approval from the Department of General Services.

(e) All contracts are exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, relating to advertising.

(f) Grants may be awarded for projects or programs that include a group of related projects, or to a party who aggregates projects that directly benefit from the grant. The grants do not constitute the rendering of goods or services or a direct benefit to the agency making the grant.

(g) Contracts may be awarded pursuant to subdivision (c) of Section 25555 of the Public Resources Code by choosing from among one or more parties, or soliciting multiple applications from parties capable of providing goods or services. For purposes of this section, Section 25555 of the Public Resources Code shall, notwithstanding, any provision of law to the contrary, apply during the period this section is effective, as set forth in Section 7 of the act adding this section. Contracts may be awarded to develop or administer or both, portions of the program, including agency delegation of the authority to implement the program.

(h) The Public Utilities Commission and the Energy Commission may each delegate approval of contracts and grants to the agency executive director or an agency committee up to a maximum amount that shall be established by the respective commission.

SEC. 7. Section 740.7 is added to the Public Utilities Code, to read:

740.7. Interruptible service or curtailment programs adopted by the commission shall assure that the programs allow customers to aggregate multiple accounts to meet any minimum kilowatt requirements for participation in the program, subject to geographical, load, and other parameters, as determined by the commission.

SEC. 8. Section 740.9 is added to the Public Utilities Code, to read:

740.9. (a) Any optional binding mandatory curtailment program adopted by the commission that exempts customers from Stage 3 rotating outages in exchange for partial load curtailments during every rotating outage period shall provide, for agricultural and water supplier customers, the use of backup generation to offset the curtailed load under the program, to the extent the use of backup generation is allowed under existing law, including, but not limited to, all relevant local air pollution control district and air quality management district rules and regulations.

(b) As used in this section, "agricultural customers" means any customer involved in the production of or processing of agricultural products. "Water suppliers" means those water agencies or suppliers as defined in Section 20200 of the Water Code and Section 241 of the Public Utilities Code.

SEC. 9. Section 740.10 is added to the Public Utilities Code, to read:

740.10. (a) Each public utility electrical corporation shall develop and offer its customers, on or before May 30, 2001, the opportunity to participate, in addition to other programs developed by the commission, in a demand reduction program as described in this section.

(b) The program required by this section shall identify specific periods coincident with morning or evening system peak conditions determined by the Independent System Operator within which the customer agrees to drop a preset amount of load. This program shall be known as the Scheduled Load Reduction Program. The commission shall develop appropriate incentives for customers to participate in the program.

SEC. 10. Section 740.11 is added to the Public Utilities Code to read:

740.11. In recognition of the fact that agricultural and water supplier customers necessarily have high electricity usage during peak summer demand periods, the Legislature strongly urges the commission to consider providing the option to all agricultural commodity processing customers to be included in the definition of customers eligible to be served under agricultural tariffs, consistent with its other constitutional

and statutory objectives, and to the extent it does not result in cost shifting to other customer classes.

SEC. 11. Sections 5 and 6 of this act shall remain in effect only until January 1, 2005, and as of that date is repealed unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date. Any funds appropriated under Section 5 of this act that are unencumbered by March 31, 2002, shall revert to the General Fund on that date, except that funds appropriated pursuant to paragraph (2) of subdivision (a) and subdivision (g) of Section 5 are not subject to this reversion requirement.

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:

Due to the shortage of electric generation capacity to meet the needs of the people of this state and in order to limit further impacts of this shortage on the public health, safety, and welfare, it is necessary that this act take effect immediately.

CHAPTER 8

An act to add and repeal Article 2 (commencing with Section 81610) and Article 2.5 (commencing with Section 81620) to Chapter 3 of Part 49 of the Education Code, to add Article 6 (commencing with Section 14710) to Chapter 2 of Part 5.5 and Article 4 (commencing with Section 15350) to Chapter 1 of Part 6.7 of Division 3 of Title 2 of, the Government Code, to amend Sections 26003 and 26011.5 of, to add Section 26011.6 to, to add Chapter 5.3 (commencing with Section 25425) to Division 15 of, and to add and repeal Chapter 4 (commencing with Section 14420) of Division 12 of, the Public Resources Code, to amend Section 739 of, to amend, repeal, and add Section 2827 of, to add Sections 739.10, 2827.5, and 2827.7 to, and to add and repeal Section 739.11 of, the Public Utilities Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 11, 2001. Filed with
Secretary of State April 12, 2001.]

I have signed Assembly Bill AB 29X with the following line item vetoes and reductions to more closely align the bill with my expenditure plan and to prioritize conservation measures for this summer.

I am eliminating the following:

\$25,150,000 million re-appropriation from the Proposition 98 Reversion Account to the Chancellor of the California Community Colleges for energy efficient projects and a statewide utility usage database. These funds are already budgeted for other purposes and are required by law to be used by community colleges for educational purposes.

\$20 million to the Department of Community Services and Development to supplement the Low-Income Housing Energy Assistance Program (LIHEAP). \$120 million has been provided for this program in SB 5X.

\$50 million to the California Energy Commission (CEC) for loans and grants for construction and retrofit projects and \$50 million to the CEC for the Small Business Energy Efficiency Refrigeration Loan Program. These new programs require the establishment of administrative procedures and will not deliver peak reduction savings for this summer.

\$24 million to the Department of Corrections to install systems to retrofit generating units. These funds would not increase electricity supply or reduce demand.

\$15 million to the Public Utilities Commission to fund a study of real-time meters. This bill appropriates funds for the purchase and installation of these meters.

In addition, I am reducing the following allocations:

From the funds allocated to the California Conservation Corps, reduce the allocation from \$40 million to \$20 million for the Mobile Efficiency Brigade. In order to achieve the most effective energy savings by this summer, I am directing the Conservation Corps to use these funds to purchase materials and mobilize crews to deliver high efficiency lighting to low-income residences.

While I am signing this bill, it is my understanding that the Legislature will enact subsequent legislation to remove the mandate created by the Statewide Energy Management Program. I am also requesting subsequent legislation to continuously appropriate the Renewable Energy Loan Guarantee Program. It is standard for loan guarantee programs to be continuously appropriated and not contingent upon the annual budget. As drafted, this bill removes the incentive for banks to participate in this worthy program.

GRAY DAVIS, Governor

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

SECTION 1. Article 2 (commencing with Section 81610) is added to Chapter 3 of Part 49 of the Education Code, to read:

Article 2. Summer 2001 Energy Efficiency Projects By Community College Districts

81610. It is the intent of the Legislature to permit community college districts to implement energy conservation, efficiency, cogeneration, and alternate energy supply sources on public property in accordance with this chapter in the most expedient manner possible. It is also the intent of the Legislature that the California Community College system take all steps necessary to ensure that the energy efficiency projects contemplated by this chapter are in place by the summer of 2001.

81611. For the purposes of this article, “energy project” means equipment, load management techniques, or other measures or services

that reduce energy consumption and provide for more efficient use of energy in buildings or facilities owned or operated by community college districts, and that can be completed and energy savings realized by the summer of 2001 in order to minimize the need for future state resources to pay for increased energy costs.

81612. (a) Notwithstanding any other provision of law, prior to awarding, or entering into, any contract, agreement, or lease pursuant to this article, a community college district shall request proposals from qualified persons. After evaluating those proposals, the community college district shall award contracts to responsible persons or entities who submit responses to a request for proposal which are responsive to the requirements of the request for proposals. A community college may award a contract for an energy project under this article to any responsible person or entity timely submitting a responsive answer to the request for proposals based on qualifications, including the consideration of all of the following factors:

(1) Experience of the contractor, architect, engineer, or other consultant, as applicable.

(2) Type of technology to be employed by the contractor on the energy project.

(3) Cost to the district.

(4) Any other considerations deemed relevant by the district.

(b) Notwithstanding any other provision of law, community college districts may award contracts pursuant to a request for proposals issued under this article or award contracts to persons or entities selected from the pool of qualified energy service companies established pursuant to Section 388 of the Public Utilities Code, when it is determined they are qualified to perform the work on a particular project. A request for proposal does not have to be prepared if a community college district elects to award a contract for an energy project to only those persons or entities included in the pool of qualified energy service companies under Section 388 of the Public Utilities Code. If a community college district elects to seek proposals for an energy project pursuant to a request for proposals and from the pool of qualified energy service companies under Section 388 of the Public Utilities Code, the community college district shall prepare a request for proposals. Award of such a contract shall be based upon the factors described in subdivision (a).

81613. (a) Notwithstanding the repeal of this section by Section 81615, on or before January 1, 2002, each community college district receiving funds appropriated pursuant to this section shall provide a report to the Chancellor of the California Community Colleges with the following information:

(1) The amount of funding expended.

(2) The measures, programs, or activities funded.

(3) A description of the effectiveness of the measures, programs, or activities funded in reducing peak electricity demand and improving energy efficiency, as measured in kilowatthours of electricity or British thermal unit hours reduced per dollar expended.

(b) Notwithstanding the repeal of this section by Section 81615, on or before March 1, 2002, the Chancellor of the California Community Colleges shall provide a summary of the reports provided pursuant to subdivision (a) to the Chairperson of the Joint Legislative Budget Committee, to the chairpersons of the appropriate policy and fiscal committees of both houses of the Legislature, and to the Governor.

81614. Any contracts entered into pursuant to this chapter by a community college district are exempt from the following requirements:

(a) Architectural, engineering, construction management, and consulting contracts are exempt from Chapter 10 (commencing with Section 4525) of Division 5 of Title 1 of the Government Code.

(b) All contracts are exempt from Article 3.5 (commencing with Section 81660).

(c) All contracts are exempt from the publication requirements set forth in Section 81641.

(d) All contracts are exempt from Article 41 (commencing with Section 20650) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, except that if in the request for proposals for an energy project under this article, a community college district has established a requirement for bid security, a response to the request for proposal will be deemed responsive only if the response is submitted with the required bid security.

(e) If the value of a project awarded by a community college district to a contractor to implement an energy project under this article is in excess of twenty-five thousand dollars (\$25,000), regardless of whether the requirement is noted in the request for proposals, the contractor awarded such a contract shall obtain and submit to such a community college district for approval of a Labor and Materials Payment Bond conforming to the requirements of Section 3248 of the Civil Code.

(f) If required by the terms of a request for proposals issued by a community college district under this article, the person or entity awarded such a contract shall obtain a performance bond conforming with the applicable requirements of the request for proposals.

81615. This article 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. Article 2.5 (commencing with Section 81620) is added to Chapter 3 of Part 49 of the Education Code, to read:

Article 2.5. Statewide Energy Management Program

81620. This article shall be known, and may be cited, as the Statewide Energy Management Program.

81621. The definitions set forth in this section govern the construction of this article:

(a) "Commission" means the State Energy Resources Conservation and Development Commission.

(b) "Energy independence" means the utilization of existing and developing technologies to meet energy needs onsite, including, but not necessarily limited to, the utilization of solar, fuel cells, and other renewable and clean onsite energy sources, the optimization of the use of daylighting, the use of passive solar orientation, and the use of construction techniques that minimize energy loss, such as appropriate insulation and lighting fixtures.

(c) "Energy management plans" means the plans that community colleges develop with guidance from the Statewide Energy Management Program to implement energy efficiency projects such as sustainable green buildings, renovations, and wind or solar farms that will move the community colleges toward energy independence.

(d) "Program" means the Statewide Energy Management Program, established under this article, which is a state program modeled after the Federal Energy Management Program.

(e) "Renewable or other distributed energy systems" means alternative efficient sources of energy such as daylighting, photovoltaic panels (rooftops or solar farms), passive solar heating, fuel cells, and steam. Diesel-fueled electric generating systems are not included in this definition.

(f) "Sustainable green building" means a building that has been designed to reduce both direct and indirect environmental consequences associated with construction, occupancy, operation, maintenance, and eventual decommissioning, and whose design is evaluated for cost, quality of life, future flexibility, ease of maintenance, energy and resource efficiency, and overall environmental impact, with an emphasis on life-cycle cost analysis.

81622. (a) (1) In Executive Order D-16-00, issued August 2, 2000, Governor Davis directed state agencies to design and construct buildings that incorporate energy efficiency, resource conservation, and renewable technologies. In his State of the State Address delivered on January 8, 2001, Governor Davis expressed his support for the goal of moving the California Community Colleges toward energy independence.

(2) The Federal Energy Management Program, upon which the State Energy Management Program is modeled, has resulted in approximately four dollars (\$4) in savings for every one dollar (\$1) spent. The federal

investment of two billion dollars (\$2,000,000,000) in energy efficiency has resulted in savings of six billion three hundred million dollars (\$6,300,000,000) on energy bills.

(b) In consultation with the commission, the Board of Governors of the California Community Colleges shall further develop and refine certain guidelines for a Statewide Energy Management Program that have been established under an ongoing joint effort of the commission and DeAnza College. This statewide effort shall allow community college districts to achieve energy independence through the development of energy management plans, the construction of sustainable green buildings, the use of renewable or other distributed energy systems, and the expansion of statewide energy education programs and services.

(c) By 2010, the program shall, at a minimum, facilitate the completion of 20 district energy management plans, 15 renewable or other distributed energy systems, and three sustainable green buildings on community college campuses statewide.

(d) In consultation with the commission, the board of governors shall accomplish all of the following:

(1) Review and comment on academic, occupational, and vocational education materials developed by the commission, the Electric Power Research Institute, public utilities, and the community colleges to improve energy education programs and services.

(2) Review and recommend actions regarding successful energy education programs and services that can be identified for replication, personnel exchanges, or implementation of successful practices.

(3) Review and recommend actions regarding program resources for use by the community colleges or state agencies in improving energy education programs and services.

(4) Review exemplary programs and facilities, and recommend activities for adoption, replication, or policy advice.

(5) Review, comment, and recommend actions regarding services that will effect energy conservation.

(6) Review and comment on funding requests received to improve or enhance energy education.

(7) Review and comment on occupational and vocational training programs and services to meet current employment standards in energy occupations.

81623. The board of governors shall encourage the construction of community college sustainable green buildings that implement energy efficiency, sustainable building concepts, and solar electric, fuel cell, and other technologies. On the effective date of this article, the board of governors shall immediately seek a prototype sustainable green

community college instructional building that can be a model for all new construction and retrofit projects statewide.

81624. The Chancellor of the California Community Colleges shall establish an advisory committee for the Statewide Energy Management Program, and determine the membership of that committee. The advisory committee, with technical assistance from the commission, shall make recommendations to the chancellor regarding overall program development, resource development and deployment, and strategies for implementation and coordination of the program. A leadership role on this committee shall initially be provided by the staff of the commission and DeAnza College who have been involved since 1992 in a joint effort to promote training, energy efficiency, and energy independence in the California Community Colleges. This leadership role shall rotate to other community colleges as they complete their own district energy management plans.

SEC. 2.5. Article 6 (commencing with Section 14710) is added to Chapter 2 of Part 5.5 of Division 3 of Title 2 of the Government Code, to read:

Article 6. State Building Energy Retrofits

14710. As used in this article, the following terms have the following meanings:

(a) "Alternative energy equipment" means alternative energy equipment, as defined in subdivision (d) of Section 15814.11, and, in the case of fossil fuel generation, complies with emission standards and guidance adopted by the State Air Resources Board pursuant to Sections 41514.9 and 41514.10 of the Health and Safety Code. Prior to the adoption of those standards and guidance, for the purposes of this article, distributed energy resources shall meet emission levels equivalent to nine ppm oxides of nitrogen, averaged over a three-hour period, or best available control technology for the applicable air district, whichever is lower.

(b) "Cogeneration equipment" means equipment used for cogeneration, as defined in Section 218.5 of the Public Utilities Code.

(c) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account life-cycle costing analyses, and environmental, social, and technological factors, however, renewable technologies shall not be exempt based solely on cost considerations.

(d) "Public building" means a public building, as defined in Section 15802.

(e) “State agency” means any state agency, board, department or commission, including, but not limited to, the entities specified in subdivision (a) of Section 15814.12.

14711.5. (a) The department in consultation with the State Energy Resources Conservation and Development Commission, with the concurrence of the Department of Finance, shall identify each public building in the department’s state property inventory where it is feasible for that building to reduce energy consumption and achieve energy efficiencies, as well as to produce its own onsite electrical generation or reduce its level of peak demand electricity consumption using alternative energy equipment, thermal energy storage technologies, or cogeneration equipment.

(b) The department may consider a variety of factors, including, but not limited to, the size of the public building, its location, the ease of conversion to onsite electrical generation, peak demand reduction efficiency, cost effectiveness, and the amount of megawatts generated or shifted to off-peak periods.

14712. The director may enter into third party agreements that the director, with the concurrence of the Department of Finance, determines are appropriate and cost-effective to implement energy efficiencies and feasible onsite electric generation pursuant to Section 14711.5 and to achieve the goals of this section. The director may enter into negotiated agreements with parties on the terms and conditions that the director, with the concurrence of the Department of Finance, deems are in the state’s interests to accomplish all of the following objectives:

(a) Reduce overall energy consumption in state facilities by 30 percent.

(b) Achieve energy self-sufficiency at state facilities using clean, modern technologies that produce zero air emissions or that meet or exceed state air quality standards.

(c) Maximize the use of renewable energy technologies for both onsite electrical generation as well as thermal energy production.

(d) Utilize private third party financing, where feasible, for the construction, operation, and maintenance of such energy investments.

(e) Achieve these objectives at delivered energy costs equal to or less than the cost of obtaining the energy through the electric grid or other conventional means, as determined by the director.

14713. (a) Notwithstanding subdivision (b) of Section 15814.12, the department shall retrofit all public buildings, identified in Section 14711.5, where feasible, provided that work on public buildings of the California State University shall be performed only at the request or with the consent of the university.

(b) If a public building generates more electricity than it uses, it may make the energy available for the state electrical distribution grid.

14714. On or before two years after the effective date of the act adding this section, and every two years thereafter, the Department of General Services shall prepare and submit to the Legislature and the Governor, a report of the energy savings, if any, in terms of megawatts per year, for each public building retrofitted pursuant to this article.

SEC. 3. Article 4 (commencing with Section 15350) is added to Chapter 1 of Part 6.7 of Division 3 of Title 2 of the Government Code, to read:

Article 4. Renewable Energy Loan Guarantee Program

15350. The Legislature finds and declares all of the following:

(a) California is experiencing severe electrical shortages, which endanger the health, safety, and economic development opportunity of its citizens.

(b) Immediate measures are needed to increase the electrical generation capacity within California, including energy from economical renewable systems.

(c) California has been a leader in the development of renewable energy systems, from solar to wind to the most advanced fuel cell technology.

(d) California must take all reasonable actions necessary to encourage the continuing construction of renewable energy infrastructure and to maximize reliable, renewable energy systems for homes and businesses.

(e) In order to maximize the commercial lending available to renewable energy projects, it is necessary and appropriate to establish a loan guarantee program to assist in obtaining commercial loans to purchase and install renewable energy system projects.

15351. For the purposes of this article, the following definitions apply:

(a) "Eligible business" means an individual, corporation, political body, partnership, joint venture, association, joint stock company, trust, or unincorporated organization.

(b) "Financial institution" means a financial institution organized, chartered, or holding a license or authorization certificate under a law of this state or the United States to make loans or extend credit, and subject to supervision by an official or agency of this state or the United States.

(c) "Guarantee" means a written agreement between the agency and a financial institution, by which the agency agrees to pay a specified percentage of loan interest and principal for any combination of the following: permitting, acquisition, construction, or installation of one or more renewable energy systems located in the state if the eligible business defaults on the loan and the financial institution complies with the terms of the guarantee.

(d) “Loan” means a contract providing financing for a renewable energy system.

(e) “Renewable energy system” means any device or combination of devices, including distributed generation and cogeneration that meets all of the following requirements:

(1) Conserves or produces one or more of the following:

(A) Heat.

(B) Process heat.

(C) Space heating.

(D) Water heating.

(E) Steam.

(F) Space cooling.

(G) Refrigeration.

(H) Mechanical energy.

(I) Electricity.

(J) Energy in any form convertible to any of the uses specified in subparagraphs (A) to (I), inclusive.

(2) Does not expend or use conventional energy fuels, any fuel derived from petroleum deposits, including, but not limited to, oil, heating oil, gasoline, fuel oil, or natural gas, including liquified natural gas, or nuclear fissionable materials, except as provided in subsection (b) of Section 292.204 of Title 18 of the Code of Federal Regulations.

(3) Uses one of more of the following renewable electricity generation technologies:

(A) Biomass.

(B) Solar thermal.

(C) Photovoltaic.

(D) Wind.

(E) Geothermal.

(F) Small hydropower (30 megawatts or less).

(G) Digester gas.

(H) Landfill gas.

15352. (a) The agency, in consultation with the State Energy Resources Conservation and Development Commission, shall administer the California Renewable Energy Loan Guarantee Program to guarantee loans made by financial institutions to eligible businesses for the permitting, acquisition, construction, or installation of renewable energy systems that are intended to decrease the demand on the electricity grid.

(b) Notwithstanding any other provision of this article, the California Renewable Energy Loan Guarantee Program shall not be used to guarantee a loan for any small hydropower project that will require a new or increased diversion from any natural stream, lake, or other body of water, as described in Section 1200 of the Water Code.

15353. (a) The secretary shall establish a Renewable Energy Loan Guarantee Committee for the purpose of approving loan guarantees based upon the criteria and procedures established by the agency. The secretary may include agency staff, the Director of Finance, representatives of other state agencies, and representatives of the public on the committee.

The secretary or his or her designee shall serve as the chairperson of the committee.

(b) The committee shall do both of the following:

(1) Hold regularly scheduled meetings, at least quarterly, to carry out the objectives and responsibilities of the committee.

(2) Approve loan guarantees under this article.

(c) The committee shall not approve any guarantee without a determination that, at a minimum, the applicant appears able to repay the guaranteed financing and the financing is adequately collateralized.

15354. (a) The Renewable Energy Loan Guarantee Committee shall comply with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7), except as specified in subdivision (c).

(b) To the extent that the committee is subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part (1), loan guarantee reviews described in paragraph (2) of subdivision (c) shall be exempt from the requirements of the act.

(c) The California Public Records Act and the Bagley-Keene Open Meeting Act shall not apply to the following activities of the committee:

(1) The disclosure of financial data contained in applications for loan guarantees from the Renewable Energy Loan Guarantee Committee, where the committee determines that disclosure of the financial data would be competitively injurious to the applicant. For this purpose, financial data includes, but is not limited to, financial statements, details of accounts receivable and accounts payable, income tax returns, owner-officer compensation records, collateral details, cash-flow analysis, orders, contracts, financing commitments and agreements, and other documents that would disclose specific names or addresses of customers and suppliers, potential customers and suppliers, or agency and consultant reports analyzing the financial data.

(2) Any loan guarantee review by the Renewable Energy Loan Guarantee Committee. For this purpose, the committee or a subcommittee of the committee may review and approve loan guarantee requests by means of a telephone conference, or in a meeting not open to the public.

15355. There is hereby created in the State Treasury the Renewable Energy Loan Loss Reserve Fund. All money in the fund is appropriated for the support of the agency and shall be available for expenditure for

the purposes stated in this article. The fund shall be available for the receipt of federal, state, and local moneys, and private donations.

15356. (a) The agency shall determine the percentage of the reserve in the Renewable Energy Loan Loss Reserve Fund required to secure loan guarantees made by the committee. However, in no event shall the reserve be less than 25 percent of the fund.

(b) The minimum amount that the agency may guarantee for any renewable energy system is twenty-five thousand dollars (\$25,000) and the maximum amount is two million dollars (\$2,000,000). The agency may elect to lower or raise the minimum or maximum amount if a change is found to be in the best interest of the state.

(c) The term of the guaranteed loan shall not exceed the useful life of the renewable energy system or 15 years, whichever is shorter.

(d) The amount guaranteed shall not exceed 90 percent of a loan, or an amount equal to the anticipated proportion of renewable fuel usage to fuel the renewable energy system, as authorized by paragraph (2) of subdivision (d) of Section 15351, whichever is less.

15357. The agency shall adopt criteria and procedures for the implementation of this article. The criteria and procedures shall be exempt from the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1. The criteria and procedures shall include provisions for determining the maximum guarantee amount, leverage, percentage guaranteed, guarantee term, and other conditions of a guarantee. In developing the criteria and procedures for the program, the agency may consult with other state agencies, including the State Energy Resources Conservation and Development Commission. A consultation and public comment period shall begin on the effective date of this article, and shall end 30 days thereafter. Notwithstanding the 120-day limit specified in subdivision (e) of Section 11346.1, the regulations shall be repealed 180 days after their effective date, unless the department complies with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2, as provided in subdivision (e) of Section 11346.1.

15358. (a) The agency shall execute guarantees supported solely by funds in the Renewable Energy Loan Loss Reserve Fund.

(b) No guarantee shall be approved unless the eligible business agrees that all electricity generated by the project will be made available within California on a long-term contract basis, except that electricity may be made available outside California upon approval by the Public Utilities Commission.

15359. (a) The agency shall establish a reasonable schedule of administrative fees, not to exceed 2 percent of the guarantee amount, which shall be paid by the eligible business to reimburse the state for the costs of administering this article, including promotion and outreach.

(b) The agency may expend earnings on the deposits from, or up to 5 percent of, the Renewable Energy Loan Loss Reserve Fund for administrative expenses, for the respective fiscal year including promotion and outreach, in carrying out this chapter.

15360. The agency may contract with any state or other agency, persons, or firms to enable the agency to properly perform the duties of this article.

15361. The state shall not be liable or obligated in any way beyond the money that is allocated to the Renewable Energy Loan Loss Reserve Fund as a result of any loan guarantee under this article.

15362. The agency, with the approval of the Director of Finance, may request the Treasurer to invest the money in the Renewable Energy Loan Loss Reserve Fund. Returns from these investments shall be deposited in the fund and shall be used to support this article.

15362.5. Because of the need to immediately increase the availability of renewable energy sources, it is necessary to implement this article without delay. Therefore, from the effective date of this article, and for a period of 18 months thereafter, Section 10295 and Article 4 (commencing with Section 10335) of Chapter 2 of Part 2 of Division 2 of the Public Contract Code shall not apply to contracts entered into pursuant to this article. Any contract that is entered into during that 18-month period shall be awarded based upon the receipt of at least three bids, and the award shall be based on a combination of the expertise of the bidder, the bid price, and the probability that the services offered will meet the needs of the program.

SEC. 4. Chapter 4 (commencing with Section 14420) is added to Division 12 of the Public Resources Code, to read:

CHAPTER 4. MOBILE EFFICIENCY BRIGADE

14420. This chapter shall be known and may be cited as the Mobile Efficiency Brigade.

14421. The Legislature finds and declares all of the following:

(a) California is in the midst of a dramatic energy crisis that calls for both an increase in supply and a significant long-term reduction in demand.

(b) Conservation programs require a large mobilization effort across the state, within a short timeframe, in order to affect peak demand anticipated for the summer of 2001 and the subsequent winter.

(c) California's low-income households and small businesses require upgrading, modification, and conservation investment in order to assist them in contributing to a reduction in demand that is required statewide.

(d) Current state programs can work in conjunction with community-based organizations to significantly penetrate communities

and rapidly implement programs aimed at conservation and demand reduction.

(e) The state currently has programs operated and administered by the Department of Community Services and Development and the California Conservation Corps, working in conjunction with and through community-based organizations, that can be expanded to assist in the statewide conservation effort initiated through pending programs.

(f) To the maximum extent feasible, the expenditure of funds appropriated pursuant to this chapter should be prioritized based upon immediate benefits in peak energy demand reduction and more efficient use of energy.

14422. As used in this chapter:

(a) "Community-based organization" means a nonprofit corporation that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986.

(b) "Program" means the Energy Conservation Act of 2001 (Chapter 5.3 (commencing with Section 25425) of Division 15).

(c) "Energy efficient appliance or measure" means anything that meets the efficiency standards of the United States Department of Energy that are effective on and after July 1, 2001, and, if applicable, products certified as energy efficient zone heating products by the State Energy Resources Conservation and Development Commission.

(d) "Installation" means all labor needed to install energy efficient equipment, including any necessary construction.

(e) "Low-income household," in the context of the implementation of a specific program, shall be defined as each program specifies. Outside of a specific program, it means households at or below 200 percent of the federal poverty level.

(f) "Small business," in the context of the implementation of a specific program, shall be defined as each program specifies. Outside of a specific program, it means a licensed business that employs not more than 100 persons.

14423. Notwithstanding any other provision of law, the California Conservation Corps and the Department of Community Services and Development, in consultation with the State Energy Resources Conservation and Development Commission, shall expand their current weatherization, energy-efficiency, and rehabilitation programs and assist in the implementation of pending programs as defined in Section 14422, in accordance with the following objectives:

(a) Determine the specifics of program expansion and focus on energy efficiency measures including, but not limited to, energy audits, weatherization including the insulation of doors, windows, walls and ceilings, light bulb replacement with subcompact fluorescent lights,

installation of water-saving devices and heater exchanges, minor repairs and retrofits, appliance removal and replacement, and tree planting.

(b) Identify neighborhoods and areas with dense populations that can be easily served in large numbers.

(c) Establish qualifications and priorities consistent with the objectives of this chapter for making grants and working with community-based organizations.

(d) Establish guidelines for broad geographic distribution across the state, taking into consideration the factors of population density, community need, and seasonal climate conditions.

(e) Establish procedures and policies as may be necessary for the administration of this chapter.

14424. Any contracts entered into pursuant to this chapter by a state agency are exempt from the following requirements of the Government Code and the Public Contract Code:

(a) Services contracts and consulting services contracts are exempt from Article 4 (commencing with Section 10335) of Chapter 2 of Part 2 of Division 2 of the Public Contract Code.

(b) All contracts are exempt from Section 10295 of the Public Contract Code, relating to approval from the Department of General Services.

(c) All contracts are exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, relating to advertising.

14425. This chapter shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

SEC. 5. Chapter 5.3 (commencing with Section 25425) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 5.3. ENERGY CONSERVATION ACT OF 2001

Article 1. General Provisions

25425. This chapter shall be known, and may be cited, as the Energy Conservation Act of 2001.

25426. As used in this article, the following terms have the following meanings:

(a) "Commercial refrigeration" means a refrigerator that is not a federally regulated consumer product.

(b) "Energy-efficient model" means any appliance that meets the efficiency standards of the United States Department of Energy that are effective on and after July 1, 2001, and, if applicable, products certified

as energy efficient zone heating products by the State Energy Resources Conservation and Development Commission.

(c) "Small business" means any small business as defined in paragraph (1) of subdivision (d) of Section 14837 of the Government Code.

Article 2. Loans and Grants for Construction and Retrofit Projects

25433. It is the intent of the Legislature to establish incentives in the form of grants and loans to low-income residents, small businesses, and residential property owners for constructing and retrofitting buildings to be more energy efficient by using design elements, including, but not limited to, energy-efficient siding, insulation, products certified as energy efficient zone heating products by the State Energy Resources Conservation and Development Commission, and double-paned windows.

25433.5. (a) In consultation with the Public Utilities Commission, the commission shall do both of the following for the purpose of full or partial funding of an eligible construction or retrofit project:

(1) Establish a grant program to provide financial assistance to eligible low-income individuals.

(2) Establish a 2-percent interest per annum loan program to provide financial assistance to a small business owner, residential property owner, or individual who is not eligible for a grant pursuant to paragraph (1). The loans shall be available to a small business owner who has a gross annual income that does not exceed one hundred thousand dollars (\$100,000) or to an individual or residential property owner who has a gross annual household income that does not exceed one hundred thousand dollars (\$100,000).

(b) (1) The commission shall use the design guidelines adopted pursuant to clause (ii) of subparagraph (D) of paragraph (3) of subdivision (d) of Section 14 of the act that added this section as standards to determine eligible energy-efficiency projects.

(2) The award of a grant pursuant to this section is subject to appeal to the commission upon a showing that the commission applied factors, other than those adopted by the commission, in making the award.

(3) The grant or loan recipient shall commit to using the grant or loan for the purpose for which the grant or loan was awarded.

(4) Any action taken by an applicant to apply for, or to become or remain eligible to receive, a grant award, including satisfying conditions specified by the commission, does not constitute the rendering of goods, services, or a direct benefit to the commission.

(5) The amount of any grant awarded pursuant to this article to a low-income individual does not constitute income for purposes of

calculating the recipient's gross income for the tax year during which the grant is received.

25434. The commission may contract with one or more business entities capable of supplying or providing goods or services necessary for the commission to carry out the responsibilities for the programs conducted pursuant to this article, and shall contract with one or more business entities to evaluate the effectiveness of the programs implemented pursuant to subdivision (a) of Section 25433.5. The commission may select an entity on a sole source basis for one or both of those purposes if the cost to the state will be reasonable and the commission determines that it is in the best interest of the state.

25434.5. As used in this article, the following terms have the following meanings:

(a) "Eligible construction or retrofit project" means a project for making improvements to a home or building in existence on the effective date of the act adding this section, through an addition, alteration, or repair, which effectively increases the energy efficiency or reduces the energy consumption of the home or building as specified by the commission's guidelines under clause (ii) of subparagraph (D) of paragraph (3) of subdivision (d) of Section 14 of the act that added this section. The improvements shall be deemed to be cost-effective.

(b) "Low income" means an individual with a gross annual income equal to or less than 200 percent of the federal poverty level.

(c) "Small business" means any small business as defined in paragraph (1) of subdivision (d) of Section 14837 of the Government Code.

Article 3. Small Business Energy Efficient Refrigeration Loan Program

25435. The commission shall administer the Small Business Energy Efficient Refrigeration Loan Program, as provided for in Section 25436.

25436. (a) Within 45 days of the effective date of this chapter, the commission shall implement a Small Business Energy Efficient Refrigeration Loan Program for qualifying small businesses to purchase and install energy efficient refrigeration equipment.

(b) The program shall offer loans at 3 percent interest on terms that will ensure the small business owner will repay the loan over time in accordance with terms established by the Energy Commission, but in no event may the term exceed the useful life of the purchase.

(c) The commission may enter into agreements with lending institutions and qualifying vendors to facilitate making and

administering loans. Any loan made by the commission for the purchase of equipment shall be secured against the equipment purchased.

SEC. 6. Section 26003 of the Public Resources Code is amended to read:

26003. As used in this division, unless the context otherwise requires:

(a) "Authority" means the California Alternative Energy and Advanced Transportation Financing Authority established pursuant to Section 26004, and any board, commission, department, or officer succeeding to the functions of the authority, or to which the powers conferred upon the authority by this division shall be given.

(b) "Cost" as applied to a project or portion thereof financed under this division means all or any part of the cost of construction and acquisition of all lands, structures, real or personal property or an interest therein, rights, rights-of-way, franchises, easements, and interests acquired or used for a project; the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which those buildings or structures may be moved; the cost of all machinery, equipment, and furnishings, financing charges, interest prior to, during, and for a period after, completion of construction as determined by the authority; provisions for working capital; reserves for principal and interest and for extensions, enlargements, additions, replacements, renovations, and improvements; the cost of architectural, engineering, financial, accounting, auditing and legal services, plans, specifications, estimates, administrative expenses, and other expenses necessary or incident to determining the feasibility of constructing any project or incident to the construction, acquisition, or financing of any project.

(c) (1) "Alternative sources" means the application of cogeneration technology, as defined in Section 25134; the conservation of energy; or the use of solar, biomass, wind, geothermal, hydroelectricity under 30 megawatts and meeting the criteria set forth in subdivision (b) of Section 15352 of the Government Code, or any other source of energy, the efficient use of which will reduce the use of fossil and nuclear fuels.

(2) "Alternative sources" does not include any hydroelectric facility that does not meet state laws pertaining to the control, appropriation, use, and distribution of water, including, but not limited to, the obtaining of applicable licenses and permits.

(d) "Advanced transportation technologies" means emerging commercially competitive transportation-related technologies identified by the authority as capable of creating long-term, high value-added jobs for Californians while enhancing the state's commitment to energy conservation, pollution reduction, and

transportation efficiency. Those technologies may include, but are not limited to, any of the following:

- (1) Intelligent vehicle highway systems.
- (2) Advanced telecommunications for transportation.
- (3) Command, control, and communications for public transit vehicles and systems.

- (4) Electric vehicles and ultra-low emission vehicles.
- (5) High-speed rail and magnetic levitation passenger systems.
- (6) Fuel cells.

(e) "Financial assistance" includes, but is not limited to, either, or any combination, of the following:

(1) Loans, loan loss reserves, interest rate reductions, proceeds of bonds issued by the authority, insurance, guarantees or other credit enhancements or liquidity facilities, contributions of money, property, labor, or other items of value, or any combination thereof, as determined by, and approved by the resolution of, the board.

(2) Any other type of assistance the authority determines is appropriate.

(f) "Participating party" means either of the following:

(1) Any person or any entity or group of entities engaged in business or operations in the state, whether organized for profit or not for profit, that applies for financial assistance from the authority for the purpose of implementing a project in a manner prescribed by the authority.

(2) Any public agency or nonprofit corporation that applies for financial assistance from the authority for the purpose of implementing a project in a manner prescribed by the authority.

(g) "Project" means any land, building, improvement thereto, rehabilitation, work, property, or structure, real or personal, stationary or mobile, including, but not limited to, machinery and equipment, whether or not in existence or under construction, that utilizes, or is designed to utilize, an alternative source, or that is utilized for the design, technology transfer, manufacture, production, assembly, distribution, or service of advanced transportation technologies.

(h) "Public agency" means any federal or state agency, board, or commission, or any county, city and county, city, regional agency, public district, or other political subdivision.

(i) (1) "Renewable energy" means any device or technology that conserves or produces heat, processes heat, space heating, water heating, steam, space cooling, refrigeration, mechanical energy, electricity, or energy in any form convertible to these uses, that does not expend or use conventional energy fuels, and that uses any of the following electrical generation technologies:

- (A) Biomass.
- (B) Solar thermal.

- (C) Photovoltaic.
- (D) Wind.
- (E) Geothermal.

(2) For purposes of this subdivision, “conventional energy fuel” means any fuel derived from petroleum deposits, including, but not limited to, oil, heating oil, gasoline, fuel oil, or natural gas, including liquefied natural gas, or nuclear fissionable materials.

(3) Notwithstanding paragraph (1), for purposes of this section, “renewable energy” also means ultralow emission equipment for energy generation based on thermal energy systems such as natural gas turbines and fuel cells.

(j) “Revenue” means all rents, receipts, purchase payments, loan repayments, and all other income or receipts derived by the authority from the sale, lease, or other disposition of alternative source or advanced transportation technology facilities, or the making of loans to finance alternative source or advanced transportation technology facilities, and any income or revenue derived from the investment of any money in any fund or account of the authority.

SEC. 7. Section 26011.5 of the Public Resources Code is amended to read:

26011.5. The authority, in consultation with the State Energy Resources Conservation and Development Commission, shall establish criteria for the selection of projects to receive financing assistance from the authority. In the selection of projects, the authority shall, in accordance with the legislative intent, provide financial assistance under this division in a manner consistent with sound financial practice. In developing project selection criteria, the authority shall consider, but not be limited to, all of the following:

- (a) The technological feasibility of the projects.
- (b) The economic soundness of the projects and a realistic expectation that all financial obligations can and will be met by the participating parties.
- (c) The contribution that the projects can make to a reduction or more efficient use of fossil fuels.
- (d) The contribution that the project can make toward diversifying California’s energy resources by fostering renewable energy systems that can substitute, or preferably eliminate, the demand for conventional energy fuels.
- (e) Any other such factors that the authority finds significant in achieving the purposes and objectives of this division.

SEC. 8. Section 26011.6 is added to the Public Resources Code, to read:

26011.6. (a) The authority shall establish a renewable energy program to provide financial assistance to public power entities,

independent generators, utilities, or businesses manufacturing components or systems, or both, to generate new and renewable energy sources, develop clean and efficient distributed generation, and demonstrate the economic feasibility of new technologies, such as solar, photovoltaic, wind, and ultralow emission equipment. The authority shall give preference to utility-scale projects that can be rapidly deployed to provide a significant contribution as a renewable energy supply.

(b) The authority shall make every effort to expedite the operation of renewable energy systems, and shall adopt regulations for purposes of this section and Sections 26011.5 and 26011.7 as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For purposes of that Chapter 3.5, including Section 11349.6 of the Government Code, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health and safety, and general welfare. Notwithstanding the 120-day limitation specified in subdivision (e) of Section 11346.1 of the Government Code, the regulations shall be repealed 180 days after their effective date, unless the authority complies with Sections 11346.2 to 11347.3, inclusive, as provided in subdivision (e) of Section 11346.1 of the Government Code.

(c) The authority shall consult with the State Energy Resources Conservation and Development Commission regarding the financing of projects to avoid duplication of other renewable energy projects.

(d) The authority shall ensure that any financed project shall offer its power within California on a long-term contract basis.

SEC. 9. Section 739 of the Public Utilities Code is amended to read:

739. (a) The commission shall designate a baseline quantity of gas and electricity which is necessary to supply a significant portion of the reasonable energy needs of the average residential customer. In estimating those quantities, the commission shall take into account differentials in energy needs between customers whose residential energy needs are currently supplied by electricity alone or by both electricity and gas. The commission shall develop a separate baseline quantity for all-electric residential customers. For these purposes, "all-electric residential customers" are residential customers having electrical service only or whose space heating is provided by electricity, or both. The commission shall also take into account differentials in energy use by climatic zone and season.

(b) (1) The commission shall establish a standard limited allowance which shall be in addition to the baseline quantity of gas and electricity for residential customers dependent on life-support equipment, including, but not limited to, emphysema and pulmonary patients. A

residential customer dependent on life-support equipment shall be given a higher energy allocation than the average residential customer.

(2) "Life-support equipment" means that equipment which utilizes mechanical or artificial means to sustain, restore, or supplant a vital function, or mechanical equipment which is relied upon for mobility both within and outside of buildings. "Life-support equipment," as used in this subdivision, includes all of the following: all types of respirators, iron lungs, hemodialysis machines, suction machines, electric nerve stimulators, pressure pads and pumps, aerosol tents, electrostatic and ultrasonic nebulizers, compressors, IPPB machines, and motorized wheelchairs.

(3) The limited additional allowance shall also be made available to paraplegic and quadriplegic persons in consideration of the increased heating and cooling needs of those persons.

(4) The limited additional allowance shall also be made available to multiple sclerosis patients in consideration of the increased heating and cooling needs of those persons.

(5) The limited additional allowance shall also be made available to scleroderma patients in consideration of the increased heating needs of those persons.

(6) The limited allowance shall also be made available to persons who are being treated for a life-threatening illness or have a compromised immune system, provided that a licensed physician and surgeon or a person licensed pursuant to the Osteopathic Initiative Act certifies in writing to the utility that the additional heating or cooling allowance, or both, made available pursuant to this subdivision is medically necessary to sustain the life of the person or prevent deterioration of the person's medical condition.

(c) (1) The commission shall require that every electrical and gas corporation file a schedule of rates and charges providing baseline rates. The baseline rates shall apply to the first or lowest block of an increasing block rate structure which shall be the baseline quantity. In establishing these rates, the commission shall avoid excessive rate increases for residential customers, and shall establish an appropriate gradual differential between the rates for the respective blocks of usage.

(2) In establishing residential electric and gas rates, including baseline rates, the commission shall assure that the rates are sufficient to enable the electrical corporation or gas corporation to recover a just and reasonable amount of revenue from residential customers as a class, while observing the principle that electricity and gas services are necessities, for which a low affordable rate is desirable and while observing the principle that conservation is desirable in order to maintain an affordable bill.

(3) At least until December 31, 2003, the commission shall require that all charges for residential electric customers are volumetric, and shall prohibit any electrical corporation from imposing any charges on residential consumption that are independent of consumption, unless those charges are in place prior to the effective date of the act that added this paragraph.

(d) As used in this section:

(1) "Baseline quantity" means a quantity of electricity or gas for residential customers to be established by the commission based on from 50 to 60 percent of average residential consumption of these commodities, except that, for residential gas customers and for all-electric residential customers, the baseline quantity shall be established at from 60 to 70 percent of average residential consumption during the winter heating season. In establishing the baseline quantities, the commission shall take into account climatic and seasonal variations in consumption and the availability of gas service. The commission shall review and revise baseline quantities as average consumption patterns change in order to maintain these ratios.

(2) "Residential customer" means those customers receiving electrical or gas service pursuant to a domestic rate schedule and excludes industrial, commercial, and every other category of customer.

(e) Wholesale electrical or gas purchases, and the rates charged therefor, are exempt from this section.

(f) Nothing contained in this section shall be construed to prohibit experimentation with alternative gas or electrical rate schedules for the purpose of achieving energy conservation.

SEC. 10. Section 739.10 is added to the Public Utilities Code, to read:

739.10. The commission shall ensure that errors in estimates of demand elasticity or sales do not result in material over or undercollections of the electrical corporations.

SEC. 10.2. Section 739.11 is added to the Public Utilities Code, to read:

739.11. (a) For purposes of this section, "real time metering" means a system for measuring a customer's usage of electricity on at least an hourly basis, variably pricing that electricity based on the cost of acquisition or production, and regularly providing and updating that usage and pricing information to the customer.

(b) The commission shall conduct a pilot study of real time metering for nonresidential customers. The purpose of the study is to determine the effectiveness of real time metering in reducing energy demand and overall energy consumption, to examine customer response, to determine how real time metering should be implemented, and to determine whether more widespread use of real time metering is in the

public interest. The study shall not duplicate the study required pursuant to Section 393 of the Public Utilities Code. The study shall include rates that vary as the cost of electricity varies and provide appropriate telemetry and other equipment. The study shall include agricultural, large commercial, and industrial customer classes, and may include other customer classes if the commission determines that to do so would be in the public interest. The commission shall report to the Legislature on the results of the study by June 30, 2002.

(c) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

SEC. 11. Section 2827 of the Public Utilities Code is amended to read:

2827. (a) The Legislature finds and declares that a program to provide net energy metering for eligible customer-generators is one way to encourage substantial private investment in renewable energy resources, stimulate in-state economic growth, reduce demand for electricity during peak consumption periods, help stabilize California's energy supply infrastructure, enhance the continued diversification of California's energy resource mix, and reduce interconnection and administrative costs for electricity suppliers.

(b) As used in this section, the following definitions apply:

(1) "Electric service provider" means an electrical corporation, as defined in Section 218, a local publicly owned electric utility, as defined in Section 9604, or an electrical cooperative, as defined in Section 2776, or any other entity that offers electrical service.

(2) "Eligible customer-generator" means a residential, small commercial customer as defined in subdivision (h) of Section 331, commercial, industrial, or agricultural customer of an electric service provider, who uses a solar or a wind turbine electrical generating facility, or a hybrid system of both, with a capacity of not more than one megawatt that is located on the customer's owned, leased, or rented premises, is interconnected and operates in parallel with the electric grid, and is intended primarily to offset part or all of the customer's own electrical requirements.

(3) "Net energy metering" means measuring the difference between the electricity supplied through the electric grid and the electricity generated by an eligible customer-generator and fed back to the electric grid over a 12-month period as described in subdivision (e). Net energy metering shall be accomplished using a single meter capable of registering the flow of electricity in two directions. An additional meter or meters to monitor the flow of electricity in each direction may be installed with the consent of the customer-generator, at the expense of the electric service provider, and the additional metering shall be used

only to provide the information necessary to accurately bill or credit the customer-generator pursuant to subdivision (e), or to collect solar or wind electric generating system performance information for research purposes. If the existing electrical meter of an eligible customer-generator is not capable of measuring the flow of electricity in two directions, the customer-generator shall be responsible for all expenses involved in purchasing and installing a meter that is able to measure electricity flow in two directions. If an additional meter or meters are installed, the net energy metering calculation shall yield a result identical to that of a single meter. An eligible customer-generator who already owns an existing solar or wind turbine electrical generating facility, or a hybrid system of both, is eligible to receive net energy metering service in accordance with this section.

(c) (1) Every electric service provider shall develop a standard contract or tariff providing for net energy metering, and shall make this contract available to eligible customer-generators, upon request.

(2) If a customer participates in direct transactions pursuant to paragraph (1) of subdivision (b) of Section 365 with an electric supplier that does not provide distribution service for the direct transactions, the service provider that provides distribution service for an eligible customer-generator is not obligated to provide net energy metering to the customer.

(3) If a customer participates in direct transactions pursuant to paragraph (1) of subdivision (b) of Section 365 with an electric supplier, and the customer is an eligible customer-generator, the service provider that provides distribution service for the direct transactions may recover from the customer's electric service provider the incremental costs of metering and billing service related to net energy metering in an amount set by the commission.

(d) Each net energy metering contract or tariff shall be identical, with respect to rate structure, all retail rate components, and any monthly charges, to the contract or tariff to which the same customer would be assigned if such customer was not an eligible customer-generator, except that eligible customer-generators shall not be assessed standby charges on the electrical generating capacity or the kilowatthour production of an eligible solar or wind electrical generating facility. The charges for all retail rate components for eligible customer-generators shall be based exclusively on the customer-generator's net kilowatthour consumption over a 12-month period, without regard to the customer-generator's choice of electric service provider. Any new or additional demand charge, standby charge, customer charge, minimum monthly charge, interconnection charge, or other charge that would increase an eligible customer-generator's costs beyond those of other customers in the rate class to which the eligible customer-generator would otherwise be

assigned are contrary to the intent of this legislation, and shall not form a part of net energy metering contracts or tariffs.

(e) For eligible residential and small commercial customer-generators, the net energy metering calculation shall be made by measuring the difference between the electricity supplied to the eligible customer-generator and the electricity generated by the eligible customer-generator and fed back to the electric grid over a 12-month period. The following rules shall apply to the annualized net metering calculation:

(1) The eligible residential or small commercial customer-generator shall, at the end of each 12-month period following the date of final interconnection of the eligible customer-generator's system with an electric service provider, and at each anniversary date thereafter, be billed for electricity used during that period. The electric service provider shall determine if the eligible residential or small commercial customer-generator was a net consumer or a net producer of electricity during that period.

(2) At the end of each 12-month period, where the electricity supplied during the period by the electric service provider exceeds the electricity generated by the eligible residential or small commercial customer-generator during that same period, the eligible residential or small commercial customer-generator is a net electricity consumer and the electric service provider shall be owed compensation for the eligible customer-generator's net kilowatthour consumption over that same period. The compensation owed for the eligible residential or small commercial customer-generator's consumption shall be calculated as follows:

(A) For all eligible customer-generators taking service under tariffs employing "baseline" and "over baseline" rates, any net monthly consumption of electricity shall be calculated according to the terms of the contract or tariff to which the same customer would be assigned to or be eligible for if the customer was not an eligible customer-generator. If those same customer-generators are net generators over a billing period, the net kilowatthours generated shall be valued at the same price per kilowatthour as the electric service provider would charge for the baseline quantity of electricity during that billing period, and if the number of kilowatthours generated exceeds the baseline quantity, the excess shall be valued at the same price per kilowatthour as the electric service provider would charge for electricity over the baseline quantity during that billing period.

(B) For all eligible customer-generators taking service under tariffs employing "time of use" rates, any net monthly consumption of electricity shall be calculated according to the terms of the contract or tariff to which the same customer would be assigned to or be eligible for

if the customer was not an eligible customer-generator. When those same customer-generators are net generators during any discrete time of use period, the net kilowatthours produced shall be valued at the same price per kilowatthour as the electric service provider would charge for retail kilowatthour sales during that same time of use period. If the eligible customer-generator's time of use electrical meter is unable to measure the flow of electricity in two directions, paragraph (3) of subdivision (b) shall apply.

(C) For all residential and small commercial customer-generators and for each monthly period, the net balance of moneys owed to the electric service provider for net consumption of electricity or credits owed to the customer-generator for net generation of electricity shall be carried forward until the end of each 12-month period. For all commercial, industrial, and agricultural customer-generators the net balance of moneys owed shall be paid in accordance with the electric service provider's normal billing cycle, except that if the commercial, industrial, or agricultural customer-generator is a net electricity producer over a normal billing cycle, any excess kilowatthours generated during the billing cycle shall be carried over to the following billing period, valued according to the procedures set forth in this section, and appear as a credit on the customer-generator's account, until the end of the annual period when paragraph (3) of subdivision (e) shall apply.

(3) At the end of each 12-month period, where the electricity generated by the eligible customer-generator during the 12-month period exceeds the electricity supplied by the electric service provider during that same period, the eligible customer-generator is a net electricity producer and the electric service provider shall retain any excess kilowatthours generated during the prior 12-month period. The eligible customer-generator shall not be owed any compensation for those excess kilowatthours unless the electric service provider enters into a purchase agreement with the eligible customer-generator for those excess kilowatthours.

(4) The electric service provider shall provide every eligible residential or small commercial customer-generator with net electricity consumption information with each regular bill. That information shall include the current monetary balance owed the electric service provider for net electricity consumed since the last 12-month period ended. Notwithstanding subdivision (e), an electric service provider shall permit that customer to pay monthly for net energy consumed.

(5) If an eligible residential or small commercial customer-generator terminates the customer relationship with the electric service provider, the electric service provider shall reconcile the eligible customer-generator's consumption and production of electricity during any part of a 12-month period following the last reconciliation,

according to the requirements set forth in this subdivision, except that those requirements shall apply only to the months since the most recent 12-month bill.

(6) If an electric service provider providing net metering to a residential or small commercial customer-generator ceases providing that electrical service to that customer during any 12-month period, and the customer-generator enters into a new net metering contract or tariff with a new electric service provider, the 12-month period, with respect to that new electric service provider, shall commence on the date on which the new electric service provider first supplies electric service to the customer-generator.

(f) A solar or wind turbine electrical generating system, or a hybrid system of both, used by an eligible customer-generator shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability. A customer-generator whose solar or wind turbine electrical generating system, or a hybrid system of both, meets those standards and rules shall not be required to install additional controls, perform or pay for additional tests, or purchase additional liability insurance.

(g) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

SEC. 12. Section 2827 is added to the Public Utilities Code, to read:

2827. (a) The Legislature finds and declares that a program to provide net energy metering for eligible customer-generators is one way to encourage private investment in renewable energy resources, stimulate in-state economic growth, enhance the continued diversification of California's energy resource mix, and reduce interconnection and administrative costs for electricity suppliers.

(b) As used in this section, the following definitions apply:

(1) "Electric service provider" means an electric corporation, as defined in Section 218, a local publicly owned electric utility, as defined in Section 9604, or an electrical cooperative, as defined in Section 2776. "Electric service provider" also means an entity that offers electrical service to residential and small commercial customers, as defined in Section 394, if that entity offers net energy metering. Any entity that offers net energy metering to residential and small commercial customers shall comply with this section.

(2) "Eligible customer-generator" means a residential customer, or a small commercial customer as defined in subdivision (h) of Section 331, of an electric service provider, who uses a solar or a wind turbine

electrical generating facility, or a hybrid system of both, with a capacity of not more than 10 kilowatts that is located on the customer's premises, is interconnected and operates in parallel with the electric grid, and is intended primarily to offset part or all of the customer's own electrical requirements.

(3) "Net energy metering" means measuring the difference between the electricity supplied through the electric grid and the electricity generated by an eligible customer-generator and fed back to the electric grid over a 12-month period as described in subdivision (e). Net energy metering shall be accomplished using a single meter capable of registering the flow of electricity in two directions. An additional meter or meters to monitor the flow of electricity in each direction may be installed with the consent of the customer-generator, at the expense of the electric service provider, and the additional metering shall be used only to provide the information necessary to accurately bill or credit the customer-generator pursuant to subdivision (e), or to collect solar or wind electric generating system performance information for research purposes. If the existing electrical meter of an eligible customer-generator is not capable of measuring the flow of electricity in two directions, the customer-generator shall be responsible for all expenses involved in purchasing and installing a meter that is able to measure electricity flow in two directions. If an additional meter or meters are installed, the net energy metering calculation shall yield a result identical to that of a single meter. An eligible customer-generator who already owns an existing solar or wind turbine electrical generating facility, or a hybrid system of both, is eligible to receive net energy metering service in accordance with this section.

(4) "Ratemaking authority" means, for an electrical corporation as defined in Section 218, or an electrical cooperative as defined in Section 2776, the commission, and for a local publicly owned electric utility as defined in Section 9604, the local elected body responsible for regulating the rates of the utility.

(c) (1) Every electric service provider shall develop a standard contract or tariff providing for net energy metering, and shall make this contract available to eligible customer-generators, upon request, on a first-come-first-served basis until the time that the total rated generating capacity used by eligible customer-generators equals one-tenth of 1 percent of the electric service provider's aggregate customer peak demand.

(2) On an annual basis, beginning in 1999, every electric service provider shall make available to the ratemaking authority information on the total rated generating capacity used by eligible customer-generators that are customers of that provider in the provider's service area. For those electric service providers who are operating pursuant to Section

394, they shall make available to the ratemaking authority the information required by this paragraph for each eligible customer-generator that is their customer for each service area of an electric corporation, local publicly owned electric utility, or electrical cooperative, in which the customer has net energy metering. The ratemaking authority shall develop a process for making the information required by this paragraph available to energy service providers, and for using that information to determine when, pursuant to paragraph (3), a service provider is not obligated to provide net energy metering to additional customer-generators in its service area.

(3) Notwithstanding paragraph (1), an electric service provider is not obligated to provide net energy metering to additional customer-generators in its service area when the combined total peak demand of all customer-generators served by all the electric service providers in that service area furnishing net energy metering to eligible customer-generators equals one-tenth of 1 percent of the aggregate customer peak demand of those electric service providers.

(4) If a customer participates in direct transactions pursuant to paragraph (1) of subdivision (b) of Section 365 with an electric supplier that does not offer net energy metering and is therefore not an electric service provider, the customer is not an eligible customer-generator and the electric corporation, as defined in Section 218, that provides distribution service for the direct transactions, is not obligated to provide net energy metering to the customer.

(5) If a customer participates in direct transactions pursuant to paragraph (1) of subdivision (b) of Section 365 with an electric supplier that offers net energy metering and is therefore an electric service provider, and the customer is an eligible customer-generator, the electric corporation, as defined in Section 218, that provides distribution service for the direct transactions may recover from the customer's electric service provider the incremental costs of metering and billing service related to net energy metering in an amount set by the commission.

(d) Each net energy metering contract or tariff shall be identical, with respect to rate structure, all retail rate components, and any monthly charges, to the contract or tariff to which the same customer would be assigned if such customer was not an eligible customer-generator. The charges for all retail rate components for eligible customer-generators shall be based exclusively on the customer-generator's net kilowatthour consumption over a 12-month period, without regard to the customer-generator's choice of electric service provider that offers net energy metering and is subject to this section pursuant to paragraph (1) of subdivision (b), in accordance with subdivision (e). Any new or additional demand charge, standby charge, customer charge, minimum monthly charge, interconnection charge, or other charge that would

increase an eligible customer-generator's costs beyond those of other customers in the rate class to which the eligible customer-generator would otherwise be assigned are contrary to the intent of this legislation, and shall not form a part of net energy metering contracts or tariffs.

(e) The net energy metering calculation shall be made by measuring the difference between the electricity supplied to the eligible customer-generator and the electricity generated by the eligible customer-generator and fed back to the electric grid over a 12-month period. The following rules shall apply to the annualized net metering calculation:

(1) The eligible customer-generator shall, at the end of each 12-month period following the date of final interconnection of the eligible customer-generator's system with an electric service provider, and at each anniversary date thereafter, be billed for electricity used during that period. The electric service provider shall determine if the eligible customer-generator was a net consumer or a net producer of electricity during that period.

(2) At the end of each 12-month period, where the electricity supplied during the period by the electric service provider exceeds the electricity generated by the eligible customer-generator during that same period, the eligible customer-generator is a net electricity consumer and the electric service provider shall be owed compensation for the eligible customer-generator's net kilowatt-hour consumption over that same period. The compensation owed for the eligible customer-generator's net 12-month kilowatt-hour consumption shall be calculated as follows:

(A) For eligible customer-generators taking service under tariffs employing "baseline" and "over baseline" rates, any net monthly consumption of electricity shall be calculated according to the terms of the contract or tariff to which the same customer would be assigned to or be eligible for if the customer was not an eligible customer-generator. If those same customer-generators are net generators over a billing period, the net kilowatt-hours generated shall be valued at the same price per kilowatt-hour as the electric service provider would charge for the baseline quantity of electricity during that billing period, and if the number of kilowatt-hours generated exceeds the baseline quantity, the excess shall be valued at the same price per kilowatt-hour as the electric service provider would charge for electricity over the baseline quantity during that billing period.

(B) For eligible customer-generators taking service under tariffs employing "time of use" rates, any net monthly consumption of electricity shall be calculated according to the terms of the contract or tariff to which the same customer would be assigned to or be eligible for if the customer was not an eligible customer-generator. When those same customer-generators are net generators during any discrete time of use

period, the net kilowatthours produced shall be valued at the same price per kilowatthour as the electric service provider would charge for retail kilowatthour sales during that same time of use period. If the eligible customer-generator's time of use electrical meter is unable to measure the flow of electricity in two directions, paragraph (3) of subdivision (b) shall apply.

(C) For all customer-generators and for each monthly period, the net balance of moneys owed to the electric service provider for net consumption of electricity or credits owed to the customer-generator for net generation of electricity shall be carried forward until the end of each 12-month period.

(3) At the end of each 12-month period, where the electricity generated by the eligible customer-generator during the 12-month period exceeds the electricity supplied by the electric service provider during that same period, the eligible customer-generator is a net electricity producer and the electric service provider shall retain any excess kilowatthours generated during the prior 12-month period. The eligible customer-generator shall not be owed any compensation for those excess kilowatthours unless the electric service provider enters into a purchase agreement with the eligible customer-generator for those excess kilowatthours.

(4) The electric service provider shall provide every eligible customer-generator with net electricity consumption information with each regular bill. That information shall include the current monetary balance owed the electric service provider for net electricity consumed since the last 12-month period ended. Notwithstanding subdivision (e), an electric service provider shall permit that customer to pay monthly for net energy consumed.

(5) If an eligible customer-generator terminates the customer relationship with the electric service provider, the electric service provider shall reconcile the eligible customer-generator's consumption and production of electricity during any part of a 12-month period following the last reconciliation, according to the requirements set forth in this subdivision, except that those requirements shall apply only to the months since the most recent 12-month bill.

(6) If an electric service provider providing net metering to a customer-generator ceases providing that electrical service to that customer during any 12-month period, and the customer-generator enters into a new net metering contract or tariff with a new electric service provider, the 12-month period, with respect to that new electric service provider, shall commence on the date on which the new electric service provider first supplies electric service to the customer-generator.

(f) A solar or wind turbine electrical generating system, or a hybrid system of both, used by an eligible customer-generator shall meet all

applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability. A customer-generator whose solar or wind turbine electrical generating system, or a hybrid system of both, meets those standards and rules shall not be required to install additional controls, perform or pay for additional tests, or purchase additional liability insurance.

(g) This section shall become operative on January 1, 2003.

SEC. 12.5. Section 2827.5 is added to the Public Utilities Code, to read:

2827.5. The Legislature finds and declares that the repeal of the provisions of the net metering program for large customers merely reflects a legislative desire to revisit and more closely evaluate the cumulative value and effect of the state's policy regarding renewable energy sources on the economics of investment in solar and wind sources for large net metering customers and to ensure further legislative discussion regarding this issue.

SEC. 12.6. Section 2827.7 is added to the Public Utilities Code, to read:

2827.7. Generation eligible for net metering that is installed on or before December 31, 2002, shall be entitled, for the life of the installation, to the net metering terms in effect on the date of installation.

SEC. 13. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard 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.

However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

SEC. 14. The sum of four hundred eight million six hundred fifty thousand dollars (\$408,650,000) is hereby appropriated or reappropriated to the Controller from the following sources:

(a) Twenty-five million one hundred fifty thousand dollars (\$25,150,000) from the Proposition 98 Reversion Account, reappropriated on a one-time basis from the Proposition 98 Reversion Account from moneys appropriated in the 2000-01 fiscal year to community colleges.

(b) Three hundred sixty-eight million five hundred thousand dollars (\$368,500,000) from the General Fund.

(c) The moneys reappropriated from the Proposition 98 Reversion Account shall be allocated to the Chancellor of the California Community Colleges who shall allocate those funds as follows:

(1) Twenty-five million dollars (\$25,000,000) to be expended for the purposes of implementing Article 2 (commencing with Section 81610) of Chapter 3 of Part 49 of Division 7 of Title 3 of the Education Code. The chancellor, in consultation with the State Energy Resources Conservation and Development Commission, shall allocate the funds in this paragraph to all community college districts statewide in an amount equivalent to a district's share of the total gross square footage of all permanent structures reported on the system's October 2000 Space Inventory Report. Notwithstanding any other provision of law, due to the urgent need to realize the necessary energy savings by the summer of 2001 these funds shall be made available to the districts within one week of the effective date of this act. Any funds allocated pursuant to this paragraph that are unencumbered by October 30, 2001, shall revert to the General Fund on that date.

(2) One hundred fifty thousand dollars (\$150,000) as a grant to the Community College League of California to provide a statewide data base of community college district utility usage for immediate application. The data base shall be accessible to the Chancellor's Office of the California Community Colleges as well as to all community college districts statewide to assist in conservation, facilities planning and energy management. The data base shall track the usage of electricity and natural gas, and may track the usage of water, sewer and other utilities. The data base shall further provide an ongoing audit of utility billings to check for billing errors and to ensure that districts recover potential billings that exceed cost of actual usage.

(d) The moneys appropriated from the General Fund shall be allocated as follows:

(1) The sum of forty million dollars (\$40,000,000) shall be deposited in the Renewable Energy Loan Loss Reserve Fund for the purposes of Article 4 (commencing with Section 15350) of Chapter 1 of Part 6.7 of Division 3 of Title 2 of the Government Code.

(2) (A) The sum of forty million dollars (\$40,000,000) shall be allocated to the California Conservation Corps for costs associated with the purchase, distribution, and installation of subcompact fluorescent

lights, other energy savings measures, and water-saving devices for the purposes of Chapter 4 (commencing with Section 14420) of Division 12 of the Public Resources Code. It is the intent of the Legislature that the California Conservation Corps complete the distribution of the purchased materials by August 31, 2001.

(B) The California Conservation Corps, in implementing the provisions of subparagraph (A), shall consult with the Department of Community Services and Development and the State Energy Resources Conservation and Development Commission, and shall provide for broad geographic distribution of the purchased materials throughout the state, identify neighborhoods and areas with dense populations that can easily be served in large numbers, and take into account community need.

(C) The California Conservation Corps shall report to the Legislature on or before October 31, 2001, on the use of the funds allocated pursuant to this paragraph, the cost effectiveness of the activities, and the number of homes and businesses reached.

(3) The sum of twenty million dollars (\$20,000,000) shall be allocated to the Department of Community Services and Development for disbursement in the forms of grants to community-based organizations for the purposes of Chapter 4 (commencing with Section 14420) of Division 12 of the Public Resources Code, including, but not limited to, the rapid installation of energy efficiency measures.

(4) The sum of one hundred fifty-four million five hundred thousand dollars (\$154,500,000) shall be allocated to the State Energy Resources Conservation and Development Commission for allocation in accordance with the following schedule:

(A) Fifty million dollars (\$50,000,000) shall be expended in accordance with Article 2 (commencing with Section 25433) of Chapter 5.3 of Division 15 of the Public Resources Code.

(B) Fifty million dollars (\$50,000,000) shall be expended for electric metering programs. Thirty-five million dollars (\$35,000,000) shall be used to provide time-of-use or real time meters for customers whose usage is greater than 200 kilowatt. Fifteen million dollars (\$15,000,000) shall be provided to the Public Utilities Commission to fund the program described in Section 739.11 of the Public Utilities Code, which may be used for the purchase and installation of meters, related equipment, and other associated costs.

(C) Fifty million dollars (\$50,000,000) shall be expended for the Small Business Energy Efficient Refrigeration Loan Program provided for in Section 25436 of the Public Resources Code.

(5) (A) The sum of fifty million dollars (\$50,000,000) shall be allocated to the State Energy Conservation Assistance Account created by Section 25416 of the Public Resources Code for expenditure by the

State Energy Resources Conservation and Development Commission to provide loans at not less than a 3 percent per annum interest rate, and grants, as determined by the commission, pursuant to Chapter 5.2 (commencing with Section 25410) of Division 15 of the Public Resources Code.

(B) In allocating the funds pursuant to this paragraph, the State Energy Resources Conservation and Development Commission shall give priority to applications for energy conservation projects or energy conservation measures that can be completed on or before September 1, 2001.

(6) The sum of four million five hundred thousand dollars (\$4,500,000) is hereby allocated to the State Energy Resources Conservation and Development Commission (Energy Commission) for expenditure to complete the Southeast Geysers Effluent Injection System (SGEIS), Phase 2 Project of the Basin 2000 Project in Lake County. This appropriation is to enable Basin 2000 to come online in December 2001, to produce an additional 10 megawatts (MW) of geothermal power, which it and the Northern California Power Agency, the sole partner with the Lake County Sanitation District, commit to selling to the state at their cost to help with California's electricity crisis.

(7) The sum of twenty-five million dollars (\$25,000,000) shall be allocated to the California Alternative Energy and Advanced Transportation Financing Authority for the purpose of implementing Section 26011.6 of the Public Resources Code.

(8) (A) The State Energy Resources Conservation and Development Commission shall expand programs to promote clean distributed generation technologies neither owned nor controlled by electrical corporations. Pursuant to subparagraph (B) and subdivision (e), the incentives that the commission shall develop pursuant to this section shall address existing barriers to the increased use of these technologies, including, but not limited to, incentives to help reduce the initial system purchase price, develop low-cost financing mechanisms, offset interconnection fees charged by electrical corporations, and streamline the utility interconnection process by reducing administrative delay.

(B) The sum of fifteen million dollars (\$15,000,000) shall be deposited in the Emerging Renewable Resources Account in the Renewable Resource Trust Fund established pursuant to Section 445 of the Public Utilities Code. Notwithstanding Section 13340 of the Government Code, the money deposited in the Emerging Renewable Resources Account by this subparagraph is hereby continuously appropriated to the State Energy Resources Conservation and Development Commission, without regard to fiscal year, for the purposes specified in subparagraph (C).

(C) The money allocated pursuant this paragraph and subdivision (e) may be expended by the commission only for the following purposes:

(i) Twenty-two million dollars (\$22,000,000) for rebates available for small distributed emerging technologies that are eligible for funding pursuant to subdivision (d) of Section 383.5 of the Public Utilities Code that have a peak generating capacity of 10 kilowatts or less. The commission shall determine the maximum rebate level for small systems to be awarded pursuant to this clause. Within the maximum rebate level, the commission may provide for different rebate levels, such as higher rebate levels for systems installed and operational within a specified timeframe, or for targeted end-use customers that need additional financial support, such as for public schools and state and local governmental facilities.

(ii) Eight million dollars (\$8,000,000) for rebates for small distributed emerging technologies that are eligible for funding pursuant to subdivision (d) of Section 383.5 of the Public Utilities Code that have a peak generating capacity of 10 kilowatts or less and that are located at a customer site receiving distribution service from a local publicly owned electric utility, as defined in Section 9604 of the Public Utilities Code. The commission shall determine the maximum rebate level for small systems to be awarded pursuant to this clause. Within the maximum rebate level, the commission may provide for different rebate levels, such as higher rebate levels for systems installed and operational within a specified timeframe, or for targeted end-use customers that need additional financial support, such as for public schools and state and local governmental facilities.

(iii) The commission shall ensure that projects eligible for rebates pursuant to clauses (i) and (ii) shall not also receive rebates from similar programs adopted by the Public Utilities Commission.

(D) Notwithstanding subdivision (d) of Section 383.5 of the Public Utilities Code, the commission may increase the maximum rebate levels for distributed emerging technologies eligible for funding under subdivision (d) of Section 383.5 of the Public Utilities Code that have a peak generating capacity greater than 10 kilowatts, if the commission determines that an increase is appropriate to further stimulate the installation of emerging renewable technologies in general or for targeted end-use customers that need additional financial support, such as public schools and state and local governmental facilities. The maximum incentive levels established by the commission may vary based on system size and type of end-use consumer.

(E) For purposes of this paragraph, "commission" means the State Energy Resources Conservation and Development Commission.

(9) In order to achieve a reduction in peak electricity demand, the sum of twenty-four million dollars (\$24,000,000) shall be allocated to the

Department of Corrections to install systems to retrofit generating units to improve the environmental performance of existing electrical generating units.

(e) The sum of fifteen million dollars (\$15,000,000) shall be transferred from the Renewable Resource Trust Fund to the Emerging Renewable Resources Account in the Renewable Resource Trust Fund established under Section 445 of the Public Utilities Code. The money allocated pursuant to this subdivision may be expended by the commission only for the purposes specified in subparagraph (C) of paragraph (8) of subdivision (d).

(f) Funds appropriated pursuant to paragraph (4) of subdivision (d) shall be expended pursuant to guidelines adopted by the Energy Resources Conservation and Development Commission. The guidelines shall be exempt from the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code and shall do all of the following:

(1) Establish cost effectiveness criteria for the programs funded. Within 10 days from the date of the adoption of criteria pursuant to this paragraph, the commission shall provide a copy of the criteria to the Chairperson of the Legislative Budget Committee, to the chairpersons of the appropriate policy and fiscal committees of both houses of the Legislature, and to the Governor.

(2) Establish design guidelines for energy efficiency for programs to be eligible for funding under Section 25433 of the Public Resources Code. These guidelines shall exceed those standards established in Part 6 of Title 24 of the California Code of Regulations.

(3) Allow reasonable flexibility to shift funds among program categories in order to achieve the maximum feasible amount of energy conservation, peak load reduction, and energy efficiency by the earliest feasible date.

(4) Establish matching fund criteria where appropriate to ensure that entities eligible to receive funds appropriated pursuant to paragraph (4) of subdivision (d) pay an appropriate share of the cost of acquiring or installing measures to achieve the maximum feasible amount of energy conservation, peak load reduction, and energy efficiency by the earliest feasible date.

(5) Establish mechanisms and criteria that ensure that funds expended pursuant to this subdivision through electric and gas corporations are not seized by the creditors of those corporations in the event of a bankruptcy. In implementing this paragraph, the commission shall adopt mechanisms such as the segregation of funds by the electric and gas corporations, the holding of those funds in trust until they are expended, and the reversion of funds to the General Fund in the event of a bankruptcy.

(6) Establish tracking and auditing procedures to ensure that funds are expended in a manner consistent with this section.

SEC. 14.5. (a) Any contracts entered into on or before September 1, 2001, pursuant to this act due to the energy crisis are exempt from the following requirements of the Government Code and the Public Contract Code:

(1) Services contracts and consulting services contracts are exempt from Article 4 (commencing with Section 10335) of Chapter 2 of Part 2 of Division 2 of the Public Contract Code.

(2) Architectural and engineering contracts are exempt from Chapter 10 (commencing with Section 4525) of Division 5 of Title 1 of the Government Code, and from Sections 6106.5 of the Public Contract Code.

(3) All contracts are exempt from Section 10295 of the Public Contract Code, relating to approval from the Department of General Services.

(4) All contracts are exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, relating to advertising.

(b) Grants may be awarded for projects or programs that include a group of related projects, or to a party who aggregates projects that directly benefit from the grant. The grants do not constitute the rendering of goods or services or a direct benefit to the agency making the grant. A party who aggregates projects may retain for administrative costs not more than 2¹/₂ percent of the funds expended by the party.

(c) Approval of contracts and grants may be delegated to the agency executive director or an agency committee up to a maximum amount that is established by the respective commission or agency.

(d) Administrative costs for agencies participating in programs or projects pursuant to this act shall not exceed 2¹/₂ percent of the amount allocated to the agency. For the purposes of this subdivision, "administrative costs" means personnel and overhead costs associated with the implementation of a measure or program. However, "administrative costs" does not include costs associated with marketing or evaluation of a measure of a program.

(e) Each participating agency receiving funds under this act shall file reports with the Joint Legislative Budget Committee, the chairs of the appropriations committees, and the Governor, as follows:

(1) An interim report by January 1, 2002.

(2) A final report by July 1, 2002.

(3) Annual reports for continuing programs, if the agency or program is not otherwise required to file annual reports by this act or any other provision of law.

SEC. 15. 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 rolling blackouts, and the shortage of electrical generating capacity in the state that endangers the health, welfare, and safety of the people of this state, it is necessary that this act take effect immediately.

CHAPTER 9

An act to amend Section 1731 of, and to add Section 1768 to, the Public Utilities Code, and to amend Sections 80106, 80130, 80132, and 80200 of, and to repeal Section 80114 of, the Water Code, and to amend and repeal Section 6 of Chapter 4 of the Statutes of 2001 of the First Extraordinary Session, relating to energy, and making an appropriation therefor.

[Approved by Governor May 10, 2001. Filed with
Secretary of State May 10, 2001.]

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

SECTION 1. Section 1731 of the Public Utilities Code is amended to read:

1731. (a) The commission shall set an effective date when issuing an order or decision. The commission may set the effective date of an order or decision prior to the date of issuance of the order or decision.

(b) After any order or decision has been made by the commission, any party to the action or proceeding, or any stockholder or bondholder or other party pecuniarily interested in the public utility affected, may apply for a rehearing in respect to any matters determined in the action or proceeding and specified in the application for rehearing. The commission may grant and hold a rehearing on those matters, if in its judgment sufficient reason is made to appear. No cause of action arising out of any order or decision of the commission shall accrue in any court to any corporation or person unless the corporation or person has filed an application to the commission for a rehearing within 30 days after the date of issuance or within 10 days after the date of issuance in the case of an order issued pursuant to either Article 5 (commencing with Section 816) or Article 6 (commencing with Section 851) of Chapter 4 relating to security transactions and the transfer or encumbrance of utility property. For purposes of this article, “date of issuance” means the date

when the commission mails the order or decision to the parties to the action or proceeding.

(c) No cause of action arising out of any order or decision of the commission construing, applying, or implementing the provisions of Chapter 4 of the Statutes of 2001–02 First Extraordinary Session shall accrue in any court to any corporation or person unless the corporation or person has filed an application to the commission for a rehearing within 10 days after the date of issuance of the order or decision. The commission shall issue its decision and order on rehearing within 20 days after the filing of that application.

SEC. 2. Section 1768 is added to the Public Utilities Code, to read: 1768. The following procedures shall apply to judicial review of an order or decision of the commission interpreting, implementing, or applying the provisions of Chapter 4 of the Statutes of 2001–02 First Extraordinary Session:

(a) Within 30 days after the commission issues its order or decision denying the application for a rehearing, or, if the application is granted, then within 30 days after the commission issues its decision on rehearing, any aggrieved party may petition for a writ of review in the California Supreme Court for the purpose of determining the lawfulness of the original order or decision or of the order or decision on rehearing. If the writ issues, it shall be made returnable at a time and place specified by court order and shall direct the commission to certify its record in the case to the court within the time specified. No order of the commission interpreting, implementing, or applying the provisions of Chapter 4 of the Statutes of 2001–02 First Extraordinary Session shall be subject to review in the courts of appeal.

(b) The petition for review shall be served upon the executive director of the commission either personally or by service at the office of the commission.

(c) For purposes of this section, the issuance of a decision or the granting of an application shall be construed to have occurred on the date when the commission mails the decision or grant to the parties to the action or proceeding.

(d) All actions and proceedings under this section and all actions or proceedings to which the commission or the people of the State of California are parties in which any question arises under this section, or under or concerning any order or decision of the commission under this section, shall be preferred over, and shall be heard and determined in preference to, all other civil business except election causes, irrespective of position on the calendar.

(e) The provisions of this article apply to actions under this section to the extent that those provisions are not in conflict with this section.

SEC. 3. Section 80106 of the Water Code is amended to read:

80106. (a) The department may contract with the related electrical corporation or its successor in the performance of related service, for the electrical corporation or its successor in the performance of related service, to transmit or provide for the transmission of, and distribute all power made available by the department, and, as agent of the department, provide billing, collection, and other related services on terms and conditions that reasonably compensate the electrical corporation for its services, and adequately secure payment to the department.

(b) At the request of the department, the commission shall order the related electrical corporation or its successor in the performance of related service, to transmit or provide for the transmission of, and distribute all power made available by the department, and, as agent of the department, provide billing, collection, and other related services on terms and conditions that reasonably compensate the electrical corporation for its services, and adequately secure payment to the department.

SEC. 4. Section 80114 of the Water Code, as added by Chapter 4 of the Statutes of 2001, is repealed.

SEC. 5. Section 80130 of the Water Code is amended to read:

80130. The department may incur indebtedness and issue bonds as evidence thereof, provided that bonds may not be issued in an amount the debt service on which, to the extent payable from the fund, is estimated by the department to exceed the amounts estimated to be available in the fund for their payment. The department may authorize the issuance of bonds (excluding notes issued in anticipation of the issuance of bonds and retired from the proceeds of those bonds) in an aggregate amount up to the greater of thirteen billion four hundred twenty-three million dollars (\$13,423,000,000) or the amount calculated by multiplying by a factor of four the annual revenues generated by the California Procurement Adjustment, as determined by the commission pursuant to Section 360.5 of the Public Utilities Code; provided, such aggregate amount shall not exceed thirteen billion four hundred twenty-three million dollars (\$13,423,000,000). Nothing in this section shall prohibit the department from issuing bonds prior to the effective date of this bill based upon the authorization granted to the department by the provisions of Chapter 4 of the Statutes of 2001–02 First Extraordinary Session. Refunding of bonds to obtain a lower interest rate shall not be included in the calculation of the aggregate amount. In addition, before the issuance of bonds in a public offering, the department shall establish a mechanism to ensure that the bonds will be sold at investment grade ratings and repaid on a timely basis from pledged revenues. This mechanism may include, but is not limited to,

an agreement between the department and the commission as described in Section 80110.

SEC. 6. Section 80132 of the Water Code is amended to read:

80132. (a) Bonds may be issued by the department upon authorization by written determination of the director of the department with the approval of the Director of Finance and the State Treasurer. The Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations of its written determination. The bonds shall be sold at such prices and in such manner, and on such terms and conditions, as shall be specified in such determination, and such determination may contain or authorize any other provision, condition, or limitation not inconsistent herewith and such provisions as may be deemed reasonable and proper for the security of the bondholders. Bonds may mature at such time or times, and bear interest at such rate or rates, which may be fixed or variable and be determined by reference to an index or such other method, as shall be specified in such determination. Neither the person executing the determination to issue bonds nor any person executing bonds shall be personally liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

(b) In the discretion of the department, any bonds may be secured by a trust agreement by and between the department and a corporate trustee, which may be any trust company or bank having trust powers within or without the state, or the State Treasurer. Notwithstanding any other provision of law, the State Treasurer shall not be deemed to have a conflict of interest by reason of acting as such trustee. The department may enter into such contracts or arrangements as it shall deem to be necessary or appropriate for the issuance and further security of the bonds.

(c) Bonds shall be legal investments for all trust funds, the funds of all insurance companies, banks both commercial and savings, trust companies, executors, administrators, trustees, and other fiduciaries, for state school funds, pension funds, and, for any funds that may be invested in county, school, or municipal bonds.

(d) Notwithstanding that bonds may be payable from a special fund, they shall be deemed to be negotiable instruments for all purposes.

(e) Any and all bonds, their transfer and the income therefrom shall at all times be free from taxation of every kind by the state and by all political subdivisions of the state.

(f) Bonds shall not be deemed to constitute a debt or liability of the state or of any political subdivision thereof, other than the department, or a pledge of the faith and credit of the state or of any such political subdivision but shall be payable solely from the funds herein provided

for. All bonds shall contain a statement to the following effect: “Neither the faith and credit nor the taxing power of the State of California is pledged to the payment of the principal of or interest on this bond.” The issuance of bonds shall not directly or indirectly or contingently obligate the state or any political subdivision thereof to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

(g) The department may pledge or assign any revenues under any obligation entered into, and rights to receive the same, and moneys on deposit in the fund and income or revenue derived from the investment thereof, as security for the department’s obligations hereunder. It is the intention of the Legislature that any pledge of moneys, revenues, or property made by the department shall be valid and binding from the time when the pledge is made; that the moneys, revenues, or property so pledged and thereafter collected from retail end use customers, or paid directly or indirectly to or for the account of the department, is hereby made, and shall immediately be, subject to the lien of such pledge without any physical delivery thereof or further act; that the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the department irrespective of whether such parties have notice thereof, and that no resolution or instrument by which such pledge or lien created pursuant to this subdivision is expressed, confirmed, or approved need be filed or recorded in order to perfect such pledge or lien. The provisions hereof shall in all respects govern the creation, perfection, priority, and enforcement of any lien created hereby or hereunder.

SEC. 7. Section 80200 of the Water Code is amended to read:

80200. (a) There is hereby established in the State Treasury the Department of Water Resources Electric Power Fund. Notwithstanding Section 13340 of the Government Code, all moneys in the fund are continuously appropriated, without regard to fiscal year, to the department, and shall be available for the purposes of this division. It is the intent of the Legislature that this fund be a continuation of the fund created in Chapter 3 of the Statutes of 2001 (SB 7 of the First 2001–02 Extraordinary Session).

(b) All revenues payable to the department under this division shall be deposited in the fund. Notwithstanding any other provision of law, interest accruing on money in the fund shall remain in the fund and shall be used for the purposes of this division. Payments from the fund may be made only for the purposes authorized by this division, including, but not limited to, payments for any of the following:

(1) The cost of electric power and transmission, scheduling, and other related expenses incurred by the department.

(2) The pooled money investment rate on funds advanced for electric power purchases prior to the receipt of payment for those purchases by the purchasing entity.

(3) Payment of any bonds or other contractual obligations authorized by this division.

(4) Repayment to the General Fund of appropriations made to the fund pursuant hereto or hereafter for purposes of this division, appropriations made to the Department of Water Resources Electric Power Fund, and General Fund moneys expended by the department pursuant to the Governor's Emergency Proclamation dated January 17, 2001. That repayment shall be made as soon as practicable.

(c) Except as provided in subdivision (b) of Section 5 of the statute adding this section, the administrative costs of the department incurred in administering this division shall be provided in the annual Budget Act.

(d) Obligations authorized by this division shall be payable solely from the fund. Neither the full faith and credit nor the taxing power of the state are or may be pledged for any payment under any obligation authorized by this division.

(e) While any obligations of the department incurred under this division remain outstanding and not fully performed or discharged, the rights, powers, duties, and existence of the department and the commission shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of or parties to such obligations. The department may include this pledge and undertaking of the state in the department's obligations.

SEC. 8. Section 6 of Chapter 4 of the Statutes of 2001, First Extraordinary Session, is amended to read:

Sec. 6. (a) The Department of Finance may authorize the creation of deficiencies for the appropriation made by Section 5 of Chapter 4 of the Statutes of 2001, which added this section. No deficiency may be approved under this section any sooner than 10 days after written notification of the proposed deficiency is given to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations. After November 15, 2001, such deficiency shall be limited to amounts required for short-term cash-flow purposes of no more than five hundred million dollars (\$500,000,000) in the aggregate and shall be repaid from the Department of Water Resources Electric Power Fund within 180 days. The Director of Finance shall certify to the Joint Legislative Budget Committee and the Appropriations Committees as to the need for a short-term cash-flow loan not less than 10 days prior to the written notification.

(b) This section shall be repealed as of January 1, 2003, unless a later enacted statute that is enacted before January 1, 2003, deletes or extends the date on which it is repealed.

SEC. 9. The provisions of Division 27 (commencing with Section 80000) of the Water Code, including amendments made thereto in this act, and the provisions of Section 360.5 of the Public Utilities Code, are severable. If any provision of Division 27 (commencing with Section 80000) of the Water Code, including amendments made thereto in this act, or the provisions of Section 360.5 of the Public Utilities Code or application thereof, are held to be invalid, such invalidity shall not affect other provisions of either Division 27 (commencing with Section 80000) of the Water Code or the provisions of Section 360.5.

SEC. 10. No revenues of the Department of Water Resources Electric Power Fund established pursuant to Section 80200 of the Water Code may be used to pay for any undercollected amount due to any electrical corporation or to any entity to which the amount has been assigned.

CHAPTER 10

An act to add Division 1.5 (commencing with Section 3300) to the Public Utilities Code, relating to electrical power, and making an appropriation therefor.

[Approved by Governor May 16, 2001. Filed with
Secretary of State May 16, 2001.]

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

SECTION 1. Division 1.5 (commencing with Section 3300) is added to the Public Utilities Code, to read:

DIVISION 1.5. CALIFORNIA CONSUMER POWER AND CONSERVATION FINANCING AUTHORITY ACT

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

3300. The Legislature finds and declares that in order to furnish the citizens of California with reliable, affordable electrical power, to ensure sufficient power reserves, to assure stability and rationality in California's electricity market, to encourage energy efficiency and conservation as well as the use of renewable energy resources, and to protect the public health, welfare, and safety, the state needs to finance,

purchase, lease, own, operate, acquire, or otherwise provide financial assistance for public and private facilities for the generation and transmission of electricity and for renewable energy, energy efficiency, and conservation programs.

3301. This division shall be known and may be cited as the California Consumer Power and Conservation Financing Authority Act.

3302. As used in this division, unless the context otherwise requires, the following terms have the following meanings:

(a) "Act" means the California Consumer Power and Conservation Financing Authority Act.

(b) "Authority" means the California Consumer Power and Conservation Financing Authority established pursuant to Section 3320 and any board, commission, department, or officer succeeding to the functions thereof, or to whom the powers conferred upon the authority by this division shall be given by law.

(c) "Board" means the Board of Directors of the California Consumer Power and Conservation Financing Authority.

(d) "Bond purchase agreement" means a contractual agreement executed between the authority and an underwriter or underwriters and, where appropriate, a participating party, whereby the authority agrees to sell bonds issued pursuant to this division.

(e) "Bonds" means bonds, including structured, senior, and subordinated bonds or other securities; loans; notes, including bond revenue or grant anticipation notes; certificates of indebtedness; commercial paper; floating rate and variable maturity securities; and any other evidences of indebtedness or ownership, including certificates of participation or beneficial interest, asset backed certificates, or lease-purchase or installment purchase agreements, whether taxable or excludable from gross income for state and federal income taxation purposes.

(f) "Commission" means the Public Utilities Commission.

(g) "Cost," as applied to a program, project or portion thereof financed under this division, means all or any part of the cost of construction, improvement, repair, reconstruction, renovation, and acquisition of all lands, structures, improved or unimproved real or personal property, rights, rights-of-way, franchises, licenses, easements, and interests acquired or used for a project; the cost of demolishing or removing or relocating any buildings or structures on land so acquired, including the cost of acquiring any lands to which the buildings or structures may be moved; the cost of all machinery and equipment; financing charges; the costs of any environmental mitigation; the costs of issuance of bonds or other indebtedness; interest prior to, during, and for a period after, completion of the project, as determined by the authority; provisions for working capital; reserves for principal and

interest; reserves for reduction of costs for loans or other financial assistance; reserves for maintenance, extension, enlargements, additions, replacements, renovations, and improvements; and the cost of architectural, engineering, financial, appraisal, and legal services, plans, specifications, estimates, administrative expenses, and other expenses necessary or incidental to determining the feasibility of any project, enterprise, or program or incidental to the completion or financing of any project or program.

(h) “Electrical corporation” has the same meaning as that term is defined in Section 218.

(i) “Energy Commission” means the State Energy Resources Conservation and Development Commission.

(j) “Enterprise” means a revenue-producing improvement, building, system, plant, works, facilities, or undertaking used for or useful for the generation or production of electric energy for lighting, heating, and power for public or private uses. Enterprise includes, but is not limited to, all parts of the enterprise, all appurtenances to it, lands, easements, rights in land, water rights, contract rights, franchises, buildings, structures, improvements, equipment, and facilities appurtenant or relating to the enterprise.

(k) “Financial assistance” in connection with a project, enterprise or program, includes, but is not limited to, any combination of grants, loans, the proceeds of bonds issued by the authority, insurance, guarantees or other credit enhancements or liquidity facilities, and contributions of money, property, labor, or other things of value, as may be approved by resolution of the board; the purchase or retention of authority bonds, the bonds of a participating party for their retention or for sale by the authority, or the issuance of authority bonds or the bonds of a special purpose trust used to fund the cost of a project or program for which a participating party is directly or indirectly liable, including, but not limited to, bonds, the security for which is provided in whole or in part pursuant to the powers granted by this division; bonds for which the authority has provided a guarantee or enhancement; or any other type of assistance determined to be appropriate by the authority.

(l) “Fund” means the California Consumer Power and Conservation Financing Authority Fund.

(m) “Loan agreement” means a contractual agreement executed between the authority and a participating party that provides that the authority will loan funds to the participating party and that the participating party will repay the principal and pay the interest and redemption premium, if any, on the loan.

(n) “Local publicly owned electric utility” has the same meaning as that term is defined in Section 9604.

(o) “Participating party” means either of the following:

(1) Any person, company, corporation, partnership, firm, federally recognized California Indian tribe, or other entity or group of entities, whether organized for profit or not for profit, engaged in business or operations within the state and that applies for financial assistance from the authority for the purpose of implementing a project or program in a manner prescribed by the authority.

(2) Any subdivision of the state or local government, including, but not limited to, departments, agencies, commissions, cities, counties, nonprofit corporations, special districts, assessment districts, and joint powers authorities within the state or any combination of these subdivisions, that has, or proposes to acquire, an interest in a project, or that operates or proposes to operate a program under Section 3365, and that makes application to the authority for financial assistance in a manner prescribed by the authority.

(p) "Program" means a program that provides financial assistance, as provided in Article 6 (commencing with Section 3365).

(q) "Project" means plants, facilities, equipment, appliances, structures, expansions, and improvements within the state that serve the purposes of this division as approved by the authority, and all activities and expenses necessary to initiate and complete those projects described in Article 5 (commencing with Section 3350) and Article 7 (commencing with Section 3368), of Chapter 3.

(r) "Revenues" means all receipts, purchase payments, loan repayments, lease payments, rents, fees and charges, and all other income or receipts derived by the authority from an enterprise, or by the authority or a participating party from any other financing arrangement undertaken by the authority or a participating party, including, but not limited to, all receipts from a bond purchase agreement, and any income or revenue derived from the investment of any money in any fund or account of the authority or a participating party.

(s) "State" means the State of California.

3304. Any action taken pursuant to this division is exempt from the Administrative Procedure Act, as defined in Section 11370 of the Government Code.

CHAPTER 2. PURPOSE OF THE CALIFORNIA CONSUMER POWER AND CONSERVATION FINANCING AUTHORITY

3310. The authority may only exercise its powers pursuant to Article 4 (commencing with Section 3340) of Chapter 3 for the following purposes:

(a) Establish, finance, purchase, lease, own, operate, acquire, or construct generating facilities and other projects and enterprises, on its own or through agreements with public and private third parties or joint

ventures with public or private entities, or provide financial assistance for projects or programs by participating parties, to supplement private and public sector power supplies, taking into account generation facilities in operation or under development as of the effective date of this section, and to ensure a sufficient and reliable supply of electricity for California's consumers at just and reasonable rates.

(b) Finance programs, administered by the Energy Commission, the commission, and other approved participating parties for consumers and businesses to invest in cost-effective energy efficient appliances, renewable energy projects, and other programs that will reduce the demand for energy in California.

(c) Finance natural gas transportation and storage projects under Article 7 (commencing with Section 3368) of Chapter 3.

(d) Achieve an adequate energy reserve capacity in California within five years of the effective date of this division.

(e) Provide financing for owners of aged, inefficient, electric powerplants to perform necessary retrofits to improve the efficiency and environmental performances of those powerplants.

CHAPTER 3. THE CALIFORNIA CONSUMER POWER AND CONSERVATION FINANCING AUTHORITY

Article 1. Creation of the Authority

3320. (a) There is hereby created in the state government the California Consumer Power and Conservation Financing Authority, which shall be responsible for administering this division.

(b) The authority shall implement the purposes of Chapter 2 (commencing with Section 3310), and to that end finance projects and programs in accordance with this division, all to the mutual benefit of the people of the state and to protect their health, welfare, and safety.

Article 2. Board of Directors

3325. (a) The authority shall be governed by a five-member board of directors that shall consist of the following persons:

(1) Four individuals appointed by the Governor, subject to confirmation by the Senate. These four members shall have considerable experience in power generation, natural gas transportation or storage, energy conservation, financing, or ratepayer advocacy.

(2) The State Treasurer.

(b) (1) For the initial term, the appointed members shall serve staggered terms as follows:

(A) The member appointed first shall serve a term of four years.

- (B) The member appointed second shall serve a term of three years.
- (C) The member appointed third shall serve a term of two years.
- (D) The member appointed fourth shall serve a term of one year.
- (2) The second and any subsequent terms shall be for four years.
- (c) A quorum is necessary for any action to be taken by the board.

Three of the members shall constitute a quorum, and the affirmative vote of three board members shall be necessary for any action to be taken by the board.

(d) (1) The chairperson of the board shall be appointed by the Governor. This position shall be a full-time, paid position.

(2) Except as provided in this subdivision, the members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties to the extent that reimbursement for these expenses is not otherwise provided or payable by another public agency, and shall receive one hundred dollars (\$100) for each full day of attending meetings of the authority.

3326. (a) The members of the board shall be subject to the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)) of the Government Code, and all other applicable provisions of law.

(b) The board may purchase insurance for its fiduciaries or for itself to cover liability or losses occurring by reason of the act or omission of a fiduciary, if the insurance permits recourse by the insurer against the fiduciary in the case of a breach of a fiduciary obligation by the fiduciary.

3327. Meetings of the board shall be open to the public and shall be conducted in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

3328. The California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) applies to all records of the authority.

Article 3. Chief Executive Officer

3330. The chief executive officer shall manage and conduct the business and affairs of the authority and the fund subject to the direction of the board. Except as otherwise provided in this section, the board may assign to the executive director, by resolution, those duties generally necessary or convenient to carry out its powers and purposes under this division. Any action involving final approval of any bonds, notes, loans, or other financial assistance shall require the approval of a majority of the members of the board.

Article 4. Powers of the Authority

3340. The authority is authorized and empowered to do any of the following:

- (a) Adopt an official seal.
- (b) Sue and be sued in its own name.
- (c) Employ or contract with officers and employees to administer the authority. The authority may contract for the services of a chief executive officer, who shall serve at the pleasure of the board. The chief executive officer, subject to the approval of the board, may contract for the services of other persons as are needed to effectuate the purposes of this division. These contracts shall not be subject to any otherwise applicable provisions of the Government Code and the Public Contract Code.
- (d) Exercise the power of eminent domain.
- (e) Adopt rules and regulations for the regulation of its affairs and the conduct of its business.
- (f) Do all things generally necessary or convenient to carry out its powers under, and the purposes of, this division.

3341. In connection with the purposes of this division, the authority may do any or all of the following:

- (a) Issue bonds, from time to time, as further provided in Chapter 5 (commencing with Section 3380.1), to pay all or part of the cost of any enterprise, project, or program, or to otherwise carry out the purposes of this division.
- (b) Enter into joint powers agreements with eligible public agencies pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code.
- (c) Subject to any statutory or constitutional limitation on their use, do any of the following as may, in the determination of the authority, be necessary or convenient for the successful development, conduct, or financing of a project, program, or enterprise, or for carrying out the purposes of this division:
 - (1) Engage the services, including, without limitation, the services of private consultants; attorneys; financial professionals and advisors; engineers; architects; construction, land use and environmental experts; and accountants, to render professional and technical assistance and advice.
 - (2) Contract for engineering, architectural, accounting, or other services of appropriate state agencies.
 - (3) Pay the reasonable costs, including, without limitation, costs of consulting engineers, architects, accountants, and construction, land use, and environmental experts employed by the authority or any participating party. Except as otherwise provided in Section 3341.5, those costs shall be recovered from participating parties.

(d) Acquire, lease, take title to, and sell by installment sale or otherwise, lands, structures, real or personal property, rights, rights-of-way, franchises, easements, and other interests in lands that are located within the state, as the authority determines to be necessary or convenient for an enterprise or the financing of a project, upon terms and conditions the authority considers to be reasonable.

(e) Make, receive, or serve as a conduit for the making of, or otherwise provide for, grants, contributions, guarantees, insurance, credit enhancements or liquidity facilities, or other financial enhancements to a participating party as financial assistance for a project or program. The sources may include bond proceeds, dedicated taxes, state appropriations, federal appropriations, federal grants and loan funds, public and private sector retirement system funds, and proceeds of loans from the Pooled Money Investment Account, or any other source of money, property, labor, or other things of value.

(f) Make loans to any participating party, either directly or by making a loan to a lending institution or other financial intermediary, in connection with the financing of a project or program in accordance with an agreement between the authority and a participating party, either as a sole lender or in participation with other lenders.

(g) Make loans to any participating party, either directly or by making a loan to a lending institution, in accordance with an agreement between the authority and the participating party to refinance indebtedness incurred by the participating party in connection with projects undertaken and completed prior to any agreement with the authority or expectation that the authority would provide financing, either as a sole lender or in participation with other lenders. The power generated by those projects shall be subject to the terms and conditions specified by the authority in the agreement and pursuant to Section 3351.

(h) Mortgage all or any portion of the authority's interest in a project or enterprise and the property on which any project or enterprise is located, whether owned or thereafter acquired, including the granting of a security interest in any property, tangible or intangible.

(i) Assign or pledge all or any portion of the authority's interest in assets, things of value, mortgages, deeds of trust, bonds, bond purchase agreements, loan agreements, indentures of mortgage or trust, or similar instruments, notes, and security interests in property, tangible or intangible and the revenues therefrom, of a participating party to which the authority has made loans, and the revenues therefrom, including payment or income from any interest owned or held by the authority, for the benefit of the holders of bonds.

(j) Lease the project being financed to a participating party, upon terms and conditions that the authority deems proper; charge and collect rents therefor; terminate any lease upon the failure of the lessee to

comply with any of the obligations thereof; include in any lease, if desired, provisions that the lessee shall have options to renew the lease for a period or periods, and at rents determined by the authority; purchase any or all of the project; or, upon payment of all the indebtedness incurred by the authority for the financing of the project, the authority may convey, any or all of the project to the lessee or lessees. The power generated by those projects shall be subject to the terms and conditions specified by the authority in the agreement and pursuant to Section 3351.

(k) (1) Issue, obtain, or aid in obtaining, from any department or agency of the United States, from other agencies of the state, or from any private company, any insurance or guarantee to or for, or any letter or line of credit regarding, the payment or repayment of interest or principal, or both, or any part thereof, on any bond, loan, lease, or obligation or any instrument evidencing or securing the same, made or entered into pursuant to this division.

(2) Notwithstanding any other provision of this division, enter into any agreement, contract or other instrument regarding any insurance, guarantee, letter or line of credit specified in paragraph (1), and accept payment in the manner and form provided therein in the event of default by a participating party.

(3) Assign any insurance, guarantee, letter or line of credit specified in paragraph (1) as security for bonds issued by the authority.

(l) Enter into any agreement or contract, execute any instrument, and perform any act or thing necessary or convenient to, directly or indirectly, secure the authority's bonds or a participating party's obligations to the authority, including, but not limited to, bonds of a participating party purchased by the authority for retention or sale, with funds or moneys that are legally available and that are due or payable to the participating party by reason of any grant, allocation, apportionment, or appropriation of the state or agencies thereof, to the extent that the Controller shall be the custodian at any time of these funds or moneys, or with funds or moneys that are or will be legally available to the participating party, the authority, or the state or any agencies thereof by reason of any grant, allocation, apportionment, or appropriation of the federal government or agencies thereof; and in the event of written notice that the participating party has not paid or is in default on its obligations to the authority, direct the Controller to withhold payment of those funds or moneys from the participating party over which it is or will be custodian and to pay the same to the authority or its assignee, or direct the state or any agencies thereof to which any grant, allocation, apportionment, or appropriation of the federal government or agencies thereof is or will be legally available to pay the same upon receipt to the authority or its assignee, until the default has been cured and the amounts then due and unpaid have been paid to the authority or its assignee, or

until arrangements satisfactory to the authority have been made to cure the default.

(m) Purchase, with the proceeds of the authority's bonds, bonds issued by, or for the benefit of, any participating party in connection with a project, pursuant to a bond purchase agreement or otherwise. Bonds purchased pursuant to this division may be held by the authority, pledged or assigned by the authority, or sold to public or private purchasers at public or negotiated sale, in whole or in part, separately or together with other bonds issued by the authority, and notwithstanding any other provision of law, may be bought by the authority at private sale.

(n) Enter into purchase and sale agreements with all entities, public and private, including state and local government pension funds, with respect to the sale or purchase of bonds.

3341.1. In connection with an enterprise, the authority may do any or all of the following:

(a) Acquire any enterprise by gift, purchase, or eminent domain as necessary to achieve the purposes of the authority pursuant to Sections 3310 and 3352.

(b) Construct or improve any enterprise. By gift, lease, purchase, eminent domain, or otherwise, it may acquire any real or personal property, for an enterprise, except that no property of a state public body may be acquired without its consent. The authority may sell, lease, exchange, transfer, assign, or otherwise dispose of any real or personal property or any interest in such property. It may lay out, open, extend, widen, straighten, establish, or change the grade of any real property or public rights-of-way necessary or convenient for any enterprise.

(c) Operate, maintain, repair, or manage all or any part of any enterprise, including the leasing for commercial purposes of surplus space or other space that is not economic to use for such enterprise.

(d) Adopt reasonable rules or regulations for the conduct of the enterprise.

(e) Prescribe, revise, and collect charges for the services, facilities, or energy furnished by the enterprise. The charges shall be established and adjusted so as to provide funds sufficient with other revenues and moneys available therefor, if any, to (1) pay the principal of and interest on outstanding bonds of the authority financing such enterprise as the same shall become due and payable, (2) create and maintain reserves, including, without limitation, operating and maintenance reserves and reserves required or provided for in any resolution authorizing, or trust agreement securing such bonds, and (3) pay operating and administrative costs of the authority.

(f) Execute all instruments, perform all acts, and do all things necessary or convenient in the exercise of the powers granted by this article.

3341.2. In connection with a project, the authority may do any or all of the following:

(a) Determine the location and character of any project to be financed under this division.

(b) Acquire, construct, enlarge, remodel, renovate, alter, improve, furnish, equip, own, maintain, manage, repair, operate, lease as lessee or lessor, or regulate any project to be financed under this division.

(c) Contract with any participating party for the construction of a project by such participating party.

(d) Enter into leases and agreements, as lessor or lessee, with any participating party relating to the acquisition, construction, and installation of any project, including real property, buildings, equipment, and facilities of any kind or character.

(e) Establish, revise, charge and collect rates, rents, fees and charges for a project. The rates, rents, fees, and charges shall be established and adjusted in respect of the aggregate rates, rents, fees, and charges from all projects so as to provide funds sufficient with other revenues and moneys available therefor, if any, to (1) pay the principal of and interest on outstanding bonds of the authority financing such project as the same shall become due and payable, (2) create and maintain reserves, including, without limitation, operating and maintenance reserves and reserves required or provided for in any resolution authorizing, or trust agreement securing such bonds, and (3) pay operating and administrative costs of the authority.

(f) Enter into contracts of sale with any participating party covering any project financed by the authority.

(g) As an alternative to leasing or selling a project to a participating party, finance the acquisition, construction, or installation of a project by means of a loan to the participating party.

(h) Execute all instruments, perform all acts, and do all things necessary or convenient in the exercise of the powers granted by this article.

3341.5. In connection with the purposes of this division, the authority shall charge and equitably apportion among participating parties or other public or private entities the authority's administrative costs and expenses, including operating and financing-related costs incurred in the exercise of the powers and duties conferred by this division, except to the extent that those costs are related to one of the authority's own enterprises or projects, in which case costs shall be included in the cost of generating that electricity as provided in Section 3351.

3342. The fiscal powers granted to the authority by this division may be exercised without regard or reference to any other department, division, or agency of the state, except the Legislature or as otherwise

stated in this division. This division shall be deemed to provide an alternative method of doing the things authorized by this division, and shall be regarded as supplemental and additional to powers conferred by other laws.

3343. No member of the board or any person executing bonds of the authority pursuant to this division shall be personally liable on the bonds or subject to any personal liability or accountability by reason of the issuance thereof.

3344. All expenses incurred in carrying out this division shall be payable solely from funds provided under the authority of this division and no liability or obligation shall be imposed upon the State of California and, none shall be incurred by the authority beyond the extent to which moneys shall have been provided under this division. Under no circumstances shall the authority create any debt, liability, or obligation on the part of the State of California payable from any source whatsoever other than the moneys provided under this division.

3345. The authority's operating budget shall be subject to review and appropriation in the annual Budget Act. For purposes of this section, the authority's operating budget shall include the costs of personnel, administration, and overhead.

3346. The authority shall, on or before January 1 of each year, prepare and submit to the Governor, the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the committee in each house that considers appropriations, a report regarding its activities and expenditures pursuant to this division.

3347. The Bureau of State Audits shall perform an evaluation of the effectiveness of the authority's efforts in achieving its purposes as described in Section 3310. The evaluation shall include recommendations as to whether there is a continued need for the authority beyond January 1, 2007. The evaluation shall be submitted to the Governor and the Legislature on or before January 1, 2005.

Article 5. Generation Facilities

3350. In evaluating the the eligibility for financing of additional generation facilities, the authority shall utilize the Energy Commission's and the Independent System Operator's, or their successor's, information relating to the need for additional generating facilities and their forecasts of electric supply and demand for the state.

3351. (a) All generation-related projects and enterprises financed pursuant to this division shall provide electricity to the consumers of this state at the cost of generating that electricity, including the costs of financing those projects or enterprises. To the extent that electricity is not needed in the state, or that it is financially advantageous to California

consumers, the electricity may be sold outside the state at just and reasonable rates.

(b) If a participating party is an electrical corporation, the commission shall determine the cost of generating electricity and to which entities the electricity is sold.

(c) If a participating party is a local publicly owned electric utility seeking to provide electricity to consumers in its service territory, the governing board of that utility shall determine the cost of generating electricity and to which entities the electricity is sold.

(d) If neither subdivision (b) nor subdivision (c) applies, the authority shall determine the cost of generating electricity and to which entities the electricity is sold, consistent with subdivision (a).

3352. In addition to the other powers provided in this division, the activities of the authority under this article are intended to supplement private and public sector power supplies, taking into account generation facilities in operation or under development as of the effective date of this section, consistent with achieving reasonable energy capacity reserves within five years of the effective date of this division.

3353. The authority shall have the authority to receive and act on applications for financial assistance from owners of existing powerplants whose owners or operators commit to undertake capacity expansion through facility retrofits, new construction, or both, that will improve the efficiency and environmental performance of generation facilities.

3354. All generation facilities constructed or improved pursuant to this division shall comply with Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

3355. The authority may not invest in any nuclear facilities or develop additional hydroelectric facilities without first receiving specific statutory authorization to do so on a project-by-project basis.

3356. (a) If the authority determines under Section 3350 that additional electric generation supply is required to meet the purposes of this division, the authority may undertake the following activities to ensure that the authority, or any participating party, is able to build, own, and operate generation facilities as part of a least cost electric supply policy:

(1) Identify suitable sites for the construction of generation facilities, taking into account fuel supply, interconnection, community, and environmental factors.

(2) Secure rights to the sites identified, including, but not limited to, fee simple acquisition, leaseholds, or options.

(3) Conduct any studies that may be necessary to construct and operate generation facilities at the site, including, but not limited to, environmental, engineering, or feasibility studies.

(4) Conduct, in coordination with the Energy Commission, all applicable public and community involvement processes.

(5) Apply for permits, licenses, or other local, state, or federal approvals, including, but not limited to, compliance with the applicable procedures of the Energy Commission.

(b) The authority may request proposals from qualified participating parties to purchase, lease, or otherwise acquire sites for the purpose of developing generation facilities that will provide the lowest cost power to consumers over the life of the facilities, consistent with Section 3351.

(c) The authority shall comply with all applicable air quality laws and regulations and the Warren-Alquist State Energy Resources Conservation and Development Act (Division 15 (commencing with Section 25000) of the Public Resources Code).

Article 6. Renewable Energy and Conservation

3365. The authority may provide loans, utilizing up to one billion dollars (\$1,000,000,000) of the bond authority, under terms and conditions approved by the authority, to any participating party, which shall use that loan to make loans available to California consumers and businesses for all of the following purposes:

(a) The purchase of consumer appliances and home improvements with electric and gas energy efficiency or renewable energy characteristics, as approved by the Energy Commission, the commission, or a participating local publicly owned electric utility, as applicable.

(b) The purchase or lease of business equipment and facility improvements with electric and gas energy efficiency or renewable energy characteristics, as approved by the Energy Commission, the commission, or a participating local publicly owned electric utility, as applicable.

(c) Any other electric or natural gas energy conservation program or any program for the use of renewable energy resources, as approved by the Energy Commission, the commission, or a participating local publicly owned electric utility, as applicable.

3366. As a condition of receipt of a loan pursuant to Section 3365, a participating party shall be required to conduct a comprehensive marketing program that makes consumers aware of the availability of these financial assistance programs, and to provide appropriate security for repayment of the loan, including, without limitation, a pledge to the authority of consumer and business loan repayments collected through utility bills, as applicable and a certification that the duration of a loan will not exceed the useful life of a purchase.

3367. The authority shall require that any equipment or improvement financed by a loan made pursuant to this article shall be certified as having been installed or completed.

3367.5. The authority may require that a participating party utilize a consumer protection plan for screening qualified contractors who serve consumers under this article.

Article 7. Natural Gas

3368. (a) The commission, in consultation with the Energy Commission, shall prepare and submit to the authority and to the Legislature, within 90 days of the effective date of the act adding this section, a report on the present, planned, and required future capacity of the state's natural gas transportation and storage system to provide adequate, seasonally reliable amounts of competitively priced natural gas to residential, commercial, and industrial customers, including, but not limited to, electric generating plants.

(b) The authority may provide financing for natural gas transportation or storage projects recommended to it by the commission. In recommending a project to the authority, the commission shall ensure that the project is in the public interest.

(c) Nothing in this section prevents the commission from acting on its own authority to direct gas corporations within its jurisdiction to construct, or facilitate the construction or operation, by the owners or operators of pipelines not within the jurisdiction of the commission, of, natural gas transportation and storage facilities as the commission determines to be needed to provide adequate, seasonally reliable amounts of competitively priced natural gas to residential, commercial, and industrial customers, including, but not limited to, electric generating plants.

Article 8. Energy Resource Investment Plan

3369. (a) Within 180 days of the effective date of this division, the authority, in consultation with the Energy Commission and the Independent System Operator, shall develop an Energy Resource Investment Plan and submit that plan to the Governor and the Joint Legislative Budget Committee and the chairs of the policy committees with jurisdiction over energy policy in the State of California.

(b) The Energy Resource Investment Plan shall take into account California's anticipated energy service needs for both electricity and natural gas over the next decade. The plan shall address issues regarding adequacy of supply, storage, reliability of service, grid congestion, and environmental quality. In developing the investment plan, the authority

shall compare the costs of various energy resources, including a comparison of the costs and benefits of demand reduction strategies with the costs and benefits of additional generation supply. The plan shall acknowledge the potential volatility of fossil fuel prices and the value of resources that avoid that price risk.

(c) The plan shall outline a strategy for cost-effective energy resource investments, using the financing powers provided to the authority by this division. The plan may recommend changes to the specific expenditure authority granted in this division in order to carry out the investment strategy contained in the plan.

(d) The plan shall be developed with input from interested parties at scheduled public hearings of the authority. The authority should adopt the plan by majority vote of the board at a public meeting. The authority shall update the plan on a regular basis as determined by the authority.

(e) All investments made by the authority under this division shall be consistent with the strategy outlined in the Energy Resource Investment Plan. Nothing in this section shall preclude the authority from exercising its powers prior to the adoption of the initial Energy Resource Investment Plan.

(f) The authority shall be the agency responsible for ensuring that the investment strategy outlined in the Energy Resource Investment Plan is implemented. To that end, the authority may, on its own or through a partnership with a participating party, make those investments necessary to ensure that the plan is implemented.

Article 9. Agencies Relation to Other State Energy Oversight

3369.5. Nothing in this division shall be construed to obviate the need to review the roles, functions, and duties of other state energy oversight agencies and, where appropriate, change or consolidate those roles, functions, and duties. To achieve that efficiency, the Governor may propose to the Legislature a Governmental Reorganization Plan, pursuant to Section 8523 of the Government Code and Section 6 of Article V of the Constitution.

CHAPTER 4. CALIFORNIA CONSUMER POWER AND CONSERVATION FINANCING AUTHORITY FUND

3370. (a) There is hereby created in the State Treasury the California Consumer Power and Conservation Financing Authority Fund for expenditure by the authority for the purpose of implementing the objectives and provisions of this division. For the purposes of subdivision (e), or as necessary or convenient to the accomplishment of

any other purpose of the authority, the authority may establish within the fund additional and separate accounts and subaccounts.

(b) The assets of the fund shall be available for the payment of the salaries and other expenses charged against it in accordance with this division.

(c) Except as provided under Section 3345, all moneys in the fund that are not General Fund moneys are continuously appropriated to the authority and may be used for any reasonable costs which may be incurred by the authority in the exercise of its powers under this division.

(d) The fund, on behalf of the authority, may borrow or receive moneys from the authority, or from any federal, state, or local agency or private entity, to create reserves in the fund as provided in this division and as authorized by the board.

(e) The authority may pledge any or all of the moneys in the fund (including in any account or subaccount) as security for payment of the principal of, and interest on, any particular issuance of bonds issued pursuant to this division.

(f) The authority, may, from time to time, direct the Treasurer to invest moneys in the fund that are not required for the authority's current needs, including proceeds from the sale of any bonds, in any securities permitted by law as the authority shall designate. The authority also may direct the Treasurer to deposit moneys in interest-bearing accounts in state or national banks or other financial institutions having principal offices in this state. The authority may alternatively require the transfer of moneys in the fund to the Surplus Money Investment Fund for investment pursuant to Article 4 (commencing with Section 16470) of Chapter 3 of Part 2 of Division 4 of the Government Code. All interest or other increment resulting from an investment or deposit shall be deposited in the fund, notwithstanding Section 16305.7 of the Government Code. Moneys in the fund shall not be subject to transfer to any other fund pursuant to any provision of Part 2 (commencing with Section 16300) of Division 4 of the Government Code, excepting the Surplus Money Investment Fund.

CHAPTER 5. BONDS

3380.1. For the purposes provided in this division, the authority is authorized to incur indebtedness and to issue securities of any kind or class, at public or private sale by the Treasurer, and to renew the same, provided that all such indebtedness, howsoever evidenced, shall be payable solely from revenues. The authority may issue bonds for the purposes of this division in an amount not to exceed five billion dollars (\$5,000,000,000), exclusive of any refundings.

3380.2. In connection with the issuance of bonds, in addition to the powers otherwise provided in this division, the authority may do all of the following:

(a) Issue, from time to time, bonds payable from and secured by a pledge of all or any part of the revenues in order to finance the activities authorized by this division, including, without limitation, an enterprise or multiple enterprises, a single project for a single participating party, a series of projects for a single participating party, a single project for several participating parties, or several projects for several participating parties, and to sell those bonds at public or private sale by the Treasurer, in the form and on those terms and conditions as the Treasurer, as agent for sale, shall approve.

(b) Pledge all or any part of the revenues to secure bonds and any repayment or reimbursement obligations of the authority to any provider of insurance or a guarantee of liquidity or credit facility entered into to provide for the payment or debt service on any bond.

(c) Employ and compensate bond counsel, financial consultants, underwriters, and other advisers determined necessary and appointed by the Treasurer in connection with the issuance and sale of any bond.

(d) Issue bonds to refund or purchase or otherwise acquire bonds on terms and conditions as the Treasurer, as agent for sale, shall approve.

(e) Perform all acts that relate to the function and purpose of the authority under this division, whether or not specifically designated in this chapter.

3381. Bonds issued by the authority are legal investments for all trust funds, the funds of all insurance companies, banks, both commercial and savings, trust companies, executors, administrators, trustees, and other fiduciaries, for state school funds, pension funds, and for any funds that may be invested in county, school, or municipal bonds. The bonds issued under this division are securities that may legally be deposited with, and received by, any state or municipal officer or agency or political subdivision of the state, including, without limitation, local agencies, schools, and pension funds, for any purpose for which the deposit of bonds or obligations of the state is now, or may hereafter be, authorized by law, including deposits to secure public funds.

3382. The authority is authorized to obtain loans from the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code. These loans shall be subject to the terms negotiated with the Pooled Money Investment Board, including, but not limited to, a pledge of authority bond proceeds or revenues.

3383. Bonds issued under this division shall not be deemed to constitute a debt or liability of the state or of any political subdivision thereof, other than the authority, or a pledge of the faith and credit of the state or of any political subdivision, other than the authority, but shall

be payable solely from the funds herein provided therefor. All bonds issued under this division shall contain on the face thereof a statement to the following effect: “Neither the faith and credit nor the taxing power of the State of California or any local agency is pledged to the payment of the principal of or interest on this bond.” The issuance of bonds under this division shall not directly or indirectly or contingently obligate the state or any political subdivision thereof to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment. Nothing in this section shall prevent nor be construed to prevent the authority from pledging its full faith and credit to the payment of bonds or issue of bonds authorized pursuant to this division.

CHAPTER 6. TERMINATION PROVISIONS

3384. The authority may not finance or approve any new program, enterprise, or project on or after January 1, 2007, unless authority to approve such an activity is granted by statute enacted on or before January 1, 2007.

CHAPTER 11

An act to add Section 739.4 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 17, 2001. Filed with
Secretary of State May 22, 2001.]

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

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Commencing in the summer of 2000 and continuing to the present, wholesale prices for electricity have skyrocketed in California.

(2) Since November 2000, natural gas prices have increased significantly.

(3) The extraordinarily high costs of electricity and natural gas are threatening the economic well-being of the state.

(4) Low-income and senior households, who spend a disproportionate portion of their income on energy costs, have been particularly affected.

(5) The energy burden borne by low-income and senior customers is greater than the energy burden of most other households in California.

California low-income households spend approximately 10 percent of their incomes on energy bills, compared to the average energy burden of 2.9 percent for a median-income household.

(6) Under the California Alternate Rates for Energy program (CARE), low-income customers are eligible to receive gas and electric services at a discounted rate.

(b) It is therefore the intent of the Legislature to protect low-income and senior customers from the impacts of skyrocketing energy rates and to enact legislation to increase the CARE penetration rate, to look at other means to expand the program to all eligible low-income and low-income senior customers, and to encourage energy conservation by all customer classes.

SEC. 2. Section 739.4 is added to the Public Utilities Code, to read:

739.4. (a) Any natural gas customer who enrolls in the CARE program after the effective date of this section, but before October 1, 2001, shall receive the same one-time bill credit based on the amount of each gas corporation's average CARE customer discount applied for each month in October 2000 to March 2001, inclusive. The credit does not apply to a customer who initiates service with a gas corporation after the effective date of this section, and who has no prior history of service with the gas corporation. CARE program funds shall be used for the purpose of providing these credits. The commission shall adjust CARE program income requirements annually to reflect the increased cost-of-living due to inflation.

(b) The commission shall require all electrical and gas utilities through which CARE program rates are available to do all of the following, in multilingual formats to the extent printed and recorded information is provided, to facilitate better penetration rates for the CARE program and to protect low-income and senior households from unwarranted disconnection of necessary electric and gas services:

(1) Provide an outgoing message on all calls, where the customer is seeking to establish service or is put on hold, to customer service lines that briefly describes the CARE program in standard language approved by the commission, and that provides a toll-free phone number for customers to call to subscribe to the program or for further information.

(2) Provide information to customers about the CARE program and facilitate subscription to CARE, on all calls in which customers are making payment arrangements, on all collections calls, and on all calls for reconnection of service.

(3) (A) Provide information about the CARE program and other assistance programs, and attempt to qualify customers for CARE, and provide information about individual payment arrangements that allow customers to pay the amounts due over a reasonable period of time, not to exceed 12 months, and attempt to enroll customers in a payment

arrangement program, before effecting any disconnection of service for nonpayment or inability to pay energy bills in full.

(B) (i) Offer individual payment arrangements to customers so that the customer is able to pay amounts due over a reasonable period of time, not to exceed 12 months.

(ii) Prohibit the disconnection of customers that have made, and are in compliance with, payment arrangements offered by an electric or gas utility pursuant to this subparagraph.

(C) Prohibit the disconnection of a delinquent residential customer for amounts due in which the electric or gas utility receives a commitment pledge, letter of intent, purchase order, or other notification that a provider of energy assistance is forwarding payment sufficient to prevent disconnection.

(D) (i) Advise residential customers facing disconnection or who contact the utility to make payment arrangements of the levelizing payment program that allows them to pay a monthly average bill based on 12 months usage.

(ii) Advise residential customers about enrollment in the levelizing payment program in conjunction with completion of payment arrangements, payment under terms of subparagraph (B), or at the customer's request absent those arrangements.

(E) Nothing in this paragraph is intended to reduce the revenues of any utility extending payment arrangements subject to the terms of the paragraph.

(4) Provide information on customer bills, presented in a conspicuous manner on a front facing page, that indicates that a customer may be eligible for the CARE program. This notice shall be provided quarterly on customer bills.

(c) The commission shall conduct targeted outreach about the program using census block data to effectively target low-income and senior households throughout the state.

(d) CARE program funds shall be used for the purposes of paragraph (3) of subdivision (b) and outreach pursuant to subdivision (c). The commission's costs for outreach pursuant to subdivision (c) may not exceed five hundred thousand dollars (\$500,000) above the amount that the commission currently expends on similar activities related to the CARE program. Energy corporations may recover all reasonable costs from the CARE program funds of implementing this section.

SEC. 3. 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. 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 that low-income and senior customers be protected from the extraordinarily high electricity and gas prices as soon as possible, it is necessary that this act take effect immediately.

CHAPTER 12

An act to add Section 42301.15 to, to add Chapter 7 (commencing with Section 39910) to Part 2 of Division 26 of, and to add and repeal Section 42314.3 of, the Health and Safety Code, and to amend Sections 25514, 25521, 25523, 25531, and 25552 of, and to add and repeal Sections 25519.5 and 25550.5 of, the Public Resources Code, and to add Article 3.5 (commencing with Section 353.1) to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to the energy emergency, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 22, 2001. Filed with
Secretary of State May 22, 2001.]

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

SECTION 1. Chapter 7 (commencing with Section 39910) is added to Part 2 of Division 26 of the Health and Safety Code, to read:

CHAPTER 7. EXPEDITED AIR QUALITY IMPROVEMENT PROGRAM FOR ELECTRICAL GENERATION

39910. The Legislature finds and declares that it is in the interests of the people of the State of California to ensure that the state board establish a unified, coordinated, and expedited process for districts to retrofit electrical generating facilities in a manner that protects public health and the environment and that complies fully with applicable federal and state statutes and regulations.

39915. On or before July 1, 2002, the state board, in consultation with air quality management districts, air pollution control districts, and the Independent System Operator, shall establish a schedule for the retrofit of electric generation facilities pursuant to retrofit criteria and

procedures established under the federal Clean Air Act (42 U.S.C. Section 7401 et seq.) or this division. The schedule shall require completion of any mandated retrofits by December 31, 2004, or such later date as the state board, in consultation with the Independent System Operator, air pollution control districts, air quality management districts, and the owners and operators of electrical generating facilities determines is necessary to maintain electric system reliability. Nothing in this section is intended to require the retrofit of a generation facility that could not be required to be retrofitted by an air quality management district or air pollution control district under the law in effect on the effective date of the act adding this chapter during the 2001-02 First Extraordinary Session. The state board shall suspend the deadline for the completion of a retrofit of an electrical generation unit scheduled pursuant to this section if it determines all of the following:

(a) The owner of the generation unit proposes to replace or repower the generation unit in a manner that complies with all applicable laws and regulations.

(b) The owner has filed the necessary applications for permits for such replacement or repower prior to the suspension of the deadline for the completion of the required retrofits.

(c) The owner is diligently proceeding with the replacement or repower of the unit and the state board determines that the replacement or repower will be completed.

39920. On or before July 1, 2001, the state board shall implement a program for tracking the emission reduction credits made available by the program required under Section 39915, and for facilitating the banking, trading, and purchasing of those credits in order to expedite the construction of new, clean generating facilities in the state. The state board shall establish criteria for the development of a state emission reduction credits bank, which shall ensure that a specified percentage of emission reduction credits created pursuant to section 39915 be contributed to the bank for the purpose of making emission reduction credits available for new, clean generation capacity.

SEC. 2. Section 42301.15 is added to the Health and Safety Code, to read:

42301.15. Each district shall adopt an expedited program for the permitting of standby electrical generation facilities, distributed generation facilities, geothermal facilities, including wells, and, where applicable, natural gas transmission facilities, that ensures those facilities will be operated in a manner that protects public health and air quality. Upon request by a district, the Independent System Operator and the Public Utilities Commission shall provide any information necessary, as determined by the district, to implement this section.

SEC. 3. Section 42314.3 is added to the Health and Safety Code, to read:

42314.3. (a) The Legislature finds and declares all of the following:

(1) There is an urgent need to facilitate the siting of the cleanest and least polluting new electrical generation and repowering, as defined in subdivision (i) of Section 25550.5 of the Public Resources Code in the state in order to displace older and more polluting electrical generation.

(2) Certain areas of the state currently lack sufficient air emissions offsets needed to site clean new generation and repowering, as defined in paragraph (1).

(3) The purpose of this section is to provide a mechanism to provide needed offsets for clean new electrical generation and repowering, as defined in paragraph (1), for new facilities constructed during the period of energy emergency currently being experienced in the state.

(4) Nothing in this section is intended, in any manner, to limit or abridge the responsibilities and obligations of any party under the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.), as that act existed on January 1, 2001, including, but not limited to, the requirement that emissions offsets be enforceable as established pursuant to Section 173(a)(1) of that act (42 U.S.C. Sec. 7503(a)(1)(A)), and that offsets be obtained by the time a source is to commence operation pursuant to Section 173 (a)(1)(A) of that act (42 U.S.C. Sec. 7503(a)(1)(A)).

(b) Each district shall identify and make available to the public emission reduction credits that may be purchased by applicants for electrical generation facilities and used to offset emissions from those facilities pursuant to this section. Each district shall adopt, in a public hearing, standards for the implementation of this section, including, but not limited to, quantification protocols, emissions baselines, antibacksliding provisions, and monitoring, recordkeeping, reporting, and testing requirements, to establish that the offsets made available pursuant to this section are quantifiable, verifiable, enforceable, real, and surplus.

(c) To the extent permitted under the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.), including, but not limited to, those sections of the act referenced under paragraph (4) of subdivision (a), in lieu of obtaining air emission offsets, an applicant for a permit for an electrical generating facility may pay an emissions offset fee to a district for expenditure by the district to purchase offsets for that facility. The applicant may post a bond in an amount sufficient to cover the cost of the required emissions offsets, provided that bond shall only be issued by an admitted surety for the benefit of, and held by, the district.

(d) Prior to commencement of operation, the owner or operator of the facility shall obtain any required emissions offsets or a portion of the required emissions offsets and shall forfeit a proportionate amount of the

offset fee or bond to the district in an amount determined by the district to be sufficient to acquire and hold that portion of the required emissions offsets not obtained by the applicant. Any forfeited funds shall be used by the district to purchase offsets for the facility in the applicable air basin prior to the commencement of operation of the facility.

(e) In expending emissions offset fees, a district shall give first priority to obtaining offsets from stationary sources that have emissions comparable to those emissions that the electrical generation facility will emit and shall meet all standards regarding proximity of such offsets established under state and federal law, and district rules and regulations. To the extent stationary source offsets are not available, the district shall expend offset fees to obtain emissions reductions from other sources of a type and in an amount equivalent to those offsets which would otherwise be required to be obtained by the facility in order to operate. However, a district may expend funds for offsets from mobile or areawide sources only after making a public determination that sufficient reductions from stationary sources cannot be secured prior to commencement of operation of the project.

(f) Prior to accepting the payment of an emissions offset fee pursuant to this section, and not less than 11 months prior to commencement of the electrical generation facility, the governing board or the air pollution control officer of a district shall hold a duly noticed public hearing that meets all of the following conditions:

(1) Notice of the hearing shall be published at least 30 days prior to the date of the hearing in all newspapers of general circulation in the area to be affected by the electrical generation facility's emissions.

(2) At the hearing, the applicant demonstrates, to the satisfaction of the governing board or the air pollution control officer, that emissions offsets are not available to the applicant in the district, or that the offsets are available only at a cost which, for all practical purposes, make the offsets unavailable to the applicant.

(3) At the hearing, the district identifies those offsets that it will purchase for use by the applicant and finds that those offsets comply with the requirements of this section and with all applicable requirements of state and federal law and district rules and regulations, including, but not limited to, requirements that those offsets are quantifiable, verifiable, enforceable, real, permanent, and surplus and that they are, measured from a verified air emissions baseline.

(4) At the hearing, the district establishes the amount of emissions offset fees or the portion of the bond to be paid by the applicant. The amount shall be sufficient to obtain the equivalent amount of offsets as would otherwise be required to be obtained by the applicant, and may include an additional amount not to exceed 3 percent to cover the district's administrative costs.

(g) Not less than six months after the hearing conducted pursuant to subdivision (f), the district shall publish and make available to the public and the applicant the types and quantities of offsets that it has secured.

(h) This section may be utilized by a thermal powerplant subject to Chapter 6 (commencing with Section 25500) of Division 15 of the Public Resources Code. However, to the extent this section is utilized by a thermal powerplant subject to that chapter, the thermal powerplant shall be required to demonstrate compliance with this section in a manner consistent with the requirements of Section 25523 of the Public Resources Code.

(i) A district may, by regulation, suspend or limit the applicability of this section for any period of time or with respect to a particular electrical generation facility if the district determines that it would interfere with attainment or maintenance of state or federal ambient air quality standards, or to the extent it determines that adequate offsets are available at a reasonable price. District rules governing notice required for adoption or amendment of regulations shall apply to this subdivision.

(j) (1) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2004, deletes or extends that date.

(2) However, except as otherwise provided in this section, the repeal of this section may not affect any electrical generation facility for which offsets have been obtained pursuant to this section prior to the date of the repeal.

SEC. 4. Section 25514 of the Public Resources Code is amended to read:

25514. After conclusion of the hearings held pursuant to Section 25513 and no later than 300 days after the filing of the notice, a final report shall be prepared and distributed. The final report shall include, but not be limited to, all of the following:

(a) The findings and conclusions of the commission regarding the conformity of alternative sites and related facilities designated in the notice or considered in the notice of intention proceeding with both of the following:

(1) The 12-year forecast of statewide and service area electric power demands adopted pursuant to subdivision (e) of Section 25305, except as provided in Section 25514.5.

(2) Applicable local, regional, state, and federal standards, ordinances, and laws, including any long-range land use plans or guidelines adopted by the state or by any local or regional planning agency, which would be applicable but for the exclusive authority of the commission to certify sites and related facilities; and the standards adopted by the commission pursuant to Section 25216.3.

(b) Any findings and comments submitted by the California Coastal Commission pursuant to Section 25507 and subdivision (d) of Section 30413.

(c) Any findings and comments submitted by the San Francisco Bay Conservation and Development Commission pursuant to Section 25507 of this code and subdivision (d) of Section 66645 of the Government Code.

(d) The commission's findings on the acceptability and relative merit of each alternative siting proposal designated in the notice or presented at the hearings and reviewed by the commission. The specific findings of relative merit shall be made pursuant to Sections 25502 to 25516, inclusive. In its findings on any alternative siting proposal, the commission may specify modification in the design, construction, location, or other conditions which will meet the standards, policies, and guidelines established by the commission.

(e) Findings and conclusions with respect to the safety and reliability of the facility or facilities at each of the sites designated in the notice, as determined by the commission pursuant to Section 25511, and any conditions, modifications, or criteria proposed for any site and related facility proposal resulting from the findings and conclusions.

(f) Findings and conclusions as to whether increased property taxes due to the construction of the project are sufficient to support needed local improvements and public services required to serve the project.

SEC. 5. Section 25519.5 is added to the Public Resources Code, to read:

25519.5. (a) Each local government agency reviewing an application pursuant to subdivision (f) of Section 25519 shall file a preliminary list of issues regarding the design, operation, location, and financial impacts of the facility with the commission no later than 45 days after the date an application for certification is deemed filed for purposes of Section 25522 and shall provide a final list of those issues with the commission no later than 100 days after the application for certification is deemed filed. Nothing in this section may be construed to limit the right of a city, county, or city and county, to comment on an application filed pursuant to this chapter or to act as an intervenor or other party to a proceeding established pursuant to this chapter.

(b) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2004, deletes or extends that date.

SEC. 6. Section 25521 of the Public Resources Code is amended to read:

25521. No earlier than 90 nor later than 240 days after the date of the filing of an application, the commission shall commence a public hearing or hearings on the application in Sacramento, San Francisco,

Los Angeles, or San Diego, whichever city is nearest the proposed site. Additionally, the commission may hold a hearing or hearings in the county in which the proposed site and related facilities are to be located. The commission hearings shall provide a reasonable opportunity for the public and all parties to the proceeding to comment upon the application and the commission staff assessment and shall provide the equivalent opportunity for comment as required pursuant to Division 13 (commencing with Section 21000). Consistent with the requirements of this section, the commission shall have the discretion to determine whether or not a hearing is to be conducted in a manner that requires formal examination of witnesses or that uses other similar adjudicatory procedures.

SEC. 7. Section 25523 of the Public Resources Code is amended to read:

25523. The commission shall prepare a written decision after the public hearing on an application, which includes all of the following:

(a) Specific provisions relating to the manner in which the proposed facility is to be designed, sited, and operated in order to protect environmental quality and assure public health and safety.

(b) In the case of a site to be located in the coastal zone, specific provisions to meet the objectives of Division 20 (commencing with Section 30000) as may be specified in the report submitted by the California Coastal Commission pursuant to subdivision (d) of Section 30413, unless the commission specifically finds that the adoption of the provisions specified in the report would result in greater adverse effect on the environment or that the provisions proposed in the report would not be feasible.

(c) In the case of a site to be located in the Suisun Marsh or in the jurisdiction of the San Francisco Bay Conservation and Development Commission, specific provisions to meet the requirements of Division 19 (commencing with Section 29000) of this code or Title 7.2 (commencing with Section 66600) of the Government Code as may be specified in the report submitted by the San Francisco Bay Conservation and Development Commission pursuant to subdivision (d) of Section 66645 of the Government Code, unless the commission specifically finds that the adoption of the provisions specified in the report would result in greater adverse effect on the environment or the provisions proposed in the report would not be feasible.

(d) (1) Findings regarding the conformity of the proposed site and related facilities with standards adopted by the commission pursuant to Section 25216.3 and subdivision (d) of Section 25402, with public safety standards and the applicable air and water quality standards, and with other relevant local, regional, state, and federal standards, ordinances, or laws. If the commission finds that there is noncompliance

with any state, local, or regional ordinance or regulation in the application, it shall consult and meet with the state, local, or regional governmental agency concerned to attempt to correct or eliminate the noncompliance. If the noncompliance cannot be corrected or eliminated, the commission shall inform the state, local, or regional governmental agency if it makes the findings required by Section 25525.

(2) The commission may not find that the proposed facility conforms with applicable air quality standards pursuant to paragraph (1) unless the applicable air pollution control district or air quality management district certifies, prior to the licensing of the project by the commission, that complete emissions offsets for the proposed facility have been identified and will be obtained by the applicant within the time required by the district's rules or unless the applicable air pollution control district or air quality management district certifies that the applicant requires emissions offsets to be obtained prior to the commencement of operation consistent with Section 42314.3 of the Health and Safety Code and prior to commencement of the operation of the proposed facility. The commission shall require as a condition of certification that the applicant obtain any required emission offsets within the time required by the applicable district rules, consistent with any applicable federal and state laws and regulations, and prior to the commencement of the operation of the proposed facility.

(e) Provision for restoring the site as necessary to protect the environment, if the commission denies approval of the application.

(f) In the case of a site and related facility using resource recovery (waste-to-energy) technology, specific conditions requiring that the facility be monitored to ensure compliance with paragraphs (1), (2), (3), and (6) of subdivision (a) of Section 42315 of the Health and Safety Code.

(g) In the case of a facility, other than a resource recovery facility subject to subdivision (f), specific conditions requiring the facility to be monitored to ensure compliance with toxic air contaminant control measures adopted by an air pollution control district or air quality management district pursuant to subdivision (d) of Section 39666 or Section 41700 of the Health and Safety Code, whether the measures were adopted before or after issuance of a determination of compliance by the district.

(h) A discussion of any public benefits from the project including, but not limited to, economic benefits, environmental benefits, and electricity reliability benefits.

SEC. 8. Section 25531 of the Public Resources Code is amended to read:

25531. (a) The decisions of the commission on any application for certification of a site and related facility are subject to judicial review by the Supreme Court of California.

(b) No new or additional evidence may be introduced upon review and the cause shall be heard on the record of the commission as certified to by it. The review shall not be extended further than to determine whether the commission has regularly pursued its authority, including a determination of whether the order or decision under review violates any right of the petitioner under the United States Constitution or the California Constitution. The findings and conclusions of the commission on questions of fact are final and are not subject to review, except as provided in this article. These questions of fact shall include ultimate facts and the findings and conclusions of the commission. A report prepared by, or an approval of, the commission pursuant to Section 25510, 25514, 25516, or 25516.5, or subdivision (b) of Section 25520.5, shall not constitute a decision of the commission subject to judicial review.

(c) Subject to the right of judicial review of decisions of the commission, no court in this state has jurisdiction to hear or determine any case or controversy concerning any matter which was, or could have been, determined in a proceeding before the commission, or to stop or delay the construction or operation of any thermal powerplant except to enforce compliance with the provisions of a decision of the commission.

(d) Notwithstanding Section 1250.370 of the Code of Civil Procedure:

(1) If the commission requires, pursuant to subdivision (a) of Section 25528, as a condition of certification of any site and related facility, that the applicant acquire development rights, that requirement conclusively establishes the matters referred to in Sections 1240.030 and 1240.220 of the Code of Civil Procedure in any eminent domain proceeding brought by the applicant to acquire the development rights.

(2) If the commission certifies any site and related facility, that certification conclusively establishes the matters referred to in Sections 1240.030 and 1240.220 of the Code of Civil Procedure in any eminent domain proceeding brought to acquire the site and related facility.

(e) No decision of the commission pursuant to Section 25516, 25522, or 25523 shall be found to mandate a specific supply plan for any utility as prohibited by Section 25323.

SEC. 9. Section 25550.5 is added to the Public Resources Code, to read:

25550.5. (a) Notwithstanding subdivision (a) of Section 25522 and Section 25540.6, the commission shall establish a process to issue its final decision on an application for certification for the repowering of a thermal powerplant and related facilities within 180 days after the filing

of the application for certification that, on the basis of an initial review, shows that there is substantial evidence that the project will not cause a significant adverse impact on the environment or electrical system and that the project will comply with all applicable standards, ordinances, regulations, and statutes. For purposes of this section, filing has the same meaning as in Section 25522.

(b) The repowering of a thermal powerplant and related facilities reviewed under this process shall satisfy the requirements of Section 25520 and other necessary information required by the commission by regulation, including the information required for permitting by each local, state, and regional agency that would have jurisdiction over the proposed repowering of a thermal powerplant and related facilities but for the exclusive jurisdiction of the commission and the information required for permitting by each federal agency that has jurisdiction over the proposed repowering of a thermal powerplant and related facilities.

(c) After an application is filed under this section, the commission shall not be required to issue a final decision on the application within 180 days if it determines there is substantial evidence in the record that the thermal powerplant and related facilities may result in a significant adverse impact on the environment or electrical system or does not comply with an applicable standard, ordinance, regulation, or statute. Under this circumstance, the commission shall make its decision in accordance with subdivision (a) of Section 25522 and Section 25540.6, and a new application shall not be required.

(d) For an application that the commission accepts under this section, any local, regional, or state agency that would have had jurisdiction over the proposed thermal powerplant and related facilities, but for the exclusive jurisdiction of the commission, shall provide its final comments, determinations, or opinions within 100 days after the filing of the application. The regional water quality control board, as established pursuant to Chapter 4 (commencing with Section 13200) of Division 7 of the Water Code, shall retain jurisdiction over any applicable water quality standard that is incorporated into any final certification issued pursuant to this chapter.

(e) The repowering of a thermal powerplant and related facilities that demonstrate superior environmental or efficiency performance improvement shall receive first priority in review by the commission.

(f) With respect to the repowering of a thermal powerplant and related facilities reviewed under the process established by this chapter, it shall be shown that the applicant has contracted with a general contractor and has contracted for an adequate supply of skilled labor to construct, operate, and maintain the plant.

(g) With respect to a repowering of a thermal powerplant and related facilities reviewed under the process established by this chapter, it shall

be shown that the thermal powerplant and related facilities complies with all regulations adopted by the commission that ensure that an application addresses disproportionate impacts in a manner consistent with Section 65040.12 of the Government Code.

(h) To implement this section, the commission may adopt emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For purposes of that chapter, including, without limitation, Section 11349.6 of the Government Code, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health, safety, and general welfare.

(i) For purposes of this section, “repowering” means a project for the modification of an existing generation unit of a thermal powerplant that meets all of the following criteria:

(1) The project complies with all applicable requirements of federal, state, and local laws.

(2) The project is located on the site of, and within the existing boundaries of, an existing thermal facility.

(3) The project will not require significant additional rights-of-way for electrical or fuel-related transmission facilities.

(4) The project will result in significant and substantial increases in the efficiency of the production of electricity, including, but not limited to, reducing the heat rate, reducing the use of natural gas, reducing the use and discharge of water, and reducing air pollutants emitted by the project, as measured on a per kilowatthour basis.

(j) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2004, deletes or extends that date.

SEC. 10. Section 25552 of the Public Resources Code is amended to read:

25552. (a) The commission shall implement a procedure, consistent with Division 13 (commencing with Section 21000) and with the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.), for an expedited decision on simple cycle thermal powerplants and related facilities that can be put into service on or before December 31, 2002, including a procedure for considering amendments to a pending application if the amendments specify a change from a combined cycle thermal powerplant and related facilities to a simple cycle thermal powerplant and related facilities.

(b) The procedure shall include all of the following:

(1) A requirement that, within 15 days of receiving the application or amendment to a pending application, the commission shall determine whether the application is complete.

(2) A requirement that, within 25 days of determining that an application is complete, the commission, or a committee of the commission, shall determine whether the application qualifies for an expedited decision pursuant to this section. If an application qualifies for an expedited decision pursuant to this section, the commission shall provide the notice required by Section 21092.

(c) The commission shall issue its final decision on an application, including an amendment to a pending application, within four months from the date on which it deems the application or amendment complete, or at any later time mutually agreed upon by the commission and the applicant, provided that the thermal powerplant and related facilities remain likely to be in service on or before December 31, 2002.

(d) The commission shall issue a decision granting a license to a simple cycle thermal powerplant and related facilities pursuant to this section if the commission finds all of the following:

(1) The thermal powerplant is not a major stationary source or a modification to a major stationary source, as defined by the federal Clean Air Act, and will be equipped with best available control technology, in consultation with the appropriate air pollution control district or air quality management district and the State Air Resources Board.

(2) The thermal powerplant and related facilities will not have a significant adverse effect on the environment or the electrical system as a result of construction or operation.

(3) With respect to a project for a thermal powerplant and related facilities reviewed under the process established by this section, the applicant has contracted with a general contractor and has contracted for an adequate supply of skilled labor to construct, operate, and maintain the thermal powerplant.

(e) In order to qualify for the procedure established by this section, an application shall satisfy the requirements of Section 25523, and include a description of the proposed conditions of certification that will do all of the following:

(1) Assure that the thermal powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation.

(2) Assure protection of public health and safety.

(3) Result in compliance with all applicable federal, state, and local laws, ordinances, and standards.

(4) A reasonable demonstration that the thermal powerplant and related facilities, if licensed on the expedited schedule provided by this section, will be in service before December 31, 2002.

(5) A binding and enforceable agreement with the commission, that demonstrates either of the following:

(A) That the thermal powerplant will cease to operate and the permit will terminate within three years.

(B) That the thermal powerplant will be recertified, modified, replaced, or removed within a period of three years with a cogeneration or combined-cycle thermal powerplant that uses best available control technology and obtains necessary offsets, as determined at the time the combined-cycle thermal powerplant is constructed, and that complies with all other applicable laws, ordinances, and standards.

(6) Where applicable, that the thermal powerplant will obtain offsets or, where offsets are unavailable, pay an air emissions mitigation fee to the air pollution control district or air quality management district based upon the actual emissions from the thermal powerplant, to the district for expenditure by the district pursuant to Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code, to mitigate the emissions from the plant. To the extent consistent with federal law and regulation, any offsets required pursuant to this paragraph shall be based upon a 1:1 ratio, unless, after consultation with the applicable air pollution control district or air quality management district, the commission finds that a different ratio should be required.

(7) Nothing in this section shall affect the ability of an applicant that receives approval to install simple cycle thermal powerplants and related facilities as an amendment to a pending application to proceed with the original application for a combined cycle thermal powerplant or related facilities.

(f) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date except that the binding commitments in paragraph (5) of subdivision (e) shall remain in effect after that date.

SEC. 11. Article 3.5 (commencing with Section 353.1) is added to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, to read:

Article 3.5. Distributed Energy Resources

353.1. As used in this article, "distributed energy resources" means any electric generation technology that meets all of the following criteria:

(a) Commences initial operation between May 1, 2001, and June 1, 2003, except that gas-fired distributed energy resources that are not operated in a combined heat and power application must commence operation no later than September 1, 2002.

(b) Is located within a single facility.

(c) Is five megawatts or smaller in aggregate capacity.

(d) Serves onsite loads or over-the-fence transactions allowed under Sections 216 and 218.

(e) Is powered by any fuel other than diesel.

(f) Complies with emission standards and guidance adopted by the State Air Resources Board pursuant to Sections 41514.9 and 41514.10 of the Health and Safety Code. Prior to the adoption of those standards and guidance, for the purpose of this article, distributed energy resources shall meet emissions levels equivalent to nine parts per million oxides of nitrogen, or the equivalent standard taking into account efficiency as determined by the State Air Resources Board, averaged over a three-hour period, or best available control technology for the applicable air district, whichever is lower, except for distributed generation units that displace and therefore significantly reduce emissions from natural gas flares or reinjection compressors, as determined by the State Air Resources Control Board. These units shall comply with the applicable best available control technology as determined by the air pollution control district or air quality management district in which they are located.

353.3. (a) The commission shall require each electrical corporation under the operational control of the Independent System Operator as of January 1, 2001, to modify its tariffs so that all customers installing new distributed energy resources in accordance with the criteria described in Section 353.1 are served under rates, rules, and requirements identical to those of a customer within the same rate schedule that does not use distributed energy resources, and to withdraw any provisions in otherwise applicable tariffs that activate other tariffs, rates, or rules if a customer uses distributed energy resources.

(b) To qualify for the tariffs described in subdivision (a), each customer with distributed energy resources that meet the criteria of Section 353.1 shall participate in a real-time metering and pricing program, when these programs become available, in which rates for any energy purchased from the electrical corporation reflect the actual cost to the electrical corporation of energy it purchases at the time it is consumed by the customer. Prior to the time these programs become available, the customer shall participate in a time-of-use pricing tariff. On or before December 31, 2001, the commission shall adopt a real time pricing tariff for the purpose of this section.

(c) Except as specified in Section 353.7, customers may not be subject to the application of additional rates or tariffs solely because of their use of distributed energy resources to serve onsite loads or over-the-fence transactions allowed under Sections 216 and 218.

353.5. Each electrical corporation, as part of its distribution planning process, shall consider nonutility owned distributed energy resources as a possible alternative to investments in its distribution

system in order to ensure reliable electric service at the lowest possible cost.

353.7. Notwithstanding Section 353.3, nothing in this article may result in any exemption from reasonable interconnection charges, lead to any reduction in contributions by each customer class to public purpose programs funded under Section 399.8, or relieve any customer of any obligation determined by the commission to result from participation in the purchase of power through the Department of Water Resources pursuant to Division 27 (commencing with Section 80000) of the Water Code.

353.9. In establishing the rates required under this article, the commission shall create a firewall that segregates distribution cost recovery so that any net costs, taking into account the actual costs and benefits of distributed energy resources, proportional to each customer class, as determined by the commission, resulting from the tariff modifications granted to members of each customer class may be recovered only from that class.

353.11. A local publicly owned electric utility, as defined in subdivision (d) of Section 9604, or a local publicly owned utility otherwise providing electrical service, shall review at the earliest practicable date its rates, tariffs, and rules to identify barriers to and determine the appropriate balance of costs and benefits of distributed energy resources in order to facilitate the installation of these resources in the interests of their customer-owners and the state, and shall hold at least one noticed public meeting to solicit public comment on the review and any recommended changes. However, notwithstanding any other provision of this article, such an entity has the sole authority to undertake such a review and to make modifications to its rates, tariffs, and rules as the governing body of that utility determines to be necessary.

353.13. (a) The commission shall require each electrical corporation to establish new tariffs on or before January 1, 2003, for customers using distributed energy resources, including, but not limited to, those which do not meet all of the criteria described in Section 353.1. However, after January 1, 2003, distributed energy resources that meet all of the criteria described in Section 353.1 shall continue to be subject only to those tariffs in existence pursuant to Section 353.3, until June 1, 2011, except that installations that do not operate in a combined heat and power application will be subject to those tariffs in existence pursuant to Section 353.3 only until June 1, 2006. Those tariffs required pursuant to this section shall ensure that all net distribution costs incurred to serve each customer class, taking into account the actual costs and benefits of distributed energy resources, proportional to each customer class, as determined by the commission, are fully recovered only from that class. The commission shall require each electrical corporation, in establishing

those rates, to ensure that customers with similar load profiles within a customer class will, to the extent practicable, be subject to the same utility rates, regardless of their use of distributed energy resources to serve onsite loads or over-the-fence transactions allowed under Sections 216 and 218. Customers with dedicated facilities shall remain responsible for their obligations regarding payment for those facilities.

(b) The commission shall prepare and submit to the Legislature, on or before June 1, 2002, a report describing its proposed methodology for determining the new rates and the process by which it will establish those rates.

353.15. (a) In order to evaluate the efficiency, emissions, and reliability of distributed energy resources with a capacity greater than 10 kilowatts, customers that install those resources pursuant to this article shall report to the commission, on an annual basis, all of the following information, as recorded on a monthly basis:

(1) Heat rate for the resource.

(2) Total kilowatthours produced in the peak and off-peak periods, as determined by the ISO.

(3) Emissions data for the resource, as required by the State Air Resources Board or the appropriate air quality management district or air pollution control district.

(b) The commission shall release the information submitted pursuant to subdivision (a) in a manner that does not identify the individual user of the distributed energy resource.

(c) The commission, in consultation with the State Air Resources Board, air quality management districts, air pollution control districts, and the State Energy Resources Conservation and Development Commission, shall evaluate the information submitted pursuant to subdivision (a) and, within two years of the effective date of the act adding this article, prepare and submit to the Governor and the Legislature a report recommending any changes to this article it determines necessary based upon that information.

SEC. 12. (a) Notwithstanding Section 625 of the Public Utilities Code, from the effective date of this section to June 1, 2002, inclusive, a gas corporation public utility may exercise the power of eminent domain, including, but not limited to, any authority provided by Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure, to condemn any property for the purpose of competing with another entity in the offering of natural gas and services related to natural gas.

(b) The Public Utilities Commission may not make a finding on a petition or complaint pending on the effective date of this section that was filed pursuant to Section 625 of the Public Utilities Code by a gas corporation public utility to condemn any property for the purpose of

competing with another entity in the offering of natural gas and services related to natural gas. The Public Utilities Commission shall dismiss the petition or complaint.

(c) This section shall become inoperative on June 1, 2002, and, as of January 1, 2003, is repealed, unless a later enacted statute that is enacted before January 1, 2003, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 13. The sum of not more than three million two hundred fifty thousand dollars (\$3,250,000) is hereby appropriated from the General Fund to the State Energy Resources Conservation and Development Commission for expenditure, until January 1, 2005, for the following purposes:

(a) Three million dollars (\$3,000,000) to provide assistance to cities and counties to expedite the review and analysis of applications for electrical generating facilities which will assist the state in meeting its urgent energy needs and ensuring system reliability. The moneys available pursuant to this subdivision shall not be used to supplant funding available to a city or county through the exercise of its existing fee authority.

(b) Not more than two hundred fifty thousand dollars (\$250,000) to contract or conduct a study, in consultation with the Orange County Sanitation District, of the remedies to mitigate effects of shoreline water contamination located in the vicinity of the City of Huntington Beach to be conducted concurrently with the Huntington Beach Shoreline Contamination Study conducted by the Orange County Sanitation District.

SEC. 14. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard 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.

However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

SEC. 15. 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 address the rapid, unforeseen shortage of electric supply and energy available in the state, which endangers the health, welfare, and safety of the people of this state, it is necessary for this act to take effect immediately.

CHAPTER 13

An act to amend Section 4241 of the Government Code, and to add and repeal Sections 42317 and 42359.6 of the Health and Safety Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 24, 2001. Filed with
Secretary of State May 25, 2001.]

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

SECTION 1. Section 4241 of the Government Code is amended to read:

4241. As used in this chapter, and as used in Section 5 of the act adding this chapter, “state energy project” means equipment, load management techniques, and other measures or services that reduce energy consumption and provide for more efficient use of energy in state buildings or facilities, or buildings or facilities owned or operated by any public postsecondary educational institution.

SEC. 2. Section 42317 is added to the Health and Safety Code, to read:

42317. (a) Notwithstanding any permit conditions to the contrary, and subject to the conditions established pursuant to subdivision (b), a district shall authorize a permitted stationary source to operate its emergency electrical power generating equipment during any period of an involuntary power service interruption, solely to the extent it is necessary for one or both of the following purposes:

(1) To prevent damage to its equipment.

(2) To complete the processing of products that would be irreparably damaged or destroyed as a direct result of an involuntary electrical power service interruption.

(b) Any authorization granted by a district pursuant to subdivision (a) shall be subject to all of the following conditions:

(1) The emergency electrical power generating equipment may not be used to begin a new process or to process additional products.

(2) The emergency electrical power generating equipment may be used only for the period of time the condition described under paragraph (1) or (2) of subdivision (a) exists.

(3) The stationary source shall continue to operate any pollution control equipment associated with the source and with its emergency electrical power generating equipment during the period of time the condition described under paragraph (1) or (2) of subdivision (a) exists.

(4) To the extent the stationary sources' emergency electrical power generating equipment uses diesel generation, low-sulfur diesel fuel or a fuel that has been verified by the State Air Resources Board to materially reduce emissions of oxides of nitrogen (NO_x) and particulate matter (PM) shall be used to the extent that it is available.

(5) The stationary source, and its emergency electrical power generating equipment, is otherwise in compliance with all applicable district rules and regulations and all applicable regulations adopted by the state board, including, but not limited to, requirements for the use of the best available control technology, or hourly limits of operation established by the district.

(6) The stationary source provides all information required in the district emergency authorization form.

(c) (1) Each district shall, not later than 14 days from the effective date of this section, create a simple emergency authorization form of not more than two pages in length in which an applicant shall certify in writing its agreement to comply with subdivision (b) and give the reasons why it believes the operation of its emergency electrical power generating equipment during any period of an involuntary power service interruption will meet the conditions of subdivision (a).

(2) A completed emergency authorization form for authorization under subdivision (a) shall be approved or denied by the district not later than five working days from the date of its submittal, to the extent not inconsistent with other state or federal notice requirements. If authorization is denied, the specific grounds for its denial shall be clearly stated.

(d) An authorization under subdivision (a) may only be approved for a stationary source enrolled on or before January 1, 2001, in an interruptible program contract, as described in Section 743.1 of the Public Utilities Code.

(e) For purposes of this section, "involuntary electrical power service interruption" means a power interruption or curtailment of a permitted stationary source pursuant to an interruptible program contract, as described in Section 743.1 of the Public Utilities Code.

(f) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2003, deletes or extends that date.

SEC. 3. Section 42359.6 is added to the Health and Safety Code, to read:

42359.6. (a) For purposes of Section 42359.5, a breakdown condition includes the startup or shutdown of a facility, enrolled on or before January 1, 2001, in an interruptible program contract, as described in Section 743.1 of the Public Utilities Code, that has complied with applicable startup and shutdown procedures, or a failure to operate air emission control equipment, if either condition is caused by a power interruption or curtailment initiated by the Independent System Operator, a public utility electrical corporation, or a local publicly owned electric utility, as defined in Section 9604 of the Public Utilities Code and feasible measures that could have been reasonably implemented to minimize emissions during startup and shutdown were implemented.

(b) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2003, deletes or extends that date.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard 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.

However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

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 address the rapid, unforeseen shortage of electric power and energy available in the state and rapid and substantial increases in wholesale energy costs and retail energy rates, that endanger the health, welfare, and safety of the people of this state, and to encourage programs

that encourage curtailments at the earliest possible time, it is necessary for this act to take effect immediately.

CONCURRENT RESOLUTIONS

2001–02

FIRST EXTRAORDINARY SESSION

2001 RESOLUTION CHAPTERS

RESOLUTION CHAPTER 1

Assembly Joint Resolution No. 1—Relative to natural gas.

[Filed with Secretary of State May 11, 2001.]

WHEREAS, Expenditures for natural gas in California will have increased from \$8 billion in 1999 to \$13 billion in 2000, and to an estimated \$32 billion in 2001; and

WHEREAS, These increases have had and will have devastating impacts on residential, agricultural, and business natural gas users and on the cost of generating electricity, and will have a devastating impact on the California economy; and

WHEREAS, In 1938, Congress enacted the National Gas Act to regulate the sale of natural gas because it “considered that the natural gas industry was heavily concentrated and that monopolistic forces were distorting the market price for natural gas”; and

WHEREAS, Congress’ “primary aim ... was to protect consumers against exploitation at the hands of natural gas companies” and to ensure consumers “access to an adequate supply of gas at a reasonable price”; and

WHEREAS, By 1989, Congress had fully deregulated the sale of natural gas at the wellhead; and

WHEREAS, Interstate natural gas pipelines are still regulated under the federal Natural Gas Act, with maximum pipeline transportation rates being established by the Federal Energy Regulatory Commission (FERC); and

WHEREAS, By 1992, FERC (not Congress) deregulated natural gas sales by wholesalers who use interstate natural gas pipelines, but FERC said that it would entertain complaints about market misuse; and

WHEREAS, In 2000, FERC removed price controls on the sale of natural gas pipeline capacity by marketers, retained price controls on the sale of natural gas pipeline capacity by owners of pipelines, and said that FERC would entertain complaints about market misuse; and

WHEREAS, Wholesalers of natural gas must pay the pipeline transportation price that is less than or equal to the maximum pipeline transportation rate established by FERC, but may charge more than the FERC-established maximum pipeline transportation rate; and

WHEREAS, California entities have filed complaints with FERC about market misuse; and

WHEREAS, Natural gas deregulation has worked in every state except California, where spot natural gas costs at the California border have skyrocketed, reaching \$62 per MMBtu for natural gas in December 2000, while the wellhead price plus the maximum pipeline transportation rates were about \$5.50; now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly, That the President of the United States, the Congress of the United States, and the Federal Energy Regulatory Commission are urged to do all of the following:

(a) Reestablish cost-based regulation of natural gas sales at the California border by marketers or owners of pipelines.

(b) Prohibit withholding of natural gas capacity on pipelines entering California ; and be it further

Resolved, That the Legislature urges the Chairman of the Federal Energy Regulatory Commission to immediately place the issue of cost-based caps of natural gas on the commission agenda and allow it to be voted on; and be it further

Resolved, That the Legislature urges the President of the United States to meet with a bipartisan coalition of California legislators to discuss the energy crisis facing the western states that threatens the national economy.

RESOLUTION CHAPTER 2

Senate Concurrent Resolution No. 3—Relative to final adjournment of the 2001–02 First Extraordinary Session of the Legislature.

[Filed with Secretary of State May 16, 2001.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 2001–02 First Extraordinary Session of the Legislature shall adjourn sine die at midnight on May 14, 2001.

2001 – 02

SECOND EXTRAORDINARY SESSION

EXTRAORDINARY SESSION SPECIAL RULES OF EFFECTIVENESS

Except for a statute calling an election, a statute providing for a tax levy or an appropriation calling for the usual current expenses of the state, and an urgency statute, all of which take effect immediately following enactment, a statute adopted during an extraordinary session takes effect on the 91st day following the adjournment of the special session (see subdivision (c) of Section 8 of Article IV of the California Constitution). The effective date of a joint resolution is the date it is filed with the Secretary of State.

The 2001–02 Second Extraordinary Session convened in the Assembly on May 14, 2001, and in the Senate on May 17, 2001. This Extraordinary Session had not been adjourned prior to publication of these statutes; please refer to the succeeding year’s Statutes and Amendments to the Codes.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



PROCLAMATION
by the
Governor of the State of California

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; and

WHEREAS, on January 3, 2001, I convened the 2001-02 First Extraordinary Session of the Legislature to deal with a broad range of energy issues, including the availability and supply of electrical power and natural gas; and

WHEREAS, it is necessary for the Legislature to adjourn the First Extraordinary Session; and

WHEREAS, it is necessary to reconvene the Legislature in extraordinary session to continue deliberations on critical energy issues;

NOW, THEREFORE, I, GRAY DAVIS, Governor of the State of California, by virtue of the power and authority vested in me by Article IV, Section 3(b) of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the 14th day of May, 2001, at a time appointed by each house of the Legislature of said day for the following purpose and to legislate upon the following subjects:

1. To consider and act upon legislation affecting the availability, supply, consumption, and use of energy in California.
2. To consider and act upon legislation (a) affecting the operation, maintenance, and finances of facilities owned or controlled directly or indirectly by persons, corporations or public entities that provide electricity and natural gas to California residents and businesses, and (b) relating to the assets, liabilities, and financial viability of investor-owned utilities.
3. To consider and act upon legislation affecting the interaction between wholesale and retail markets for energy supply, capacity and reliability.
4. To consider and act upon legislation relating to the roles, functions, and duties of state energy agencies.
5. To consider and act upon legislation protecting the health and safety of California residents with respect to facilities that generate and deliver energy service in California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 14th day of May 2001.

Gray Davis

Governor of California

ATTEST:

Bill Jones

Secretary of State



STATUTES OF CALIFORNIA

2001–02

SECOND EXTRAORDINARY SESSION

2001 CHAPTERS

CHAPTER 1

An act relating to energy, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 8, 2001. Filed with
Secretary of State August 9, 2001.]

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

SECTION 1. The Legislature finds and declares all of the following:

(a) The State of California is in the midst of a severe energy crisis and increased production of natural gas reserves in the state will help to alleviate this crisis.

(b) There may be untapped natural gas reserves in the Long Beach tidelands, but contractors operating under existing oil operating contracts with the City of Long Beach need financial incentives to explore for and develop those reserves.

(c) There are currently no financial incentives provided for by existing laws governing oil operations in the Long Beach tidelands.

SEC. 2. (a) The State Lands Commission may, on behalf of the state, negotiate contracts or agreements with the City of Long Beach, and any contractor operating under an oil operating contract with the City of Long Beach, that provide financial incentives for the contractor to explore for, and develop, additional gas reserves in the Long Beach tidelands, as defined in subdivision (a) of Section 1 of Chapter 138 of the Statutes of 1964, First Extraordinary Session. Neither this act nor any contract or agreement entered into pursuant to this section shall supersede or amend, in any respect, the existing contractors' agreements for Tracts 1 and 2 of the Long Beach Unit, the Agreement for Implementation of an Optimized Waterflood Program for the Long Beach Unit, the Long Beach Unit Agreement, the Long Beach Unit Operating Agreement, the Long Beach Harbor Tidelands Parcel and Parcel "A" Oil Contract, the Fault Block Unit Agreements, and Unit Operating Agreements, or any other existing contract covering the drilling, developing, extracting, processing, taking, or removal of oil, gas, and other hydrocarbons from the Long Beach tidelands.

(b) Any contract or agreement entered into pursuant to subdivision (a) shall contain a provision specifying that the contractor and the City of Long Beach, either directly or indirectly, shall jointly bear the costs incurred in connection with the exploration and development of additional gas reserves in the Long Beach tidelands. The composition of those additional gas reserves to be developed in the Long Beach tidelands shall be prescribed in any contract or agreement entered into by the State Lands Commission, the City of Long Beach, and the

contractor. The state shall not bear any of the cost incurred in connection with the exploration and development of those additional gas reserves, nor shall it pay any abandonment costs related to that gas exploration or development. The state shall receive an expense-free royalty, in cash or in kind, that is payable monthly on all gas produced as a result of this new exploration and development. The City of Long Beach and any contractor entering into a contract or agreement for the exploration or development of gas reserves with the City of Long Beach may determine, in the course of negotiations, how the exploration and development costs will be apportioned between the parties to the contract or agreement, and how the gas produced from this exploration and development will be allocated between or among each party, provided that the City of Long Beach shall have the right, but not the obligation, to purchase all gas produced at a negotiated price that is no greater than the reasonable wholesale commodity market price of dry gas sold for residential consumption in the Los Angeles Basin. The state shall receive its royalty in cash so long as the City of Long Beach is exercising its right to purchase all the gas, but may elect to receive its royalty either in cash or in kind whenever the City of Long Beach is not exercising this right. All oil produced in connection with the development and production of these additional gas reserves shall be allocated and accounted for as normal oil production under existing and applicable contracts or agreements governing oil production in the Long Beach tidelands.

(c) The provisions of Chapter 29 of the Statutes of 1956, First Extraordinary Session, and of Chapter 138 of the Statutes of 1964, First Extraordinary Session, relating to the allocation and disposition of Long Beach tidelands dry gas, shall remain in effect and continue to be fully applicable to all dry gas produced from the Long Beach tidelands that is not a product of the exploration and development undertaken pursuant to a contract or agreement authorized by subdivision (a).

(d) All net revenue derived by the City of Long Beach from the disposition of its allocated share of the additional gas reserves that are a product of the exploration and development undertaken pursuant to a contract or agreement authorized by subdivision (a) shall be used by the City of Long Beach for the purposes of, and in the manner set forth in, Section 6 of Chapter 138 of the Statutes of 1964, First Extraordinary Session.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

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

In order for the residents of the state to benefit from the potential for more natural gas as soon as possible, it is necessary that this act take effect immediately.

CHAPTER 2

An act to amend Section 2772 of the Public Utilities Code, relating to electricity, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 11, 2001. Filed with
Secretary of State August 13, 2001.]

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

SECTION 1. Section 2772 of the Public Utilities Code is amended to read:

2772. In establishing the priorities pursuant to Section 2771, the commission shall include, but not be limited to, a consideration of all the following:

(a) A determination of the customers and uses of electricity and gas, in descending order of priority, which provide the most important public benefits and serve the greatest public need.

(b) A determination of the customers and uses of electricity and gas which are not included under subdivision (a).

(c) A determination of the economic, social, and other effects of a temporary discontinuance in electrical or gas service to the customers or for the uses determined in accordance with subdivision (a) or (b).

(d) A determination of the potential effect of extreme temperatures on the health and safety of residential customers. In making this determination, the commission shall do all of the following:

(1) Consult with appropriate medical experts and review appropriate literature and research.

(2) Consider whether providing priority to customers experiencing extreme temperatures would result in increased outage frequency and duration for remaining customers and its effect on the health and safety of those remaining customers.

(3) To the extent the commission determines it is in the public interest to provide priority to customers that experience extreme temperatures, it shall provide that priority only when temperatures are extreme.

(4) Consider whether alternative measures are appropriate, including, but not limited to, reducing the duration of the outage or imposing the outage earlier or later in the day.

(e) Any curtailment or allocation rules, orders, or regulations issued by any agency of the federal government.

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 for the Public Utilities Commission to consider in the establishment of use priorities the potential effect of extreme temperatures on residential customers at the earliest possible time, thereby ensuring their health and safety, it is necessary that this act take effect immediately.

CHAPTER 3

An act to add Section 2774.5 to the Public Utilities Code, relating to electric power, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 5, 2001. Filed with
Secretary of State September 5, 2001.]

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

SECTION 1. Section 2774.5 is added to the Public Utilities Code, to read:

2774.5. An electrical corporation or local publicly owned electric utility, as defined in subdivision (d) of Section 9604, shall immediately notify the Commissioner of the California Highway Patrol and the sheriff and any affected chief of police of the specific area within their respective law enforcement jurisdictions that will sustain a planned loss of power as soon as the planned loss becomes known as to when and where that power loss will occur. The notification shall include common geographical boundaries, grid or block numbers of the effected area, and the next anticipated power loss area designated by the electrical corporation or public entity during rotating blackouts.

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 protect the public from increased criminal activity during the current energy shortage, it is necessary for this act to take effect immediately.

CHAPTER 4

An act to amend Section 1103 of the Food and Agricultural Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 28, 2001. Filed with
Secretary of State October 1, 2001.]

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

SECTION 1. Section 1103 of the Food and Agricultural Code is amended to read:

1103. For the purposes of this part, the following definitions apply:

(a) “Agency” means the Trade and Commerce Agency.

(b) “Air district” means an air pollution control district or an air quality management district established or continued in existence pursuant to Part 3 (commencing with Section 40000) of the Health and Safety Code.

(c) “Facility” means any California site that meets both of the following criteria:

(1) As of July 1, 2000, converted and continues to convert qualified agricultural biomass to energy, or that operated prior to July 1, 2000, converting qualified agricultural biomass to energy, was closed for a period of time but maintained all applicable air quality permits during that closure, and is ready to reopen on or before June 30, 2001, and, in both cases, the conversion results in lower oxides of nitrogen (NO_x) emissions than would otherwise be produced if burned in the open field during the ozone season, as determined by the air district in which the site operates.

(2) Does not produce electricity for sale to a public utility pursuant to a contract with that public utility, or, if the site does produce electricity for sale to a public utility pursuant to a contract with that public utility, the site does not qualify for fixed energy prices established prior to June 30, 2000, under the terms of that contract at the time the application for the grant is made.

(d) “Grant” means an award of funds by the agency to an air district that shall, in turn, grant incentive payments to a facility after deducting the air district’s administrative fee as provided in Section 1104.

(e) "Incentive payment" means a payment by an air district to facilities for qualified agricultural biomass to be received and converted into energy after July 1, 2000. This payment shall be in the amount of ten dollars (\$10) for each ton of qualified agricultural biomass received for conversion to energy.

(f) "Qualified agricultural biomass" means agricultural residues that historically have been open field burned in the jurisdiction of the air district from which the agricultural residues are derived, as determined by the air district, excluding urban and forest wood products, that include either of the following:

(1) Field and seed crop residues, including, but not limited to, straws from rice and wheat.

(2) Fruit and nut crop residues, including, but not limited to, orchard and vineyard pruning and removals.

SEC. 2. Notwithstanding the allocation of funds set forth in subparagraph (A) of paragraph (5) of subdivision (b) of Section 5 of Chapter 7 of the First Extraordinary Session, as amended by Chapter 111 of the Statutes of 2001, the State Energy Resources Conservation and Development Commission shall transfer three million five hundred thousand dollars (\$3,500,000) of the total funds allocated pursuant to that subparagraph to the California Technology, Trade, and Commerce Agency pursuant to an interagency agreement within 30 days of the effective date of the act adding this section for the sole and specific purpose of supplementing the funding and furthering the intent of the Agricultural Biomass-to-Energy Incentive Grant Program as established in Part 3 (commencing with Section 1101) of Division 1 of the Food and Agricultural Code.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

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 make grants to encourage the development of additional facilities that convert agricultural biomass to energy under the

Agricultural Biomass-to-Energy Incentive Grant Program as soon as possible, it is necessary for this act to take effect immediately.

CHAPTER 5

An act to amend Section 17073 of, and to add Section 17208.1 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

[Approved by Governor September 28, 2001. Filed with
Secretary of State October 1, 2001.]

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

SECTION 1. Section 17073 of the Revenue and Taxation Code is amended to read:

17073. (a) Section 63 of the Internal Revenue Code, relating to taxable income defined, shall apply, except as otherwise provided.

(b) The deduction allowed by Section 17208.1, relating to interest on loans or financed indebtedness obtained from a publicly owned utility for the purchase and installation of energy efficient products or equipment, shall not be treated as a miscellaneous itemized deduction under Section 67(a) of the Internal Revenue Code, relating to the 2-percent floor on miscellaneous deductions.

(c) For individuals who do not itemize deductions, the standard deduction computed in accordance with Section 17073.5 shall be allowed as a deduction in computing taxable income.

SEC. 2. Section 17208.1 is added to the Revenue and Taxation Code, to read:

17208.1. (a) There shall be allowed as a deduction the amount of interest paid or incurred by a taxpayer during the taxable year on any loan or financed indebtedness obtained from a publicly owned utility company for the purpose of acquiring and installing any energy efficient product or equipment to a qualified residence located in this state.

(b) For purposes of this section:

(1) “Energy efficient product or equipment” means any product or equipment certified by a publicly owned utility company that will improve the energy efficiency, as defined by paragraph (2) of subdivision (a) of Section 399.4 of the Public Utilities Code, of a qualified residence on which the product or equipment is installed or applied.

(2) “Energy efficient product or equipment” shall include, but not be limited to, heating, ventilation, air-conditioning, lighting, solar,

advanced metering of energy usage, windows, insulation, zone heating products, and weatherization systems.

(3) "Zone heating products" mean gas room heaters certified by the California Energy Commission or wood fueled stoves certified by the federal Environmental Protection Agency.

(4) "Publicly owned utility company" has the same meaning as set forth in subdivision (d) of Section 9604 of the Public Utilities Code.

(5) "Qualified residence" has the same meaning as set forth in Section 163(h)(4)(A) of the Internal Revenue Code.

(6) "Publicly owned utility company loan or financial indebtedness" means any amount borrowed from a publicly owned utility company to finance the acquisition and installation of energy efficient products and equipment installed or applied to a qualified residence located in this state.

(c) Any interest amount that is allowed as a deduction pursuant to this section (and the application of Section 17072) may not otherwise be allowed as a deduction for purposes of this part.

(d) The publicly owned utility company shall issue a federal income tax Form 1098, or similar form, for the purpose of notifying the taxpayer of his or her eligibility for the deduction allowed by this section.

(e) The deduction allowed by this section shall be in lieu of any credit allowed by this part for interest paid or incurred by the taxpayer in connection with the purchase of energy efficient equipment.

(f) The Legislature finds and declares that many taxpayers may be unaware that they may deduct interest paid or incurred pursuant to this section. The Legislature further finds that it is important to inform taxpayers of this deduction. Therefore, it is the intent of the Legislature to encourage all publicly owned utility companies to inform their customers in writing that they may deduct interest paid or incurred pursuant to this section. It is the further intent of the Legislature to encourage all publicly owned utility companies that are unable to offer customer financing to acquire or install energy efficient products and equipment to inform their customers in writing that interest on a home equity or home improvement loan used to purchase energy efficient products and equipment may also be tax deductible.

(g) It is the intent of the Legislature to inquire with the Internal Revenue Service as to whether the loan program administered by the Sacramento Municipal Utility District qualifies for an interest deduction in compliance with the Internal Revenue Code and the regulations thereunder.

SEC. 3. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 6

An act to add Section 25403.8 to the Public Resources Code, and to amend Section 21800 of the Vehicle Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 28, 2001. Filed with Secretary of State October 1, 2001.]

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

SECTION 1. Section 25403.8 is added to the Public Resources Code, to read:

25403.8. (a) The commission shall develop and implement a program to provide battery backup power for those official traffic control signals, operated by a city, county, or city and county, that the commission, in consultation with cities, counties, or cities and counties, determines to be high priority traffic control signals.

(b) Based on traffic factors considered by cities, counties, or cities and counties, including, but not limited to, traffic volume, number of accidents, and presence of children, the commission shall determine a priority schedule for the installation of battery backup power for traffic control systems. The commission shall give priority to a city, county, or city and county that did not receive a grant from the State of California for the installation of light-emitting diode traffic control signals.

(c) The commission shall also develop or adopt the necessary technical criteria as to wiring, circuitry, and recharging units for traffic control signals. Only light-emitting diodes (LED) traffic control signals are eligible for battery backup power for the full operation of the traffic control signal or a flashing red mode. A city, county, or city and county may apply for a matching grant for battery backup power for traffic control signals retrofitted with light-emitting diodes.

(d) Based on the criteria described in subdivision (c), the commission shall provide matching grants to cities, counties, and cities and counties for backup battery systems described in this section in accordance with the priority schedule established by the commission pursuant to subdivision (b). The commission shall provide 70 percent of the funds for a battery backup system, and the city, county, or city and county shall provide 30 percent.

(e) If a city, county, or city and county has installed a backup battery system for LED traffic control signals between January 1, 2001, and the effective date of the act adding this section, the commission may reimburse the city, county, or city and county for up to 30 percent of the cost incurred for the backup battery system installation. However, the

commission may not spend more than one million five hundred thousand dollars (\$1,500,000) for reimbursements pursuant to this subdivision.

SEC. 2. Section 21800 of the Vehicle Code is amended to read:

21800. (a) The driver of a vehicle approaching an intersection shall yield the right-of-way to any vehicle which has entered the intersection from a different highway.

(b) (1) When two vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(2) For the purposes of this section, "terminating highway" means a highway which intersects, but does not continue beyond the intersection, with another highway which does continue beyond the intersection.

(c) When two vehicles enter an intersection from different highways at the same time and the intersection is controlled from all directions by stop signs, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right.

(d) (1) The driver of any vehicle approaching an intersection which has official traffic control signals that are inoperative shall stop at the intersection, and may proceed with caution when it is safe to do so. This subparagraph shall apply to traffic control signals that become inoperative because of battery failure.

(2) When two vehicles enter an intersection from different highways at the same time, and the official traffic control signals for the intersection are inoperative, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(e) This section does not apply to any of the following:

(1) Any intersection controlled by an official traffic control signal or yield right-of-way sign.

(2) Any intersection controlled by stop signs from less than all directions.

(3) When vehicles are approaching each other from opposite directions and the driver of one of the vehicles intends to make, or is making, a left turn.

SEC. 3. (a) For the purpose of providing matching grants for backup battery systems for traffic control signals retrofitted with light-emitting diodes pursuant to Section 25403.8 of the Public Resources Code, the sum of ten million dollars (\$10,000,000) shall be reallocated to the State Energy Resources Conservation and

Development Commission from funds appropriated in Chapter 8 of the Statutes of the 2001–02 First Extraordinary Session for the purposes of Article 4 (commencing with Section 15350) of Chapter 1 of Part 6.7 of Division 3 of Title 2 of the Government Code. The State Energy Resources Conservation and Development Commission may not expend more than 5 percent of the amount available for expenditure pursuant to this subdivision for administrative costs in carrying out the grant program.

(b) On or before June 1, 2004, the State Energy Resources Conservation and Development Commission shall submit a report to the Governor and the Legislature on the expenditures made pursuant to subdivision (a), including grant awards and program activities.

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:

Due to the shortage of electric generation capacity to meet the needs of the people of the state and in order to limit the impact of that shortage on the public health, safety, and welfare due to the nonoperation of traffic control signal lights during anticipated rotating blackouts, it is necessary that this act take effect immediately.

CHAPTER 7

An act to add Section 368.5 to the Public Utilities Code, relating to public utilities.

[Approved by Governor September 28, 2001. Filed with
Secretary of State October 1, 2001.]

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

SECTION 1. It is the intent of the Legislature, in enacting the act adding this section, to not usurp the authority of the Public Utilities Commission to set rates for electrical corporations.

SEC. 2. Section 368.5 is added to the Public Utilities Code, to read:

368.5. (a) Notwithstanding any other provision of law, upon the termination of the 10-percent rate reduction for residential and small commercial customers set forth in subdivision (a) of Section 368, the commission may not subject those residential and small commercial customers to any rate increases or future rate obligations solely as a result of the termination of the 10-percent rate reduction.

(b) The provisions of subdivision (a) do not affect the authority of the commission to raise rates for reasons other than the termination of the 10-percent rate reduction set forth in subdivision (a) of Section 368.

(c) Nothing in this section shall further extend the authority to impose fixed transition amounts, as defined in subdivision (d) of Section 840, or further authorize or extend rate reduction bonds, as defined in subdivision (e) of Section 840.

SEC. 3. To the extent the provisions of this act conflict with any other provision of the Public Utilities Code, the provisions of this act shall prevail.

CHAPTER 8

An act to amend, repeal, and add Sections 60022 and 60023 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

[Approved by Governor October 2, 2001. Filed with
Secretary of State October 3, 2001.]

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

SECTION 1. Section 60022 of the Revenue and Taxation Code is amended to read:

60022. (a) "Diesel fuel" means any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the engine of a diesel-powered highway vehicle. However, a liquid does not possess this practical and commercial fitness solely by reason of its possible or rare use as a fuel in the engine of a diesel-powered highway vehicle.

(b) "Diesel fuel" does not include kerosene.

(c) "Diesel fuel" does not include the water in a diesel fuel and water emulsion of two immiscible liquids of diesel fuel and water, which emulsion contains an additive that causes the water droplets to remain suspended within the diesel fuel, provided the diesel fuel emulsion meets standards set by the California Air Resources Board.

(d) This section shall remain in effect until January 1, 2007, and as of that date is repealed.

SEC. 2. Section 60022 of the Revenue and Taxation Code is amended to read:

60022. (a) “Diesel fuel” means any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the engine of a diesel-powered highway vehicle. However, a liquid does not possess this practical and commercial fitness solely by reason of its possible or rare use as a fuel in the engine of a diesel-powered highway vehicle.

(b) “Diesel fuel” does not include gasoline, kerosene, liquefied petroleum gas, natural gas in liquid or gaseous form, or alcohol.

(c) “Diesel fuel” does not include the water in a diesel fuel and water emulsion of two immiscible liquids of diesel fuel and water, which emulsion contains an additive that causes the water droplets to remain suspended within the diesel fuel, provided the diesel fuel emulsion meets standards set by the California Air Resources Board.

(d) This section shall remain in effect until January 1, 2007, and as of that date is repealed.

SEC. 3. Section 60022 is added to the Revenue and Taxation Code to read:

60022. (a) “Diesel fuel” means any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the engine of a diesel-powered highway vehicle.

However, a liquid does not possess this practical and commercial fitness solely by reason of its possible or rare use as a fuel in the engine of a diesel-powered highway vehicle.

“Diesel fuel” does not include kerosene. “Diesel fuel” includes any combustible liquid, by whatever name the liquid may be known or sold, when the liquid is used in an internal combustion engine for the generation of power to operate a motor vehicle licensed to operate on the highway, except fuel that is subject to the tax imposed in Part 2 (commencing with Section 7301) or Part 3 (commencing with Section 8601).

(b) This section shall become operative on January 1, 2007.

SEC. 4. Section 60023 of the Revenue and Taxation Code, as amended by Chapter 1053 of the Statutes of 2000, is amended to read:

60023. (a) “Blended diesel fuel” means any mixture of diesel fuel with respect to which tax has been imposed and any other liquid (such as kerosene) on which tax has not been imposed (other than diesel fuel dyed in accordance with United States Environmental Protection Agency or Internal Revenue Service rules). Blended diesel fuel also means any conversion of a liquid into diesel fuel. “Conversion of a

liquid into diesel fuel” occurs when any liquid that is not included in the definition of diesel fuel and that is outside the bulk transfer/terminal system is sold as diesel fuel, delivered as diesel fuel, or represented to be diesel fuel.

(b) “Blended diesel fuel” does not include a diesel fuel and water emulsion of two immiscible liquids of diesel fuel and water, which emulsion contains an additive package that causes the water droplets to remain suspended within the diesel fuel, provided that the diesel fuel emulsion meets the standards set by the California Air Resources Board.

(c) This section shall remain in effect until January 1, 2007, and as of that date is repealed.

SEC. 5. Section 60023 is added to the Revenue and Taxation Code to read:

60023. (a) “Blended diesel fuel” means any mixture of diesel fuel with respect to which tax has been imposed and any other liquid (such as kerosene) on which tax has not been imposed (other than diesel fuel dyed in accordance with United States Environmental Protection Agency or Internal Revenue Service rules). Blended diesel fuel also means any conversion of a liquid into diesel fuel. “Conversion of a liquid into diesel fuel” occurs when any liquid that is not included in the definition of diesel fuel and that is outside the bulk transfer/terminal system is sold as diesel fuel, delivered as diesel fuel, or represented to be diesel fuel.

(b) This section shall become operative on January 1, 2007.

SEC. 6. Section 2 of this bill incorporates amendments to Section 60022 of the Revenue and Taxation Code proposed by both this bill and AB 309. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 60022 of the Revenue and Taxation Code, and (3) this bill is enacted after AB 309, in which case Section 1 of this bill shall not become operative.

SEC. 7. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 9

An act to amend Section 15356 of the Government Code, and to amend Sections 25433.5, 25434.5, 26003, and 26011.6 of the Public Resources Code, relating to energy resources.

[Approved by Governor October 4, 2001. Filed with
Secretary of State October 5, 2001.]

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

SECTION 1. Section 15356 of the Government Code is amended to read:

15356. (a) The agency shall determine the percentage of the reserve in the Renewable Energy Loan Loss Reserve Fund required to secure loan guarantees made by the committee. However, in no event shall the reserve be less than 25 percent of the fund.

(b) The minimum amount that the agency may guarantee for any renewable energy system is twenty-five thousand dollars (\$25,000) and the maximum amount is two million dollars (\$2,000,000). The agency may elect to lower or raise the minimum or maximum amount if a change is found to be in the best interest of the state.

(c) The term of the guaranteed loan shall not exceed the useful life of the renewable energy system or 15 years, whichever is shorter.

(d) The amount guaranteed shall not exceed 90 percent of a loan, or an amount equal to the anticipated proportion of renewable fuel usage to fuel the renewable energy system, as defined by subdivision (e) of Section 15351, whichever is less.

SEC. 2. Section 25433.5 of the Public Resources Code is amended to read:

25433.5. (a) In consultation with the Public Utilities Commission, the commission shall do both of the following for the purpose of full or partial funding of an eligible construction or retrofit project:

(1) Establish a grant program to provide financial assistance to eligible low-income individuals.

(2) Establish a 2-percent interest per annum loan program to provide financial assistance to a small business owner, residential property owner, or individual who is not eligible for a grant pursuant to paragraph (1). The loans shall be available to a small business owner who has a gross annual income that does not exceed one hundred thousand dollars (\$100,000) or to an individual or residential property owner who has a gross annual household income that does not exceed one hundred thousand dollars (\$100,000).

(b) (1) The commission shall use the design guidelines adopted pursuant to paragraph (2) of subdivision (f) of Section 14 of the act that added this section as standards to determine eligible energy-efficiency projects.

(2) The award of a grant pursuant to this section is subject to appeal to the commission upon a showing that the commission applied factors, other than those adopted by the commission, in making the award.

(3) The grant or loan recipient shall commit to using the grant or loan for the purpose for which the grant or loan was awarded.

(4) Any action taken by an applicant to apply for, or to become or remain eligible to receive, a grant award, including satisfying conditions specified by the commission, does not constitute the rendering of goods, services, or a direct benefit to the commission.

(5) The amount of any grant awarded pursuant to this article to a low-income individual does not constitute income for purposes of calculating the recipient's gross income for the tax year during which the grant is received.

SEC. 3. Section 25434.5 of the Public Resources Code is amended to read:

25434.5. As used in this article, the following terms have the following meanings:

(a) "Eligible construction or retrofit project" means a project for making improvements to a home or building in existence on the effective date of the act adding this section, through an addition, alteration, or repair, which effectively increases the energy efficiency or reduces the energy consumption of the home or building as specified by the commission's guidelines under paragraph (2) of subdivision (f) of Section 14 of the act that added this section. The improvements shall be deemed to be cost-effective.

(b) "Low income" means an individual with a gross annual income equal to or less than 200 percent of the federal poverty level.

(c) "Small business" means any small business as defined in paragraph (1) of subdivision (d) of Section 14837 of the Government Code.

SEC. 4. Section 26003 of the Public Resources Code is amended to read:

26003. As used in this division, unless the context otherwise requires:

(a) "Authority" means the California Alternative Energy and Advanced Transportation Financing Authority established pursuant to Section 26004, and any board, commission, department, or officer succeeding to the functions of the authority, or to which the powers conferred upon the authority by this division shall be given.

(b) "Cost" as applied to a project or portion thereof financed under this division means all or any part of the cost of construction and acquisition of all lands, structures, real or personal property or an interest therein, rights, rights-of-way, franchises, easements, and interests acquired or used for a project; the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which those buildings or structures may be moved; the cost of all machinery, equipment, and furnishings, financing charges, interest prior to, during, and for a period after, completion of construction as determined by the authority; provisions for working

capital; reserves for principal and interest and for extensions, enlargements, additions, replacements, renovations, and improvements; the cost of architectural, engineering, financial, accounting, auditing and legal services, plans, specifications, estimates, administrative expenses, and other expenses necessary or incident to determining the feasibility of constructing any project or incident to the construction, acquisition, or financing of any project.

(c) (1) “Alternative sources” means the application of cogeneration technology, as defined in Section 25134; the conservation of energy; or the use of solar, biomass, wind, geothermal, hydroelectricity under 30 megawatts and meeting the criteria set forth in paragraph (2) of subdivision (e) of Section 15351 of the Government Code, or any other source of energy, the efficient use of which will reduce the use of fossil and nuclear fuels.

(2) “Alternative sources” does not include any hydroelectric facility that does not meet state laws pertaining to the control, appropriation, use, and distribution of water, including, but not limited to, the obtaining of applicable licenses and permits.

(d) “Advanced transportation technologies” means emerging commercially competitive transportation-related technologies identified by the authority as capable of creating long-term, high value-added jobs for Californians while enhancing the state’s commitment to energy conservation, pollution reduction, and transportation efficiency. Those technologies may include, but are not limited to, any of the following:

(1) Intelligent vehicle highway systems.

(2) Advanced telecommunications for transportation.

(3) Command, control, and communications for public transit vehicles and systems.

(4) Electric vehicles and ultralow emission vehicles.

(5) High-speed rail and magnetic levitation passenger systems.

(6) Fuel cells.

(e) “Financial assistance” includes, but is not limited to, either, or any combination, of the following:

(1) Loans, loan loss reserves, interest rate reductions, proceeds of bonds issued by the authority, insurance, guarantees or other credit enhancements or liquidity facilities, contributions of money, property, labor, or other items of value, or any combination thereof, as determined by, and approved by the resolution of, the board.

(2) Any other type of assistance the authority determines is appropriate.

(f) “Participating party” means either of the following:

(1) Any person or any entity or group of entities engaged in business or operations in the state, whether organized for profit or not for profit,

that applies for financial assistance from the authority for the purpose of implementing a project in a manner prescribed by the authority.

(2) Any public agency or nonprofit corporation that applies for financial assistance from the authority for the purpose of implementing a project in a manner prescribed by the authority.

(g) "Project" means any land, building, improvement thereto, rehabilitation, work, property, or structure, real or personal, stationary or mobile, including, but not limited to, machinery and equipment, whether or not in existence or under construction, that utilizes, or is designed to utilize, an alternative source, or that is utilized for the design, technology transfer, manufacture, production, assembly, distribution, or service of advanced transportation technologies.

(h) "Public agency" means any federal or state agency, board, or commission, or any county, city and county, city, regional agency, public district, or other political subdivision.

(i) (1) "Renewable energy" means any device or technology that conserves or produces heat, processes heat, space heating, water heating, steam, space cooling, refrigeration, mechanical energy, electricity, or energy in any form convertible to these uses, that does not expend or use conventional energy fuels, and that uses any of the following electrical generation technologies:

- (A) Biomass.
- (B) Solar thermal.
- (C) Photovoltaic.
- (D) Wind.
- (E) Geothermal.

(2) For purposes of this subdivision, "conventional energy fuel" means any fuel derived from petroleum deposits, including, but not limited to, oil, heating oil, gasoline, fuel oil, or natural gas, including liquefied natural gas, or nuclear fissionable materials.

(3) Notwithstanding paragraph (1), for purposes of this section, "renewable energy" also means ultralow emission equipment for energy generation based on thermal energy systems such as natural gas turbines and fuel cells.

(j) "Revenue" means all rents, receipts, purchase payments, loan repayments, and all other income or receipts derived by the authority from the sale, lease, or other disposition of alternative source or advanced transportation technology facilities, or the making of loans to finance alternative source or advanced transportation technology facilities, and any income or revenue derived from the investment of any money in any fund or account of the authority.

SEC. 5. Section 26011.6 of the Public Resources Code is amended to read:

26011.6. (a) The authority shall establish a renewable energy program to provide financial assistance to public power entities, independent generators, utilities, or businesses manufacturing components or systems, or both, to generate new and renewable energy sources, develop clean and efficient distributed generation, and demonstrate the economic feasibility of new technologies, such as solar, photovoltaic, wind, and ultralow emission equipment. The authority shall give preference to utility-scale projects that can be rapidly deployed to provide a significant contribution as a renewable energy supply.

(b) The authority shall make every effort to expedite the operation of renewable energy systems, and shall adopt regulations for purposes of this section and Section 26011.5 as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For purposes of that Chapter 3.5, including Section 11349.6 of the Government Code, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health and safety, and general welfare. Notwithstanding the 120-day limitation specified in subdivision (e) of Section 11346.1 of the Government Code, the regulations shall be repealed 180 days after their effective date, unless the authority complies with Sections 11346.2 to 11347.3, inclusive, as provided in subdivision (e) of Section 11346.1 of the Government Code.

(c) The authority shall consult with the State Energy Resources Conservation and Development Commission regarding the financing of projects to avoid duplication of other renewable energy projects.

(d) The authority shall ensure that any financed project shall offer its power within California on a long-term contract basis.

CHAPTER 10

An act to add Section 14684 to the Government Code, relating to solar energy.

[Approved by Governor October 5, 2001. Filed with
Secretary of State October 7, 2001.]

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

SECTION 1. The Legislature finds and declares all of the following:

(a) California is experiencing severe electrical shortages, which endanger the health, safety, and economic development opportunity of its citizens.

(b) Immediate measures are needed to increase the electrical generation capacity within California, including energy from solar energy systems.

(c) California has been a leader in the development of solar energy systems.

(d) California must take all reasonable actions necessary to encourage the use of solar energy systems at state buildings and facilities.

SEC. 2. Section 14684 is added to the Government Code, to read:

14684. (a) The department, in consultation with the State Energy Resources Conservation and Development Commission, shall ensure that solar energy equipment is installed, no later than January 1, 2007, on all state buildings and state parking facilities, where feasible. The department shall establish a schedule designating when solar energy equipment will be installed on each building and facility, with priority given to buildings and facilities where installation is most feasible, both for state building and facility use and consumption and local publicly owned electric utility use, where feasible.

(b) Solar energy equipment shall be installed where feasible as part of the construction of all state buildings and state parking facilities that commences after December 31, 2002.

(c) For purposes of this section, it is feasible to install solar energy equipment if adequate space on a building is available, and if the solar energy equipment is cost-effective. funding is available.

(d) No part of this section shall be construed to exempt the state from any applicable fee or requirement imposed by the Public Utilities Commission.

(e) The department may adopt regulations for the purposes of this section as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1. For purposes of Chapter 3.5 (commencing with Section 11340) of Part 1, including, but not limited to, Section 11349.6, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health, safety, and general welfare. Notwithstanding the 120-day limit specified in subdivision (e) of Section 11346.1, the regulations shall be repealed 180 days after their effective date, unless the department complies with Chapter 3.5 (commencing with Section 11340) of Part 1 as provided in subdivision (e) of Section 11346.1.

(f) For purposes of this section, the following terms have the following meanings:

(1) “Cost-effective” means that the present value of the savings generated over the life of the solar energy system, including consideration of the value of the energy produced during peak and off-peak demand periods and the value of a reliable energy supply not subject to price volatility, shall exceed the present value cost of the solar energy equipment by not less than 10 percent. The present value cost of the solar energy equipment does not include the cost of unrelated building components. The department, in making the present value assessment, shall obtain interest rates, discount rates, and consumer price index figures from the Treasurer, and shall take into consideration air emission reduction benefits.

(2) “Local publicly owned electric utility” means a local publicly owned electric utility as defined in Section 9604 of the Public Utilities Code.

(3) “Solar energy equipment” means equipment whose primary purpose is to provide for the collection, conversion, storage, or control of solar energy for electricity generation.

CHAPTER 11

An act to amend Sections 382, 739.1, and 2790 of, and to add Sections 382.1 and 386 to, the Public Utilities Code, relating to public utilities.

[Approved by Governor October 8, 2001. Filed with
Secretary of State October 9, 2001.]

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

SECTION 1. Section 382 of the Public Utilities Code is amended to read:

382. (a) Programs provided to low-income electricity customers, including, but not limited to, targeted energy-efficiency services and the California Alternate Rates for Energy program shall be funded at not less than 1996 authorized levels based on an assessment of customer need.

(b) In order to meet legitimate needs of electric and gas customers who are unable to pay their electric and gas bills and who satisfy eligibility criteria for assistance, recognizing that electricity is a basic necessity, and that all residents of the state should be able to afford essential electricity and gas supplies, the commission shall ensure that low-income ratepayers are not jeopardized or overburdened by monthly energy expenditures. Energy expenditure may be reduced through the establishment of different rates for low-income ratepayers, different levels of rate assistance, and energy efficiency programs.

(c) Nothing in this section shall be construed to prohibit electric and gas providers from offering any special rate or program for low-income ratepayers that is not specifically required in this section.

(d) The commission shall allocate funds necessary to meet the low-income objectives in this section.

(e) Beginning in 2002, an assessment of the needs of low-income electricity and gas ratepayers shall be conducted periodically by the commission with the assistance of the Low-Income Oversight Board. The assessment shall evaluate low-income program implementation and the effectiveness of weatherization services and energy efficiency measures in low-income households. The assessment shall consider whether existing programs adequately address low-income electricity and gas customers' energy expenditures, hardship, language needs, and economic burdens.

SEC. 2. Section 382.1 is added to the Public Utilities Code, to read:

382.1. (a) There is hereby established a Low-Income Oversight Board that shall advise the commission on low-income electric and gas customer issues and shall serve as a liaison for the commission to low-income ratepayers and representatives. The Low-Income Oversight Board shall replace the Low-Income Advisory Board in existence on January 1, 2000. The Low-Income Oversight Board shall do all of the following to advise the commission regarding the commission's duties:

(1) Monitor and evaluate implementation of all programs provided to low-income electricity and gas customers.

(2) Assist in the development and analysis of any assessments of low-income electricity and gas customer need.

(3) Encourage collaboration between state and utility programs for low-income electricity and gas customers to maximize the leverage of state and federal energy efficiency funds to both lower the bills and increase the comfort of low-income customers.

(4) Provide reports to the Legislature, as requested, summarizing the assessment of need, audits, and analysis of program implementation.

(5) Assist in streamlining the application and enrollment process of programs for low-income electricity and gas customers with general low-income programs, including, but not limited to, the Universal Lifeline Telephone Service (ULTS) program.

(6) Encourage the usage of the network of community service providers in accordance with Section 381.5.

(b) The Low-Income Oversight Board shall be comprised of nine members to be selected as follows:

(1) Four members selected by the commission who have expertise in the low-income community and who are not affiliated with any state agency or utility group. These members shall be selected in a manner to ensure an equitable geographic distribution.

(2) One member selected by the Governor.

(3) One member selected by the commission who is a commissioner or commissioner designee.

(4) One member selected by the Department of Community Services and Development.

(5) One member selected by the commission who is a representative of private weatherization contractors.

(6) One member selected by the commission who is a representative of an electrical or gas corporation.

(c) The Low-Income Oversight Board shall alternate meeting locations between northern, central, and southern California.

(d) The Low-Income Oversight Board may establish a technical advisory committee consisting of low-income service providers, utility representatives, consumer organizations, and commission staff, to assist the board and may request utility representatives and commission staff to assist the technical advisory committee.

(e) The commission shall do all of the following in conjunction with the board:

(1) Work with the board, interested parties, and community-based organizations to increase participation in programs for low-income customers.

(2) Provide technical support to the board.

(3) Ensure that the energy burden of low-income electricity and gas customers is reduced.

(4) Provide formal notice of board meetings in the commissions' daily calendar.

(f) (1) Members of the board and members of the technical advisory committee shall be eligible for compensation in accordance with state guidelines for necessary travel.

(2) Members of the board and members of the technical advisory committee who are not salaried state service employees shall be eligible for reasonable compensation for attendance at board meetings.

(3) All reasonable costs incurred by the board, including, staffing, travel, and administrative costs, shall be reimbursed through the public utilities reimbursement account and shall be part of the budget of the commission and the commission shall consult with the board in the preparation of that portion of the commission's annual proposed budget.

SEC. 3. Section 386 is added to the Public Utilities Code, to read:

386. (a) Each local publicly owned electric utility shall ensure the following:

(1) Low-income families within the utility's service territory have access to affordable electricity.

(2) The current level of assistance reflects the level of need.

(3) Low-income families are afforded no-cost and low-cost energy efficiency measures that reduce energy consumption.

(b) The local publicly owned electric utility shall consider increasing the level of the discount or raising the eligibility level for any existing rate assistance program to be reflective of customer need.

(c) A publicly owned electric utility shall streamline enrollment for low-income programs by collaborating with existing providers for the Low-Income Home Energy Assistance Program (LIHEAP) and other electric or gas providers within the same service territory.

(d) A local publicly owned electric utility shall establish participation goals for its rate assistance program participation.

SEC. 4. Section 739.1 of the Public Utilities Code is amended to read:

739.1. (a) The commission shall establish a program of assistance to low-income electric and gas customers, the cost of which shall not be borne solely by any single class of customer. The program shall be referred to as the California Alternate Rates for Energy or CARE program. The commission shall ensure that the level of discount for low-income electric and gas customers correctly reflects the level of need.

(b) The commission shall work with the public utility electrical and gas corporations to establish penetration goals. The commission shall authorize recovery of all administrative costs associated with the implementation of the CARE program that the commission determines to be reasonable, through a balancing account mechanism. Administrative costs shall include, but are not limited to, outreach, marketing, regulatory compliance, certification and verification, billing, measurement and evaluation, and capital improvements and upgrades to communications and processing equipment.

(c) The commission shall examine methods to improve CARE enrollment and participation. This examination shall include, but need not be limited to, comparing information from CARE and the Universal Lifeline Telephone Service (ULTS) to determine the most effective means of utilizing that information to increase CARE enrollment, automatic enrollment of ULTS customers who are eligible for the CARE program, customer privacy issues, and alternative mechanisms for outreach to potential enrollees. The commission shall ensure that a customer consents prior to enrollment. The commission shall consult with interested parties, including ULTS providers, to develop the best methods of informing ULTS customers about other available low-income programs, as well as the best mechanism for telephone providers to recover reasonable costs incurred pursuant to this section.

(d) The commission shall improve the CARE application process. To the extent possible, the commission shall develop a CARE application

process using the existing ULTS application process as a model. The commission shall work with public utility electrical and gas corporations and the Low-Income Oversight Board established in Section 382.1 to meet the low-income objectives in this section.

(e) The commission’s program of assistance to low-income electric and gas customers shall, as soon as practicable, include nonprofit group living facilities specified by the commission, if the commission finds that the residents in these facilities substantially meet the commission’s low-income eligibility requirements and there is a feasible process for certifying that the assistance shall be used for the direct benefit, such as improved quality of care or improved food service, of the low-income residents in the facilities. The commission shall authorize utilities to offer discounts to eligible facilities licensed or permitted by appropriate state or local agencies, and to facilities, including women’s shelters, hospices, and homeless shelters, that may not have a license or permit but provide other proof satisfactory to the utility that they are eligible to participate in the program.

(f) It is the intent of the Legislature that the commission ensure CARE program participants are afforded the lowest possible electric and gas rates and, to the extent possible, are exempt from additional surcharges attributable to the current energy crisis.

SEC. 5. Section 2790 of the Public Utilities Code is amended to read:

2790. (a) The commission shall require an electrical or gas corporation to perform home weatherization services for low-income customers, as determined by the commission under Section 739, if the commission determines that a significant need for those services exists in the corporation’s service territory, taking into consideration both the cost-effectiveness of the services and the policy of reducing the hardships facing low-income households.

(b) (1) For purposes of this section, “weatherization” may include, where feasible, any of the following measures for any dwelling unit:

- (A) Attic insulation.
- (B) Caulking.
- (C) Weatherstripping.
- (D) Low flow showerhead.
- (E) Waterheater blanket.
- (F) Door and building envelope repairs that reduce air infiltration.

(2) The commission shall direct any electrical or gas corporation to provide as many of these measures as are feasible for each eligible low-income dwelling unit.

(c) “Weatherization” may also include other building conservation measures, energy-efficient appliances, and energy education programs determined by the commission to be feasible, taking into consideration

for all measures both the cost-effectiveness of the measures as a whole and the policy of reducing energy-related hardships facing low-income households.

(d) Weatherization programs shall use the needs assessment pursuant to Section 382.1 to maximize efficiency of delivery.

SEC. 6. 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.

CHAPTER 12

An act to add and repeal Sections 17053.84 and 23684 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

[Approved by Governor October 8, 2001. Filed with
Secretary of State October 9, 2001.]

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

SECTION 1. Section 17053.84 is added to the Revenue and Taxation Code, to read:

17053.84. (a) For each taxable year beginning on or after January 1, 2001, and before January 1, 2004, there shall be allowed as a credit against the "net tax," as defined in Section 17039, an amount equal to the lesser of 15 percent of the cost that is paid or incurred by a taxpayer, after deducting the value of any other municipal, state, or federal sponsored financial incentives, during the taxable year for the purchase and installation of any solar energy system installed on property in this state, or the applicable dollar amount per rated watt of that solar energy system, as determined by the Franchise Tax Board in consultation with the State Energy Resources Conservation and Development Commission.

(b) For each taxable year beginning on or after January 1, 2004, and before January 1, 2006, there shall be allowed as a credit against the "net tax," as defined in Section 17039, an amount equal to the lesser of 7.5 percent of the cost that is paid or incurred by a taxpayer, after deducting the value of any other municipal, state, or federal sponsored financial

incentives, during the taxable year for the purchase and installation of any solar energy system installed on property in this state, or the applicable dollar amount per rated watt of that solar energy system, as determined by the Franchise Tax Board in consultation with the State Energy Resources Conservation and Development Commission.

(c) For purposes of this section:

(1) “Applicable dollar amount” means four dollars and fifty cents (\$4.50) for any taxable year beginning on or after January 1, 2001, and before January 1, 2006.

(2) “Solar energy system” means a solar energy device, in the form of either a photovoltaic or wind-driven system, with a peak generating capacity of up to, but not more than 200 kilowatts, used for the individual function of generating electricity, that is certified by the State Energy Resources Conservation and Development Commission and installed with a five-year warranty against breakdown or undue degradation.

(3) A credit may be allowed under this section with respect to only one solar energy system per each separate legal parcel of property or per each address of the taxpayer in the state.

(4) No credit may be allowed under this section unless the solar energy system is actually used for purposes of producing electricity and primarily used to meet the taxpayer’s own energy needs.

(d) No other credit and no deduction may be allowed under this part for any cost for which a credit is allowed by this section. The basis of the solar energy system shall be reduced by the amount allowed as a credit under subdivision (a) or (b).

(e) No credit shall be allowed to any taxpayer engaged in those lines of business described in Sector 22 of the North American Industry Classification System (NAICS) Manual published by the United States Office of Management and Budget, 1997 edition.

(f) If any solar energy system for which a credit is allowed pursuant to this section is thereafter sold or removed from this state within one year from the date the solar energy system is first placed in service in this state, the amount of credit allowed by this section for that solar energy system shall be recaptured by adding that credit amount to the net tax of the taxpayer for the taxable year in which the solar energy system is sold or removed.

(g) In the case where the credit allowed by this section exceeds the “net tax,” the excess may be carried over to reduce the “net tax” in the following year, and the succeeding seven years if necessary, until the credit is exhausted.

(h) This section shall remain in effect only until December 1, 2006, and as of that date is repealed.

SEC. 2. Section 23684 is added to the Revenue and Taxation Code, to read:

23684. (a) For each taxable year beginning on or after January 1, 2001, and before January 1, 2004, there shall be allowed as a credit against the "tax," as defined in Section 23036, an amount equal to the lesser of 15 percent of the cost that is paid or incurred by a taxpayer, after deducting the value of any other municipal, state, or federal sponsored financial incentives, during the taxable year for the purchase and installation of any solar energy system installed on property in this state, or the applicable dollar amount per rated watt of that solar energy system, as determined by the Franchise Tax Board in consultation with the State Energy Resources Conservation and Development Commission.

(b) For each taxable year beginning on or after January 1, 2004, and before January 1, 2006, there shall be allowed as a credit against the "net tax," as defined in Section 17039, an amount equal to the lesser of 7.5 percent of the cost that is paid or incurred by a taxpayer, after deducting the value of any other municipal, state, or federal sponsored financial incentives, during the taxable year for the purchase and installation of any solar energy system installed on property in this state, or the applicable dollar amount per rated watt of that solar energy system, as determined by the Franchise Tax Board in consultation with the State Energy Resources Conservation and Development Commission.

(c) For purposes of this section:

(1) "Applicable dollar amount" means four dollars and fifty cents (\$4.50) for any taxable year beginning on or after January 1, 2001, and before January 1, 2006.

(2) "Solar energy system" means a solar energy device, in the form of either a photovoltaic or wind-driven system, with a peak generating capacity of up to, but not more than 200 kilowatts, used for the individual function of generating electricity, that is certified by the State Energy Resources Conservation and Development Commission and installed with a five-year warranty against breakdown or undue degradation.

(3) A credit may be allowed under this section with respect to only one solar energy system per each separate legal parcel of property or per each address of the taxpayer in the state.

(4) No credit may be allowed under this section unless the solar energy system is actually used for purposes of producing electricity and is primarily used to meet the taxpayer's own energy needs.

(d) No other credit and no deduction may be allowed under this part for any cost for which a credit is allowed by this section. The basis of the solar energy system shall be reduced by the amount allowed as a credit under subdivision (a) or (b).

(e) No credit may be allowed to any taxpayer engaged in those lines of business described in Sector 22 of the North American Industry Classification System (NAICS) Manual published by the United States Office of Management and Budget, 1997 edition.

(f) If any solar energy system for which a credit is allowed pursuant to this section is thereafter sold or removed from this state within one year from the date the solar energy system is first placed in service in this state, the amount of credit allowed by this section for that solar energy system shall be recaptured by adding that credit amount to the tax of the taxpayer for the taxable year in which the solar energy system is sold or removed.

(g) In the case where the credit allowed by this section exceeds the “tax,” the excess may be carried over to reduce the “tax” in the following year, and the succeeding seven years if necessary, until the credit is exhausted.

(h) This section shall remain in effect only until December 1, 2006, and as of that date is repealed.

SEC. 3. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 13

An act to add and repeal Sections 8571.5 and 8571.6 of the Government Code, relating to public health emergency conditions, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 9, 2001. Filed with
Secretary of State October 10, 2001.]

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Businesses and citizens of the state are experiencing the effects of an energy crisis that are widespread and unprecedented.

(b) These effects include a lack of an adequate supply of electricity to sustain normal day-to-day, and hour-to-hour demand, coupled with the economic reality of the laws of supply and demand.

(c) The lack of an adequate supply of electricity has resulted in the requirement for utilities and related energy exchange managers to implement interruptible load programs designed to limit power through rotating outages (blackouts) to customers during those periods when electricity is in short supply.

(d) These outages are a vital tool in protecting the state from widespread electrical system collapse when demand for electricity exceeds supply.

(e) This summer, California is facing the possibility of frequent rotating electrical outages.

(f) Skilled nursing facilities are licensed health care facilities that care for the state's most fragile and vulnerable citizens.

(g) The physical infrastructure and related systems of these licensed health facilities are governed by building and fire and life safety code requirements regulated by the office of Statewide Health Planning and Development and the office of the State Fire Marshal.

(h) This regulation includes all systems powered by or related to electricity.

(i) Licensed health facilities also have specific requirements with respect to an Essential Electrical System.

(j) In addition to the Essential Electrical System requirements, care of patients requires the use of technical medical equipment such as ventilators, intravenous pumps, and other medical devices that are designed to sustain residents' vital functions and require electrical power in order to operate.

(k) Licensed health facilities are located throughout all areas of California with diverse differences in climate which are subject to extreme heat or cold depending on the season of the year.

(l) The environmental climate infrastructure within these licensed health facilities is aging and energy inefficient.

(m) Licensed health facilities are required to have emergency power requirements to sustain the Essential Electrical System and related systems during loss of electrical power. However, these emergency power requirements are designed for infrequent interruption and may not be sustainable during frequent interruption and backup requirements.

(n) The older emergency power sources of licensed health facilities are not designed or equipped to power more modern energy efficient systems.

(o) Licensed health care facilities under normal business conditions are required to go through a building application and plan check process under the jurisdiction of the Office of Statewide Health Planning and Development.

(p) This process is bureaucratically efficient, but is subject to inherent delays impacting timely approvals of projects.

(q) Only certain utility customers such as hospitals, fire and police stations, and air traffic control facilities are classified as essential customers and are exempt from rotating outages.

(r) Many other customers, including skilled nursing facilities, have requested and petitioned the Public Utilities Commission (PUC) to be classified as essential, therefore, exempt from the possibility of frequent rotating blackouts during the summer of 2001.

(s) The number of customers that can be exempted is severely limited due to the necessity of maintaining a reasonable pool of customers from which to draw for rotating outages.

(t) On May 21, 2001, the Public Utilities Commission rendered an order in the matter of these requests by establishing a process for application to be used for a new category entitled essential customer normally exempt from rotating outages.

(u) Although skilled nursing facilities will be allowed to apply under this new classification, the process is onerous and timing may be problematic, thus subjecting skilled nursing facilities to the pool of customers subject to such required outages.

(v) The summer of 2001 holds great potential for harm to the health and safety of the residents of skilled nursing facilities unless rotating outages can either be eliminated, or facilities are allowed to immediately move forward with implementing preventive measures such as improving environmental systems, such as heating and air-conditioning and improving emergency power requirements.

SEC. 2. Section 8571.5 is added to the Government Code, to read:

8571.5. (a) When extraordinary conditions exist within the state relating to an inadequate supply of energy that has a strong potential for causing harm to the health and safety of residents of long-term health care facilities, as that term is used in Chapter 2.4 (commencing with Section 1417) of Division 2 of the Health and Safety Code, the Governor by executive order, or the Director of the Office of Statewide Health Planning and Development, may suspend enforcement of laws and regulations related to construction or renovation of existing long-term health care facilities. This section does not permit the suspension of the implementation of any provision of the Labor Code.

(b) The suspension authority provided under this section shall extend only to projects designed to cope with an energy shortage or enhance energy conservation. Any suspension implemented pursuant to subdivision (a), shall only remain in effect for the duration of the condition necessitating the need for the suspension or until the potential for harm caused by the condition creating the emergency situation no longer exists.

(c) A listing of the specific laws and regulations suspended and the specific conditions not subject to the suspension referenced in subdivision (d), shall be defined by the Director of the Office of Statewide Health Planning and Development no later than 15 days after the issuance of the executive order pursuant to subdivision (a).

(d) This section shall not permit the suspension of the life safety requirements of the Office of Statewide Health Planning and Development and the office of the State Fire Marshal where the suspension would pose a greater danger than the situation caused by the extraordinary condition and the proposed action the licensee seeks to use to mitigate the potential harm or danger caused by the extraordinary condition.

(e) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

SEC. 3. Section 8571.6 is added to the Government Code, to read:

8571.6. (a) The Office of Statewide Health Planning and Development, in consultation with the office of the State Fire Marshal, shall establish specific laws and regulations from which exemptions may be granted pursuant to Section 8571.5 to long-term health care facilities, as that term is used in Chapter 2.4 (commencing with Section 1417) of Division 2 of the Health and Safety Code.

(b) The establishment of a list of exemptions pursuant to subdivision (a) shall not preclude the Governor or the Director of the Office of Statewide Health Planning and Development from adopting additional exemptions pursuant to an executive order issued pursuant to Section 8571.5.

(c) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

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 immediately protect the elderly and disabled residents who reside in the state's 1,200 skilled nursing facilities and who are dependent on the facilities' ability to provide quality care in a safe, low stress environment, and to maintain temperature control, lighting, infection control, and the use of technologically advanced medical equipment, it is necessary that this act take effect immediately.

CHAPTER 14

An act to amend Section 625 of the Public Utilities Code, relating to energy.

[Approved by Governor October 11, 2001. Filed with
Secretary of State October 12, 2001.]

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

SECTION 1. Section 625 of the Public Utilities Code is amended to read:

625. (a) (1) (A) For the purpose of this article, except as specified in paragraph (4), a public utility that offers competitive services may not

condemn any property for the purpose of competing with another entity in the offering of those competitive services, unless the commission finds that such an action would serve the public interest, pursuant to a petition or complaint filed by the public utility, personal notice of which has been served on the owners of the property to be condemned, and an adjudication hearing in accordance with Chapter 9 (commencing with Section 1701), including an opportunity for the public to participate.

(B) The requirements of this section do not apply to the condemnation of any property that is necessary solely for an electrical company or gas corporation to meet its commission-ordered obligation to serve. Proposed exercises of eminent domain by electrical or gas corporations that initially, or subsequently, acquire property for either commission-ordered electrical corporation obligation to serve and competitive telecommunications services or gas corporation obligation to serve and telecommunications services are subject to paragraph (2) of subdivision (b). For property acquired through the exercise of eminent domain after January 1, 2000, by an electrical or gas corporation solely to meet its commission-ordered obligation to serve, any electrical or gas corporation, or subsidiary or affiliate, that intends to install telecommunication equipment on the property for the purpose of providing competitive telecommunications services shall provide notice for the planned installation in the commission calendar.

(2) (A) Before making a finding pursuant to this subdivision, the commission shall conduct the hearing in the local jurisdiction that would be affected by the proposed condemnation. The hearing shall commence within 45 days of the date that the petition or complaint is filed, unless the respondent establishes that an extension of not more than 30 days is necessary for discovery or other hearing preparation. The commission shall provide public notice of the hearing pursuant to the procedures of the commission and shall also notify the local jurisdiction. In addition, the commission shall provide the local jurisdiction with copies of the notice of hearing in time for the local jurisdiction to mail that notice at least seven days in advance of the hearing to all persons who have requested copies of the local jurisdiction's agenda or agenda packet pursuant to Section 54954.1 of the Government Code.

(B) For purposes of subparagraph (A), "local jurisdiction" means each city within whose boundaries property sought to be taken by eminent domain is located, and if property sought to be taken is not located within city boundaries, each county within whose boundaries that property is located. However, where there is more than one local jurisdiction with respect to a single complaint or petition, the commission shall provide notice and copies of notices for mailing to all local jurisdictions involved, but shall hold only a single hearing in any one of those local jurisdictions.

(3) (A) The assigned commissioner or administrative law judge shall render a decision on making a finding in accordance with this subdivision within 45 days of the conclusion of the hearing, unless further briefing is ordered, in which event this period may be extended by up to 30 additional days to allow for briefing.

(B) If the rendering of a decision pursuant to this subdivision requires review under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), then the time limits contained in subparagraph (A) of paragraph (2) and subparagraph (A) of paragraph (3) shall be extended as needed to accommodate that review.

(4) This subdivision and Section 626 do not apply to a railroad corporation, a refined petroleum product common carrier pipeline corporation, or a water corporation.

(b) The commission may make a finding pursuant to subdivision (a) if, in the determination of the commission, either of the following conditions is met:

(1) The proposed condemnation is necessary to provide service as a provider of last resort to an unserved area, except when there are competing offers from facility-based carriers to serve that area.

(2) The public utility is able to show all of the following with regard to the proposed condemnation:

(A) The public interest and necessity require the proposed project.

(B) The property to be condemned is necessary for the proposed project.

(C) The public benefit of acquiring the property by eminent domain outweighs the hardship to the owners of the property.

(D) The proposed project is located in a manner most compatible with the greatest public good and least private injury.

(c) The commission shall develop procedures to facilitate access for affected property owners to eminent domain proceedings pursuant to this section, and to facilitate the participation of those owners in those proceedings.

(d) Nothing in this section relieves a public utility from complying with Section 1240.030 of the Code of Civil Procedure or any other requirement imposed by law.

(e) A public utility that does not comply with this section may not exercise the power of eminent domain, including, but not limited to, any authority provided by Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure.

(f) The authority provided in this section supplements, and does not replace or otherwise affect any other limitation in law on the exercise of the power of eminent domain, including, but not limited to, any

authority provided by Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure.

(g) (1) At the request of a public utility gas corporation, the commission shall hold the local hearing required in subparagraphs (A) and (B) of paragraph (2) of subdivision (a) and make and certify the finding required by paragraph (1) of subdivision (a) as part of the procedure to issue a certificate of public convenience and necessity.

(2) Notwithstanding any other provision of law, if the commission holds public hearings during the certification procedure for the purpose of making the determination required under paragraph (2) of subdivision (b), the commission shall have an additional 45 days beyond the date of any otherwise applicable statutory or regulatory deadline for making a determination.

CHAPTER 15

An act to amend Section 32960 of the Financial Code, to amend Sections 25415 and 25443 of the Public Resources Code, and to amend Section 353.13 of the Public Utilities Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 11, 2001. Filed with
Secretary of State October 12, 2001.]

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

SECTION 1. Section 32960 of the Financial Code is amended to read:

32960. This chapter shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 25415 of the Public Resources Code is amended to read:

25415. (a) Each eligible institution to which an allocation has been made under this chapter shall repay the principal amount of the allocation, plus interest, in not more than 22 equal semiannual payments, as determined by the commission. The first semiannual payment shall be made on or before December 22 of the fiscal year following the year in which the project is completed.

(b) Notwithstanding any other provision of law, the commission shall, unless it determines that the purposes of this chapter would be better served by establishing an alternative interest rate schedule,

periodically set interest rates on the loans based on surveys of existing financial markets and at rates not less than 3 percent per annum.

(c) The governing body of each eligible institution shall annually budget an amount at least sufficient to make the semiannual payments required in this section. The amount shall not be raised by the levy of additional taxes but shall instead be obtained by a savings in energy costs.

SEC. 3. Section 25443 of the Public Resources Code is amended to read:

25443. (a) Principal and interest payments on loans under this article shall be returned to the commission and shall be used to make additional loans to local jurisdictions pursuant to Section 25442 or to provide financial assistance to local jurisdictions pursuant to Section 25441.

(b) Notwithstanding any other provision of law, the commission shall, unless it determines that the purposes of this chapter would be better served by establishing an alternative interest rate schedule, periodically set interest rates on the loans based on surveys of existing financial markets and at rates not less than 3 percent per annum.

SEC. 4. Section 353.13 of the Public Utilities Code is amended to read:

353.13. (a) The commission shall require each electrical corporation to establish new tariffs on or before January 1, 2003, for customers using distributed energy resources, including, but not limited to, those that do not meet all of the criteria described in Section 353.1. However, after January 1, 2003, distributed energy resources that meet all of the criteria described in Section 353.1 shall continue to be subject only to those tariffs in existence pursuant to Section 353.3, until June 1, 2011, except that installations that do not operate in a combined heat and power application will be subject to those tariffs in existence pursuant to Section 353.3 only until June 1, 2006. Those tariffs required pursuant to this section shall ensure that all net distribution costs incurred to serve each customer class, taking into account the actual costs and benefits of distributed energy resources, proportional to each customer class, as determined by the commission, are fully recovered only from that class. The commission shall require each electrical corporation, in establishing those rates, to ensure that customers with similar load profiles within a customer class will, to the extent practicable, be subject to the same utility rates, regardless of their use of distributed energy resources to serve onsite loads or over-the-fence transactions allowed under Sections 216 and 218. Customers with dedicated facilities shall remain responsible for their obligations regarding payment for those facilities.

(b) The commission shall prepare and submit to the Legislature, on or before June 1, 2002, a report describing its proposed methodology for

determining the new rates and the process by which it will establish those rates.

(c) In establishing the tariffs, the commission shall consider coincident peakload, and the reliability of the onsite generation, as determined by the frequency and duration of outages, so that customers with more reliable onsite generation and those that reduce peak demand pay a lower cost-based rate.

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 implement energy conservation and efficiency measures as soon as possible, to protect the public peace, health, and safety, it is necessary that this act take effect immediately.

CHAPTER 16

An act to amend Section 335 of, and to add and repeal Sections 341.6, 342, and 9613 of, the Public Utilities Code, relating to public utilities.

[Approved by Governor October 11, 2001. Filed with
Secretary of State October 12, 2001.]

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

SECTION 1. Section 335 of the Public Utilities Code is amended to read:

335. In order to ensure that the interests of the people of California are served, a five-member Electricity Oversight Board is hereby created as provided in Section 336. For purposes of this chapter, any reference to the Oversight Board shall mean the Electricity Oversight Board. Its functions shall be all of the following:

(a) To oversee the Independent System Operator and the Power Exchange.

(b) To determine the composition and terms of service and to exercise the exclusive right to decline to confirm the appointments of specific members of the governing board of the Power Exchange.

(c) To serve as an appeal board for majority decisions of the Independent System Operator governing board, as they relate to matters subject to exclusive state jurisdiction, as specified in Section 339.

(d) Those members of the Power Exchange governing board whose appointments the Oversight Board has the exclusive right to decline to confirm include proposed governing board members representing

agricultural end users, industrial end users, commercial end users, residential end users, end users at large, nonmarket participants, and public interest groups.

(e) To investigate any matter related to the wholesale market for electricity to ensure that the interests of California's citizens and consumers are served, protected, and represented in relation to the availability of electric transmission and generation and related costs, during periods of peak demand.

SEC. 2. Section 341.6 is added to the Public Utilities Code, to read:

341.6. (a) The Oversight Board may direct the inspection or reproduction of records, data, accounts, books, or documents of the Independent System Operator or the Power Exchange that are reasonably related to the public interest of the people of California, including, but not limited to, the reliability, availability, and cost of electric service to California consumers.

(b) The Oversight Board may direct the Independent System Operator to report to the Oversight Board on those matters and at those times as the Oversight Board determines are necessary and appropriate to the exercise of its public oversight duties.

(c) Information received by the Oversight Board pursuant to this section shall be held in confidence by the Oversight Board or aggregated to the extent necessary to assure confidentiality if public disclosure of the specific information or data would result in unfair competitive disadvantage to the person supplying the information.

(d) (1) Whenever the Oversight Board receives a request to publicly disclose unaggregated information, notice of the request or proposal shall be provided to the person submitting the information to the Oversight Board through the Independent System Operator. The notice shall indicate the form in which the information is to be released. Upon receipt of notice, the person submitting the information shall have 10 working days in which to respond to the notice to justify the claim of confidentiality on each specific item of information covered by the notice on the basis that public disclosure of the specific information would result in unfair competitive disadvantage to the person supplying the information.

(2) The Oversight Board shall consider the respondent's submittal in determining whether to publicly disclose the information submitted to it for which a claim of confidentiality is made. The Oversight Board shall issue a written decision that sets forth its reasons for making the determination whether each item of information for which a claim of confidentiality is made shall remain confidential or shall be publicly disclosed.

(e) The Oversight Board may not make public disclosure of information submitted to it pursuant to this section until 10 working days

after the Oversight Board has issued its written decision required in this section.

(f) No information submitted to the Oversight Board pursuant to this section shall be deemed confidential if the person submitting the information or data has made it public.

(g) With respect to information submitted by the Independent System Operator to the Oversight Board pursuant to this section, neither the Oversight Board nor any employee of the Oversight Board shall do any of the following:

(1) Use the information furnished to the Oversight Board for any purpose other than the purpose for which it is supplied.

(2) Make any publication whereby the information furnished by any particular entity or individual to the Independent System Operator can be identified.

(3) Permit anyone other than members or employees of the Oversight Board to examine the information.

(h) The Oversight Board shall disclose to the commission any information requested by the commission for the purpose of implementing this division. The commission shall treat information received pursuant to this section in accordance with Section 583 and shall specifically provide for the confidentiality of records and protection of propriety information. With respect to the information it receives from the Oversight Board, the commission shall be subject to the pertinent provisions of this section.

(i) The Oversight Board may adopt emergency regulations to implement this section in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The adoption of emergency regulations pursuant to this section shall be deemed an emergency and considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health, and safety, or general welfare.

(j) This section shall remain in effect until the earlier of either of the following occurs, and as of that date is repealed:

(1) (A) A determination is made and notice thereof is provided pursuant to subparagraph (B).

(B) Upon a determination by the Attorney General that the Oversight Board has been abolished, or merged with, or replaced by, another agency, or that the functions of the Oversight Board have been duplicated by statute, executive order, or otherwise, the Attorney General shall submit a notice of that determination to the Secretary of State, and this section shall be repealed upon the receipt of that notice by the Secretary of State.

(2) January 1, 2003.

SEC. 3. Section 342 is added to the Public Utilities Code, to read:

342. (a) The Legislature finds and declares that electric generation and transmission facilities are critical infrastructure and their predictable availability is essential to the public welfare.

(b) Electric generation and transmission facilities shall be subject to standards related to their availability, in accordance with this section.

(c) Owners or operators of electric generating facilities in the State of California shall comply with all protocols and standards approved or established pursuant to this chapter.

(d) On or before March 1, 2002, the Oversight Board, in consultation with the commission and the Independent System Operator, shall prepare and adopt protocols for the scheduling of transmission and generation equipment outages for the purposes of maintenance, repair, or upgrade.

(e) The Oversight Board, in consultation with the commission and the Independent System Operator, shall prepare and adopt a schedule of transmission and generation equipment outages according to the protocols adopted pursuant to subdivision (d).

(f) The Oversight Board shall direct the Independent System Operator to develop and submit to the Oversight Board and the commission proposed generation facility maintenance, operating, and availability standards for generator units with a rated maximum capacity of 10 megawatts or greater. The Oversight Board shall adopt and may, as necessary, make revisions to, the standards. In developing standards, the Oversight Board and the Independent System Operator shall take into consideration generation facilities scheduled for retirement and valid warranties on generation facilities. The commission may adopt these standards and ensure compliance with these standards of owners and operators of generation facilities subject to its jurisdiction. Nothing in this subdivision shall be construed to limit the commission's authority to develop facility maintenance, operating, and availability standards for generation facilities under the commission's jurisdiction.

(g) Nothing in this section shall result in the modification, delay, or abrogation of any deadline, standard, rule, or regulation adopted by a federal, state, or local agency for the purposes of protecting public health or the environment, including, but not limited to, any requirements imposed by the State Air Resources Board or by an air pollution control district or an air quality management district pursuant to Division 26 (commencing with Section 39000) of the Health and Safety Code. The Oversight Board shall consult with the State Air Resources Board and the appropriate local air pollution control districts and air quality management districts to coordinate scheduled outages to provide for compliance with those retrofits.

(h) The Independent System Operator shall maintain records of generation facility outages and shall provide those records, and any additional information as determined by the Oversight Board, to the Oversight Board and the commission on a daily basis. Each entity that owns or operates an electric generating unit in California with a rated maximum capacity of 10 megawatts or greater, shall provide a monthly report to the Independent System Operator that identifies any periods during the preceding month when the unit was unavailable to produce electricity or was available only at reduced capacity. The report shall identify the reasons for any such unscheduled unavailability or reduced capacity. The Independent System Operator shall immediately transmit the information to the Oversight Board and the commission.

(i) The commission, in consultation with the Oversight Board, shall adopt a penalty schedule applicable to any person or entity who is in violation of any provision of this article.

(j) The Oversight Board may request the commission to undertake proceedings related to assessing monetary penalties for noncompliance. Nothing in this subdivision shall be construed to limit the commission's authority to initiate its own action for noncompliance.

(k) The Oversight Board, in consultation with the commission, may seek an injunction from a court of competent jurisdiction to require compliance with this section. This subdivision shall not limit any authority of the commission to seek injunctions within its jurisdiction.

(l) Except as provided in Section 9613, notwithstanding any other provision of law, neither the provisions of this section, nor any rules, regulations, standards, or protocols issued in furtherance of this section, nor the penalties described in subdivisions (i) and (j), shall apply to any of the following:

(1) A local publicly owned electric utility, as defined in subdivision (d) of Section 9604.

(2) Any public agency that may generate electricity incidental to the provision of water or wastewater treatment.

(m) (1) Except as otherwise provided in this subdivision, this section shall not apply to nuclear powered generating facilities that are federally regulated and subject to standards developed by the Nuclear Regulatory Commission, and that participate as members of the Institute of Nuclear Power Operations.

(2) The owner or operator of a nuclear powered generating facility shall file with the Oversight Board and the commission an annual schedule of maintenance, including repairs and upgrades, updated quarterly, for each generating facility. The owner or operator of a nuclear powered generating facility shall make good faith efforts to conduct its maintenance in compliance with its filed plan and shall report to the Oversight Board any significant variations from its filed plan.

(3) The owner or operator of a nuclear powered generating facility shall report on a monthly basis to the Oversight Board and the commission all actual planned and unplanned outages of each facility during the preceding month. The owner or operator of a nuclear powered generating facility shall report on a daily basis to the Oversight Board the daily operational status and availability of each facility.

(n) (1) Except as otherwise provided in this subdivision, this section shall not apply to a qualifying small power production facility or a qualifying cogeneration facility within the meaning of Sections 201 and 210 of Title II of the federal Public Utility Regulatory Policies Act of 1978 (16 U.S.C.A. Secs. 796(17), 796(18), and 824a-3), and the regulations adopted pursuant to those sections by the Federal Energy Regulatory Commission (18 C.F.R. Secs. 292.101 to 292.602, inclusive), nor shall this section apply to other generation units installed, operated, and maintained at a customer site exclusively to serve that customer's load.

(2) An electrical corporation that has a contract with a qualifying small power production facility, or a qualifying cogeneration facility, with a name plate rating of 10 megawatts or greater shall report to the Oversight Board and the commission maintenance schedules for each facility, including all actual planned and unplanned outages of the facility and the daily operational status and availability of the facility. Each facility with a name plate rating of 10 megawatts or greater shall be responsible for directly reporting to the Oversight Board maintenance schedules for each facility, including all actual planned and unplanned outages of the facility and the daily operational status and availability of the facility, if that information is not provided to the electrical corporation pursuant to a contract.

(o) This section shall remain in effect until the earlier of either of the following occurs, and as of that date is repealed:

(1) (A) A determination is made and notice thereof is provided pursuant to subparagraph (B).

(B) Upon a determination by the Attorney General that the Oversight Board has been abolished, or merged with, or replaced by, another agency, or that the functions of the Oversight Board have been duplicated by statute, executive order, or otherwise, the Attorney General shall submit a notice of that determination to the Secretary of State, and this section shall be repealed upon the receipt of that notice by the Secretary of State.

(2) January 1, 2003.

SEC. 4. Section 9613 is added to the Public Utilities Code, to read: 9613. (a) Each local publicly owned electric utility, or public agency that may generate electricity incidental to the provision of water or wastewater treatment, shall file with the Oversight Board an annual

schedule of maintenance, updated quarterly, for all generation units with a rated maximum capacity of 10 megawatts or greater and all transmission facilities. A local publicly owned electric utility, or public agency that may generate electricity incidental to the provision of water or wastewater treatment, shall make good faith efforts to conduct its maintenance in compliance with its filed plan and shall report to the Oversight Board any significant variations from its filed plan.

(b) Each local publicly owned electric utility, or public agency that may generate electricity incidental to the provision of water or wastewater treatment that owns or operates generation units with a rated maximum of 10 megawatts or greater or transmission facilities shall report on a monthly basis to the Oversight Board all actual planned and unplanned outages of those generating units and transmission facilities during the preceding month.

(c) Each local publicly owned electric utility, or public agency that may generate electricity incidental to the provision of water or wastewater treatment, that owns or operates generation units with a rated maximum of 10 megawatts or greater or transmission facilities shall adopt standards for the maintenance of those generating units and transmission facilities. Each local publicly owned electric utility, or public agency that may generate electricity incidental to the provision of water or wastewater treatment, shall file its standards with the Oversight Board. Each local publicly owned electric utility, or public agency that may generate electricity incidental to the provision of water or wastewater treatment, shall report the daily operational status and availability of its generation units with a rated maximum of 10 megawatts and its transmission facilities to the Oversight Board on a daily basis.

(d) This section shall remain in effect until the earlier of either of the following occurs, and as of that date is repealed:

(1) (A) A determination is made and notice thereof is provided pursuant to subparagraph (B).

(B) Upon a determination by the Attorney General that the Oversight Board has been abolished, or merged with, or replaced by, another agency, or that the functions of the Oversight Board have been duplicated by statute, executive order, or otherwise, the Attorney General shall submit a notice of that determination to the Secretary of State, and this section shall be repealed upon the receipt of that notice by the Secretary of State.

(2) January 1, 2003.

SEC. 5. The Oversight Board shall report in writing to the appropriate policy committees of the Legislature on a quarterly basis on its progress in implementing this act. The report shall include, but need not be limited to, information concerning outage scheduling and

coordination, compliance with standards by owners of generating and transmission facilities, and wholesale price fluctuations.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard 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.

However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

SEC. 7. This act shall become operative only if Senate Bill 39 of the Second Extraordinary Session of 2001–02 is enacted and becomes effective.

CHAPTER 17

An act to amend Section 25619 of, and to add Chapter 5.1 (commencing with Section 25406) to Division 15 of, the Public Resources Code, and to add Section 9618 to the Unemployment Insurance Code, relating to energy.

[Approved by Governor October 11, 2001. Filed with
Secretary of State October 12, 2001.]

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

SECTION 1. (a) This act shall be known, and may be cited, as the Solar Training, Education, and Certification Act of 2001.

(b) The Legislature finds and declares all of the following:

(1) California's increasing energy needs require the development of alternative energy resources, including solar energy for the production of heat and electricity.

(2) California leads the nation and ranks as a world leader in the development of technologies and programs to accelerate the use of solar energy.

(3) A training and certification program authorized by the Legislature and administered by the Employment Development Department, in consultation and cooperation with the Contractors' State License Board and solar industry stakeholders, can help mitigate the state's energy shortage by ensuring that appropriate training and education is available for those practicing in and entering into the solar energy design, construction, and installation businesses.

SEC. 2. Chapter 5.1 (commencing with Section 25406) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 5.1. SOLAR AND PHOTOVOLTAIC SYSTEMS

25406. A local government may develop and administer a program to encourage the construction of buildings that use solar thermal and photovoltaic systems that meet applicable standards and requirements imposed by the state or the local government for an eligible solar energy system pursuant to paragraph (2) of subdivision (g) of Section 25619. The program shall recognize owners and builders who participate in the program by awarding these owners and builders a "Sunny Homes Seal."

SEC. 3. Section 25619 of the Public Resources Code is amended to read:

25619. (a) The commission shall develop a grant program to offset a portion of the cost of eligible solar energy systems. The goals of the program are all of the following:

(1) To make solar energy systems cost competitive with alternate forms of energy.

(2) To provide support for electricity storage capabilities in solar electric applications to facilitate enhanced reliability in the event of a power outage.

(3) To encourage the purchase by California residents of California-made solar systems.

(b) (1) The grant for an eligible solar energy system shall be based on either the performance of, or the type of, the solar energy system, as the commission determines, and the amount of the grant shall not exceed seven hundred fifty dollars (\$750). Except as provided in paragraph (2), if a grant is awarded pursuant to this section for an eligible solar energy system that produces electricity, no grant shall be made for that system from any other grant program administered by the commission.

(2) An applicant who receives a grant for a photovoltaic solar energy system from another program administered by the commission, may also receive a grant for that system pursuant to this section, if all of the following conditions are met:

(A) The system will accomplish the purpose specified in paragraph (3) of subdivision (a).

(B) The system is an eligible solar energy system.

(C) The system includes adequate battery storage, as determined by the commission.

(c) Purchasers, sellers, owner-builders, or owner-developers of the solar energy system may apply for a grant under this section. An owner-builder or owner-developer of a new single-family dwelling on which a system is installed may elect not to apply for a grant on a solar energy system installed on a new single-family dwelling. If an owner-builder or owner-developer of a new single-family dwelling on which a system is installed elects not to apply for the grant for a solar energy system, the purchaser of the dwelling may apply for the grant. The seller, owner-builder, or owner-developer shall reflect the amount of the grant received on the purchaser's bill of sale.

(d) The commission shall develop and adopt guidelines to provide appropriate consumer protection under the grant program and to govern other aspects of the grant program. The guidelines shall be adopted at a publicly noticed meeting and all interested parties shall be provided an opportunity to comment either orally or in writing. Not less than 30 days notice shall be provided for the public meeting. Subsequent substantive changes to adopted guidelines shall be adopted by the commission at a public meeting upon written notice to the public of not less than 10 days. The guidelines adopted pursuant to this subdivision are not subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Division 3 of Title 2 of the Government Code.

(e) The commission shall require installers of solar energy systems funded through grants under this section to be properly licensed to do so by the Contractors' State License Board. This requirement does not apply to the owner of a single-family dwelling who installs a solar energy system on his or her single-family dwelling.

(f) The award of a grant pursuant to this section is subject to appeal to the commission upon a showing that factors other than those described in the guidelines adopted by the commission were applied in making the award. Any action taken by an applicant to apply for, or become or remain eligible to receive an award, including satisfying conditions specified by the commission, does not constitute the rendering of goods, services, or a direct benefit to the commission. Awards made pursuant to this section are not subject to any repayment requirements of Chapter 7.4 (commencing with Section 25645).

(g) For the purposes of this section, the following terms have the following meanings:

(1) "Cost" includes equipment, installation charges, and all components necessary to carry out the intended use of the system if those components are an integral part of the system. In the case of a system that is leased, "cost" means the principal recovery portion of all lease

payments scheduled to be made during the full term of the lease, which is the cost incurred by the taxpayer in acquiring the solar energy system, excluding interest charges and maintenance expenses.

(2) (A) “Eligible solar energy system” means any new, previously unused solar energy device whose primary purpose is to provide for the collection, conversion, transfer, distribution, storage, or control of solar energy for water heating or electricity generation, and that meets applicable standards and requirements imposed by state and local permitting authorities, including, but not limited to, the National Electric Code. Eligible solar energy systems for water heating purposes shall be certified by the Solar Rating and Certification Corporation (SRCC) or any other nationally recognized certification agency that certifies complete systems. Major components of eligible solar energy systems for electricity generation shall be listed by a certified testing agency, such as the Underwriters Laboratory. In the absence of certification, major components of eligible solar energy systems for electricity generation shall comply with specifications adopted by the commission.

(B) “Eligible solar energy system” does not include any of the following:

(i) Wind energy devices that produce electricity or provide mechanical work.

(ii) Additions to or augmentation of existing solar energy systems.

(iii) A device that produces electricity for a structure unless the device is interconnected and operates in parallel with the electric grid.

(C) Eligible solar energy systems shall have a warranty of not less than three years.

(3) “Installed” means placed in a functionally operative state.

(h) 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. 4. Section 9618 is added to the Unemployment Insurance Code, to read:

9618. (a) The department shall administer a solar training program. The department shall coordinate with the Division of Apprenticeship Standards and the State Contractors’ License Board to ensure solar energy product and service providers in California possess and maintain the necessary skills, training, and certification.

(b) Elements of the training program shall include, but need not be limited to, all of the following:

(1) The science of photovoltaics and small scale solar thermal technologies.

(2) The design of solar systems.

(3) The installation of solar systems.

- (4) Permitting of solar systems.
- (5) Safety.
- (6) System and component certification.
- (7) State and federal incentive programs.

SEC. 5. The Solar Training, Education, and Certification Act of 2001 shall be funded by available job training funds in existence on the effective date of the act adding this section during the 2001–02 Second Extraordinary Session.

CHAPTER 18

An act to amend Section 11652 of the Public Utilities Code, relating to public utilities.

[Approved by Governor October 14, 2001. Filed with
Secretary of State October 14, 2001.]

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

SECTION 1. Section 11652 of the Public Utilities Code is amended to read:

11652. (a) The board of supervisors shall canvass, separately, the returns of each public agency and each parcel of unincorporated territory, if any.

(b) Subject to subdivision (c), the board of supervisors shall declare a district created and established of those public agencies and parcels of unincorporated territory in which a majority of those persons who voted did so in favor of the creation of the district. Those public agencies and parcels of unincorporated territory in which a majority of those persons voting did not vote in favor of the creation of the district shall be excluded from the district.

(c) A district may be created and established pursuant to subdivision (b) only if the number of registered voters in the approving public agencies and parcels of unincorporated territory is two-thirds or more of the total number of registered voters within the district as proposed to the voters.

SEC. 2. Section 11652 of the Public Utilities Code is amended to read:

11652. The board of supervisors shall canvass the returns of each public agency and each parcel of unincorporated territory, if any, separately, and shall order and declare the district created and established of only the public agencies and territory in which a majority of those who voted on the proposition voted in favor of the creation of the district.

SEC. 3. Section 1 of this bill amends Section 11652 of the Public Utilities Code. Section 2 of this bill amends Section 11652 of the Public Utilities Code as proposed by SB 23 2X. If both this bill and SB 23 2X are enacted and become effective, and each bill amends Section 11652 of the Public Utilities Code, and this bill is enacted after SB 23 2X, Section 2 of this bill shall be operative from the effective date of this bill until January 1, 2007, and shall become inoperative on January 1, 2007, and Section 1 of this bill shall become operative on January 1, 2007. If this bill is enacted and becomes effective, and SB 23 2X is not enacted and does not become effective, then Section 1 of this bill shall become operative on the effective date of this bill, and Section 2 of this bill shall not become operative.

CONCURRENT RESOLUTION

2001-02

SECOND EXTRAORDINARY SESSION

2001 RESOLUTION CHAPTER

RESOLUTION CHAPTER 1

Senate Joint Resolution No. 1—Relative to daylight saving time.

[Filed with Secretary of State June 27, 2001.]

WHEREAS, The State of California is currently experiencing an energy crisis that imperils commercial and residential energy consumers throughout the state; and

WHEREAS, It is the responsibility of the State of California to employ any and all means of energy reduction that will reduce reliance and pressure on energy infrastructure in the State of California; and

WHEREAS, Daylight saving time was a widely used 20th century energy reduction tool that can be expanded to meet 21st century energy shortages; and

WHEREAS, A report by the California State Energy Resources Conservation and Development Commission, issued May 2001 and entitled “Effects of Daylight Saving Time on California Energy Use,” indicates that winter daylight saving time, as that term is defined in the report, would likely reduce electricity use by 3,400 megawatt hours per day and that summer double daylight saving time, as that term is defined in the report, would likely reduce electricity use by 1,500 megawatt hours per day, producing a cost savings of \$300,000,000 to \$1,025,000,000 per year for California ratepayers; and

WHEREAS, Federal studies have shown that daylight saving time provides benefits in addition to energy use reduction, such as safer streets and highways during evening commute hours and reduction in crime due to increased hours of light in the evenings; and

WHEREAS, The citizens of California are being asked to make major changes in their personal and professional lives to conserve energy and would be grateful to receive the benefits of year-round daylight saving time in return; and

WHEREAS, Although neither standard time nor daylight saving time produce much energy reduction for the coldest states during the more frigid months of the year, California enjoys a temperate climate that would afford greater reductions in energy use by utilizing a year-round daylight saving time plan than could be enjoyed by the coldest states; and

WHEREAS, The federal Uniform Time Act of 1966 allows states to decline application of daylight saving time and provides states with the option of practicing standard time year round, but does not allow states to practice daylight saving time year round; and

WHEREAS, By applying daylight saving time uniformly, the State of California could avoid any inconsistencies in time application that would otherwise impact and confuse the broadcasting, rail, airline and motorcoach industries; and

WHEREAS, The State of California would greatly benefit from having the option of extending daylight saving time year round; and

WHEREAS, The State of California should have at its disposal any and every appropriate tool to triumph during this energy crisis; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to approve legislation that allows a state to uniformly apply daylight saving time year round; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, Members of the United States Congress, the Secretary of the United States Department of Energy, the Governor of the State of California, the California State Energy Resources Conservation and Development Commission, and the California Public Utilities Commission.

CALIFORNIA LEGISLATURE

**2001–02 REGULAR SESSION
2001–02 FIRST EXTRAORDINARY SESSION
2001–02 SECOND EXTRAORDINARY SESSION**

SUMMARY DIGEST

of

Statutes Enacted and Resolutions (Including Proposed
Constitutional Amendments) Adopted in 2001

and

1999–2001 Statutory Record



GREGORY SCHMIDT
Secretary of the Senate

E. DOTSON WILSON
Chief Clerk of the Assembly

Compiled by
BION M. GREGORY
Legislative Counsel

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PREFACE

Digests

The Summary Digest consists of a short summary of each law enacted, and of each constitutional amendment, concurrent or joint resolution adopted by the Legislature in 2001.

The text of the Summary Digest is arranged numerically by chapter number.

Superior numbers following the title refer to a Governor's Message affecting that law. These are printed after the digests in the "Digest Chapters Superior Numbers" section.

Cross Reference Tables

Cross reference tables are arranged numerically by bill or resolution number and indicate the chapter number of each.

New General Laws

Lists new general laws passed in the years 1999–2001 which do not specifically amend, add to, or repeal any existing code or general law.

Index

A subject matter index to all measures, including constitutional amendments and resolutions, is included.

Statutory Record

This edition of the Summary Digest includes a statutory record for 1999–2001. Superior numbers following the *Effect* refer to a special condition affecting that section.

Cumulative statutory records for 10-year periods, 1989–1998, 1979–1988, 1969–1978, 1959–1968 and 1949–1958, and for the 16-year period, 1933–1948, are published in separate volumes, which supplement the original statutory record, 1850–1932, published in 1933.

ABBREVIATIONS

AB	Assembly Bill
ACA	Assembly Constitutional Amendment
ACR	Assembly Concurrent Resolution
AJR.....	Assembly Joint Resolution
SB	Senate Bill
SCA.....	Senate Constitutional Amendment
SCR.....	Senate Concurrent Resolution
SJR.....	Senate Joint Resolution
Sec.....	Section
Art.	Article
Ch.	Chapter
Res. Ch.....	Resolution Chapter
Pt.....	Part
Div.....	Division
Stats.....	Statutes

EFFECTIVE DATES

Regular Session

The 2001–02 Regular Session convened on December 4, 2000, and the interim study recess commenced on September 14, 2001. Statutes enacted in 2001, other than those taking immediate effect, will become effective January 1, 2002. In absence of other considerations, the provisions of a statute become operative on the date it takes effect. Digests indicate statutes taking immediate effect.

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.

However, any statute may, by its own terms, delay the *operation* of its provisions until the happening of some contingency, until a specified time, or until a vote of the electors at a statewide election. 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.

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

A constitutional amendment proposed by the Legislature and adopted by the people takes effect the day after the election unless the measure provides otherwise.

Extraordinary Sessions

An urgency statute enacted at a special session of the Legislature takes effect immediately, as outlined above, and the same rules apply with respect to a delayed *operative date*. A nonurgency statute takes effect on the 91st day after adjournment of the special session at which the bill was passed. The effective date of a concurrent resolution is the date it is filed with the Secretary of State.

The 2001–02 First Extraordinary Session convened on January 3, 2001, and adjourned *sine die* on May 14, 2001. Statutes enacted at an extraordinary session, other than those taking immediate effect, will become effective on the 91st day after adjournment. The 91st day after adjournment is August 13, 2001.

The 2001–02 Second Extraordinary Session convened in the Assembly on May 14, 2001, and in the Senate on May 17, 2001. This Extraordinary Session had not been adjourned prior to publication of this Summary Digest; please refer to the succeeding year's Summary Digest.

**DIGESTS OF STATUTES
ENACTED IN 2001**

2001-02 REGULAR SESSION

BILL CHAPTERS**Ch. 1 (SB 67) Burton. State employees: compensation.**

The Budget Act of 2000 appropriated specified amounts from the General Fund and unallocated special funds for expenditure for state employee compensation.

This bill would appropriate \$10,322,000, as scheduled, from the General Fund, unallocated special funds, and other unallocated nongovernmental cost funds in augmentation of specified items in the Budget Act of 2000, to offset a portion of the employees' health benefit premium increase during the period of January 1 to June 30, 2001, inclusive.

This bill would declare that it is to take effect immediately as a statute providing an appropriation for the usual and current expenses of the state.

Ch. 2 (SB 14) Peace. Budget Acts of 1999 and 2000: fiscal affairs.

The Budget Act of 1999 appropriated \$5,000,000 from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for expenditure for contingencies or emergencies upon written authorization from the Director of Finance.

This bill would appropriate \$739,186,000, as scheduled, in augmentation of these Budget Act appropriations. This bill would authorize the Director of Finance to withhold authorization for the expenditure of funds appropriated in the bill until preliminary estimates of potential deficiencies are verified. It would also authorize the director, notwithstanding specified provisions of the Budget Act of 1999, to authorize the use of population-related savings for other necessary expenditures of the Department of Corrections.

The Budget Act of 2000 appropriated \$721,104,000 from the General Fund for expenditure for tax relief. This amount was subsequently augmented by \$60,000,000.

This bill would appropriate an additional \$40,000,000, as scheduled, in augmentation of these appropriations.

This bill would declare that it is to take effect immediately as a statute providing an appropriation for the usual current expenses of the state.

Ch. 3 (AB 8) Cedillo. Downtown Rebound Program.

Existing law requires the Department of Housing and Community Development to make grants and loans for specified downtown rebound projects and related planning from funds appropriated in a specified item of the Budget Act of 2000. The amount of assistance for loans for adaptive reuse of commercial or industrial structures into rental housing units is limited to \$40,000 or \$20,000, respectively, for units that are, or are not, required to be reserved for specified low-income households.

This bill would increase those limits to \$55,000 and \$35,000, respectively, thereby making an appropriation by increasing the limits on an authorized expenditure. The bill would also require the projects for which that assistance is provided to be located within an elementary school attendance boundary where 50% or more of the students are eligible for free meals under the federal school lunch program, as determined by the local school district at the time of application to the downtown rebound program.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 4 (AB 10) Corbett. Bank and corporation taxes: real estate investment trusts.

The Bank and Corporation Tax Law provides for the taxation of real estate investment trusts in partial conformity to the Internal Revenue Code.

This bill would, as provided, conform existing law with respect to payment of estimated tax for closely held real estate investment trusts, and income and services provided by real estate investment trust subsidiaries, to changes in federal income tax law.

This bill would take effect immediately as a tax levy.

Ch. 5 (SB 22) Chesbro. Vehicle license fee offsets.

NOTE: Superior numbers appear as a separate section at the end of the digests.

The Vehicle License Fee (VLF) Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state in the amount of 2% of the market value of that vehicle, as specified. The VLF Law permanently offsets the amount of the vehicle license fee for each subject vehicle by 25% and, for vehicle license fees with a final due date in the 2000 calendar year, offsets the fee amount for each subject vehicle by 35%. The VLF law also provides, depending upon factors that include whether forecasted General Fund revenues for certain fiscal years are within certain revenue target ranges, for a superseding offset percentage of 35%, 46.5%, 55%, or 67.5% to apply to specified future calendar years. The VLF law requires the Department of Finance, in any of certain fiscal years for which that department estimates a cumulative General Fund reduction of more than \$100,000,000 as a result of state tax law changes on or after January 1, 1999, to apply that cumulative reduction, in accordance with a specified formula, to reduce target revenue ranges and to proportionately reduce the percentage amounts of superseding vehicle license fee offsets.

Notwithstanding those provisions, the Vehicle License Fee Law provides for a minimum vehicle license fee offset of 35% in 2001 and 2002, an additional offset in those same years, in a form of a rebate determined in accordance with a specified calculation, that results in a combined offset of 67.5%, and a single vehicle license fee offset of 67.5% for 2003 and each year thereafter.

This bill would, as of July 1, 2001, eliminate provisions for an additional vehicle license fee offset in the form of a rebate. This bill would also establish, without condition or modification, a single vehicle license fee offset of 67.5% for vehicle license fees with a final due date on or after July 1, 2001. This bill would, among other conforming changes to associated provisions, make an appropriation by requiring that a portion of those moneys, appropriated by current law for the payment of additional vehicle license fee offsets, be instead expended, as provided, for reimbursement of local agency revenue losses resulting from vehicle license fee offsets.

This bill would take effect immediately as a tax levy, but would become operative, as provided, on July 1, 2001.

Ch. 6 (SB 45) Johannessen. Veterans' Homes of California.

Existing law provides for the establishment and operation of Veterans' Homes of California at various sites for aged and disabled veterans who meet certain eligibility criteria.

This bill would state the intent of the Legislature that the Veterans' Home of California, Barstow, continue in operation despite an unanticipated reduction in funding. The bill would appropriate \$1,778,000 from the General Fund to the Department of Veterans Affairs for funding specified expenditures at the Veterans' Home of California, Barstow. The bill would also make specified funds appropriated in the Budget Act of 2000 that are not utilized to support positions available for the operation for the remainder of the 2000–01 fiscal year of the Veterans' Home of California, Barstow.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 7 (SB 23) Costa. CALFED funds: Bay-Delta Program.

(1) Under existing law, certain state and federal agencies with management and regulatory responsibilities in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary participate in the CALFED Bay-Delta Program for the purposes of improving ecosystem quality, water supply reliability, water quality, and the integrity of the levees and channels in the bay-delta.

This bill would require the Department of Water Resources, with specified exceptions, to prepare and submit to the Legislature a report that includes a description of the progress achieved by the department regarding the goals of the Bay-Delta Program and the implementation schedule established in the CALFED Bay-Delta Program, Programmatic Record of Decision dated August 2000, and the Framework Agreement dated June 9, 2000. The bill would require, however, that upon creation of an entity to assume the responsibilities

previously undertaken by federal and state officials in connection with the CALFED Bay-Delta Program, that entity will be responsible for preparing and submitting the report to the Legislature. The bill would specify that if at any time on or after January 1, 2003, the department is not required to implement the CALFED Bay-Delta Program, Programmatic Record of Decision dated August 2000, the department is not required to prepare and submit the report to the Legislature.

(2) The Budget Act of 2000 appropriates \$125,000,000 to the Department of Water Resources for implementation of the CALFED Record of Decision and prohibits the expenditure of those funds until a statute is enacted certifying that the projects or purposes for which the funds are expended are consistent with a prescribed environmental document. The Budget Act of 2000 appropriates \$10,000,000 to the department for CALFED local assistance to the Delta Export Area and prohibits the expenditure of those funds until a statute is enacted certifying that the projects or purposes for which the funds are expended are consistent with a prescribed environmental document.

This bill would declare that the Legislature certifies that the programs and projects described in the CALFED Record of Decision to be funded by those provisions of the Budget Act of 2000 are consistent with the final programmatic environmental impact statement/environmental impact report dated July 2000 and certified by the appropriate state lead agency, and that funds appropriated by those provisions are eligible for expenditure by the appropriate agency. The bill would specify the purposes and amounts for which those funds will be made available.

(3) The bill would declare that nothing in the bill may be construed as a certification of the CALFED Bay-Delta Program, final programmatic environmental impact statement/environmental impact report, dated July 2000; the CALFED Bay-Delta Program, programmatic record of decision, dated August 2000; and the Framework Agreement, dated June 9, 2000. The bill would also declare that nothing in the bill affects the rights of litigants, or the merits of any pending lawsuit, relating to the CALFED Bay-Delta Program.

Ch. 8 (SB 176) Ortiz. Student financial aid:
Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes, among other programs, the Cal Grant A Entitlement Program, the Cal Grant B Entitlement Program, the California Community College Transfer Cal Grant Entitlement Program, and the Competitive Cal Grant A and B Awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs.

This bill would add to the eligibility requirements for the Cal Grant A Entitlement Program and the Cal Grant B Entitlement Program a provision specifying that a qualifying student must graduate from high school or its equivalent during or after the 2000–01 school year. The bill would amend the eligibility requirements for the California Community College Transfer Cal Grant Entitlement Program to change a reference to a federal statute and to specify that a student who graduates from a California high school during the 2000–01 academic year is eligible for that program. The bill would add to the eligibility requirements for the Competitive Cal Grant A awards a provision authorizing an applicant to meet the existing grade point average requirement through the submission of a college grade point average, as prescribed. The bill would amend the eligibility requirements for the Competitive Cal Grant B awards by creating an exemption from requirements regarding submission of a financial aid application and graduation from high school no sooner than the 2000–01 academic year.

The bill would appropriate \$3,342,000 from the General Fund to the Student Aid Commission for expenditure in the 2000–01 fiscal year, for costs related to implementing information technology changes needed to process additional workload associated with the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 9 (SB 53) Torlakson. Community Redevelopment Disaster Project Law.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight in those communities. The Community Redevelopment Disaster Project Law authorizes a community to establish a redevelopment agency in an area in which a disaster has occurred, and to adopt and implement a redevelopment plan and to undertake and carry out a redevelopment project in the area. The Community Redevelopment Disaster Project Law prohibits a community from adopting a redevelopment plan pursuant to its provisions on or after January 1, 2001.

This bill would repeal that prohibition, thereby extending the operation of the Community Redevelopment Disaster Project Law indefinitely.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 10 (SB 161) Committee on Local Government. Validations.

This bill would enact the First Validating Act of 2001, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 11 (SB 55) Kuehl. Local coastal program: City of Malibu.

(1) Existing law requires the California Coastal Commission, on or before January 15, 2002, to submit to the City of Malibu an initial draft of the land use portion of the local coastal program for the City of Malibu portion of the coastal zone. Existing law requires the commission, on or before September 15, 2002, after public hearing and consultation with the City of Malibu, to adopt a local coastal program for that area within the City of Malibu portion of the coastal zone.

This bill would reappropriate \$100,000 from a specified item of the Budget Act of 2000 to the commission for the purpose of implementing these provisions.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 12 (AB 124) Cedillo. Food establishments: public markets.

Existing law, the California Uniform Retail Food Facilities Law, provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Health Services.

Existing law requires each food establishment, except produce stands and swap meet prepackaged food stands, to be fully enclosed, in a building meeting specified criteria. Existing law excludes specified facilities from this requirement.

This bill would additionally exclude the Mercado La Paloma public market in Los Angeles, as described in the bill, from the above enclosure requirements. This bill would declare that due to the unique circumstances relating to the structure and operation of the Mercado La Paloma, a general statute cannot be made applicable.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 13 (AB 209) Dickerson. Glenn County: county officers.

Existing law authorizes the boards of supervisors of specified counties to provide, by ordinance, that the public administrator be appointed by the board, and authorizes Solano County to appoint the same person to the offices of public administrator and public guardian.

This bill would include Glenn County within those counties whose board of supervisors would be authorized to provide for the appointment of the public administrator by the board. It would also authorize the Board of Supervisors of Glenn County to appoint the same person to the offices of public administrator and public guardian.

Ch. 14 (AB 563) Maldonado. Vehicles: stop lights: right-of-way: yielding.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Existing law requires a driver making a right turn after stopping at a steady red traffic signal to yield the right-of-way to traffic lawfully using the intersection.

This bill, instead, would require the driver to yield to any vehicle that has approached or is approaching so closely as to constitute an immediate hazard to the driver, and to continue to yield the right-of-way to that vehicle until the driver can proceed with reasonable safety.

Ch. 15 (SB 707) Committee on Local Government. Recreation and park districts.

Existing law provides for the establishment of a recreation and park district, including, the formation of the district, the selection of the district governing board, the powers and duties of the board, and election and financial procedures and provisions.

This bill would repeal those provisions and enact the Recreation and Park District Law which would specify the procedures for district formation, procedures for the selection of the district board of directors and officers, the powers and duties of the board, and financial provisions, including taxation and issuance of bonds. The bill would also enact specific provisions governing the letting of contracts by recreation and park districts.

Ch. 16 (AB 115) Cardoza. Historic State Capitol: repair: appropriation.

Under existing law, the Department of General Services, the Joint Rules Committee, and the Historic State Capitol Commission have specified duties with respect to the Historic State Capitol.

This bill would appropriate \$16,532,000 from the General Fund to the Department of General Services for the purpose of restoring and repairing the damage to the Historic State Capitol that occurred on January 16, 2001.

This bill would provide that the funds appropriated by its provisions may not be expended until the Department of General Services submits plans for repairing the Historic State Capitol and its historical artifacts and architectural features to the Joint Committee on Rules, and the Joint Committee on Rules, in consultation with the Historic State Capitol Commission, approves those plans. The bill also would require that the repairs and other restoration work be performed in compliance with those plans.

This bill would also provide that any amount collected by the state from a party that is liable for the damage shall be credited to the General Fund.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 17 (AB 308) Leslie. Health and human services pilot program: Placer County.

Under existing law, Placer County, with the assistance of the appropriate state departments, within the existing resources of those departments, is required to implement a pilot program upon approval of the county, for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system. Under existing law, these provisions become inoperative on July 1, 2001, and as of January 1, 2002, are repealed.

This bill would extend the inoperative date to July 1, 2006, and the repeal date to January 1, 2007.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 18 (AB 314) Chan. County surplus property.

Existing law authorizes the board of supervisors of a county to make available any surplus personal property and lease any buildings or real property not needed for the public purposes of the county to or for (1) any nonprofit corporation organized for the purpose of care, teaching, and training mentally deficient or mentally retarded children or (2) any Indian service agency organized for the purpose of health or other care, teaching, or training of Indians.

This bill instead would authorize the board of supervisors to donate or lease any real or personal property that the board declares to be surplus to a school or community college district, a county children and families commission, or a nonprofit corporation organized for

the care, teaching, or training of children, developmentally disabled children, or Native Americans.

Ch. 19 (AB 959) Kelley. Joint powers agreements: Salton Sea Authority.

Existing law authorizes 2 or more public agencies, as defined, to enter into an agreement to jointly exercise any power common to the contracting parties. The Salton Sea Authority, formed pursuant to this existing law, is a joint powers authority consisting of the County of Imperial, the County of Riverside, the Coachella Valley Water District, and the Imperial Irrigation District.

This bill would authorize the Torres Martinez Desert Cahuilla Indians to enter into a joint powers agreement to participate in the Salton Sea Authority. The bill would also provide that on and after January 1, 2002, the authority shall not have the power to authorize or issue bonds pursuant to the Marks-Roos Local Bond Pooling Act of 1985 unless the funded public improvements will be owned and maintained by the authority or one or more public agency members and the revenue streams pledged to repay the bonds derive from the authority or one or more of its public agency members.

Ch. 20 (SB 245) O'Connell. Pupil testing.

(1) Under existing law, the Leroy Greene California Assessment of Academic Achievement Act requires the Superintendent of Public Instruction to design and implement, a statewide pupil assessment program. Existing law requires the results of the achievement test administered pursuant to the Standardized Testing and Reporting Program to be returned to the school district in the same academic year in which the test was administered and no later than July 30 of the calendar year in which the test was administered.

This bill would, instead, require those test results to be returned to the district within the period of time specified by the State Board of Education.

(2) Under existing law, the Standardized Testing and Reporting Program requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, an achievement test and a standards-based achievement test. Existing law requires the publisher of the tests and the school district to provide two makeup days for the testing of previously absent pupils no later than June 25. Existing law requires the publisher of the achievement test and standards-based test to make the individual pupil, grade, school, school district, and state results available to the State Board of Education by August 8 of each year when the achievement test is administered and available on the Internet by August 15 of that year.

This bill would instead require the publisher and the district to provide the makeup tests for absent pupils within the testing period established by the board. The bill would also require the publisher to make the test results available to the department by August 8 and the department to make results available on the Internet by August 15 only for those schools for which the last day of test administration, including makeup dates, is on or before June 25.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 21 (SB 54) Polanco. Public employees' retirement: school employers' assets.

(1) The Bagley-Keene Open Meeting Act generally requires all meetings of a state body to be open and public. Under the act, a state body or its designated representative is not prevented from holding closed sessions with its representatives in discharging the responsibilities of the state body under the Meyers-Milias-Brown Act as the sessions relate to salaries, salary schedules, or compensation paid in the form of fringe benefits. The Meyers-Milias-Brown Act governs local government employer-employee relations.

This bill would extend the above described provision to closed sessions of a state body or its designated representatives when discharging responsibilities of the state body under the Ralph C. Dills Act, which governs state employer-employee relations; the Bill of Rights for

State Excluded Employees; and the Educational Employment Relations Act, which governs public school employer-employee relations.

(2) Under the Public Employees' Retirement Law, local safety members subject to the 2% at age 50 benefit formula pay contributions equal to 9% of compensation, as defined, and those members subject to the 3% at age 55 benefit formula pay contributions equal to 8% of compensation. Existing law does not specify a contribution rate for local safety members subject to the 3% at age 50 benefit formula. Member contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund.

This bill would provide that local safety members subject to either the 3% at age 50 or the 3% at age 55 benefit formula shall pay contributions equal to 9% of compensation. By increasing the amount of employee contributions to the Public Employees' Retirement Fund, the bill would make an appropriation.

(3) Existing law provides that members of the Public Employees' Retirement System subject to Second Tier benefits, as defined, may elect to become subject to First Tier benefits, as specified. Existing law also provides for the establishment of separate member and nonmember accounts upon the legal separation or dissolution of marriage of a member and division of the community estate.

This bill would authorize a nonmember spouse whose separate account is credited with service subject to Second Tier benefits to elect to have that service subject to First Tier benefits subject to specified conditions and additional contributions, thereby making an appropriation.

(4) The Public Employees' Retirement Law provides that the maximum service retirement benefit payable to state patrol members employed by the state on or after January 1, 2000, shall not exceed 90% of final compensation, as defined.

This bill would provide that the 90% maximum benefit limit shall also apply to former state patrol members who retire on and after January 1, 2000.

(5) The Public Employees' Retirement Law provides that a 3% at age 55 benefit formula for state peace officer/firefighter members employed by the California State University on January 1, 2000.

This bill would make that benefit formula available to those members formerly employed by the California State University, as specified.

(6) The Public Employees' Retirement Law prescribes specified survivor benefits for state and school members and authorizes contracting agencies to elect from among several alternative survivor allowance benefit levels.

This bill would specify that assets and liabilities of state and school employers on account of those survivor benefits shall be pooled in separate accounts and provide that 2 of the optional benefit levels shall no longer be available to new contracting agencies or future contract amendments as of specified dates.

(7) The bill would also make technical changes.

(8) The bill would declare that it is to take effect immediately as an urgency statute and declare that its provisions would be operative retroactively to January 1, 2000, except as specified.

Ch. 22 (SB 1022) Soto and Burton. State employees: compensation.

The Budget Act of 2000 appropriated specified amounts from the General Fund and unallocated special funds for expenditure for state employee compensation.

This bill would appropriate \$6,755,000, as scheduled, from the General Fund, unallocated special funds, and other unallocated nongovernmental cost funds in augmentation of specified items in the Budget Act of 2000, to offset a portion of the employees' health benefit premium increase during the period of January 1 to June 30, 2001, inclusive.

This bill would declare that it is to take effect immediately as a statute providing an appropriation for the usual and current expenses of the state.

Ch. 23 (AB 66) Wesson. California Gambling Control Commission: appropriation.

Existing law establishes the California Gambling Control Commission to oversee and regulate gambling establishments in the state. The Budget Act of 2000 appropriated \$576,000 from the Gambling Control Fund for support of the California Gambling Control Commission.

This bill would appropriate \$219,000 from the Gambling Control Fund for support of the California Gambling Control Commission in augmentation of the Budget Act of 2000.

Existing law also establishes the Indian Gaming Special Distribution Fund for the deposit of moneys received by the state from Indian tribes pursuant to tribal-state gaming compacts.

This bill would appropriate \$1,131,000 from the Indian Gaming Special Distribution Fund for support of the California Gambling Control Commission. This bill would also authorize the Controller to loan the Indian Gaming Special Distribution Fund \$1,131,000 from the General Fund.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 24 (SB 352) Kuehl. Attorneys.

Under existing law, the State Bar of California is authorized until January 1, 2002, to charge an annual membership fee of \$318 to active members of the State Bar. Existing law also allows the board to increase annual membership fees by an amount up to \$40 per year per active member, with the additional funds to be used for the Client Security Fund and its administration. Existing law provides that an attorney has a duty to abstain from having an offensive personality. Existing law also contains various provisions referring to past obligations and studies of the State Bar.

This bill would extend the State Bar's authority to charge the membership fee to active members to December 31, 2003, and would decrease the maximum amount of the fee to \$310. The bill would also decrease the maximum allowable increase in membership fees for the Client Security Fund to \$35 per active member per year. The bill would remove the provision on an attorney's duty to abstain from having an offensive personality. The bill would also delete provisions relating to certain past obligations of the State Bar. The bill would become operative contingent upon the enactment of SB 479, as specified.

Ch. 25 (SB 1023) Committee on Public Employment and Retirement. State employees: compensation: budget augmentation.

Existing provisions of the Budget Act of 2000 appropriate \$26,054,000 from the General Fund, \$15,194,000 from unallocated special funds, and \$7,641,000 from other unallocated nongovernmental cost funds for the augmentation of state employee compensation.

This bill would appropriate an additional \$9,966,000 from the General Fund, \$3,720,000 from unallocated special funds, and \$1,988,000 from other unallocated nongovernmental cost funds in augmentation of specified items of the Budget Act of 2000 for state employee compensation.

The bill would declare that it makes an appropriation for the usual and current expenses of the state and shall take effect immediately.

Ch. 26 (SB 329) Morrow. Real estate brokers: education requirements.

The Real Estate Law requires the licensure of a person by the Real Estate Commissioner to engage in the business of, act in the capacity of, or advertise or assume to act as, a real estate broker or a real estate salesman within this state. The Real Estate Law requires an applicant to take the examination for an original real estate broker license to submit evidence of the successful completion of certain courses at an accredited institution, including the successful completion of 3 courses from a list of optional courses.

This bill would add to the list of the optional courses a course in computer applications in real estate.

Ch. 27 (AB 672) Strom-Martin. Horse racing.

Existing law provides that when the San Mateo County Fair and the Humboldt County Fair simultaneously conduct race meetings, the San Mateo County Fair is authorized to distribute the signal and accept wagers on out-of-zone, out-of-state, and out-of-country races if it complies with specified conditions. Under existing law, for the period in which both fairs are conducting race meetings, the San Mateo County Fair is required to give to the Humboldt County Fair 0.75 percent of the license fees generated from the out-of-zone, out-of-state, and out-of-country handle. Existing law requires the San Mateo County Fair to distribute the remaining amount of the license fees in a specified manner.

This bill would provide that while any fair or thoroughbred association conducts a race meeting at the same time that the Humboldt County Fair conducts a race meeting, the fair or thoroughbred association has the rights and duties currently imposed on the San Mateo County Fair in that circumstance.

Ch. 28 (AB 730) Diaz. Parks and Recreation: City of San Jose: property exchange.

The existing State Beach, Park, Recreational and Historical Facilities Bond Act of 1974 authorized the state to issue and sell bonds to provide funding for, among other things, grants to counties, cities, or cities and counties for the acquisition and development of real property for park, recreation area, beach, and historical purposes.

This bill would authorize the City of San Jose to convert to a different use a certain 3.82 acre parcel of parkland at Coyote Creek Park, which was acquired with state grant funds awarded under the act, for another parcel of land of approximately 13 acres consisting of land along the east side of Coyote Creek in the City of San Jose, within the County of Santa Clara, if specified conditions are met.

Ch. 29 (AB 1152) Vargas. Peace officer qualifications.

Existing law establishes certain minimum standards for public officers or employees declared by law to be peace officers. The minimum education requirement is high school graduation, passing the General Education Development Test at high school graduation level, or a 2-year or 4-year degree from an accredited college or university.

This bill would provide that the education requirement may be met by passing the California High School Proficiency Examination and would revise the accreditation standard.

Ch. 30 (AB 111) Havice. County employees retirement: health care benefits.

The County Employees Retirement Law of 1937 authorizes counties and districts to offer retirees and their dependents specified insurance benefits, including health care benefits.

This bill would require that counties, districts, and county retirement systems provide organizations that are recognized by the retirement systems of the counties or districts as representing retired employees with notice and an opportunity to comment on any proposed changes, as defined, in those health care benefits.

Ch. 31 (AB 1214) Chavez. County employees' retirement: Plan E benefit offsets.

The County Employees Retirement Law of 1937 establishes an optional, alternative retirement plan for counties that have a population in excess of 6,000,000. Under that plan, a member's retirement benefit is required to be reduced by an amount based on the member's estimated primary insurance amount under Old Age and Survivors Insurance provisions of the Social Security Act, as specified.

This bill would authorize counties subject to that plan to adjust the member's retirement benefit according to the member's actual primary insurance amount or if the retired member is not receiving a primary insurance amount, as specified.

Ch. 32 (AB 1682) Committee on Public Employees, Retirement and Social Security. County employees' disability retirement: benefits.

The County Employees Retirement Law of 1937 prescribes service retirement benefits for safety members, as defined, based on a specified 2% at age 50 formula.

This bill would make changes to some of the age factors used to calculate service retirement benefits under that formula and make technical changes to that provision.

Ch. 33 (SB 304) Karnette. County sheriffs: mandatory retirement.

The County Employees Retirement Law of 1937 authorizes counties to require specified sheriffs and undersheriffs who are safety members to be retired at the age of 60 or at the age of 70.

This bill would, upon approval by the county board of supervisors, make that requirement inapplicable to specified safety members in the Los Angeles County Sheriff's office whose primary duties are administrative.

The bill would declare it is to take effect immediately as an urgency statute.

Ch. 34 (AB 147) Longville. Law enforcement telecommunications system.

Existing law requires the Department of Justice to maintain a statewide telecommunications system, entitled the California Law Enforcement Telecommunications System, for use by law enforcement agencies. Existing law also requires the Attorney General, upon advice of an advisory committee, to adopt policies, practices and procedures, and conditions of qualification for connection to the system.

This bill would provide that the person designated as a county's "control agent" as defined by policies, practices, and procedures adopted by the Attorney General, or the chief officer of any other agency that has been granted direct access to the system, shall have sole and exclusive authority to ensure that the county's or other agency's equipment connecting to the system complies with all security requirements that are conditions of access to the system, or the policies, practices, and procedures adopted by the Attorney General, and that the equipment complies with the county control agent's security policy.

Ch. 35 (AB 158) Robert Pacheco. Vocational registration.

Existing law requires that legal document assistants, unlawful detainer assistants, process servers who make more than 10 services of process in the state a year, and professional photocopiers be registered with the county that is the person's principal place of business. Existing law requires that a bond or cash deposit, in a specified amount depending upon vocation, accompany an application for registration. Existing law provides that a certificate of registration, or the renewal of a certificate, is effective for 2 years.

This bill would provide that a certificate of registration ceases to be effective on the date the bond expires if that date is prior to the 2 years that a certificate is generally valid. The bill would allow renewal of registration up to 60 days prior to the expiration of a current registration, would make a renewed certificate effective for 2 years or until the date the bond expires, whichever occurs first, and would make its effective date the date that the current registration expires.

Ch. 36 (AB 205) Koretz. Business licenses and fees: employment relationship.

Existing law authorizes cities, including chartered cities, in the exercise of their police power and for the purpose of regulation, to license any kind of business not prohibited by law transacted and carried on within the limits of their jurisdictions, and to fix the rates of the license fee and provide for its collection, according to specified criteria.

This bill would prohibit any city, including a charter city, city and county, or county, from requiring an employee to obtain a business license or home business occupation permit for, or imposing a business tax or registration fee based on income earned for services performed for an employer by the employee in an employment relationship, as specified.

This bill would become operative only if AB 63 is enacted and becomes effective on or before January 1, 2002.

Ch. 37 (AB 213) Nation. Mental health: records: licensed marriage and family therapists.

Existing law prohibits the disclosure of all information and records obtained in the course of providing intake, assessment, and services to persons with developmental disabilities, or in the course of providing certain mental health services to either voluntary or involuntary recipients of services, except in specified circumstances, such as when the patient, with the approval of the physician, licensed psychologist, or social worker with a master's degree in social work, who is in charge of the patient, designates persons to whom information or records may be released.

This bill would also permit the disclosure of information or records when the patient, with the approval of the licensed marriage and family therapist, who is in charge of the patient, designates persons to whom information or records may be released.

Ch. 38 (AB 277) Kelley. Joint powers authorities.

Existing law authorizes public entities to pool self-insured claims or losses among themselves pursuant to a joint exercise of powers agreement.

This bill would provide that if the purpose set forth in the agreement is to pool the self-insurance claims of 2 or more local public entities, it shall not be considered an agreement establishing joint and several liability among those public entities, as specified.

Ch. 39 (AB 1323) Negrete McLeod. Marriage licenses.

Existing law requires a person solemnizing a marriage to return the certificate of registry to the county recorder within 30 days after the ceremony.

This bill would instead require the person solemnizing a marriage to return the certificate within 10 days after the ceremony.

Existing law provides for so-called "confidential marriage," whereby an unmarried man and an unmarried woman who have been living together may be married. A confidential marriage certificate attesting to the performance of the marriage is filed with the county clerk but is not open to public inspection except upon court order. Existing law further requires that the person solemnizing a confidential marriage provide the parties who were married with an application to obtain a certified copy of the confidential marriage certificate from the county clerk; the application must be filled out by the parties who were married and sent by the person solemnizing the marriage to the county clerk.

This bill would delete the provision requiring the person solemnizing a confidential marriage to provide the parties who were married with a copy of the confidential marriage certificate. The bill would revise the last described provision to instead require that, upon completion of the confidential marriage certificate, the parties who were married be provided with an application to obtain a certified copy of the confidential marriage certificate from the county clerk.

Existing law permits the county clerk to issue a duplicate certificate of registry of marriage if the original is lost or destroyed before it is returned to the county recorder. Existing law further requires the person solemnizing the marriage to return the duplicate certificate to the county recorder within 30 days after issuance. Existing law similarly authorizes the issuance of a replacement confidential marriage certificate.

This bill would instead require the duplicate certificate to be returned within 10 days after issuance.

Existing law authorizes the county clerk to approve notaries public to authorize confidential marriages.

This bill would expressly provide that the county clerk shall exercise reasonable discretion as to whether to approve applications of notaries public to authorize confidential marriages.

Existing law makes it a misdemeanor for a person who solemnizes a marriage to fail to return the marriage license and certificate to the county recorder or county clerk.

This bill would delete that provision.

Ch. 40 (AB 1455) Aanestad. School volunteers.

Existing law prohibits an employee of a school district from serving as a nonteaching volunteer aide in the district.

This bill would delete that prohibition.

Ch. 41 (AB 1579) Kehoe. County sheriffs.

Existing law provides a specified procedure that requires the county board of supervisors, upon the request of the county assessor, to contract with and employ legal counsel to assist the assessor in the performance of his or her duties in any case where the county counsel or the district attorney would have a conflict of interest in representing the assessor.

This bill would revise this procedure and extend these provisions to requests by the county sheriff. It would also define conflict of interest based on a specified standard.

Ch. 42 (AB 1704) Committee on Judiciary. Federal bankruptcy: applicable exemptions.

Existing law provides, in a case under Title 11 of the United States Code, for specified exemptions in regard to bankruptcy, and provides that certain exemptions may be elected in lieu of all other exemptions.

This bill would increase the amount of the latter mentioned exemptions, as specified, and would require that the dollar amount of those exemptions be increased in accordance with periodic adjustments of similar exemptions provided under federal bankruptcy laws.

Ch. 43 (SB 544) Committee on Local Government. Local agency officials: eligibility.

Existing law prohibits an employee of a local agency from being sworn into office as an elected or appointed member of the legislative body of that local agency unless he or she resigns as an employee. Existing law excludes a county from the definition of local agency for the purposes of this prohibition and does not include the board of supervisors of a county in the definition of legislative body.

This bill would define local agency for purposes of this prohibition to include a county and would define legislative body to include a county board of supervisors.

Ch. 44 (SB 562) Morrow. Civil procedure: limited civil cases.

(1) Existing law establishes the parameters for limited civil cases. Existing law provides that actions to enforce and foreclose liens of mechanics, materialmen, artisans, laborers, and all other persons having mechanics' liens, where the total amount of the liens is \$25,000 or less, constitute limited civil cases.

This bill would include petitions to release mechanics' liens where the total amount of a lien is \$25,000 or less, to the list of proceedings that constitute limited civil cases.

(2) Existing law establishes the requisite conditions for an action or proceeding to be treated as a limited civil case.

This bill would specify that the existence of a statute relating to the authority of the court in a limited civil case does not imply that the same authority does or does not apply in an unlimited case. The bill would also provide that the existence of a statute relating to the authority of the court in an unlimited case does not imply the existence of the same authority in a limited civil case.

(3) Existing law delineates various circumstances in which a superior court may appoint a receiver in a pending action, but limits that authority to cases other than limited civil cases.

This bill would delete the limitation of the provision to cases other than limited civil cases.

(4) Existing law provides that when an application to bring a claim against a public entity or public employee is denied by the governing body of that entity, a person may petition the court for an order relieving the petitioner from the prohibition against bringing a suit against the public entity.

This bill would specify that where an action to which the claim relates would be a limited civil case, the proceeding to petition a court pursuant to these provisions would also constitute a limited civil case.

(5) The bill would also make related changes.

Ch. 45 (SB 671) Poochigian. Local agency meetings: closed sessions.

The Ralph M. Brown Act requires that the meetings of the legislative body of a local agency be conducted openly and publicly, with specified exceptions. The act also provides that the legislative body of a local agency may hold closed sessions for specified purposes.

This bill would authorize the legislative body of a local agency to hold closed sessions to discuss a local agency employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event.

Ch. 46 (SB 817) Johnson. Attorneys: State Bar.

(1) The State Bar Act regulates the practice of law of attorneys in this state. The act provides for the creation of an examining committee within the State Bar of California, and the State Bar administers the requirements for eligibility to practice law in this state. Existing law requires that a person, in addition to meeting other requirements, have graduated from an accredited law school requiring 3 years of full-time study, or 4 years of part-time study in order to be eligible to take the examination to be licensed to practice law in the state or to meet other specified requirements.

This bill would revise that requirement to instead require that the person has a juris doctor (J.D.) degree or a bachelor of laws (LL.B.) degree from an accredited law school.

(2) Existing law requires that an applicant taking the bar examination meet application deadlines. An application must be filed between the last business day of November and first business day of February for the February bar examination and between the last business day of April and first business day of July for the July examination.

This bill would change the deadline for applications to January 15 for the February examination and June 15 for the July examination.

(3) Existing law allows a person who has been an active member in good standing in a United States or sister state jurisdiction for at least 4 years immediately prior to the filing of his or her application to take the Attorneys' Examination rather than the general bar examination.

This bill would provide that the 4-year requirement would apply from the date of the first day of the examination instead of from the date of the application.

Ch. 47 (SB 989) Committee on Appropriations. Claims against the state: appropriation.

Existing law requires the California Victim Compensation and Government Claims Board to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state allowed by the board.

This bill would appropriate \$859,205.35 from various funds to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board in accordance with a schedule that identifies the funds and accounts from which the payments are to be made.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 48 (SB 1151) Margett. Child custody: appeals or orders or judgments.

Existing law provides that judgments or orders allowing, or eliminating restrictions against, removal of a minor child from the state are automatically stayed for 7 days if entered in a juvenile court proceeding, and 30 days if entered in any other trial court proceeding, in order to allow time for an appeal.

This bill would exclude from these automatic stay provisions judgments brought pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, the Parental Kidnapping Prevention Act of 1980, or the Hague Convention on the Civil Aspects of International Child Abduction, implemented pursuant to the International Child Abduction Remedies Act.

Ch. 49 (SB 669) Poochigian. Probate: property claims.

Existing law provides for the determination of claims brought to determine ownership of real or personal property claimed by an estate, a ward or conservatee, or a trustee, as specified. Among other provisions, if a court finds that a person has, in bad faith, wrongfully taken, concealed, or disposed of property in the estate of a ward or conservatee, in the estate of a decedent, or in or belonging to the trust, he or she is liable for twice the value of the property. A court may not grant a petition under these provisions if the court determines that the matter should be determined by a civil action.

This bill would revise, recast, and consolidate those provisions. The bill would specify that an action brought pursuant to these provisions may include claims, causes of action, or matters that are normally raised in a civil action to the extent that the matters are related factually to the subject matter of the petition.

Ch. 50 (SB 324) Ackerman. Corporations: mergers: tax liabilities.

Existing law governs the merger of corporations, and generally requires the surviving corporation to assume the liability of the disappearing corporation relative to taxes due under the Bank and Corporation Tax Law. Existing law also generally requires the Franchise Tax Board to provide a certificate of satisfaction to the Secretary of State in order for the merger to be filed by the Secretary of State. However, if the articles of incorporation of a domestic disappearing corporation were filed 60 days or less prior to the date of filing of the merger and the surviving corporation is a domestic corporation, the Secretary of State is required to file the merger without the certificate of satisfaction and is required to notify the Franchise Tax Board of the merger.

This bill would extend the operation of this provision to all cases in which the surviving corporation is a domestic corporation, or a foreign corporation qualified to do business in California.

Ch. 51 (AB 1178) Calderon. Insurance.

(1) Existing law requires all brokers, agents, or other entities offering disability policies or certificates to individuals 65 years of age or older to provide these prospective insured's with a full, accurate written comparison of existing health coverage. Existing law requires the insurer to explain the proposed coverage as it relates to existing benefits provided by Medicare, Medi-Cal, or other available benefits. Existing law also provides that the Insurance Commissioner may prescribe a standard comparison form and information brochure that all insurers are required to distribute to every prospective insured when insurance is offered for sale by an agent or broker.

This bill would require disability insurers that market insurance contracts using direct response methods to include questions in their application to determine whether the prospective insured is 65 years of age or older and whether the prospective insured is covered by Medi-Cal or a Medicare supplement policy. The bill would require these direct response insurers to provide the comparison and the informational brochure to the prospective insured as early as possible in the transaction but not later than the delivery of the insurance contract. The bill would specify that these provisions become operative on January 1, 2002.

(2) Existing law provides for the regulation of long-term care insurance by the commissioner and requires, among other matters, that the commissioner review and approve those individual and group policies, certificates, riders, and outlines of coverage.

The bill would declare the Legislature's intent that the commissioner approve by July 1, 2001, all accurate and complete contracts submitted for approval and that insurers submit contracts for approval and resolve outstanding issues in order for the commissioner to meet this approval deadline. The bill would extend from July 1, 2001, to October 1, 2001, the authority for an insurer to continue to offer and market previously approved long-term care insurance contracts.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 52 (AB 1103) Papan. Law library boards of trustees.

Existing law establishes in each county a board of law library trustees for the purpose of governing the county law library. Existing law provides for the membership of those boards, which is limited to superior and municipal court judges, and members of the bar, and members of the board of supervisors.

This bill would revise and recast these provisions and, among other things, authorize the appointment of persons who are residents of the county who are not members of the above-specified groups.

Ch. 53 (AB 1437) Leslie. Alcoholic beverages: licenses: bed and breakfast inn.

Existing law authorizes the Department of Alcoholic Beverage Control to issue a special on-sale wine license to any person operating a bed and breakfast inn, as specified.

This bill would authorize the department to issue a special on-sale general license to any person operating a bed and breakfast inn, as specified, to serve any alcoholic beverage, as defined, and to charge a \$200 fee, as provided, for that license.

Ch. 54 (SB 190) Perata. Highways: outdoor advertising.

The Outdoor Advertising Act regulates the placement of advertising displays adjacent to and within specified distances of highways that are part of the national system of interstate and defense highways and federal aid highways. The act, except as specified, prohibits any advertising display from being placed or maintained on property adjacent to a section of a freeway that has been landscaped if the advertising display is designed to be viewed primarily by persons traveling on the main-traveled way of the landscaped freeway.

This bill would exempt from that prohibition, and would, subject to special removal and relocation provisions, not more than 5 nonconforming advertising displays located on the Oakland-Alameda County Coliseum Complex property, if the displays meet prescribed conditions.

The bill would require the Department of Transportation, upon receiving a written request to erect certain displays, and in accordance with a specific Memorandum for Record with the Federal Highway Administration, to promptly request the approval of that change in orientation by the Federal Highway Administration to ensure that the advertising displays will not cause a reduction in federal aid highway funds and, upon receipt of that authorization, the bill would allow for the displays to be erected.

The bill would set forth facts and declare that the provisions specified above constitute necessary special legislation.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 55 (SB 303) Torlakson. Juries: peace officer exemption.

Existing law exempts certain peace officers from voir dire in civil and criminal matters, and other specified peace officers from voir dire in criminal matters.

This bill would exempt San Francisco Bay Area Rapid Transit District police, as specified, from voir dire in civil and criminal matters.

Ch. 56 (AB 457) Canciamilla. Joint powers agencies: bonds.

Existing law, the Marks-Roos Local Bond Pooling Act of 1985, requires a local agency, within whose boundaries a public capital improvement that is to be financed by the issuance of bonds by a joint exercise of powers authority of which the local agency is a member, to approve this financing and make a finding of public benefit in order for the bonds to issue.

This bill would specify that if the public capital improvement to be financed will provide infrastructure, services, or a golf course to support, or in conjunction with, any development project, the local agency that is required to approve issuance of the bonds is the city, county, or city and county with land use jurisdiction over the development project.

Ch. 57 (AB 609) Kelley. Local agency investments.

Existing law authorizes the legislative body of a local agency having money in a sinking fund of, or surplus money in, its treasury not required for the immediate needs of the local agency to invest any portion of the money that it deems wise or expedient in specified securities and financial instruments. One of the types of eligible securities is commercial paper of prime quality as described. Existing law establishes essentially parallel provisions concerning the investment of local agency funds that belong to, or are in the custody of, the local agency. One of the authorized investments is negotiable certificates of deposit issued by a state or federal credit union.

This bill instead would authorize the investment of a local agency's money in a sinking fund or money, rather than surplus money, in its treasury not required for its immediate needs. The bill would revise the definition of commercial paper. The bill would revise these parallel provisions to incorporate references to the other provisions, consolidate duplicate provisions, delete obsolete provisions, and make conforming changes.

This bill would prohibit the legislative body of a local agency and the treasurer or other official having custody of the money from investing in negotiable certificates of deposit of a state or federal credit union if a member of the legislative body or any other specified city officer or employee also serves on the board of directors or certain committees of that credit union.

Ch. 58 (SB 400) Ackerman. Securities.

Existing law, the Corporate Securities Law of 1968, provides that it is unlawful for a person to offer or sell in this state any security in an issuer transaction unless the sale has been qualified or the security or transaction is exempted or not subject to qualification.

This bill would provide, with respect to certain offers and sales of securities issued by a corporation or limited liability company that are exempted, that the failure of the corporation or limited liability company to file a notice of transaction does not limit the availability of the exemption if the notice is filed within 15 business days after a demand by the Commissioner of Corporations.

Ch. 59 (SB 561) Morrow. Administrative Procedure Act.

(1) Existing law requires each state agency that proposes regulations pursuant to the administrative rulemaking provisions of the Administrative Procedure Act to post specified information regarding the proposed regulation on its Web site. Existing law also requires an agency that maintains an Internet Web site or other similar forum to publish specified materials on the Web site or other forum.

This bill would consolidate and revise these provisions and make technical changes.

(2) Existing law defines the term "proposed action" for the purposes of the administrative rulemaking provisions of the act.

This bill would make a technical change to that definition.

Ch. 60 (SB 941) Costa. Junk.

Existing law requires junk dealers and recyclers to keep a written record of all sales and purchases made in the course of business. Existing law defines the term "junk" to mean

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secondhand and used machinery and all ferrous and nonferrous scrap metals and alloys, including any and all secondhand and used furniture or other personal property.

This bill would specify that the definition of the term “junk” includes pallets.

Ch. 61 (SB 1225) Committee on Banking, Commerce and International Trade. Industrial banks.

Existing law, the Banking Law, permits an industrial bank to engage in all the activities of a commercial bank. Existing law prohibits an industrial bank from accepting demand deposits but authorizes an industrial bank to accept deposits evidenced by investment or thrift certificates.

This bill would authorize an industrial bank to accept deposits evidenced by deposit accounts or certificates instead of by investment or thrift certificates.

Ch. 62 (AB 77) Havice. Criminal proceedings: persons with disabilities.

Existing law requires courts to take special precautions to provide for the comfort and protection of a child witness testifying in criminal proceedings alleging certain sex offenses committed with or upon a minor under the age of 11. The court may, among other things, allow the witness reasonable periods of relief and relocate parties within the courtroom.

This bill would extend these provisions to a person with a mental disability, as defined. This bill would also expand these protections to cases of domestic violence, as specified.

Ch. 63 (AB 88) Alquist. Santa Clara Valley Water District: special taxes.

The Santa Clara Valley Water District Act creates the Santa Clara Valley Water District and grants to the district specified powers, including the authority to levy taxes to pay the cost of carrying out any of the purposes of the district, as specified.

This bill would authorize the district to impose special taxes in accordance with specified provisions of existing law and to provide an exemption from these taxes for residential parcels owned and occupied by one or more taxpayers who are at least 65 years of age if the total household income is less than an amount that is approved by the voters of the district.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 64 (AB 379) Papan. Special education.

(1) Existing law requires the special education program to sunset on June 30, 2001.

This bill would delete this provision. To the extent that the deletion of this provision would extend the imposition of certain duties on school districts regarding the provision of the special education program on and after June 30, 2001, the bill would impose a state mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 65 (AB 413) Harman. Horse racing.

Existing law requires that the total percentage deducted from wagers at satellite wagering facilities in the northern, central, and southern zones be the same as deductions for wagers at the racetrack where the racing meeting is being conducted and amounts deducted are to be distributed as specified.

This bill would provide that for quarter horse meetings, 0.5% of the total amount handled by satellite wagering facility on races run in California shall be distributed to a specified organization for the promotion of the program at satellite wagering facilities, 0.5% of the total amount handled by each satellite wagering facility on out-of-state and out-of-country imported races shall be distributed to the official quarter horse registering agency, as specified, and 0.5% of the total amount handled by each satellite wagering facility on all races

shall be distributed according to a written agreement for each race meeting between the licensed racing association and the organization representing the horseman participating in the meeting. In addition, in the case of quarter horses in the central and southern zones, this bill would require that 0.4% be deposited with the official registering agency, as defined, to be distributed as specified.

This bill would also state various findings and declarations regarding an annual California-bred Horses Championship races program and declare that it is the intent of the Legislature that in addition to the awards, premiums, and payments provided for as specified, the official registering agency for quarter horses shall establish a separate, segregated account for the deposit of funds distributed to it. Moneys in this fund would be used to supplement purses in the annual California-bred Quarter Horse Championship races, to be established pursuant to regulation of the California Horse Racing Board.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 66 (SB 381) Chesbro. Cities and counties: human relations commissions.

Existing law authorizes cities and counties to create commissions on human relations with the responsibility to, among other things, foster mutual respect and understanding among all racial, religious, and nationality groups in the community, inquire into incidents of tension and conflict among or between these groups, hold conferences and other public meetings in the interest of resolution of these tensions, and enlist the cooperation and participation of these groups and others as specified to foster mutual esteem, justice, and equity.

This bill would change the groups identified in these provisions to include people from groups of various race, religious creed, color, national origin, ancestry, physical disability, mental disability, marital status, gender, sexual orientation, socioeconomic status, or civic interest, and people from other groups subject to prejudice and discrimination.

Ch. 67 (SB 795) Torlakson. Retirement: County Employees Retirement Act.

The existing County Employees Retirement Law of 1937 provides for various optional benefits for members of the retirement system.

This bill would authorize the Board of Supervisors of Contra Costa County to fully fund and establish an optional, supplemental retirement benefit for retired members and their surviving beneficiaries. The bill would specifically permit the payment of an additional monthly benefit of \$200, \$120, or \$100, based on the election or allowance selected by the member.

Ch. 68 (SB 926) Battin. Peace officers: deputy sheriffs: Riverside County.

Existing law defines specified powers, rights, duties, and training requirements for peace officers, and provides that any deputy sheriff, employed in that capacity by a county, is a peace officer whose authority extends to any place in the state with regard to offenses committed within his or her home jurisdiction, and any offense committed in his or her presence where there is immediate danger to person or property or the escape of the perpetrator, or where there is probable cause to believe these situations exist. Existing law also provides that a deputy sheriff of a county of the first class and any deputy sheriff of the County of San Diego, who is assigned to perform duties relating to specified custodial assignments 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 employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when directed to perform other law enforcement duties during a local state of emergency.

This bill would provide that this latter provision is applicable to deputy sheriffs employed by Riverside County.

Ch. 69 (AB 222) Wiggins. False Claims Act: qui tam actions.

Under the False Claims Act, any person who makes any one of various false claims against the state is liable to the state for specified damages, costs, and civil penalties, and the Attorney

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General is authorized to bring a civil action against a person who makes a false claim. The act also authorizes a person to bring a civil action for a violation of the act for the person and either for the State of California, if any state funds are involved, or for a political subdivision of the state, if political subdivision funds are exclusively involved.

This bill would require any person or political subdivision that has commenced a proceeding in which a violation of the act is alleged, or the application or construction of the act is in issue, in the California Supreme Court, a state court of appeal, or the appellate division of a superior court, to serve a copy of each paper, including briefs, on the Attorney General within 3 days of the filing.

The bill would also provide that timely compliance with these provisions is a jurisdictional prerequisite to the entry of any specified judgment, order, or decision and would authorize the court, within the 3-day time period or thereafter, to extend the time for compliance for good cause.

Ch. 70 (AB 229) Wesson. Local initiative petitions: signature count.

Existing law prescribes the procedure for determining the total number of valid signatures affixed to a county initiative petition and to a municipal initiative petition, and requires the county elections official, if the initiative petition contains more than 500 signatures, to verify signatures using a random sampling method. If the sampling shows the petition contains 95 to 110 percent of the number of valid signatures to qualify the petition, the county elections official must verify each signature filed. Existing law provides a parallel procedure applicable to the verification of signatures on district initiative petitions.

This bill would specify that the signatures must be verified within 60 days, as specified, from the date of the filing of a county initiative petition and a municipal initiative petition. This bill would make a similar change in the procedure for verification of signatures affixed to a district initiative petition.

Ch. 71 (SB 129) Burton. Death penalty executions: physicians.

Existing law directs the warden of the state prison where an execution is scheduled to take place to invite various persons to witness the execution, including 2 physicians.

This bill would remove the requirement that the warden invite physicians to the execution and permit him or her to invite any Department of Corrections employee. The bill would provide that no physician or any other invited person may be compelled to attend an execution, and that refusal to attend may not be used in any disciplinary action or negative job performance citation.

Ch. 72 (SB 668) Poochigian. Estates and trusts: allocation of debts.

Existing law provides a method for the allocation of debts between a decedent's estate and a surviving spouse. Existing law allows a personal representative of a decedent and a surviving spouse to provide for allocation by agreement and, if that agreement substantially protects the rights of interested parties, provides that a court shall order an allocation based on that agreement. In the absence of an agreement, debts of decedents are apportioned on all of the property of the spouses liable for the debts at the date of death that are not exempt from enforcement of a money judgment, in a proportion determined by the value of the property less any liens and encumbrances at the date of death, adjusted for any right of reimbursement that would have been available if the property were applied to the debt at the date of death. Existing law provides the same method of allocation of debts between the trust of a deceased settlor and a surviving spouse.

This bill would revise the provisions described above relating to the allocation of debts in the absence of an agreement, initially requiring that a court characterize the debts as separate or community, and then setting forth a procedure for allocating the separate or community debts to assets similarly characterized, which would then be primarily liable for the debts. Among other things, this bill would also require that if the net value of either spouse's

separate property assets are less than that spouse's unsecured separate property debts, the unsatisfied portion of the debts be allocated to that spouse's one-half share of the community property assets. If the net value of that spouse's one-half share of the community property is less than the spouse's unsatisfied and unsecured separate debt, the bill would require that the remaining unsatisfied portion of the debt be allocated to the net value of the other spouse's one-half share of the community property. This bill would define a nonrecourse debt as a debt for which the debtor's obligation to repay is limited to the collateral securing the debt and for which a deficiency judgment against the debtor is not permitted, and would limit the amount of a nonrecourse debt to the net equity in the collateral, as defined. This bill would permit a court to order a different allocation of debts if the court finds it to be equitable under the circumstances. The bill would also permit certain 3rd parties that incur specified damages or expense in connection with the allocation or misallocation of a debt under the provisions described above to recover them as the court that made the allocation deems reasonable.

Ch. 73 (AB 176) Nation. Workers' compensation: security deposits.

Existing law authorizes workers' compensation insurers and other specified insurers reinsuring the same risks under disability insurance to deposit, instead of a bond, certain investment instruments or securities, including securities registered with a qualified depository located in a reciprocal state. Existing law requests that these deposits be made with the Treasurer or in a bank or savings and loan association authorized to engage in the trust business, or a trust company. However, if the deposit consists of securities registered with a qualified depository located in a reciprocal state, the deposit may be made only in a bank that is licensed to do business and located in California and that is a qualified custodian with a specified minimum amount of deposits.

This bill would provide that a deposit of securities registered with a qualified depository located in a reciprocal state must be made in a bank or savings and loan association authorized to engage in the trust business, or a trust company, that is licensed to do business and located in California, and that is a qualified custodian with a specified minimum amount of deposits.

Ch. 74 (AB 260) Frommer. State departments: investigations and hearings.

(1) Existing law requires the Attorney General to distribute monetary relief recovered in civil actions to prohibit acts in restraint of trade and competition pursuant to the discretion of the superior court having jurisdiction over the action, as specified.

This bill would, in addition, authorize the superior court to use cy pres or fluid recovery mechanisms as a way of providing value to persons injured as a result of a violation.

(2) Existing law authorizes the head of a state department in connection with certain investigations and other actions to issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony pertinent or material to the investigation or action.

This bill would, in addition, authorize the head of any state department to promulgate interrogatories pertinent or material to any inquiry, investigation, hearing, proceeding, or action.

(3) Existing law also authorizes the head of a state department to petition the superior court in the county in which a hearing is pending for an order compelling a person to attend and testify or produce the papers required by the subpoena before the officer named in the subpoena.

This bill would also authorize the head of a state department to compel answers to interrogatories pursuant to subpoena.

Ch. 75 (AB 682) Calderon. Mosquito abatement, pest abatement, or vector control districts: traveling expenses.

Existing law requires the members of a mosquito abatement, pest abatement, or vector control district board to serve without compensation, but requires members to be paid for the

necessary expenses for actual traveling in connection with meetings or business of the board. Existing law provides that in lieu of expenses, the district board may by resolution provide for the allowance and payment to the members of the board of a sum not exceeding \$50 per month per member for expenses incurred in attending business meetings of the board.

This bill would increase the sum that the district board by resolution may provide for the allowance of payment to board members for these expenses from \$50 to \$100 per month per member.

Ch. 76 (SB 99) Morrow. Attorney General: opinions.

(1) Existing law requires the Attorney General to give his opinion in writing to the Legislature, the Governor, other specified constitutional officers and state agencies, and the district attorney when required, upon any question of law relating to their respective offices.

This bill instead would require the Attorney General to give his or her opinion when requested and would add any Member of the Legislature, the Lieutenant Governor, the Insurance Commissioner, a county counsel, and a county sheriff to the list of officers who may request an Attorney General's opinion in writing.

(2) Existing law also requires the Attorney General to give his opinion in writing to a city prosecutor when required, upon any question of law relating to criminal matters.

This bill instead would require the Attorney General to give his or her opinion in writing when requested by a city prosecutor upon any question of law relating to criminal matters.

Ch. 77 (SB 165) O'Connell. Public employees' retirement: membership election.

Under existing law, members of the Public Employees' Retirement System employed by a school employer, the Board of Governors of the California Community Colleges, or the State Department of Education who are subsequently employed to perform service subject to coverage by the Defined Benefit Program of the State Teachers' Retirement Plan may elect to be excluded from membership under that plan and retain coverage under the system for that service.

This bill would additionally make that election available to members of the Public Employees' Retirement System who have at least 5 years of credited service and who are subsequently employed to perform service subject to coverage by the Defined Benefit Program of the State Teachers' Retirement Plan.

Ch. 78 (SB 288) Speier. Health facilities: financing.

Under existing law, the California Health Facilities Financing Authority Act, the California Health Facilities Financing Authority is empowered to issue revenue bonds for the benefit of a participating health institution, as defined, for specified purposes.

This bill would include in the definition of a participating health institution, for purposes of the California Health Facilities Revenue Bonds (UCSF-Stanford Health Care) 1998 Series A, the Regents of the University of California.

Ch. 79 (SB 386) Johnson. Political Reform Act of 1974: online disclosure.

Existing law, the Political Reform Act of 1974, requires the Secretary of State, in consultation with the Fair Political Practices Commission, to develop online and electronic filing processes for use by persons and specified entities required to file statements and reports with the Secretary of State's office.

This bill would require the Secretary of State, if he or she rejects a filing made pursuant to these provisions, to immediately notify the filer, by electronic mail, of the reason or reasons for rejection using plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style. The bill would require the notice to be written or displayed so that the meaning will be easily understood by those persons directly affected by it.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $2/3$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $2/3$ vote.

Ch. 80 (SB 1131) Machado. Clinical laboratory technology.

Existing law authorizes any licensed clinical laboratory or public health laboratory to perform pregnancy, glucose level, cholesterol, and occult blood tests and provides that the State Department of Health Services may add other tests to this list, as specified.

This bill would delete the provision, authorizing the department to add other tests and would, instead, authorize these laboratories to perform any other over-the-counter test approved by the federal Food and Drug Administration for sale to the public without a prescription.

Ch. 81 (AB 431) Committee on Budget. Claims against the state: appropriation.

(1) Existing law requires the California Victim Compensation and Government Claims Board to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state allowed by the board.

This bill would appropriate \$1,237,186.25 from various specified funds to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board in accordance with a schedule that identifies the funds and accounts from which the payments are to be made.

(2) Existing law specifies that the board may provide relief from liability for certain overpayments made in excess of \$2,000 for victim compensation, upon the submission of a report to the Legislature and the Legislature's approval.

This bill would express the approval of the Legislature for specified overpayments reported by the board.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 82 (AB 477) Cohn. Criminal procedure.

Existing law provides that, unless a showing of necessity is made, a person charged with a misdemeanor offense involving domestic violence may appear by counsel only for the purpose of service of a protective order, as specified.

This bill would require that persons accused of misdemeanor offenses involving domestic violence be present for arraignment and sentencing.

Ch. 83 (AB 1202) Harman. Mobilehome parks: meetings.

Existing law specifies the rights of homeowners and residents of a mobilehome park to use the mobilehome park. Existing law provides that a homeowner may not be required to obtain liability insurance to use common area facilities for specified purposes.

This bill would provide that a homeowner or resident may not be charged a cleaning deposit to use the mobilehome park recreation hall or clubhouse for meetings of resident organizations for purposes authorized in existing law, even if guests and visitors from outside the park are invited to attend the meeting, if a homeowner or resident of the park is hosting the meeting and all homeowners or residents of the park are allowed to attend. The bill would specify additional restrictions on requirements for liability insurance, and would permit park owners and management to require liability insurance if alcoholic beverages are to be served at a meeting or private function. The bill would also permit park owners and management to prohibit the consumption of alcohol if it is prohibited by the terms of the rental agreement or the rules and regulations of the park. The bill would also require a homeowner, organization, or group of homeowners using the recreation hall or clubhouse to adhere to any limitations on parking and maximum occupancy.

Ch. 84 (SB 42) Speier. Child passenger restraint systems and seatbelts: accident reports.

Under existing law, until January 1, 2002, it is unlawful for any parent or legal guardian, when present in a motor vehicle, as defined, to permit his or her child or ward who is between 4 and 16 years of age and weighs 40 pounds or more to be transported on the highway in the vehicle without using a child passenger restraint system or a safety belt. Under existing law, a similar provision applies to a driver who is not the parent or guardian of a child passenger. Existing law, operative on January 1, 2001, prohibits a parent or legal guardian, when present in a motor vehicle, from allowing his or her child or ward to be transported upon a highway without providing and properly using a child passenger restraint system or a safety belt if the child is 6 years of age, but less than 16 years of age, or who is less than 6 years of age and weighs 60 pounds or more. Under existing law, a similar provision applies to a driver who is not the parent or guardian of a child passenger. A child is exempt from these requirements under certain circumstances, including when there is a life-threatening emergency or the child is being transported in an authorized emergency vehicle, and there is no child passenger restraint system available and the child is at least one year of age.

This bill would change the operative date of the provision described above that was operative on January 1, 2001, to January 1, 2002.

The bill would delete the requirement that the child be at least one year of age in order to qualify for the exemption.

Existing law prescribes reporting requirements for drivers of motor vehicles involved in accidents.

This bill would make a technical, nonsubstantive change to these reporting requirements by relocating provisions in the Vehicle Code related to accidents involving a motor vehicle owned or operated by, or operated under contract with, a publicly owned or operated transit system.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 85 (SB 932) McPherson. Local government: housing elements.

Existing law requires each council of governments to determine the existing and projected housing needs for its region, as specified, for purposes related to each local government's determination in its housing element of its share of regional housing needs. Existing law requires local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, the Sacramento Area Council of Governments, and the Association of Monterey Bay Area Governments to revise the housing elements of their general plans by June 30, 2002, for the 3rd revision, and June 30, 2007, for the 4th revision, and for all other local governments, June 30, 2003, for the 3rd revision, and June 30, 2008, for the 4th revision.

This bill would extend the date for that 3rd revision to December 31, 2002, for the local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments. For all other local governments, the bill would extend the date for the 3rd revision to December 31, 2003.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 86 (AB 594) Harman. Property taxation: electronic payments.

Existing property tax law specifies the date that a remittance to a taxing agency is deemed to be received if deposited in the United States mail or for shipment with an independent delivery service.

This bill would specify the date that a remittance to a taxing agency is deemed to be received if made by an electronic payment option.

Ch. 87 (AB 764) Goldberg. Kindergarten.

Existing law generally prohibits a pupil in a kindergarten from being kept in school on any day for more than 4 hours exclusive of recesses.

This bill would authorize a pupil in a kindergarten in a school operating on a program of multitrack year-round scheduling to be kept in school on any day for 265 minutes of instruction, exclusive of recesses.

Ch. 88 (AB 1021) Goldberg. Parking and business improvement areas: benefit assessments.

The Property and Business Improvement District Law of 1994 authorizes cities to form property and business improvement districts that may levy assessments within a business improvement area for the purpose of making improvements and promoting activities of benefit to the properties within the district. Existing law requires that for the purpose of making improvements and promoting activities of benefit to the properties within the district, the collection of assessments shall be made at the time and in the manner set forth by the city council in the management district plan, as specified. Existing law requires that the management district plan include, among other things, the specific number of years, to a maximum of 5, in which assessments would be levied.

This bill would recast and reorganize those provisions. The bill, in addition and among other things, would require that all delinquent payments for assessments levied shall be charged interest and penalties. The bill would also permit the renewal of any district previously established whose term has expired, by following specified procedures. Upon renewal, a district would have a term not to exceed 10 years. The bill would also define "owners' association" for purposes of the law and require an owners' association to comply with the Ralph M. Brown Act and the California Public Records Act under certain conditions.

Ch. 89 (SB 58) Alpert. California Ocean Resources Enhancement and Hatchery Program.

(1) Existing law, until January 1, 2003, establishes the California Ocean Resources Enhancement and Hatchery Program for the purpose of basic and applied research on the artificial propagation, rearing, stocking, and distribution of adversely affected marine fish species that are important to sport or commercial fishing in the ocean waters off the coast of California south of a line extending due west from Point Arguello. Existing law also provides for funding of the program from the revenues derived from fees for ocean fishing enhancement stamps, which are required of persons taking fish, as specified, in those ocean waters. Under existing law, those fees are deposited in the Fish and Game Preservation Fund, and are available, upon appropriation by the Legislature, for the purposes of the program.

This bill would extend the program indefinitely. Because existing law makes a violation of the provisions requiring fishing stamps a crime, the bill would impose a state-mandated local program by extending a crime that otherwise would be repealed.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 90 (SB 425) Torlakson. Contra Costa County: domestic violence.

Existing law provides for county domestic violence program special funds for the purpose of funding local domestic violence programs. Certain fees payable at the time a marriage license is issued may be collected by the county clerks for deposit into these funds.

Existing law requires the collection of fees for certified copies of fetal death or death records and marriage or birth certificates. Existing law authorizes the board of supervisors of a county that has established a county children's trust fund to increase the fee for a certified copy of a birth certificate for purposes of the fund.

This bill would authorize the Board of Supervisors of Contra Costa County, until 2007, to increase fees, up to a maximum increase of \$2, for certified copies of marriage certificates, birth certificates, fetal death records and death records. The purpose of the fee increase would be to provide funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.

The bill would specify that these fees shall only apply in Contra Costa County. The bill would also require the Contra Costa County Board of Supervisors to submit to the Assembly Judiciary Committee and the Senate Judiciary Committee, by July 1, 2006, a report regarding the receipt of these fees, the expenditure of these funds, and the outcomes achieved as a result of certain activities as specified.

This bill would make specified legislative findings regarding the need for special legislation.

Ch. 91 (SB 428) Oller. El Dorado County Water Agency.

(1) The El Dorado County Water Agency Act requires the El Dorado County Board of Supervisors to be ex officio the Board of Directors of the El Dorado County Water Agency.

This bill, on and after March 1, 2002, would require that the board of directors of the agency consist of 5 appointed members, 3 of whom required to be directors of the El Dorado County Board of Supervisors, one of whom would be required to be a member of the Board of the South Lake Tahoe Public Utility District or the Tahoe City Public Utility District, and one of whom would be required to be a member of the Board of the El Dorado Irrigation District, the Grizzly Flats Community Services District, or the Georgetown Divide Public Utility District, as prescribed. With certain exceptions, the bill would require the directors to serve 4-year terms. The bill would require that if a director ceases to be a member during his or her term, his or her position as a director would be vacant and any vacancy in the office of a director would be filled by the appropriate appointing authorities. By requiring local public agencies to appoint directors to the board of the agency, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 92 (SB 1081) Johannessen. Exhaust and muffler systems.

(1) Existing law establishes noise limits for various types of motor vehicles based on factors, including, but not limited to, speed limit. Existing law establishes different noise limits for speed zones of 35 miles per hour or less on level streets.

This bill would delete these provisions.

(2) Existing law prohibits any person engaged in a business that involves the selling of motor vehicle exhaust systems from selling or installing a motor vehicle exhaust system that does not meet regulations and standards. Existing law provides that a violation of this provision is a misdemeanor.

This bill would provide that motor vehicle exhaust systems include nonoriginal exhaust equipment.

(3) Existing law requires the Commissioner of the California Highway Patrol to conduct a study and to adopt regulations setting standards for the certification of exhaust systems, which regulations would become effective one year after they are filed with the Legislature. Existing law authorizes the commissioner to provide for the exemption of vehicular exhaust systems where compliance with the regulations would cause an unreasonable hardship without resulting in a sufficient corresponding benefit with respect to noise level control. Existing law requires the regulations to include provisions for the licensing of stations to implement these provisions.

This bill would require these regulations to provide that exhaust systems installed on motor vehicles weighing less than 6,000 pounds that emit no more than 95 dbA comply with specified requirements. This bill would delete the provisions relating to the study and the filing of regulations with the Legislature.

(4) Existing law authorizes a court to dismiss any action in which a person is prosecuted for operating a vehicle in violation of specified provisions relating to noise limits, if certain conditions are met.

This bill would instead authorize a court to dismiss an action in which a person is prosecuted for a violation of specified provisions concerning the use of mufflers and exhaust systems, if the vehicle is equipped with an exhaust system that complies with the regulations described in (3).

(5) Existing law requires manufacturers of motorcycles and motorcycle accessories to certify to the Department of the California Highway Patrol, prior to the sale of a motorcycle exhaust system, that the system is in compliance with the standards and regulations adopted by the commissioner.

This bill would delete this provision.

(6) Existing law prohibits the modification of exhaust systems to amplify or increase the noise emitted such that the system violates existing noise limits.

This bill would provide that for vehicles of less than 6,000 pounds, other than motorcycles, a sound level of 95 dbA or less complies with noise limits.

Ch. 93 (SB 1100) Johannessen. Vehicles: dealers: continuing education: exemptions.

Existing law requires every person, except as specified, applying for a dealer's license for the purpose of transacting sales of used vehicles on a retail or wholesale basis only to take and successfully complete a written examination and to complete a preliminary educational program. Dealers who have completed these initial requirements are required, every 2 years thereafter, to successfully complete an educational program of not less than 4 hours that offers instruction in specified subjects and topics in order to maintain or renew that license, except as specified.

This bill would exempt dealers who sell vehicles on a wholesale basis only and who, in a one-year period, deal with less than 50 vehicles that are subject to registration, from the specified continuing education requirement.

Ch. 94 (SB 1173) Johannessen. Vehicles: engine replacement.

Under existing law, whenever a motor vehicle engine or motor is installed in a motor vehicle that is identified on the ownership and registration certificates by motor or engine number or by both the motor and frame numbers, the owner of the motor vehicle is required to give notice to the Department of Motor Vehicles containing a description of the motor vehicle engine or motor installed, including any identifying number and the date of installation. Existing law prohibits the Department of Motor Vehicles from registering a case for any motorcycle of the push-rod type with nonjournal rods and 4-stroke engines, manufactured in the United States, without proof of the destruction of the case being replaced.

This bill would delete the provision prohibiting the Department of Motor Vehicles from registering a case for any motorcycle of the push-rod type with nonjournal rods and 4-stroke engines, manufactured in the United States, without proof of the destruction of the case being replaced. The bill would instead require the Department of Motor Vehicles, whenever an application is made to register a replacement engine case for any motorcycle, to request the Department of the California Highway Patrol to inspect the motorcycle to determine its proper identity. If the Department of the California Highway Patrol determines that the replacement engine case bears the same identifying numbers as the engine case being replaced, the bill would require the original engine case to be destroyed.

Ch. 95 (SB 81) Speier. Motor vehicle insurance.

Existing law requires a policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of a motor vehicle to include uninsured motorist coverage. Existing law provides that bodily injury to an insured who is struck by his or her own vehicle is not covered by uninsured motorist coverage.

This bill would require that uninsured motorist coverage include coverage for bodily injury to an insured that is caused by a person operating the injured insured's vehicle without the consent of the injured insured in connection with criminal activity that has been documented in a police report and that the injured insured is not a party to.

Ch. 96 (SB 1218) Romero. Class actions: unpaid residuals.

Existing law requires the State Bar to establish the California Legal Corps, and specifies the staffing, duties, and funding thereof.

This bill would eliminate these provisions.

Existing law requires that, prior to the entry of any judgment in a class action, the court determine the total amount that will be payable to all class members. The court is also required to set a date when the parties are to report to the court the total amount that was actually paid to the class members. After the report is received, the court is required to amend the judgment to direct the defendant to pay the sum of the unpaid residue, plus interest, in any manner the court determines is consistent with the objectives and purposes of the underlying cause of action.

This bill would specify the types of persons or organizations to which that unpaid residue, plus interest, shall be paid; would eliminate the requirement that notice of the court order be given to the State Bar; and would make corresponding changes.

Ch. 97 (SB 28) Brulte. State general obligation bonds.

(1) Under the State General Obligation Bond Law, the finance committee or other body authorized to cause bonds to be issued is required to adopt a resolution to the effect that the sale of the bonds is necessary or desirable. The resolution is required to specify, among other things, that the dates of maturity of the bonds are to be at annual or semiannual intervals, whether the bonds are subject to redemption at the option of a state board, department, or agency prior to maturity, that interest is payable semiannually, and whether the bonds are to be issued in coupon form or in fully registered form, or both.

This bill would revise these requirements for the resolution to specify, among other things, whether the bonds are subject to redemption or tender, as defined, prior to maturity, and provisions for the registration and exchange of bonds and for the use of a depository to hold book-entry bonds after issuance.

(2) Existing law authorizes the use of the proceeds from the sale of state general obligation bonds for specified purposes, including the costs of the Treasurer's office directly associated with the sale and payment of the bonds.

This bill would provide that certain costs incurred by the state in connection with bonds that bear variable interest rates are to be paid from appropriations by the Legislature if the bonds are issued under a bond act approved prior to January 1, 2002. If the bonds are issued by a bond act approved thereafter, the bill would authorize the costs to be paid from the General Obligation Bond Expense Revolving Fund or from the proceeds from the sale of the bonds.

(3) Existing law requires the bonds specified in the resolution to be sold by the Treasurer either at a public sale to the bidder whose bid will result in the lowest interest cost on account of those bonds or by negotiated sale if the Treasurer determines it will result in a lower interest cost. The law requires the rate or rates of interest of the bonds to be specified in the bid accepted by the Treasurer, unless a variable interest rate is prescribed.

The bill would require the rate or rates to be specified in either the bid or the proposal for negotiated sale accepted by the Treasurer, unless a variable interest rate is prescribed. The bill

would provide that in specified circumstances variable rate bonds are not backed by the full faith and credit of the state, as specified. The bill would provide that, when the resolution prescribes that bonds may pay a variable interest rate, the Treasurer may sell the bonds by negotiated sale if the Treasurer determines that it is in the best interest of the state to do so.

(4) Existing law requires the Treasurer to require that each bidder provide a good faith deposit based upon the principal amount of the bonds offered for sale.

This bill would require the deposit to be based upon the principal amount of the bonds for which the bidder submits a bid.

(5) Existing law establishes the Refunding Escrow Fund, a continuously appropriated fund, into which the proceeds of each sale of refunding bonds are set aside in a separate account within the fund. Moneys in each separate account are invested by the Treasurer in accordance with the resolution of the committee providing for the issuance of the refunding bonds.

Existing law authorizes the state board, department, or agency authorized to request the issuance of bonds to direct, with an approved resolution, the Treasurer to call and redeem any outstanding bonds that may be redeemed prior to maturity whenever the state board, department, or agency determines that these bonds should be redeemed and that money sufficient for that redemption will be available in the fund or the General Fund at the time of redemption. Existing law requires the Treasurer to take certain actions with respect to the redemption.

This bill would require money determined to be sufficient for the redemption or retirement of bonds and available for that purpose to be transferred from the General Fund to a separate account within the Refunding Escrow Fund. Moneys in the account would be continuously appropriated without regard to fiscal years for that purpose. The bill also would require money in the account to be invested by the Treasurer. It would also require any funds remaining in the account after all the bonds are redeemed to be transferred to the General Fund.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 98 (AB 27) Negrete McLeod. Community colleges: surplus personal property.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. Existing law contains provisions generally governing the acquisition and disposition of personal property by community college governing boards, including provisions authorizing the sale of surplus personal property under prescribed conditions.

This bill would, notwithstanding these requirements, authorize community college districts to exchange for value, sell for cash, or donate any personal property belonging to the district if the property is determined, as prescribed, to be surplus, and the property is exchanged with, or sold or donated to, school districts or other community college districts, as prescribed.

Ch. 99 (AB 133) Alquist. Regional transportation plans.

Existing law requires designated transportation planning agencies to prepare and adopt a regional transportation plan that includes a policy element, an action element, and a financial element.

This bill would authorize those agencies to also include other factors of local significance as an element of the regional transportation plan.

Ch. 100 (AB 614) Thomson. State of California: official State Tartan.

Existing law designates the state's flag, motto, nickname, flower, dance, song, tree, reptile, bird, colors, insect, animal, mineral, rock, gemstone, marine mammal, marine fish, soil, fossil, and prehistoric artifact.

This bill would designate the official State Tartan, as described.

Ch. 101 (AB 735) Chan. Conflicts of interest.

The California Children and Families Act of 1998 requires that the California Children and Families Program, established by the act, be funded by certain surtaxes imposed on the sale and distribution of cigarettes and tobacco products and deposited into the California Children and Families Trust Fund Account, and that the fund be used for the implementation of comprehensive early childhood development and smoking prevention programs. Existing law establishes a state commission, the California Children and Families Commission, with specified powers and duties and also requires that funds in the account be distributed by the commission to those counties that elect to participate in the program by creating county commissions and meeting other criteria.

Existing law prohibits certain state and local officers and employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members, and prohibits any state, county, district, judicial district, and city officers or employees from being purchasers at any sale or vendors at any purchase made by them in their official capacity.

This bill would specify that this prohibition does not apply to any contract or grant made by local children and families commissions created pursuant to the California Children and Families Act of 1998, except in certain circumstances.

Ch. 102 (AB 1180) Calderon. Insurance.

Existing law requires an insurer with respect to commercial insurance, as defined, and workers' compensation insurance to give the insured a written notice of nonrenewal of the policy. Existing law also requires the insurer to provide, upon the request of the insured or the agent or broker of record, a premium and loss history report for the account's tenure or the past 3 years, whichever is shorter, plus loss experience during the current policy year, within 10 business days from the receipt of the request.

This bill would instead require that the insurer provide the premium and loss history report with respect to certain policies of commercial insurance and workers' compensation upon the request of the insured or the agent or broker of record where authorized by the insured, irrespective of nonrenewal. The bill would also provide that the requirement that the insurer furnish the insured with the loss covering the current policy period, but that the requirement does not apply except under specified conditions.

Ch. 103 (AB 1394) Wiggins. Pests: Pierce's disease and the Glassy-winged Sharpshooter.

Existing law generally provides for the eradication of pests that threaten this state's agriculture. Existing law also creates the Pierce's Disease Management Account within the Food and Agriculture Fund for the purpose of research and other efforts to combat Pierce's disease and its vectors.

This bill would create in the Department of Food and Agriculture the Pierce's Disease and Glassy-winged Sharpshooter Board, which would consist of at least 14 and no more than 15 members with specified numbers of representatives of producers and processors, as defined, in the grape industry to be appointed by the Secretary of Food and Agriculture, as specified. This bill would set out the powers of the board and would provide for a specified annual assessment to be paid by processors into the Department of Food and Agriculture Fund for the purposes of, among other things, research of integrated pest management and other sustainable industry practices. This bill would provide that the assessment required to be deposited in the Department of Food and Agriculture Fund may be deposited with an entity

that is a bank or other depository approved by the Department of Finance, if specified conditions are met. This bill would repeal these provisions as of March 1, 2006.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 104 (SB 903) Committee on Elections and Reapportionment. Voters accompanied by children.

Existing law permits a voter to be accompanied in the voting booth area by a child or children under the age of 13 years, if the child or children are in the voter's care and the voter is unable to find other care for the child or children while the voter is voting.

This bill would allow a voter to be accompanied in the voting booth by a child or children under the age of 18 years, and would eliminate the requirement that the voter have no other method of temporary care for the child or children.

Ch. 105 (SB 904) Committee on Elections and Reapportionment. Elections: initiative and referendum circulators.

Existing law requires that persons who circulate state, county, municipal, or district initiative and referendum petitions be registered voters within the jurisdiction of the governmental entity to which the initiative or referendum measure would apply.

This bill would alternatively allow these petition circulators to be eligible to register to vote within the jurisdiction to which the initiative or referendum measure would apply.

The bill would also make technical, nonsubstantive changes to these provisions.

Ch. 106 (SB 739) as amended, Peace. 2001–02 Budget. ¹

This bill would make appropriations for support of state government for the 2001–02 fiscal year.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 107 (AB 38) Strom-Martin. Water agencies: study.

Existing law provides for the governance of various water agencies in the state.

The bill would require the Office of the Legislative Analyst, not later than March 1, 2002, to complete and submit to the Legislature a study concerning the operation of special district water agencies, as defined. The bill would require the study to include specified components, including a discussion of the forms of governance of those agencies and the manner in which those agencies ensure that information with regard to certain planning efforts is provided to the customers.

Ch. 108 (AB 145) Robert Pacheco. Medium of payment: fees.

Existing law authorizes a court, city, county, city and county, or other public agency, upon approval of the governing body that has fiscal responsibility for that agency, to accept credit card payments for the deposit of bail or for any fine for any offense not declared to be a felony.

This bill instead would authorize credit card payments for the deposit of bail for any offense not declared to be a felony or for any court-ordered fee or fine.

Ch. 109 (AB 219) Committee on Utilities and Commerce. Public utilities: deaf and disabled telecommunications program.

Existing law requires the Public Utilities Commission to establish a rate recovery mechanism through surcharges on intrastate telephone service, until January 1, 2001, to recover the costs for providing telecommunications devices capable of serving the needs of the deaf and hearing impaired and telecommunications equipment for the disabled.

This bill would extend the requirement for those telephone surcharges until January 1, 2006, and delete an obsolete provision.

The bill would authorize the commission to authorize the trustee of the California High-Cost Fund-B Trust to transfer to the Deaf Equipment Acquisition Fund Trust (DEAF Trust) money sufficient to cover the costs of the deaf and disabled telecommunications

program. The bill would require the commission to reimburse the California High-Cost Fund-B Trust for any such transfer, with interest as determined by the commission, and would appropriate from the Deaf and Disabled Telecommunications Program Administrative Committee Fund a sum equivalent to the amount of money transferred to the commission for allocation to the California High-Cost Fund-B Trust for that purpose. The bill would prohibit funds from being transferred from the California High-Cost Fund-B Trust to the DEAF Trust after September 30, 2001. The bill would require that reimbursements made to the California High-Cost Fund-B Trust from October 1, 2001, until June 30, 2002, be deposited in a separate memorandum account within the DEAF Trust. The bill would provide that any funds remaining in the DEAF Trust on July 1, 2002, inclusive of amounts deposited in the memorandum account, revert to the General Fund in the State Treasury.

The bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $2/3$ of the membership of each house of the Legislature.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 110 (AB 362) Corbett. Domestic Violence Prevention Act: definitions.

Existing law, the Domestic Violence Prevention Act, authorizes the issuance of various protective orders for the prevention, or the prevention of the recurrence of, domestic violence.

This bill would define the term “dating relationship,” for the purposes of the act.

Ch. 111 (AB 429) Aroner. Health and welfare programs.

Existing law requires a local child support agency to transfer child support delinquencies to the Franchise Tax Board in the form and manner and at the time prescribed by the Franchise Tax Board. Existing law also provides that the Franchise Tax Board has responsibility for accounts receivable management of child support delinquencies in support of the child support activities of the Department of Child Support Services and local child support agencies.

This bill would relieve the Franchise Tax Board of the responsibility for accounts receivable management of child support delinquencies in support of these child support activities and would make related changes. The bill would also revise and recast provisions relating to the transfer of child support delinquencies to the Franchise Tax Board.

Existing law authorizes the Franchise Tax Board to collect child support delinquencies in any manner authorized by law for the collection of a delinquent personal income tax liability, except by the issuance of an order and levy in the manner provided for earnings withholding orders for taxes.

This bill would authorize the Franchise Tax Board to collect child support delinquencies in that manner until the California Child Support Automation System is operational in all 58 counties.

The bill would also require the Franchise Tax Board, with the concurrence of the Department of Child Support Services, to establish a process whereby a local child support agency may request and shall be allowed to withdraw, rescind, or otherwise recall the transfer of a child support delinquency account that has been transferred to the Franchise Tax Board.

Existing law establishes the Department of Child Support Services to implement the operation of the child support enforcement program through local agencies.

Existing law requires the director of the department to establish uniform forms, policies, and procedures for local child support agencies, and imposes related regulatory requirements, including various time deadlines for the implementation of these regulatory requirements.

This bill would extend certain regulatory implementation deadlines applicable to the establishment of the above uniform forms, policies, and procedures.

This bill would create the Child Support Collections Recovery Fund, which would be administered by the department, consisting of all public moneys transferred by public agencies to the department for deposit, as permitted by federal statutes and regulations, and any accrued interest, and that would be used, upon appropriation by the Legislature, for purposes of making payments or advances to local child support agencies of the federal share of administrative payments for costs incurred pursuant to the child support enforcement program.

Existing law requires the department to pay to each county a child support incentive for child support collections, and allows the department, after July 1, 2000, to implement an annual incentive program to reward local child support agencies, in accordance with specified criteria.

This bill would revise the performance standards and other criteria for the above incentive programs. This bill would require the department, after July 1, 2001, to pay an additional incentive, from specified county collections, to the counties with the 10 best performance standards, as revised by this bill, to be used by the counties for specified child support-related activities.

Existing law gives the local child support agency the authority to establish liability for child support against the noncustodial parent in any case in which separation or desertion of a parent or parents from a child or children results in aid under the CalWORKs program being granted.

This bill would require each local child support agency, on a monthly basis, to remit to the Department of Child Support Services both the federal and state public assistance child support payments received pursuant to existing law. The imposition of this new duty upon local agencies would result in a state-mandated local program.

Under existing law, the Department of Community Services and Development is required to receive and administer the federal Low-Income Home Energy Assistance Program Block Grant, and allocate the funds from the grant. Existing law also provides for a similar state program funded by a specified appropriation.

This bill would establish the separate California Low-Income Home Energy Assistance Program, referred to as the California LIHEAP, also to be administered by the department. This bill would provide that the program be designed to increase energy conservation and reduce demand for energy services in low-income households, and to ensure that the most vulnerable households cope with high energy costs. This bill would provide for certain means of accomplishing this, and would set certain income and other criteria for program qualification. The department would distribute grants to certain grantee agencies from funds appropriated for that purpose.

This bill would require the department to report on an annual basis to various committees of the Legislature regarding the program.

Under existing law, the State Department of Social Services is responsible for regulating activity relating to continuing care contracts, which are defined as contracts that include promises to provide care to elderly residents for the duration of their lives, or for a period in excess of one year, in exchange for certain charges or fees.

This bill would require the Continuing Care Contracts Branch of the department to enter and review each continuing care retirement community in the state at least once every 3 years to evaluate the financial soundness of the provider, the condition of the facility, and the facility's compliance with existing law. This bill would also require the branch to issue guidelines that require each provider to adopt a comprehensive disaster preparedness plan. This bill would also require the branch to respond to complaints by residents within 15 days. This bill would also require the branch to report on the work of the Continuing Care Advisory Committee.

Existing law, until October 31, 2001, requires the State Department of Alcohol and Drug Programs to develop and test a comprehensive, client-centered system of care that is outcome-based and addresses the devastating costs of substance abuse to individuals, families, and communities.

This bill would extend the operation of that provision to July 1, 2003, and would require the department to provide the appropriate committees of the Legislature with a report, by January 1, 2003, on how to apply the program on a statewide basis and to include in the report various aspects of the program.

Existing law requires the Office of Statewide Health Planning and Development, until January 1, 2002, to charge a health facility a fee of not more than 0.035% of the gross operating cost of the health facility for the previous fiscal year, for deposit into the California Health Data and Planning Fund. Existing law includes similar provisions, operative on and after January 1, 2002, requiring the office to charge fees for health facilities and freestanding ambulatory surgery clinics for deposit into the fund. Existing law requires the office to establish the fee to produce revenues equal to the appropriation to pay for the functions required to be performed by the office, area and local planning agencies, and the Advisory Health Council.

This bill would revise the above provisions, including specifying that the appropriation upon which the fee is based is the appropriation in the annual Budget Act or another statute to pay for functions required to be performed by the office and the California Health Policy and Data Advisory Commission in accordance with specified law, and other health-related programs administered by the office.

Existing law requires specified employers to contribute 0.1% of specified wages into the Employment Training Fund. Under existing law, this requirement is repealed on January 1, 2002.

This bill would delete this repeal date.

Existing law authorizes the Legislature to appropriate from the Employment Training Fund specified amounts in specified budget acts to fund the local assistance portion of welfare-to-work activities under the CalWORKs program.

This bill would authorize the Legislature to appropriate \$61,650,000 in the Budget Act of 2001 from the Employment Training Fund to fund the local assistance portion of welfare-to-work activities under the CalWORKs program.

Existing law establishes the Employment Training Panel and requires this panel, among other duties, to create a priority list of skills that are in such short supply in this state that employers are choosing to not locate or expand their businesses in the state or are importing labor in response to these skills shortages. Existing law requires this skills priority list to identify those industries in which upgrade training is likely to encourage hiring of the unemployed on a backfill basis.

This bill would delete the requirement that the skills priority list identify those industries in which upgrade training is likely to encourage hiring of the unemployed on a backfill basis.

Existing law requires the Employment Training Panel to prepare a budget to cover necessary administrative costs of the panel, and authorizes the panel to utilize funds in the Employment Training Fund for, among other expenditures, reasonable training costs and administrative costs incurred by contractors performing services for the panel. Existing law also authorizes the panel to allocate up to 10% of its annual training funds to fund training projects that improve the skills and employment security of frontline workers, as defined.

This bill would clarify that participants in these training projects to improve the skills and employment security of frontline workers are not required to meet specified additional requirements. This bill also would make additional technical and clarifying changes to these provisions.

The federal Workforce Investment Act allocates funds to states and local areas for assessment and training of employees.

This bill would make legislative findings regarding the use of these federal funds.

Existing law requires that the status of every dependent child of the court placed in foster care shall be reviewed periodically by the court.

Existing law requires that the report resulting from the periodic review by the court shall project a likely date by which a child in foster care may be returned to, and safely maintained in, the home or placed for adoption, legal guardianship, or in another planned permanent living arrangement.

This bill would also require the court to consider and determine if there is a substantial probability of the child's return to his or her parent's safe home prior to the next 6-month status review hearing.

Existing law requires that the periodic report address what plan, if any, for the return and maintenance of the child in a safe home is recommended to the court by the county welfare department social worker.

This bill would require the report also to address whether there is a substantial probability of the child's return to his or her parent's safe home prior to the next 6-month status review hearing.

By expanding the responsibilities of the counties in the preparation of the report, this bill would result in a state-mandated local program.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the CalWORKs program.

Existing federal law requires that a state receiving federal participation for aid grants for TANF benefits shall not use any part of the grant to provide assistance for a minor child who has been, or is expected by a parent, or parents, or other caretaker relative, of the child to be absent from the home for a period of 45 consecutive days or, at the option of the state, a period of not less than 30 and not more than 180 consecutive days, as the state may provide for in the state plan. Existing federal law authorizes a state to establish good cause exceptions to that limitation that the state considers appropriate if the exceptions are provided for in the state plan.

This bill would require the department to revise the state TANF plan to incorporate the above-described federal option and apply the good cause exceptions authorized by federal law.

By permitting a parent or parents to remain eligible for aid for an increased period of time under certain circumstances, the bill would increase aid payments, thereby constituting an appropriation.

By permitting a parent or parents to remain eligible for aid for an increased period of time under certain circumstances, the bill would increase aid payments and administrative functions of counties, thereby creating a state-mandated local program.

Existing law provides for the provision of payments to meet the needs of recipients of aid under the State Supplementary Program for Aged, Blind, and Disabled under emergency or special circumstances.

This bill would revise the scope of eligibility for emergency or special circumstances aid and the circumstances for which the payments would be made. The bill would increase limits on amounts of aid that may be paid for certain special circumstances.

The bill would authorize counties to transfer funds from their administrative allocation of special circumstance funding to their benefit allocations to the extent that administrative savings are achieved.

Existing law requires persons responsible for the provision of child welfare services to adopt a case plan and specifies that a case plan for a child shall be included in the court report and shall be considered by the court at the initial hearing and each review hearing.

This bill would specify that when out-of-home services are used with the goal of family reunification, the case plan shall consider and describe the application of provisions of this bill that require that a parent or parents of a needy child shall be considered to be living with

the needy child for a certain period preceding the restoration of the family, for purposes of determining aid under the CalWORKs program.

Existing law creates the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which a combination of federal, state, and county funds are used to provide reimbursement to families and facilities providing foster care to eligible children.

Existing law also requires each county to provide child welfare services.

Existing law also provides, until October 1, 2003, for the establishment in all counties, at the county's option and subject to the approval of the State Department of Social Services, a pilot project to continue the provision of intensive wraparound services, as defined, to eligible children in foster care or at imminent risk of this placement.

This bill would indefinitely extend these provisions.

Existing law requires the State Department of Social Services to establish programs to provide food assistance and cash assistance for noncitizens who, due to their immigration status, are not eligible for federal food stamps and for SSI/SSP benefits, and specifies that an applicant who is otherwise eligible for the program but entered the United States after August 22, 1996, and who is not otherwise exempt, shall be eligible for assistance for the period beginning on October 1, 1999, and ending September 30, 2001.

This bill would delete the termination date of eligibility under these assistance programs. This bill would revise the rules and regulations governing these assistance programs related to the period of deeming of a sponsor's income and resources.

Because these programs are administered by each county, the bill would create a state-mandated local program.

Existing law requires the State Department of Social Services and the Health and Welfare Data Center to design, implement, and maintain a statewide fingerprint imaging system for use in connection with the determination of eligibility for benefits under the Aid to Families with Dependent Children (AFDC) program.

This bill would require the Bureau of State Audits to submit, on or before January 1, 2003, to the appropriate committees and the fiscal committees of both houses of the Legislature, an audit of the statewide fingerprint imaging system of the State Department of Social Services.

Under existing law, the Kinship Guardianship Assistance Payment (Kin-GAP) Program provides for financial assistance to children who, after being adjudged dependent children of the juvenile court, are placed in legal guardianship with a relative. Existing law exempts children in receipt of Kin-GAP benefits from any CalWORKs requirements so long as the exemption would not jeopardize federal financial participation in the payment.

This bill would exempt a person who is a kinship guardian under the Kin-GAP Program from the statewide fingerprint imaging system, unless the guardian is also an applicant for, or recipient of, benefits under the CalWORKs or Food Stamp program.

Existing law provides that during such times as the federal government provides funds for the care of a needy relative with whom a needy child is living, aid to the child for any month includes aid to meet the need of that relative, if CalWORKs payments are made with respect to the child for that month, except as prescribed.

This bill would provide that the parent or parents shall be considered living with the needy child or needy children for a period of up to 180 consecutive days of the needy child's or children's absence from the family assistance unit when the child is receiving child protective services and the county has determined that the provision of assistance is necessary for family reunification.

Existing law appropriates funds for the CalWORKs program and makes provision for the allocation of funds to counties for that program.

This bill would appropriate \$3,587,000 from General Fund appropriations for the CalWORKs program in the Budget Act of 2001, and reappropriate certain unspent amounts from specified CalWORKs appropriations for the 2000–01 fiscal year, to specified items of

the Budget Act of 2001 for the purpose of making allocations to under equity counties, as determined by the department.

Existing law requires that each county shall establish and maintain a case record for each public social services case and shall retain the record for a period of 3 years. Existing law requires that the records shall be retained beyond the 3-year retention period when the county is notified by the State Department of Social Services or the State Department of Health Services, whichever has jurisdiction over the records, to retain records for a longer period of time.

This bill would require each county to retain records necessary to determine the number of months each adult recipient has received aid applicable to the time limits required for the CalWORKs program and federal law for a period of time established by the State Department of Social Services.

The bill would also require counties to provide certain record information to the department for tracking time a recipient receives aid under the CalWORKs program, and would impose penalties on counties that fail to provide the information. The bill would require counties to expend funds for any money lost from the county allocation as a result of the imposition of the penalties.

By expanding the responsibilities of counties in the administration of aid programs, this bill would result in a state-mandated local program.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization.

Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium.

Existing law provides that when any increase in provider wages or benefits is negotiated or agreed to by a public authority or nonprofit consortium, the county shall use county-only funds for the state and county share of any increase in the program, unless otherwise provided in the Budget Act or appropriated by statute.

Existing law provides that the state shall participate in funding the IHSS program in certain amounts.

This bill would revise the schedule for state participation in wage increases for individual providers and provider employees of public authorities and nonprofit consortiums.

Existing law establishes a formula with regard to provider wages or benefits increases negotiated or agreed to by a public authority or nonprofit consortium, and specifies the percentages required to be paid by the state and counties, for the 2000–01 fiscal year, with regard to the nonfederal share of any increases.

This bill would specify the percentages required to be paid by the state and counties, for the 2001–02 fiscal year, with regard to the nonfederal share of any increases.

Existing law provides for a state system of social services including in-home supportive services, information and referral services, protective services, and out-of-home care services.

This bill would delete information and referral services from the range of services provided, and would limit out-of-home care services to children.

Existing law provides a schedule for the allocation of federal block grant funds for certain social service and health care programs when there is a reduction in federal funds, and specifies that the allocations shall include funding for the In-Home Supportive Services (IHSS) program services component, child welfare services, protective services and foster care services for adults, and in-home supportive services administration.

Existing law also requires the counties, in expending the County Services Block Grant allocations, to provide protective services and foster care services for adults, information and

referral services, and transportation to and from health care facilities under specified circumstances.

This bill would eliminate expenditures, from both the allocation schedule and the County Services Block Grant allocation, for foster care services for adults, for information and referral services, and for the transportation to and from health care facilities.

Existing law requires the State Department of Social Services to promulgate regulations relating to the protective services for adults, including foster care services and information and referral services.

This bill would delete foster care services for adults and information and referral services as components necessitating regulation by the department.

Existing law expresses the intent of the Legislature that the annual Budget Act appropriate state and federal funds in a single allocation to the counties for the support of administrative activities undertaken by the counties to provide benefit payments to CalWORKs recipients and to provide required work activities and supportive services in order to efficiently and effectively carry out the purposes of that program.

Existing law also requires the State Department of Social Services and the County Welfare Directors Association to develop the specific components of the budget methodology, and requires the Welfare Reform Steering Committee to review the efficacy of the proposed methodology and make recommendations for modifications to the methodology.

Existing law also expresses the intent of the Legislature that limited-term housing assistance be considered as part of the cost-based allocation methodology, where appropriate.

This bill would require, beginning in the 2002–03 fiscal year, that any adjustments to the county's CalWORKs single allocations reflect the most recent available county expenditures of funds caused by an overlap pertaining to both the United States Department of Labor Welfare-to-Work Grant funds and state matching funds, including data regarding the expenditures of the funds that offset the funds the counties would have spent from the CalWORKs single allocation.

Existing law also requires that funds appropriated annually from the Budget Act, for support services under CalWORKs welfare-to-work activities for persons with mental or emotional health disabilities, or a substance abuse problem, be made in a separate allocation to the counties.

This bill would require the department, in consultation with stakeholders and other specified departments, to develop the allocation methodology for these funds, including the specific components to be considered in allocating the funds, by no later than September 1, 2001.

Existing law provides that each county establish an emergency response adult protective services program through which the department is to provide in-person response immediately to reports of imminent abuse or danger to an elder or dependent adult or within 10 days to all other reports of danger to an elder or dependent adult in other than a long-term care facility.

Existing law requires that the department submit a report to the Legislature regarding specified circumstances of the program, on or before April 1, 2001, and that specified subdivisions are to become inoperative on January 1, 2001.

This bill would delete the requirement that specified subdivisions are inoperative on January 1, 2001, and would require the State Department of Social Services to submit the report of specified circumstances of the program to the Legislature on or before April 1, 2001, and annually thereafter.

Existing law provides for the allocation of funds for benefits administration and employment services based on certain factors, and requires the Welfare Reform Steering Committee to review the efficacy of the existing methodology and make recommendations, if any, for modification of the methodology by November 1, 2002.

This bill would eliminate the requirement that the Welfare Reform Steering Committee make the review and make recommendations, and would, beginning in the 2002–03 fiscal year, revise the methodology of funding support for all components of the CalWORKs program and all state programs funded with federal Temporary Assistance for Needy Families program funds based on an accounting methodology developed by the State Department of Social Services.

Existing law requires the Department of Rehabilitation to provide assistance and funding to independent living centers for individuals with disabilities. Existing law provides a formula for the allocation of funds appropriated by the Legislature to independent living centers and a nonprofit contractor selected by the department for the purpose of providing assistive technology services.

This bill would revise the formula for the allocation of funds pursuant to this provision.

Existing law authorizes the Director of Finance to approve transfers from the federal Temporary Assistance for Needy Families block grant to, and in augmentation of, any program for which those funds have been appropriated in the Budget Act.

This bill would require the department, by October 1, 2001, to establish a process whereby county welfare departments may request funds from the federal Temporary Assistance for Needy Families reserve as appropriated in the Budget Act of 2001, for CalWORKs program services and administration.

Existing law provides that in order to provide counties with additional incentive to move CalWORKs recipients to employment, each county shall receive the state share of savings, subject to amounts appropriated in the annual Budget Act, resulting from specified outcomes.

Existing law, the State Budget Act of 2000, provides that of certain funds appropriated to the State Department of Social Services for local assistance for CalWORKs services, an amount not to exceed \$250,000,000 shall be for payment of county incentives. Existing law requires that these funds be used first for any prior year county incentives are earned but not paid, with any remaining amount prorated for payment of new claims received.

This bill would delete the above requirement and would prohibit any amount from funds appropriated to the department for local assistance for CalWORKs services from being used for payment of county incentives.

The bill would authorize the department to adopt emergency regulations in order to implement specified provisions of the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 112 (AB 435) Committee on Budget. Resources: fish and game licenses and other entitlements.

(1) Under existing law, licenses, license tags, license stamps, permits, certificates, and other entitlements are issued by the Department of Fish and Game for specified fees that authorize various activities relating to taking and possession of birds, mammals, and fish for purposes other than commercial purposes. Fees collected for those entitlements are deposited in the Fish and Game Preservation Fund, a fund continuously appropriated to the department and the Fish and Game Commission to carry out the Fish and Game Code.

This bill would change the requirements for issuing, possessing, replacing, and renewing certain entitlements and for transacting business as a license agent for the purpose of issuing those entitlements.

Because the bill would impose new duties on the department and the commission, the bill would make an appropriation, and, to the extent that this bill would result in additional money being deposited in the fund, the bill would also make an appropriation.

(2) Existing law makes a violation of a provision of the Fish and Game Code a crime.

To the extent that the new procedures in the bill would redefine crimes related to issuing, possessing, replacing, or renewing the entitlements or the requirements for transacting business as a license agent, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 113 (AB 438) Committee on Budget. Transportation: finance.

(1) Existing law continuously appropriates to the Treasurer the amounts identified in the Budget Act as having been deposited in the State Highway Account in the State Transportation Fund from federal transportation funds and pledged by the California Transportation Commission, for the purposes of issuing federal highway grant anticipation notes to fund transportation projects selected by the commission. Projects eligible for this special funding are limited to transportation projects that have been designated for accelerated construction by the commission.

This bill would provide that the category of projects eligible for the special funding includes (a) toll bridge seismic retrofit projects; (b) projects approved for funding under the Traffic Congestion Relief Act of 2000; and (c) projects programmed under the current adopted State Transportation Improvement Program or the current State Highway Operation and Protection Program.

(2) Existing law establishes the Traffic Congestion Relief Fund (hereafter the TCRF) in the State Treasury and appropriates the money in the TCRF (a) to the Department of Transportation for allocation, as directed by the California Transportation Commission, to the department and certain regional and local transportation entities for certain listed transportation projects, (b) to the Controller for allocation to cities, counties, and cities and counties for street and road maintenance, rehabilitation, and reconstruction, (c) to the commission for the purposes of a funding exchange program, and (d) to the department for rehabilitation and repaving projects on state highways. Existing law, with respect to the list of transportation projects eligible for funding with money from the TCRF referenced above, specifies the lead applicant for each project, and establishes a procedure for the lead applicant to apply to the commission for funds for each project.

Existing law requires the Controller to transfer specified amounts on a quarterly basis from the General Fund to the Transportation Investment Fund (hereafter the TIF) in the State Treasury. The Controller, for each quarter during the period commencing on July 1, 2001, and ending on June 30, 2006, is required to transfer or apportion specified amounts from the TIF to the TCRF, to the Public Transportation Account, a trust fund in the State Transportation Fund, to the Department of Transportation, to the counties, including a city and county, and to the cities, including a city and county, for specified transportation purposes. Funds apportioned to counties, cities, and cities and counties are required to be deposited in certain local accounts in order to avoid the commingling of those funds with other local funds and may be used only for street and highway maintenance, rehabilitation, reconstruction, and storm damage repair, as defined. Cities, counties, and cities and counties are required to maintain their existing commitment of local funds for street and highway maintenance, rehabilitation, reconstruction, and storm damage repair in order to remain eligible for allocation of the specified funds.

This bill would delay the transfers from the General Fund to the TIF by instead requiring the transfers to commence on July 1, 2003, and end on June 30, 2008.

This bill would reduce the total amount to be transferred from the TIF to the TCRF by \$76,100,000.

This bill, for the 2006–07 and 2007–08 fiscal years, would require the transfer from the TIF to the Department of Transportation for transportation capital improvement projects to be 80% of the amount remaining after the transfer to the TCRF for the listed transportation projects and, for that same period, would delete the transfer from the TIF to the cities, counties, and cities and counties. The bill, for each of the 2001–02 and 2002–03 fiscal years, would appropriate from the State Highway Account in the State Transportation Fund to the Controller 40% of the amount obtained by subtracting \$169,500,000 from the amount reported to the Controller for transfer to the TIF during each of those fiscal years. The bill would require the Controller to apportion the appropriated funds to cities, counties, and cities and counties in accordance with provisions in existing law relating to allocation of TIF funds, and those funds would be subject to provisions relating to expenditure of TIF funds.

This bill, until July 1, 2008, would authorize the Department of Transportation, for specified purposes, to transfer funds as short-term loans, as defined, among the State Highway Account in the State Transportation Fund, the TIF, the Public Transportation Account in the State Transportation Fund, and the TCRF, subject to those terms and conditions that the Director of Finance may impose upon those transfers. The bill would require the Director of Transportation to report to the commission on the status of these loans, and would require the commission to monitor the impact of the loans on transportation projects and other expenditures.

This bill would authorize the Director of Finance to authorize, by executive order and to the extent necessary to provide adequate cash to fund projected expenditures for the listed transportation projects, the transfer of not more than \$100,000,000, as an interest free loan, from the Motor Vehicle Account in the State Transportation Fund to the TCRF, and the transfer of any available funds, as an interest free loan, from the General Fund to the TCRF. Loans from the Motor Vehicle Account would be authorized only beginning July 1, 2004, and would be required to be repaid by July 1, 2007. The bill would also provide for loans of certain maximum cumulative amounts to the TCRF from the Public Transportation Account or the State Highway Account for these purposes through the annual Budget Act, to be repaid by June 30, 2008, and June 30, 2007, respectively. The director would be required to order the repayment of the loans under certain circumstances. The bill would require the Department of Transportation, upon the request of the commission or the Director of Finance, to provide a report, for these purposes, projecting the cash needs of the listed projects.

This bill would authorize money in the TCRF derived from the General Fund and not currently needed for expenditures on the listed projects to be transferred to the General Fund through the annual Budget Act. The bill would require the Director of Finance, upon making a determination that funds in the TCRF are not adequate to support expected cash expenditures for the listed projects, to require, by executive order, that the funds transferred to the General Fund under this provision be repaid to the TCRF. These loans to the General Fund would be required to be repaid no later than June 30, 2006.

This bill would require that funds transferred to the TCRF under these provisions be used for purposes consistent with any restrictions on uses of those funds imposed under the California Constitution or by statute. The bill would require the Department of Transportation to identify specific projects to which those funds may properly be applied and to propose that application of funds to the commission. The bill would require the commission to designate projects to receive those funds through certain processes established in existing law. The bill would require the Department of Transportation to report periodically to the commission, the Department of Finance, and the Legislature on the

expenditure of those funds or related matters, and would require certain reporting by the commission to the Legislature.

(3) Existing law, amended by Proposition 116 of 1990, requires certain revenues derived from imposition of the Sales and Use Tax Law on certain motor vehicle fuels to be deposited in the Public Transportation Account in the State Transportation Fund, which is designated a trust fund by that initiative statute. Existing law requires that the funds in the account be available, when appropriated by the Legislature, only for transportation planning and mass transportation purposes, as specified by the Legislature, and requires that the funds be allocated for those purposes in accordance with a specified scheme. Existing law authorizes the Legislature to amend these provisions by statute requiring a $\frac{2}{3}$ vote, if the amendments are consistent with and further the purposes of these provisions.

This bill would amend the initiative provisions by limiting the transfer of certain sales and use tax revenues on certain motor vehicle fuels to the account for the 2001–02 fiscal year to not more than \$81,000,000 plus $\frac{1}{2}$ of the amount otherwise to be transferred under these provisions that is in excess of \$81,000,000. For the 2002–03 fiscal year, the transfer would be limited to not more than \$37,000,000 plus $\frac{1}{2}$ of the amount otherwise to be transferred under these provisions that is in excess of \$37,000,000.

(4) This bill would enact other related provisions.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 114 (AB 445) Cardenas. School Facilities Fee Assistance Fund.

Existing law establishes the Homebuyer Down Payment Assistance Program and the Rental Assistance Program, which are administered by the California Housing Finance Agency pursuant to a contract with the Department of General Services, to provide assistance in the amount of the applicable school facility fee for affordable housing developments. Existing law, for the purposes of those programs, establishes the School Facilities Fee Assistance Fund, which is continuously appropriated to the Department of General Services. Specified amounts are appropriated to that fund from the General Fund in each of specified fiscal years, including \$20,000,000 in the 2002–03 fiscal year through December 31, 2002. These provisions are to be repealed as of January 1, 2003.

This bill would delete that appropriation in the 2002–03 fiscal year. The bill would prohibit the agency from honoring reservations received on or after January 1, 2002, for participation in those programs, and would require any unobligated amounts in the School Facilities Fee Assistance Fund as of that date to be transferred to the General Fund, except as specified. The bill would delete the January 1, 2003, repeal date for those provisions, and would make the provisions inoperative on and after January 1, 2002, except with respect to any repayment obligation or regulatory agreement imposed as a condition of assistance.

Ch. 115 (SB 153) Knight. Pilot projects: state and local programs.

Under existing law, various state and local pilot, demonstration, and other projects and programs of limited duration were created to, among other things, make studies, collect data, and make reports to the Legislature pertaining to, among other things, civil procedure, air pollution, transportation, housing, health and welfare, criminal law, juvenile justice, hazardous waste, and state property.

This bill would repeal certain of these provisions that have become obsolete and would make related technical and conforming changes.

Ch. 116 (SB 166) Poochigian. Pupil expulsion.

(1) Existing law authorizes the governing board of a school to order the expulsion of a pupil for possession of an explosive.

This bill would require the governing board of a school to order the expulsion of a pupil possessing an explosive, as defined. Because this bill would impose new duties on school

districts by increasing the number of expulsion-related actions within school districts, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 117 (SB 429) Soto. Housing: assistance.

The Planning and Zoning Law requires an owner of an assisted housing development to give tenants specified notices prior to the anticipated termination date of a subsidy contract, and to give specified entities the opportunity to offer to purchase the development.

This bill would provide that the owner shall be deemed to be in compliance with the notice requirement and that the requirement to give the opportunity to purchase shall not apply if specified conditions are contained in a regulatory agreement recorded against the property.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 118 (SB 742) Escutia. Fiscal affairs.

(1) Existing law, the Corporate Securities Law of 1968, requires the Commissioner of Corporations to charge and collect specified fees in connection with securities-related actions and requires that those fees be credited to the State Corporations Fund.

This bill would require the commissioner to set those fees for the 2002–03 and subsequent fiscal years in accordance with specified requirements. The bill would require the Department of Corporations to report to the Chair of the Joint Legislative Budget Committee and the Chairs of the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget on the fees to be reduced and the projected revenue and fund balance impact on the State Corporations Fund.

(2) Existing law establishes the Child Care and Development Services Loan Guaranty Fund and the Child Care and Development Facilities Direct Loan Fund in the State Treasury which are continuously appropriated funds, to be used for the purpose of guaranteeing and making loans for the purchase, development, construction, expansion, or improvement of licensed child care and development facilities. Existing law prohibits a direct loan from exceeding 50% of the total amount of investment for the purchase, development, expansion, or improvement of eligible child care and development facilities and prohibits the term of a direct loan from exceeding 20 years. Existing law requires the interest rate for a direct loan to be set at the time of application, fixed for the term of the loan, and set at a rate equivalent to the Surplus Money Investment Fund rate in effect on December 31 of the preceding year.

This bill would instead prohibit a loan from exceeding 75% of the total amount of investment and from exceeding 30 years. The bill would require a direct loan to bear simple interest at the rate of 3% per annum on the unpaid principal balance. The bill would authorize the Department of Housing and Community Development to permit a loan to be assumed by an otherwise qualified borrower who agrees to continue to provide child care for the balance of the original term of the loan.

(2.5) Existing law establishes various commissions and programs promoting various agricultural products produced in the state.

This bill would authorize the Secretary of Food and Agriculture to enter into a marketing agreement, as specified promoting the Buy California Program. This bill would require the department to report to the Legislature on January 1, 2002, regarding expenditures and progress of the program. The bill would create the continuously appropriated Buy California Account in the Food and Agriculture Fund for that purpose.

(3) Existing law requires the Department of Housing and Community Development to adopt regulations for serving family day care homes that serve more than 6 children efficiently and effectively, including making loans available from the Child Care and Development Facilities Direct Loan Fund to local microenterprise loan funds and other

lenders who reloan the funds to eligible family day care home providers and authorizing guarantees of small loans by local microenterprise loan funds and other lenders serving family day care home providers.

This bill would require the department to adopt regulations for serving family day care homes that serve up to 35 children and for licensed child care and development facilities. The bill would prohibit loans made by local microenterprise loan funds from being made for less than \$5,000 and from exceeding \$50,000. The bill would make only licensed small family day care homes eligible for loans from funds made available to local microenterprise loan funds and other lenders and for guarantees of small loans made by those loan funds and lenders.

(4) Existing law includes family day care homes serving more than 6 children within the facilities eligible for the loan guaranty and the direct loan programs.

This bill would instead include licensed large and small family day care homes within those eligible for those programs.

(5) Existing law, the Administrative Procedure Act, establishes basic minimum procedural requirements for the adoption, amendment, or repeal of administrative regulations.

This bill would, notwithstanding any other provision of law, authorize the Department of Housing and Community Development to implement, interpret, and make specific the changes made by this act, described in (2), (3), and (4) above, through guidelines that would be exempt from the requirements of the Administrative Procedure Act.

(6) Existing law authorizes state officers and employees who are eligible to participate in a flexible benefits program, to elect to receive one or more benefits that would qualify to be excluded from gross income in lieu of a portion of his or her salary. Existing law establishes the Flexelect Benefit Fund as a continuously appropriated fund to implement the flexible benefits program and to pay the related administrative costs.

This bill would authorize any eligible employee, as defined, to elect to participate in the State Employees' Pretax Parking Payroll Deduction Program, which would be administered by the Department of Personnel Administration. The bill would require that an amount equivalent to the value of the parking be excluded from the gross income of the employee, in lieu of a portion of the employee's compensation, and be transmitted to the State Employees' Pretax Parking Fund that would be established by the bill as a continuously appropriated fund. The fund would be used for the purposes of implementing the State Employees' Pretax Parking Payroll Deduction Program.

(7) Existing law requires the Department of General Services to commit itself to 2 specified categories of services by July 1, 1998, and sets forth the conditions pursuant to which the director of the department, notwithstanding existing statutes and regulations, is required or authorized, among other things, to transfer funds, provide relief from accountability for debts, procure goods from the private sector even though the goods may be available through the Prison Industry Authority, certify funds for the payment of specified legal settlements and tort claims, and approve specified departmental forms in lieu of the Director of Finance. Existing law also exempts state agencies from using the Office of State Publishing for their printing needs.

Existing law provides that these provisions become inoperative on the effective date of the Budget Act of 2001, or June 30, 2001, whichever occurs first.

This bill would codify these provisions and also require state agencies, when soliciting bids for printing services from the private sector, to solicit a bid from the Office of State Publishing when the project is anticipated to cost more than \$5,000.

The bill would provide that these provisions shall remain operative only until the effective date of the Budget Act of 2002, or June 30, 2002, whichever occurs later, and as of January 1, 2003, are repealed.

(8) Existing law requires the Technology, Trade, and Commerce Agency to conduct a program to make loans and grants to persons to upgrade, replace, or remove petroleum

underground storage tanks to meet applicable local, state, or federal standards or to take corrective actions. Existing law provides that these provisions are repealed as of January 1, 2002.

This bill would extend the operation of these provisions to January 1, 2004, when they would be repealed.

(9) Existing law sets the salaries of the Chief Justice of California, the Associate Justices of the Supreme Court, the presiding and associate justices of the courts of appeal, and judges of the superior court, and provides for various percentage increases in those salaries. Under the California Rules of Court, the Chief Justice is the Chair of the Judicial Council. Under the California Constitution, laws that set the salaries of elected state officers are appropriations.

This bill would, in addition to the above provisions, provide operative January 2, 2002, the salary of the position of Chair of the Judicial Council and the position of a presiding judge of a superior court which has 15 or more judges, and the positions of the administrative presiding justices of the appellate courts, shall be increased by that amount which is produced by multiplying the salary of each of these judicial offices by 4%; and that the salary for the position of a presiding judge of a superior court, which has 4 to 14 judges, shall be increased by that amount which is produced by multiplying the salary of this judicial office by 2%; but that a judge or justice who no longer serves in the position of an administrative presiding justice or a presiding judge of a superior court shall receive only the salary in effect for judges or justices of his or her court. The bill would also specify that these increases not be counted for specified provisions relating to contributions and computations under the Judges Retirement Law or the Judges' Retirement System II Law.

The bill would make an appropriation by increasing the salaries of elected state officers.

(10) The Employee Housing Act generally reserves to local jurisdictions specified planning and zoning requirements that include, among other things, the source of water supply and method of sewage disposal.

However, this law specifies certain processing requirements with respect to a building permit, grading permit, or other approval from a city or county building department for the rehabilitation of real property improvements that are or will be employee housing for agricultural employees, or from a city or county health department for the operation, construction, or repair of a water system or waste disposal system servicing employee housing for agricultural employees. If a local building or health department does not respond to an application or permit request within 60 calendar days, the Department of Housing and Community Development may approve the application or permit request if it determines that the plans are consistent with all applicable building codes and health and safety requirements.

This bill would authorize the Department of Housing and Community Development to recover any costs, up to a specified amount, incurred in approving an application or permit request under circumstances where a local building or health department did not timely respond to the application or permit request.

(11) Existing law establishes the Veterans' Home of California, Yountville. Existing law establishes the total individual member's fees and charges based on the level of care. Existing law provides that for residential care a member's fees and charges for any fiscal year shall not be greater than 55% of the member's annual income, or \$1,200 per month, whichever is less.

This bill would instead provide, for residential care, the total of the member's fees and charges for any fiscal year shall not be greater than 47¹/₂% of the member's annual income, or \$1,200 per month, whichever is less.

(12) Existing law, under the Public Utilities Act, creates 6 advisory boards to advise the Public Utilities Commission regarding the implementation, development, and administration of specified telecommunications programs, and to carry out the programs pursuant to the commission's direction, control, and approval. Existing law creates a fund in the State Treasury for each advisory board, and requires the commission, on or before July 1, 2000, to report to the Governor and the Legislature regarding a transition plan for

programs associated with those funds. Existing law prohibits the appropriation, transfer, or diversion from each fund to any other fund or entity.

This bill would provide that short-term loans between the funds may be authorized in the annual Budget Act. The bill would delete the provision requiring the commission to report to the Governor and the Legislature regarding a transition plan for programs associated with those funds.

(13) Existing law requires the Public Utilities Commission to conduct financial audits of the revenues for each of the funds, and to conduct compliance audits with regard to each program, as specified, with the first 3-year period for a financial and compliance audit commencing on January 1, 2000.

This bill would require the first 3-year period for a financial and compliance audit to commence on July 1, 2002.

(14) Existing law requires telephone corporations to submit to the Public Utilities Commission approved rate revenues for transfer by the commission to the Controller for deposit in the California High-Cost Fund-A Administrative Committee Fund, California High-Cost Fund-B Administrative Committee Fund, Universal Lifeline Telephone Service Trust Administrative Committee Fund, Deaf and Disabled Telecommunications Program Administrative Committee Fund, Payphone Service Providers Committee Fund, and the California Teleconnect Fund Administrative Committee Fund. Existing law requires any unexpended revenues collected prior to the operative date of the bill to be deposited in the appropriate fund.

This bill would provide instead that commencing on October 1, 2001, and continuing thereafter, the commission shall transfer the moneys received, and all unexpended revenues collected prior to October 1, 2001, to the Controller for deposit in the various funds, except that the bill would provide that the commission transfer the moneys received, and all unexpended revenues collected prior to July 1, 2002, to the Controller for deposit in the Deaf and Disabled Telecommunications Program Administrative Committee Fund commencing on July 1, 2002. The bill would provide that any transfers of money from the California High-Cost Fund-B Trust to the Deaf Equipment Acquisition Fund Trust prior to October 1, 2001, shall not be required to be transferred to the Controller for deposit in the California High-Cost Fund-B Administrative Committee Fund prior to July 1, 2002.

(15) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 119 (SB 890) McPherson. Peace officers: correctional counselors.

Under existing law, certain persons are designated as peace officers whose authority extends to any place in the state while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of their employment or as required when an emergency has been declared, or in furtherance of certain mutual aid agreements. Pursuant to these provisions peace officers may carry firearms as authorized and under the terms and conditions specified by their employers. Existing law also authorizes certain persons, including a correctional officer employed by the Department of Corrections to carry a firearm while not on duty.

This bill would include correctional counselor series employees of the Department of Corrections within these provisions.

Ch. 120 (SB 1132) Karnette. County retirement systems: administration: Los Angeles County.

The County Employees Retirement Law of 1937 authorizes county retirement boards and, if applicable, boards of investment to appoint an administrator who shall be a county employee subject to the county salary ordinance or resolution but who shall not be subject to county civil service or merit system rules, who shall serve at the pleasure of the board or boards, and who may be dismissed at will without specific charges, reasons, or cause.

This bill would authorize the board of retirement and the board of investment of Los Angeles County to additionally appoint, subject to those terms of employment, assistant administrators, persons next in line of authority to assistant administrators, chief legal officers, chief deputy legal officers, chief investment officers, and investment officers next in line of authority to chief investment officers.

Ch. 121 (SB 1183) Committee on Revenue and Taxation. Property taxes: local rolls: assessments: administration.

Existing law requires each county assessor to determine the assessed value of taxable real property and personal property, and requires each county tax collector to collect the taxes levied on those assessed values.

Under existing law, if a taxpayer mistakenly pays property tax on property he or she does not own, the property tax is transferred to the property of the taxpayer for which the payment is intended.

This bill would allow for the refund of taxes mistakenly paid in the case in which there is no property of the taxpayer to which the payment may be applied. This bill would also make technical, nonsubstantive changes to the laws governing the treatment and sale of tax-defaulted property.

Ch. 122 (SB 1188) Committee on Health and Human Services. Exemption from Medical Experimentation Act.

Existing law, the Protection of Human Subjects in Medical Experimentation Act, prohibits any person from being subjected to any medical experiment unless the informed consent of the person is obtained.

This bill, until January 1, 2011, would provide an exemption from the act for any medical experimental treatment that benefits a patient subject to a life-threatening emergency that is conducted in accordance with prescribed requirements even if the patient is unable to give informed consent because of the medical condition.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 123 (AB 212) Correa. Redevelopment: Tustin Marine Corps Air Station.

Existing law authorizes a redevelopment project at the Tustin Marine Corps Air Station, and designates the City of Tustin as the local base reuse entity for purposes related to base reuse planning.

This bill would prohibit the City of Tustin or the Tustin Community Redevelopment Agency from issuing any land use or other approval unless it requires the conveyance of or an offer to dedicate certain property to the Santa Ana Unified School District and the Rancho Santiago Community College District for a K-14 facility.

Ch. 124 (AB 296) Corbett. Redevelopment.

The Community Redevelopment Law authorizes 2 or more communities to jointly exercise the powers of a redevelopment agency.

This bill would authorize the legislative bodies of the City of San Leandro and the County of Alameda, by ordinance, to provide that the San Leandro Redevelopment Agency or the Alameda County Redevelopment Agency, or both, shall exercise certain powers with respect to a specified joint project area and joint redevelopment plan.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 125 (AB 427) Hertzberg. Public social services.

Existing law requires the State Department of Social Services to license community care facilities participating in transitional housing programs for children who are 17 or 18 years of age or who, although older, are completing high school or the equivalent level of vocational or technical training.

This bill would provide that a transitional housing facility that serves only youth over 18 years of age who have emancipated from the foster care system shall not be subject to those licensing requirements if the facility has been certified to provide transitional housing by the appropriate county social services or probation department, and has obtained a local fire clearance.

This bill would revise the certification standards, and includes those certified facilities within the scope of transitional housing facilities.

The bill would extend the scope of the class of children who may be provided transitional housing.

The bill would also revise the requirements for being licensed as a transitional housing placement facility.

Existing law requires that the State Department of Social Services shall develop a ratesetting system for licensed community care facilities participating in transitional housing placement programs and sets parameters for the rates.

This bill would revise the method of determining the rate for community care facilities participating in transitional housing placement programs. It would authorize the department to transfer specified funds in the Budget Act of 2001 which would be deposited in the Transitional Housing for Foster Youth Fund, created by this bill, which would be continuously appropriated for purposes of paying the state share of the cost relating to transitional housing services.

This bill would also authorize Los Angeles County to pursue the development and evaluation of a pilot Internet-based health and education system for children in the foster care and probation system, and would provide for the statewide application of the system in certain circumstances.

This bill would authorize the State Department of Social Services to implement applicable provisions of this bill through an all-county letter and to adopt regulations to implement applicable provisions of this bill no later than June 30, 2002.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 126 (SB 9) Soto. Firearms: criminal storage: minors.

(1) Existing law establishes the crime of criminal storage that arises when a person keeps any loaded firearm within any premises that is under his or her custody or control and he or she knows or reasonably should know that a child under 16 years of age is likely to gain access to the firearm without the permission of the child's parent or legal guardian and the child obtains access to the firearm and thereby either (a) causes death or great bodily injury to himself, herself, or any other person, or (b) causes injury, other than great bodily injury, to himself, herself, or any other person, or carries the firearm either in a public place or as specified. A violation of (a) is criminal storage in the 1st degree, punishable as either a misdemeanor or a felony, and a violation of (b) is criminal storage in the 2nd degree, punishable as a misdemeanor.

This bill would provide that the above provisions of existing law are applicable to a child under 18 years of age. By revising the definitions of existing crimes, this bill would impose a state-mandated local program.

(2) Under existing law, a person who keeps a pistol, revolver, or other firearm capable of being concealed upon the person within any premises that are under his or her custody or control and he or she knows or reasonably should know that a child under the age of 16 years is likely to gain access to that firearm without the permission of the child's parent or legal guardian and the child obtains access to that firearm and carries it off-premises is guilty of a misdemeanor.

This bill would provide that for the purposes of this section, a child is a person under the age of 18 years. This bill would also provide that when a person violates the above provisions and, additionally, the child takes the firearm to a school or a school-sponsored activity as specified, then the person is guilty of a misdemeanor and subject to an additional fine of up

to \$5,000, or both that imprisonment and fine. By revising the definitions of an existing crime, this bill would impose a state-mandated local program.

(3) This bill would also make technical conforming changes with regard to warnings that licensed firearms dealers are required to post.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 127 (SB 46) Polanco. Vehicles: Department of Motor Vehicles: private industry partners: tow trucks.

(1) Existing law provides procedures for the sale of a vehicle at a lien sale and requires the lienholder, following the sale of a vehicle at a lien sale to remove and destroy the vehicle's license plates and to submit a completed "Notice of Release of Liability" form to the Department of Motor Vehicles.

This bill would require the person who conducts the sale, rather than the lienholder, to perform the duties described above.

(2) Existing law authorizes the Department of Motor Vehicles to license private registration services to receive applications for vehicle registration and transmit those applications to the department.

This bill would authorize the department, in conformance with certain provisions in existing law relating to personal services contracts with private parties, to establish contracts for electronic programs to join the department with qualified private industry partners to provide title and vehicle registration transactions and would authorize the department to enter into contractual agreements with 3 specified types of private industry partners.

The bill would authorize the director to establish the maximum amount that a qualified private industry partner may charge for its services.

The bill would authorize the department to establish a transaction fee that it may charge to a qualified private industry partner for the information and services provided. This bill would provide that the private industry partner can pass the transaction fee to the customer.

The bill would require all fees collected pursuant to the above to be deposited in the Business Partner Automation Account in the Special Deposit Fund, established by the bill, to be available, upon appropriation, to the Department of Motor Vehicles for the purposes of maintaining, monitoring, and enhancing the above described programs. The bill would require the department to adopt regulations and procedures and to provide a described annual informational report to the Legislature.

(3) Existing law authorizes the Commissioner of the California Highway Patrol to enter into service agreements with providers of towing services to determine which providers will be summoned by the department for public assistance. Existing law also requires tow truck drivers to provide certain information as part of a certification process.

This bill would, until January 1, 2003, establish the Tow Truck Advisory Committee to develop proposed statewide tow truck standards and report to the Legislature on or before December 31, 2002.

(4) Existing law requires every tow truck driver to notify each of his or her employers and prospective employers of an arrest or conviction of any specified crime prior to beginning the next workshift for that employer.

This bill would specify that this notification is required to be given by each freeway service patrol tow truck driver and any California Highway Patrol rotation tow truck operator and would require the Department of the California Highway Patrol to be one of the recipients of the notification. Because a violation of this expanded notification requirement would be a crime, this bill would impose a state-mandated local program.

(5) Existing law makes it unlawful for a tow truck driver to knowingly provide certain false information on applications for a tow truck driving certification or fail to comply with certain notification requirements.

This bill would specify that these provisions apply to California Highway Patrol rotation tow truck operators including freeway service patrol tow truck drivers.

(6) Existing law prohibits a person from stopping, standing, sitting, or loitering upon any class I bikeway, as defined, or any other public or private bicycle path or trail, if the stopping, standing, sitting, or loitering impedes or blocks the normal and reasonable movement of any bicyclist, or park a vehicle upon these paths or trails so as to impede or block the normal and reasonable movement of any bicyclist, except as specified.

This bill would make these prohibitions inapplicable to the driver of a tow truck vehicle while actually engaged in the towing of a vehicle if certain signal lamps are flashed simultaneously.

(7) Existing law prohibits a lien from attaching to any personal property in or on the vehicle that is garaged and requires that personal property to be given to the current registered owner or the owner's authorized agent upon demand.

This bill would require the keeper of the garage, upon demand, to give the personal property to the current registered owner or owner's agent without charge during normal business hours. The bill would specify that normal business are Monday to Friday, inclusive, from 8 a.m. to 5 p.m., inclusive, except state holidays. The bill would allow a specified gate fee to be charged for returning property after normal business hours, weekends, and state holidays. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(9) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 128 (SB 274) Karnette. Switchblade knives.

Existing law provides that possession or transfer, as specified, of a switchblade knife, as defined, is a misdemeanor. Existing law also provides that the definition of "switchblade knife" does not include a knife that is designed to open with one hand utilizing thumb pressure applied solely to the blade of the knife or a thumb stud attached to the blade.

This bill would recast those provisions so that the definition of "switchblade knife" would not include a knife that opens with one hand utilizing thumb pressure applied solely to the blade of the knife or a thumb stud attached to the blade, provided that the knife has a detent or other mechanism that provides resistance that must be overcome in opening the blade, or that biases the blade back toward its closed position.

By changing the definition of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 129 (SB 479) Burton. Attorneys: diversion and assistance.

Existing law requires a member of the State Bar to comply with certain requirements and rules of professional conduct in order to avoid being subject to disciplinary action by the Board of Governors of the State Bar of California. A member of the State Bar is subject to a physical or mental examination if his or her physical or mental condition is at issue in an investigation or disciplinary proceeding.

This bill would require the board to establish and administer an Attorney Diversion and Assistance Program. That program would be required to provide services for the treatment and recovery of attorneys due to the abuse of drugs or alcohol or mental illness. The bill would authorize the board to charge an annual fee of \$10 to each active member of the State Bar to cover the costs of the program.

Ch. 130 (SB 578) Figueroa. Weapons: fléchette darts.

Existing law makes it a misdemeanor for any person to manufacture, cause to be manufactured, import into this state, keep or offer for sale, give, lend, or possess specified types of weapons and ammunition, including ammunition consisting of a dart capable of being fired from a firearm that measures approximately one inch in length, with tail fins that take up $\frac{5}{16}$ of an inch of the body.

This bill instead would specify that the tail fins of this type of ammunition take up approximately $\frac{5}{16}$ of an inch of the body. By expanding the scope of an existing crime, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 131 (SB 778) Burton. Board of Prison Terms.

Under existing law, the Board of Prison Terms may parole certain inmates to counties other than the county of the inmates' last legal residence for specified reasons.

This bill would specify that the decision of the Board of Prison Terms as to whether to return an inmate to a county other than the county of the inmate's last legal residence is determined by parole consideration panels.

Existing law provides that the Board of Prison Terms, composed of 9 commissioners, generally has the power to grant, deny, revoke, or suspend the parole of inmates, and to place conditions on the granting of that parole, as specified.

Existing law requires that in the case of any prisoner sentenced pursuant to any provision of law, except as specified, the Board of Prison Terms meet with each inmate during the 3rd year of incarceration for the purposes of reviewing the inmate's file, making recommendations, and documenting activities and conduct pertinent to granting or withholding postconviction credit. One year prior to the inmate's minimum eligible parole release date a panel consisting of at least 2 commissioners of the Board of Prison Terms is required to again meet with the inmate and to set a parole release date, as specified.

This bill would authorize, notwithstanding specified provisions, on an emergency basis, and only until December 31, 2003, life parole consideration hearings or life rescission hearings to be conducted by 2-person panels consisting of at least one commissioner in order to allow the board to increase the number of hearings conducted each month to eliminate the backlog of inmates awaiting a parole consideration hearing. This bill would also require that each commissioner participate in hearings each workday, except as specified. This bill would also require that all parole consideration panels consist only of commissioners and deputy commissioners of the Board of Prison Terms. In addition, this bill would provide that parole panel decisions shall become final within 120 days unless reconsidered by the board for specified reasons. In addition, this bill would require the board to issue a monthly report regarding scheduled hearings and hearing backlog.

This bill would also direct the State Personnel Board to conduct an investigation and review of the Board of Prison Terms, with particular emphasis on the Deputy Commissioner classification, and to prepare a report regarding the review.

This bill would also appropriate \$31,743,000 for support of the Board of Prison Terms in augmentation of the Budget Act of 2001.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 132 (SB 1129) O'Connell. School bonds: school facility improvement districts.

Existing law authorizes the governing board of a school district or community college district, pursuant to a $\frac{2}{3}$ vote of the governing board, to pursue the authorization and issuance of bonds by a 55% vote of the electorate, at a primary or general election, a regularly scheduled local election, or a statewide special election, subject to certain additional requirements.

Existing law authorizes school districts and community college districts to form school facilities improvement districts consisting of a portion of the territory within a school district and authorizes the school facilities improvement district to issue general obligation bonds for school facilities construction purposes.

This bill would expressly authorize the governing board of a school district or community college district to proceed on behalf of a school facilities improvement district that is created by and under the exclusive authority of the school district or community college district upon approval by 55% of the votes cast by voters voting on the proposition of issuing bonds of the school facilities improvement district, subject to specified requirements.

Ch. 133 (AB 102) Rod Pacheco. Child abuse reporting: endangerment of child's emotional well-being.

Existing law establishes that the Child Abuse and Neglect Reporting Act (CANRA), which requires specified persons who have knowledge of or observe a child in their professional capacity or within the scope of their employment, whom the person knows or reasonably suspects has been the victim of child abuse or neglect to report that known or suspected instance of child abuse or neglect to a child protective agency, as defined. Child protective agencies are then required to forward a written report of every child abuse or neglect case it investigates, which is determined not to be unfounded, to the Department of Justice.

This bill would provide, in addition, that any mandated reporter who has knowledge of or reasonably suspects that mental suffering has been inflicted upon a child or that his or her emotional well-being is endangered in any other way may make a report to a child protective agency. This bill would require child protective agencies to forward reports of child abuse or severe neglect to the Department of Justice. The bill would also specify that abuse or neglect in out-of-home care means physical abuse, including particular acts, and would make technical, nonsubstantive, or conforming changes to CANRA.

This bill would declare that it would take effect immediately as an urgency statute.

Ch. 134 (AB 1069) Koretz. Labor: complaints.

Existing law provides that any person who believes that he or she has been discharged or otherwise discriminated against in violation of specified laws regulating employment that are under the jurisdiction of the Labor Commissioner, may file a complaint with the Division of Labor Standards Enforcement.

This bill would expand that provision to cover any law under the jurisdiction of the Labor Commissioner.

Existing law provides that if, after an investigation, the Labor Commissioner determines that no violation to a law has occurred, the Labor Commissioner shall dismiss the complaint and notify the complainant of his or her right to bring an action in an appropriate court, and, in the case of an alleged violation of specified discrimination laws, file a complaint against the state program with the United States Department of Labor.

This bill would provide that the filing of a timely complaint with the United States Department of Labor stays the Labor Commissioner's dismissal of the division complaint until the United States Secretary of Labor makes a determination regarding the alleged violation. Under the bill, within 15 days of receipt of that determination, the Labor

Commissioner is required to notify the parties as to whether he or she will reopen the complaint filed with the division or whether he or she will reaffirm the dismissal.

Ch. 135 (AB 96) Aroner. School districts.

(1) Existing law authorizes the governing board of a school district that determines during a fiscal year that its revenues are less than the amount necessary to meet its current year expenditure obligations to request an emergency apportionment through the Superintendent of Public Instruction subject to requirements and repayment provisions.

This bill would appropriate \$2,300,000 to the Superintendent of Public Instruction for the purpose of providing the Emery Unified School District a loan, allocated as specified, with conditions as specified. The bill would require the Superintendent of Public Instruction to immediately appoint an administrator, who would have specified duties and responsibilities. The bill would require the Controller to conduct audits of the books and accounts of the district until the Superintendent of Public Instruction determines that the district is solvent. The duties imposed by the bill on the district would constitute a state-mandated local program.

The bill would require the Superintendent of Public Instruction to appoint the Fiscal Crisis and Management Assistance Team to act as a fiscal adviser for the district, as specified, and would prescribe related matters.

This bill would declare that due to the unique circumstances relating to the Emery Unified School District's financial emergency, a general statute cannot be made applicable.

(2) Existing law prescribes the minimum requirements for the preliminary services credential with a specialization in administrative services. Under existing law, a local governing board may waive any credential requirement for the chief administrative officer of the school district under its jurisdiction, as specified.

This bill would, notwithstanding those provisions authorizing a local governing board to waive any credential requirements for a chief administrative officer, prohibit a local governing board from hiring an individual for the position of chief administrative officer of the school district whose credential has been revoked by the Commission on Teacher Credentialing pursuant to specified provisions.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 136 (AB 434) Keeley. Route 1: Hatton Canyon.

(1) Existing law includes within the California freeway and expressway system, among other routes, Route 1 from Carmel to the west city limits of Santa Cruz.

This bill would instead include Route 1 from the north limits of Carmel to the west city limits of Santa Cruz within the California freeway and expressway system.

(2) Prior Budget Acts have appropriated funds for the acquisition and transfer of park and open-space lands by state agencies, and have prescribed procedures for the acquisition and transfer of those lands.

This bill would make various legislative findings and declarations relating to the sale of specified property within Hatton Canyon near the City of Carmel-by-the-Sea in Monterey County, located in the coastal zone, as specified, by the Department of Transportation for the purpose of creating or adding to a state park.

The bill would specify that the existing Hatton Canyon right-of-way for the realignment of Route 1 from Carmel Valley Road to the Pacific Grove Interchange of Routes 1 and 68, as part of Route 1 since before 1977, and owned by the Department of Transportation, is located within the coastal zone, and would provide that this provision does not constitute a

change in, but is declaratory of, existing law. The bill would require the Department of Transportation to declare the Hatton Canyon right-of-way property surplus state property.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 137 (SB 270) Speier. Mortgages: mortgage insurance: disclosures.

Existing law requires a lender or other person making or arranging a loan to make certain disclosures about the borrower's potential right to cancel private mortgage insurance or mortgage guaranty insurance on any loan for which private mortgage insurance or mortgage guaranty insurance is maintained. Existing law further requires specified disclosures to contain a clear and conspicuous written statement indicating that the borrower may be able to cancel this insurance.

This bill, operative July 1, 2002, would additionally require the above disclosures to specify that cancellation may be based on various factors, including appreciation in property value based on a current appraisal.

Ch. 138 (SB 294) Scott. Crimes.

Existing law authorizes the California Victim Compensation and Government Claims Board to enter into an interagency agreement with the University of California, San Francisco, to establish a victims of crime recovery center at the San Francisco General Hospital.

This bill would also require the board to select up to 5 sites to operate victim recovery, resource, and treatment programs to provide comprehensive recovery services to victims of crime, according to specified criteria. It would require the board to report to the Legislature on the programs no later than May 1, 2004.

Existing law provides that the Department of Justice may inspect firearms dealers to ensure compliance with various statutory requirements, and that the department may assess an annual fee, not to exceed \$85, to cover the reasonable cost to cover the inspections and for other regulatory purposes, as specified.

This bill would increase the maximum fee to \$115, to cover the inspections and for those same regulatory purposes, as specified. This bill would also make technical changes to certain warnings that are required to be posted by firearms dealers.

This bill would also incorporate changes in Section 12071 of the Penal Code, proposed by SB 9, to be operative only if SB 9 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 139 (SB 338) Vincent. Animals: use for research purposes.

Existing law requires pounds and animal regulation departments that give animals to research facilities to post a sign, visible to the public, that animals brought to the shelter may be used for research purposes.

This bill would additionally require the above sign to state that animals within the shelter may also be used to supply blood, tissue, or other biological products. The bill would further require the inclusion of the above statement on the owner surrender forms of these agencies, and would become operative on July 1, 2002.

By increasing the duties of pounds and animal regulation departments, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 140 (SB 448) Perata. Liability: injuries to peace officers, firefighters, and emergency medical personnel.

Existing law provides that, under specific situations, a person is responsible not only for the results of that person's willful acts causing injury to a peace officer, firefighter, or any emergency medical personnel employed by a public entity, but also for any injury occasioned to that person by the want of ordinary care or skill in the management of the person's property or person. This liability occurs where, among other situations, the conduct causing the injury occurs after the person knows or should have known of the presence of the peace officer, firefighter, or emergency medical personnel, violates a statute, ordinance, or regulation, and was the proximate cause of an injury which the statute, ordinance, or regulation was designed to prevent, and the statute, ordinance, or regulation was designed to protect the peace officer, firefighter, or emergency medical personnel.

This bill would enact the Brett Alan Laws Act, which would revise this provision to require that the conduct causing injury be one that violates a statute, ordinance, or regulation, and that the conduct causing the injury was itself not the event that precipitated either the response or presence of the peace officer, firefighter, or emergency medical personnel.

This bill would make a specified statement of legislative intent regarding a common law exception to the firefighter's rule.

Ch. 141 (SB 563) Morrow. Corrections: administration: rulemaking procedures.

Existing law authorizes the Director of Corrections to prescribe rules and adopt regulations for the administration of the prisons and administration of paroles. Existing law provides that in general, these regulations shall be adopted pursuant to the Administrative Procedure Act, but exempts from that requirement regulations relating to pilot programs or to imminent danger, as specified. Existing law also exempts emergency regulations from certain requirements of the Administrative Procedure Act.

This bill would revise and recast these provisions, and would make various technical changes. This bill would also define "pilot program" for purposes of exemptions relating to the adoption of regulations pursuant to these provisions.

Ch. 142 (SB 716) Machado. Evidence: privileged communications.

Existing law provides that confidential communications between a psychotherapist and a patient are privileged. Existing law defines psychotherapist to mean a person authorized, or reasonably believed by the patient to be authorized, to practice medicine in any state or nation who devotes, or is reasonably believed by the patient to devote, a substantial portion of his or her time to the practice of psychiatry. Existing law also defines psychotherapist to include other professionals, but does not include the patient's reasonable belief standard in their definition.

This bill would change the definition of psychotherapist by applying the patient's reasonable belief standard to all professionals identified as psychotherapists.

This bill would also make nonsubstantive, technical changes.

Ch. 143 (SB 720) Margett. County administration of health services.

Existing law authorizes the Board of Supervisors of the County of Los Angeles to establish a commission consisting of 13 members nominated by specified entities, for the provision or arrangement for the provision of health care services under the Medi-Cal program in all or a portion of the geographic area of the county.

Existing law specifies that the members of the commission governing body and any advisory panel to the governing body of the local health initiative in Los Angeles County shall be deemed not to be interested in contracts in specified circumstances.

This bill would specifically require that certain nominees represent specified interests.

This bill would also revise the specified circumstances under which the members of the commission would be deemed not to be interested in contracts.

Ch. 144 (SB 838) Scott. Community colleges: administrators.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. Existing law provides procedures for the filling of vacancies in the classified service of community college districts.

Existing law entitles a person employed in an administrative position that is not part of the classified service who has not previously acquired tenured status as a faculty member in the same district to become a first-year probationary faculty member once his or her administrative assignment expires or is terminated, if certain conditions apply. Existing law authorizes the governing board of a community college district to employ faculty on contract with respect to prescribed projects.

This bill would limit the right to employment as a first-year probationary faculty member to persons previously employed as administrators who were not employed pursuant to prescribed types of contracts. The bill would provide that community college district governing boards may employ academic employees, including educational administrators, on contract with respect to prescribed projects.

Ch. 145 (SB 942) Costa. Agriculture.

Existing law provides for the distribution to counties of funds transferred to the Department of Food and Agriculture Fund from the Motor Vehicle Fuel Account as partial reimbursement for county expenses incurred in carrying out various agricultural programs.

This bill would recast those provisions to reenact a system of priorities for the distribution of those funds operative prior to July 1, 2001, but also including a limit on the amount of county reimbursement for programs dealing with high-risk pest exclusion and noxious weeds. This bill would also provide that these provisions would become inoperative on July 1, 2003, and would be repealed on January 1, 2004.

This bill would also reenact, operative July 1, 2003, the provisions of law regarding the distribution of these funds to counties from the Department of Food and Agriculture Fund that became operative on July 1, 2001.

Ch. 146 (SB 1049) Speier. County employees' retirement: domestic partners: San Mateo County.

Under the existing County Employees Retirement Law of 1937, death benefits and survivor's allowances are payable to the surviving spouse or children of a deceased member, as specified.

This bill would provide that in San Mateo County, subject to the approval of the board of supervisors, death benefits and survivor's allowances may be payable to a member's surviving domestic partner, as specified.

Ch. 147 (SB 1125) Burton. Farm labor contractors: licensing.

Existing law prohibits the Labor Commissioner from issuing to any person, a license to act as a farm labor contractor until specified conditions are satisfied, including that the person has deposited a surety bond with the Labor Commissioner and has paid a license fee of \$500. Existing law provides that the bond and a portion of the license fee are payable and shall be disbursed, among other things, for interest on wages and for any damages arising from a violation of an order of the Industrial Welfare Commission, but shall not be payable or disbursed for penalties on nonpayment or late payment of wages to an employee who is discharged or who quits.

This bill would delete that exception for penalties on nonpayment or late payment of wages to former employees and would specify that the bond and license funds shall also be

payable and disbursed for any monetary relief awarded to an agricultural worker as a result of a violation of laws relating to labor.

This bill would become operative only if AB 423 is enacted and becomes effective on or before January 1, 2002.

Ch. 148 (SB 1208) Romero. Working hours: overtime exemption.

Existing law provides that an employee covered by a valid collective bargaining agreement that covers the wages, hours of work, and working conditions, and provides for a rate of pay for overtime hours worked, as specified, is not subject to a specific chapter relating to working hours and working conditions.

This bill would provide instead that the employee is not subject to specified code sections relating to compensation for overtime work and authorizing the adoption of an alternative workweek schedule.

This bill would make a corresponding change in a provision that provides that, with specified exceptions, employees are entitled to one day's rest in 7 days of labor, and an employer may not cause his or her employees to work more than 6 days in 7.

This bill would declare that the provisions summarized above are declaratory of existing law and shall not be deemed to alter, modify, or otherwise affect any wage order of the Industrial Welfare Commission.

This bill would provide that physician employees paid an hourly wage of \$55 or more are exempt from specified provisions relating to pay for overtime work, except as specified. The bill would require the Division of Labor Statistics and Research to annually adjust the threshold wage rate.

Ch. 149 (AB 179) Shelley. Public employees' retirement: local sheriffs.

The Public Employees' Retirement Law defines "local sheriff" for purposes of prescribing benefits and contribution rates, to include any officer or employee of a sheriff's office of a contracting agency, except specified persons whose functions do not fall within the scope of active law enforcement service. Under existing law, the provision defining "local sheriff" applies only to San Francisco County.

This bill would delete the above limitation thereby making the provision applicable statewide.

Ch. 150 (AB 188) Vargas. Playgrounds: smoking.

Existing law provides for the establishment of programs relating to tobacco use prevention.

This bill would prohibit the smoking of any cigarette, cigar, or other tobacco-related product within a playground or tot lot sandbox area.

This bill would prohibit any person from disposing of any cigarette, cigarette butts, cigar butts, or any other tobacco-related waste within a playground or tot lot sandbox area.

This bill would define playground and tot lot sandbox area.

This bill would also prohibit any person from intimidating, threatening any reprisal, or effecting any reprisal, for the purpose of retaliating against another person who seeks to attain compliance with the provisions of this bill.

This bill would specify that it does not apply to private property.

This bill would make a violation of these provisions an infraction. This bill, by creating a new infraction, would result in a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 151 (AB 210) Corbett. Mobilehomes: security deposits.

Existing law requires that security deposits paid to a mobilehome park on or after January 1, 1989, be refunded to the homeowner, upon written request from the homeowner, if the homeowner has timely paid rent, utilities, and reasonable service charges, as specified, for any 12 consecutive months after collection of the security deposit. Existing law also requires that, for security deposits paid to a mobilehome park prior to January 1, 1989, if a mobilehome park is sold, the selling park owner shall deposit in an escrow account an amount equal to all security deposits held and shall provide that, upon close of escrow, security deposits held for 12 months or more shall be refunded to persons who have timely paid all obligations, as specified, during the 12 months before the close of escrow.

This bill would require that security deposits paid to a mobilehome park prior to January 1, 1989, upon the extension or renewal of the rental agreement or lease between the homeowner and the management, and upon the receipt of a written request from the homeowner, be refunded to the homeowner by management within 60 days of receipt of the request, if the homeowner has timely paid rent, utilities, and reasonable service charges, as specified, for 12 consecutive months preceding the receipt of the written request.

Ch. 152 (AB 391) Kehoe. Highways: encroachment permits: waivers.

Existing law requires that any permit authorizing an encroachment to a state highway issued by the Department of Transportation to a specified governmental entity permittee contain a provision that in the event the future improvement of the highway necessitates the relocation or removal of the encroachment the permittee will relocate or remove the encroachment at its sole expense. Existing law provides a procedure for the removal of the encroachments following a written notice by the department demanding the removal or relocation.

This bill would authorize the department to waive the requirement that the permittee bear the sole expense of relocating or removing an encroachment, if the encroachment consists of a track or roadway that serves as an exclusive public mass transit guideway owned, operated, and maintained by a publicly owned mass transit authority.

Ch. 153 (AB 732) Wayne. Civil procedure: settlement offers.

Under existing law, any party may serve an offer in writing, not less than 10 days prior to the commencement of trial or arbitration, upon any other party to the action to allow judgment to be taken or an award to be entered in accordance with the terms and conditions stated at that time. Existing law provides that if an offer made by a defendant is rejected and the plaintiff fails to obtain a more favorable judgment or award, the plaintiff shall not recover his or her postoffer costs and shall pay the defendant's costs from the time of offer. Further, the court or arbitrator, in its discretion, may require either a plaintiff or defendant who rejected such an offer and failed to obtain a more favorable judgment or award to pay the offering party's costs of the services of expert witnesses, as specified, actually incurred and reasonably necessary in preparation for trial or arbitration of the case. These provisions are not applicable to an offer that is made by a plaintiff in an eminent domain action.

This bill would make this law also inapplicable to any enforcement action brought in the name of the people of the State of California by the Attorney General, a district attorney, or a city attorney, acting as a public prosecutor.

Ch. 154 (AB 1465) Nation. Underground Storage Tank Cleanup Fund.

(1) Existing law requires the State Water Resources Control Board to initiate a specified research program to quantify the probability and environmental significance of releases from petroleum underground storage tank systems that meet certain upgrade requirements and prohibits any person from taking specified actions with regard to monitoring equipment for an underground storage tank, unless the person meets specified requirements, including possessing specified licenses.

This bill would additionally allow the person to possess a tank-testing license issued by the board.

(2) Under the existing Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989, every owner of an underground storage tank is required to pay a storage fee for each gallon of petroleum placed in the tank. The fees are required to be deposited in the Underground Storage Tank Cleanup Fund. The money in the fund may be expended by the State Water Resources Control Board, upon appropriation by the Legislature, for various purposes, including the payment of claims of up to \$1,500,000 per occurrence, as defined, to aid owners and operators of petroleum underground storage tanks who take corrective action to clean up unauthorized releases from those tanks and the payment of claims for certain third party injuries and damages. Existing law defines the terms “claim” and “tank” for purposes of the act.

This bill would revise the definition of the term “claim” to mean the submittal to the fund for the reimbursement of costs incurred due to an occurrence and would revise the definition of the term “tank” to include a tank that contains only petroleum, or, consistent with the federal laws regulating petroleum underground storage tanks, a mixture of petroleum, with de minimus quantities of other regulated substances. The bill would revise the eligibility requirements for a claimant with regard to the payment of fees imposed by the act.

The bill would require an owner or operator to furnish information on the fees imposed under the act to a local agency, California regional water control board, or state board, under penalty of perjury, thereby imposing a state-mandated local program by creating a new crime.

(3) Existing law repeals the act, by its own terms, on January 1, 2011, but provides that the repeal of the act does not terminate the filing and payment of claims against the fund, until the moneys in the fund are exhausted.

This bill would specify that the repeal does not terminate claims for costs for the cleanup and oversight at abandoned tank sites, for corrective action, or commingled plumes, the recovery of moneys reimbursed to a claimant to which the claimant is not entitled, or the collection of unpaid fees.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 155 (AB 441) Simitian. School finance: revenue limits.²

Existing law requires each county superintendent of schools to make specified calculations to determine a base revenue limit for each school district in the county.

This bill would, for the 2001–02 fiscal year, require the Superintendent of Public Instruction to compute an equalization adjustment for each school district so that no district’s prior year base revenue limit per unit of average daily attendance is less than the prior year base revenue limit per unit of average daily attendance above which fall not more than 10% of the total statewide units of average daily attendance for the appropriate size and type of district.

This bill would appropriate \$40,000,000 from the General Fund to the Superintendent of Public Instruction for the purpose of implementing the equalization adjustment. The bill would require the appropriation to be included in the amount appropriated by the state in the 2001–02 fiscal year for the purpose of meeting the state’s minimum funding obligation to school districts and community college districts under Section 8 of Article XVI of the California Constitution for that fiscal year.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 156 (AB 426) Cardoza. Taxation.

NOTE: Superior numbers appear as a separate section at the end of the digests.

The Sales and Use Tax Law provides for the levy of a state sales and use tax at a basic rate of 6% upon the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law imposes, as a component of that basic rate, a state sales and use tax at a rate of $\frac{1}{4}\%$, but suspends the imposition of that $\frac{1}{4}\%$ rate for any single calendar year for which the amount in the Special Fund for Economic Uncertainties exceeds a specified amount in both the prior and current fiscal year, as determined and certified by the Director of Finance.

This bill would suspend the $\frac{1}{4}\%$ rate in any calendar year beginning January 1, 2002, in which the Director of Finance determines on or before the preceding November 1 that (1) the General Fund reserve is 3% of revenues excluding the revenues derived from the $\frac{1}{4}\%$ sales and use tax rate, and (2) actual General Fund revenues for the period May 1 through September 30 equal or exceed the May Revision forecast prior to the November 1 determination.

The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax, including an exemption for gas, electricity, and water, including steam and geothermal steam, brines, and heat, when delivered to consumers, as specified.

This bill would additionally exempt liquefied petroleum gas, delivered to a qualified residence, as defined, by the seller, that is sold for household use in the qualified residence, and liquefied petroleum gas that is purchased for use by a qualified person to be used in producing and harvesting agricultural products.

This bill would also exempt farm equipment and machinery, purchased for use by a qualified person, as defined, to be used primarily in producing and harvesting of agricultural products.

This bill would further exempt equipment and machinery designed primarily for off-road use in commercial timber harvesting operations, and the parts thereof, that is purchased for use by a qualified person, as defined, to be used primarily in harvesting timber.

This bill would also exempt diesel fuel used by a qualified person, as defined, in farming activities and food processing.

This bill would additionally exempt any racehorse breeding stock, as defined, from the sales and use taxes.

This bill would provide that certain of these exemptions do not apply to local sales or transactions and use tax rates and certain state rates imposed for the funding of locally provided services.

The Gonsalves-Deukmejian-Petris Senior Citizens Property Tax Assistance Law provides for payment of assistance by the Franchise Tax Board to claimants, whether those claimants own or rent their residences, in accordance with schedules that reduce the amount of assistance provided as the amount of a claimant's household income increases along a specified scale of household income amounts.

This bill would increase by 45% the household income figures that would be used to calculate these assistance payments for the 2001 calendar year and each calendar year thereafter.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are, unless otherwise specified by law, incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 157 (AB 423) Hertzberg. Farm labor contractors: license requirements.

(1) Existing law requires every person acting in the capacity of a farm labor contractor, prior to entering into any contract or agreement to supply agricultural labor or services to an agricultural grower, to first provide the grower with his or her current state license. Under existing law, a violation of this provision is a misdemeanor, punishable as specified.

This bill would also require a person contracted by a farm labor contractor who is acting in the capacity of a farm labor contractor, prior to entering into a contract, to first provide the farm labor contractor with a copy of his or her current valid state license. The bill would require both the grower and the farm labor contractor to keep a copy of the required licenses for a period of 3 years following termination of the contract or agreement.

(2) Existing law prohibits a grower from entering into a contract or agreement with a person who fails to provide a copy of his or her license, without first making reasonable inquiry to ensure that the license is valid.

This bill, instead, would provide that a grower has an affirmative obligation to inspect the license of any person contracted as a farm labor contractor and to verify that the license is valid. The bill would also provide that a farm labor contractor has an affirmative obligation to inspect the license of any person contracted by the farm labor contractor who is acting in the capacity of a farm labor contractor and to verify that the license is valid.

The bill would require the Labor Commissioner to establish and maintain a Farm Labor Contractor License Verification Unit commencing no later than July 1, 2002, to certify the status of the licenses of farm labor contractors to growers and farm labor contractors, upon request, as specified. The obligation under the bill to verify licensure would not become operative until that unit is operational.

(3) Existing law prohibits a person from discharging, or in any manner discriminating against an employee because the employee files a bona fide complaint or claim against the employer, or takes other specified actions under the jurisdiction of the Labor Commissioner. Existing law also prohibits any employer from making, adopting, or enforcing any rule, regulation, or policy that prevents an employee from disclosing specified information to a government or law enforcement agency.

This bill would specify that a farm labor contractor, a person contracted by a farm labor contractor who is acting in the capacity of a farm labor contractor, or an employer of a farm labor contractor is subject to these provisions.

(4) Under existing law, an employer or other specified person who pays or causes to be paid to any employee a wage less than the minimum fixed by an order of the Industrial Welfare Commission, is guilty of a misdemeanor that is punishable as provided.

This bill would provide that on or after January 1, 2003, any grower, farm labor contractor, or other specified person who knowingly and willfully fails to pay or causes the failure to pay those wages, or any higher wages that have been agreed to, is guilty of a misdemeanor. The bill would prescribe various penalties, depending on the number of repeat violations. The bill would also require license revocation upon conviction of an offense for one year in the case of a first offense, 2 years in the case of a 2nd offense, and permanently in the case of a 3rd offense. By creating new crimes, the bill would impose a state-mandated local program.

(5) This bill would require the Director of Industrial Relations to establish a Farm Labor Contractor Enforcement Unit to develop a program to provide technical assistance to a district attorney's office that establishes a local farm labor contractor enforcement unit.

(6) Existing law requires a person to pay a fee of \$500 to obtain a farm labor contractor license. Under existing law, \$50 of each fee is required to be deposited into the Farmworker Remedial Account and the remaining balance is required to be paid into the State Treasury and credited to the General Fund.

This bill would make an appropriation by, instead, requiring the Labor Commissioner to expend \$350 of the remaining balance to fund the Farm Labor Contractor Enforcement Unit and the Farm Labor Contractor License Verification Unit.

NOTE: Superior numbers appear as a separate section at the end of the digests.

(7) This bill would become operative only if SB 1125 is enacted and becomes effective on or before January 1, 2002.

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 158 (SB 12) Chesbro. Disaster relief.

Existing law authorizes a county board of supervisors to provide by ordinance for the reassessment of property that is damaged or destroyed, without fault on the part of the assessee, by a major misfortune or calamity, upon the application of the assessee or upon the action of the county assessor with the board's approval. With respect to certain counties that have adopted reassessment ordinances and have been declared by the Governor to be in a state of disaster as a result of certain events, existing law provides for state allocations of the estimated amounts of the reductions in property tax revenues resulting in certain fiscal years from reassessments under those ordinances. Existing law also continuously appropriates, without regard to fiscal years, moneys in the Special Fund for Economic Uncertainties for purposes of funding these state allocations.

This bill would provide for similar state allocations with respect to property tax revenue reductions, resulting from a reassessment ordinance, incurred by the County of Napa, which was declared by the Governor to be in a state of disaster as a result of an earthquake occurring in California in September 2000. By requiring moneys continuously appropriated from the Special Fund for Economic Uncertainties to be allocated for the new purpose of reimbursing these counties for these property tax revenue reductions, this bill would make an appropriation.

This bill would contain legislative findings and declarations as to the statewide public purpose of this bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 159 (SB 662) Committee on Judiciary. Maintenance of the codes.

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes.

This bill would restate existing provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature for consideration during 2001, and would not make any substantive change in the law.

Ch. 160 (AB 29) Papan. Capital access loan program: financial institutions: pollution control authority.

(1) Existing law establishes the Capital Access Loan Program and authorizes the California Pollution Control Financing Authority to contract with a financial institution to participate in the program.

Existing law defines the term "financial institution" for purposes of the program as one that is domiciled or has its principal office in the State of California.

This bill would limit that requirement to a lending institution that has executed a participation agreement with the Small Business Administration under a guaranteed loan program or a specified small business investment company.

(2) Existing law authorizes the California Pollution Control Financing Authority to finance various pollution control projects to control and eliminate pollution hazards to the environment. Existing law authorizes the authority to provide a loan to any city, county, school district, and redevelopment agency, financial institution, any for-profit or not-for-profit organization, or any participating party, to assist in financing the costs relating to the cleanup, remediation, or development of brownfield sites.

This bill would correct erroneous references in those provisions.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 161 (AB 136) Corbett. Personal property tax: hand tool exemption.

The California Constitution authorizes the Legislature to exempt personal property from taxation by means of a statute approved by a $2/3$ vote of the membership of each house. Under this authorization, the Legislature has exempted from ad valorem taxation the first \$20,000 worth of hand tools that are owned and supplied by an employee as a condition of employment.

This bill would increase the exemption amount to the first \$50,000 worth of hand tools that are owned and supplied by an employee.

Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

This bill would take effect immediately as a tax levy.

Ch. 162 (AB 311) Bill Campbell. California Highway Patrol officers: age limit.

Existing law limits appointments of persons to the position of entry level peace officer of the Department of the California Highway Patrol to persons between the ages of 21 and 31 years.

This bill would raise the maximum age at which a person may be appointed to the position of entry level peace officer to 35 years of age.

Ch. 163 (AB 771) Runner. Antelope Valley Air Quality Management District.

(1) Existing law establishes the Antelope Valley Air Pollution Control District, as provided, and prescribes the membership of the governing board.

This bill would abolish that county air pollution control district and, instead, would create the Antelope Valley Air Quality Management District, as provided. The bill would provide for a governing district board, as provided, and would prescribe the powers and duties of the district board with respect to the control of air pollution.

Under the bill, the Antelope Valley Air Quality Management District would succeed to all the funds, property, and obligations of the Antelope Valley Air Pollution Control District. The bill would permit the district board to adopt a schedule of fees levied on sources of air pollution to recover its costs of implementing the bill.

By imposing duties on the Antelope Valley Air Quality Management District and requiring local agencies to make appointments to the district board, the bill would create a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that for certain costs no reimbursement is required by this act for a specified reason.

However, the bill would provide that, if the Commission on State Mandates determines that the bill contains other costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory provisions and, if the statewide cost does not exceed \$1,000,000, shall be made from the State Mandates Claims Fund.

Ch. 164 (AB 816) Thomson. Income Tax: personal income tax: conformity with federal law: exclusion of gains from sale of a personal residence.

The Personal Income Tax Law requires the calculation of an individual's gross income to be computed without regard to the exclusion, provided by a specified provision of the Internal Revenue Code, of the gain from the sale or exchange of a taxpayer's personal residence.

This bill would conform to federal tax practice by allowing California taxpayers to exclude gains from the sale or exchange of a personal residence from the computation of their gross income for state income tax purposes.

This bill would take effect immediately as a tax levy.

Ch. 165 (AB 1491) Vargas. Retired officers: active duty.

Existing law authorizes the Governor to detail officers of the retired list to active duty, as provided.

This bill would also authorize the Governor to detail noncommissioned officers of the retired list to active duty in the same manner.

Ch. 166 (AB 1530) Longville. Public works: cost savings.

Under existing law, the state or any other public entity in any competitively bid public works contract may provide for the payment of extra compensation to the contractor for cost reduction changes. Existing law specifies that the extra compensation to the contractor is 50% of the net savings in construction costs.

This bill would increase the extra compensation to the contractor to 60% for certain publicly supervised transportation projects if the cost reduction changes significantly reduce or avoid traffic congestion during construction of the project.

Ch. 167 (AB 1583) Negrete McLeod. Veterinary medicine.

Existing law requires the Veterinary Medical Board in the Department of Consumer Affairs, by means of examination, to ascertain the professional qualifications of all applicants for licensure to practice veterinary medicine in this state and to issue a license to every person whom it finds to be qualified. Existing law also requires the board, until July 1, 2002, to waive the examination requirements and to issue a temporary license to an applicant to practice veterinary medicine under the supervision of a licensed California veterinarian if the applicant meets certain requirements.

This bill would delete the July 1, 2002 termination date for the examination waiver.

Ch. 168 (AB 1665) Ashburn. County retirement boards: alternate members.

Under the existing County Employees Retirement Law of 1937, in specified counties, the board of retirement of the county retirement system consists of 9 members, including one elected retired member and one elected alternate member, as specified. However, the boards of retirement in the Counties of Ventura and Kern are authorized to appoint, and the retired members of those counties may subsequently elect, an alternate retired member in specified circumstances.

This bill would extend that authority to the boards of retirement in all of those counties with 9-member retirement boards.

Ch. 169 (AB 1689) Committee on Jobs, Economic Development, and the Economy. California State University: vendors: direct payment.

Existing law authorizes the trustees of the California State University, prior to January 1, 2002, to draw from funds appropriated to the university, for use as a revolving fund, amounts necessary to make payments of obligations of the university directly to vendors.

This bill would delete the time limitation for this authorization, thereby extending the authorization indefinitely.

Ch. 170 (SB 449) Sher. Santa Clara Valley Water District.

(1) The Santa Clara Valley Water District Act specifies the powers and the purposes of the Santa Clara Valley Water District.

This bill would provide that the purposes of the act are to authorize the district to provide comprehensive water management for all beneficial uses and protection from flooding within Santa Clara County. The bill would authorize the district to take action to carry out specified purposes of the district. The bill would provide that those purposes include the enhancement, protection, and restoration of streams, riparian corridors, and natural resources and make additional modifications to the powers of the district.

(2) The act authorizes the Board of Directors of the Santa Clara Valley Water District to reconvey real property to the former owner by whom the property was conveyed, or from whom the property was condemned by the district, for a price not less than that paid by the district for the property.

This bill would instead authorize the board to reconvey that real property to the former owner for fair market value, as determined by a qualified real estate appraiser, or for less than fair market value if the district finds that a public purpose exists justifying that reconveyance.

(3) The act authorizes the board, by a $5/7$ vote, to take specified action with regard to the transfer of property owned by the district.

This bill would authorize the board to take these actions by a majority vote.

(4) The act generally provides that the board is governed in the sale, lease, or other disposition of real property by the requirements of law governing that action by counties, and authorizes the board to prescribe an alternative procedure for the leasing of real property owned by the district if the rental, as appraised, does not exceed \$2,500 per month.

This bill would delete the requirement that the rental, as appraised, not exceed \$2,500 per month.

(5) Under the act, the board of directors of the district consists of 7 members. A member is required to execute and file an official bond in the sum of \$1,000 within 10 days after receiving his or her certificate of election or notice of appointment.

This bill would delete this bonding requirement.

(6) Existing law provides for the consolidation of the Gavilan Water Conservation District with the Santa Clara Valley Water District. Under existing law, the area of the consolidated water conservation district is a zone of the district. Existing law requires a public hearing to be held within each zone of the district lying outside of the zone in which the district board's chambers are located, in each year that the district prepares a written report that recommends that a groundwater charge be levied in the zone.

This bill would repeal the latter provision.

Ch. 171 (AB 430) Cardenas. Health: budget implementation.

Existing law, the California Early Intervention Services Act, requires various state departments to provide coordinated services to infants and toddlers with disabilities and their families pursuant to a statewide system of early intervention services. Existing law requires the State Department of Developmental Services to serve as the lead agency responsible for administration and coordination of the statewide system of early intervention services under the act.

Existing law requires nonprofit organizations known as regional centers to contract with the State Department of Developmental Services to provide services and support to persons with developmental disabilities.

This bill would require regional centers, when providing services under the act, to comply with specified statutory and regulatory provisions except in certain cases. The bill would provide that any contract between the department and a regional center entered into on and after January 1, 2002, shall require that all employment contracts entered into with regional center staff or contractors be available to the public for review, except with respect to the social security number of the contracting party. It would also prohibit any employment

contract, or portion thereof, from being deemed confidential or unavailable for public review.

Existing law establishes the Emergency Medical Services Authority that, among other things, adopts regulations governing emergency medical services, including local emergency medical service agencies and trauma care centers.

Under existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, each county may designate an emergency medical services agency for the establishment and administration of an emergency medical services (EMS) program in the county. The local EMS agency is authorized to implement a trauma care system if the system meets the minimum standards set forth in the regulations for implementation established by the authority and the authority has approved a plan.

This bill would establish the Trauma Care Fund, subject to an appropriation by the Legislature or from any other source, and the fund would be continuously appropriated without regard to fiscal years to the authority for specified purposes.

This bill would require the authority to allocate funds, with specified exceptions, to eligible local EMS agencies for distribution, based on a specified formula and within a specified amount of time, to the local EMS agency-designated trauma centers within the local EMS agency's jurisdiction.

This bill would require the authority to develop criteria for the standardized reporting of trauma patients to local trauma registries and would require all local EMS agencies to utilize the criteria for reporting trauma patients to the local trauma registries by July 1, 2003.

This bill would require that any trauma center that receives funding pursuant to this bill agree to remain a trauma center through June 30 of the fiscal year in which it receives funding, or if it ceases to exist, reimburse the fund by a specified formula.

This bill would permit each local EMS agency that does not have an existing trauma care plan to submit proposals for funding for their preparation of a trauma care system plan to the authority by January 15, 2002. It would also authorize the authority to retain from any state appropriation up to \$107,000 to implement these provisions.

Existing law establishes the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health, dental, and vision services to eligible children pursuant to a federal program, entitled the State Children's Health Insurance Program.

This bill would require the board to implement a program to provide coverage under the Health Families Program, subject to federal waivers and funding by the Legislature, to include benefits for eligible adults responsible for children enrolled to receive coverage under the program.

Existing law also establishes the Healthy Families Bridge Benefits Program to provide any child who meets certain criteria with a month of health care benefits to provide the child with an opportunity to apply for the Healthy Families Program.

This bill would rename that bridge program the Medi-Cal-to-Healthy Families Bridge Benefits Program and would increase the number of months an eligible child may receive benefits to provide the child with an opportunity to apply for the Healthy Families Program, and would extend eligibility for those benefits, upon approval of a waiver under the federal State Child Health Insurance Program, for parents of, or other adults responsible for, those children who meet certain eligibility criteria.

This bill would also establish the Healthy-Families-to-Medi-Cal Bridge Benefits Program to provide eligible persons enrolled for coverage under the Healthy Families Program with a period of health care benefits in order to provide those persons with an opportunity to apply for Medi-Cal benefits, and would specify the income methodology for determining a family's income for that purpose and the scope of the benefits that would be provided under the program. This bill would provide that the program shall be implemented only if a certain waiver under the federal State Child Health Insurance Program is approved.

Existing law creates the Healthy Families Fund, which is continuously appropriated to the board for the purposes of funding the Healthy Families Program.

Because this bill would result in increased expenditures from the fund by expanding eligibility under the Healthy Families Program, this bill would make an appropriation.

Existing law regulates solicitations of certain health care service plans and specialized health care plans, and prohibits certain health care plans to misrepresent itself, the plan, or its subcontractors, or the Healthy Families Program or Medi-Cal program while engaging in application assistance activities.

This bill would extend that prohibition to dental plans and to vision plans.

Willful violation of health care service plan requirements is a crime. By extending the applicability of those provisions, this bill would revise the definition of a crime, and would result in a state-mandated local program.

Existing law establishes in the State Department of Health Services the Quality Awards Program to make monetary awards to skilled nursing facilities that serve high proportions of Medi-Cal residents that provide exemplary care to residents, subject to the appropriation of funds, and limits the purposes for which those monetary awards may be used.

This bill would revise the uses for which certain awards may be used, and would require that all of the funds available for the quality awards programs shall be disbursed to qualified facilities by January 1, 2002, and January 1 of each year thereafter.

Existing law establishes various funds in the State Treasury.

This bill would create the Tobacco Settlement Fund, and would specify that in the 2001–02 fiscal year, \$401,992,000, and thereafter the total amount, received as the state's share pursuant to the tobacco litigation Master Settlement Agreement shall be deposited in that fund. The bill would specify that distribution of funds from the Tobacco Settlement Fund shall be made by annual appropriation of the Legislature and used for health purposes.

Existing law creates the State Vital Record Improvement Account in the Health Statistics Special Fund. The moneys in both this account and that fund may be expended by the State Registrar of Vital Statistics, upon appropriation by the Legislature, for specified purposes.

Existing law also provides that, in addition to other fees, all applicants for certified copies of birth, death, marriage, or marriage dissolution records are required to pay a fee of \$2, collectible by the State Registrar or the applicable local official. A portion of the funds obtained from these fees is required to be deposited into the State Vital Record Improvement Account, while the remainder may be deposited in local vital and health statistics trust funds, which are authorized to be created for specified purposes.

This bill would eliminate the State Vital Record Improvement Account and would repeal the provisions requiring the payment of the \$2 fee. It would, instead, require the payment and collection of an additional \$3 fee for copies of these records, and would apportion moneys collected from these fees between local vital and health statistics trust funds, which may be created pursuant to the bill, the moneys in which may be used for specified purposes, and the Health Statistics Special Fund.

Existing law requires the State Department of Health Services to grant funds, for up to 3 years per grant, to eligible private, nonprofit, community-based primary care clinics for the purpose of establishing and maintaining rural health services and development projects.

This bill would require the department to establish a base funding level for those sites funded in the prior fiscal year for purposes of those grants, when funds are available for that purpose.

Existing law provides for the implementation of the Emergency Medical Services for Children Program, and limits the amount of funds that may be expended for the program.

This bill would delete that limitation.

Existing law, the California Safe Drinking Water Act, requires the State Department of Health Services to administer provisions relating to the regulation of drinking water and public water systems. The department is required to assess fees on public water systems serving 1,000 or more service connections, with moneys collected pursuant to these fees

deposited into the Safe Drinking Water Account Fund, which is available for use by the department, upon appropriation by the Legislature, for purposes of the act.

Existing law would repeal these fee provisions and other related fiscal provisions on January 1, 2002.

This bill would indefinitely extend these provisions.

Existing law provides that the total amount of funds collected by the department pursuant to the assessment of these fees during a fiscal year may not exceed \$5,500,000.

This bill would limit the total amount of funds that may be received by the department during the 2001–02 fiscal year to \$7,000,000, and would limit further increases in this amount during each subsequent fiscal year to 5% in excess of the amount collected during the previous fiscal year.

Existing law establishes a breast cancer treatment program, administered by eligible private nonprofit organizations contracting with the department for the purpose of providing breast cancer treatment services to uninsured and underinsured women.

This bill would repeal this program and establish a similar program, expanded to include cervical cancer treatment services, to be operative on January 1, 2002. The bill would require the department to exercise a designated federal option to provide medical assistance during the period in which an individual under this program requires treatment for breast or cervical cancer.

This bill would also, beginning on January 1, 2002, require providers or entities rendering breast and cervical cancer screening services under a grant made to the State Department of Health Services to provide services only to individuals whose family income is determined to not exceed 200% of the federal poverty level.

Existing law requires the State Department of Health Services to adopt minimum standards for the approval of community child health and disability prevention programs and regulations.

This bill would revise various provisions relating to the adoption of those standards.

Existing law establishes procedures for the establishment of payment rates for community treatment programs for the provision of mental health services.

This bill would specify that a supplemental payment paid on behalf of certain eligible children in foster care shall be shared by the state and counties for the 2001–02 fiscal year, and would eliminate provisions for an augmentation of funds to fund those programs for the 2000–01 fiscal year. It would also delete a requirement for the submission of a report to the Legislature on the efforts of the State Department of Mental Health and the State Department of Social Services to implement the community treatment facility payment system.

Existing law provides for monthly aid for personal and incidental needs to each patient in a state hospital for the mentally disordered who has resided in the hospital for at least 30 days.

This bill would authorize the patient to save all, or a portion of, the aid for expenditure in subsequent months.

Existing law, until January 1, 2005, requires the State Department of Mental Health to designate sites in order to develop a system of postacute continuum-of-care models for adults 18 years of age or older with an acquired traumatic brain injury, and to award and administer grants to additional sites.

Existing law requires the department to develop an independent evaluation and assist sites in collecting uniform data on all clients and to choose an evaluator. Existing law requires the evaluator to make a final report to the Legislature by January 30, 2003.

This bill would instead require the evaluator to make the final report by January 1, 2005, and would extend the operation of the above provisions from January 1, 2005, to July 1, 2007.

Existing law imposes various functions and duties on the State Department of Developmental Services with respect to the administration and oversight of developmental centers and programs relating to persons with developmental disabilities.

This bill would require a developmental center to immediately report all resident deaths and serious injuries of unknown origin to the appropriate law enforcement agency that may, at its discretion, conduct an independent investigation. It would also require the department to annually provide written information to every developmental center employee regarding suspected or known abuse, and, on or before August 1, 2001, to develop a poster that encourages staff, residents, and visitors to report suspected or known abuse and provides information on how to make these reports.

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers for the provision of various services and supports to persons with developmental disabilities.

Existing law requires regional centers to perform initial intake and assessment services for any person believed to have a developmental disability.

This bill would require the department to develop evaluation and diagnostic procedures for the diagnosis of autism disorder and all other autistic spectrum disorders that may be utilized by clinical staff at regional centers and to develop a corresponding training program for the staff to be implemented on or before July 1, 2002. The bill would also require the department to provide for the publication of the procedures.

Existing law relating to regional centers for the developmentally disabled requires the State Department of Developmental Services to conduct a 3-year pilot project under which funds shall be allocated for local self-determination pilot programs in 3 specified regional center catchment areas. Under existing law, the pilot project provisions shall remain in effect only until January 1, 2002, unless a later enacted statute that becomes effective on or before January 1, 2002, deletes or extends that date.

This bill would extend the effective date of the pilot project provisions to January 1, 2004.

Existing law, until July 1, 2001, authorizes certain counties to establish a pilot project for up to six years, to develop a shared mental health rehabilitation center for the provision of community care and treatment for persons with mental disorders who are placed in a state hospital or another health facility because no community placements are available to meet the needs of these patients.

This bill would delete the termination date of that authorization.

Existing law authorizes the State Department of Mental Health to establish and administer pilot projects providing respite for caregivers of seriously emotionally disturbed children and seriously mentally ill adults who reside in a caregiver's home, and would repeal that authorization on January 1, 2002.

This bill would extend the operation of the pilot program until July 1, 2004.

Existing law establishes the Organization of Area Boards on Developmental Disabilities for the purpose of engaging in activities to solve common problems, improve coordination, exchange information between areas, and provide advice and recommendations to state agencies, the Legislature, and the State Council on Developmental Disabilities.

Existing law provides that if federal funds are not available for appropriation or transfer pursuant to the Budget Act of 2000, for purposes of the Organization of Area Boards on Developmental Disabilities based on a determination by the Department of Finance, the Department of Finance shall notify the appropriate fiscal and policy committees of the Legislature and the Joint Legislative Budget Committee of this determination within 10 calendar days. Existing law further provides that this notification shall specify the dollar amount needed to fully continue operations of the Organization of Area Boards, and appropriates this amount from the General Fund after the receipt of the notification by the Legislature.

This bill would impose similar requirements on the Department of Finance if federal funds are not available for appropriation or transfer pursuant to annual Budget Acts for the same purpose.

Existing law requires the Director of Developmental Services to publish a report of the financial status of all regional centers and their operations by December 31 of each year.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would instead require this report to be published by February 28 of each year.

Existing law authorizes each consumer or any representative acting on behalf of any consumer or consumers, who believes that any right to which a consumer is entitled has been abused, punitively withheld, or improperly or unreasonably denied by a regional center, developmental center, or service provider, to pursue a complaint in accordance with specified procedures.

This bill would revise this consumer complaint procedure.

Existing law makes provision for the treatment of certain persons in secure state mental hospitals.

Existing law requires that no more than 1,336 patients be housed at Patton State Hospital, which is one of the state's mental hospitals.

This bill would provide that, until one year after the activation of the Coalinga Secure Treatment Facility, up to 1,670 patients may be housed at Patton State Hospital, and would also require the Department of Corrections and the State Department of Mental Health to develop a plan for ensuring the security of the hospital during the construction of facilities for additional beds, and also a plan for ensuring security after the beds are occupied by patients.

Existing law requires that a permanent facility for the housing and treatment of sexually violent predators be located on a site or sites determined by the Director of Corrections and the Director of Mental Health, with approval by the Legislature. Existing law prohibits persons other than sexually violent predators from being housed or treated at these facilities unless expressly authorized by the Legislature.

This bill would delete this prohibition.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health services.

The Medi-Cal program provides for a special methodology of reimbursement of disproportionate share hospitals for the provision of inpatient hospital services.

Existing law generally defines a disproportionate share hospital as a hospital that has disproportionately higher costs, volume, or services related to the provision of services to Medi-Cal or other low-income patients than the statewide average.

Existing law authorizes a distinct part of an acute care hospital providing specified services and meeting certain requirements to receive, in addition to the rate of payment that the facility would otherwise receive for skilled nursing services, supplemental reimbursement for capital projects.

This bill would authorize a distinct part of an acute care hospital that provides services to Medi-Cal beneficiaries and is owned by a county, city and county, or city, or a health care district meeting certain requirements, to receive supplemental reimbursement according to a payment methodology that is based on skilled nursing services provided to Medi-Cal patients at the eligible facility.

Existing law authorizes certain deductions in the determination of eligibility for benefits under the Medi-Cal program.

This bill would, subject to federal financial participation, authorize a deduction for certain persons who are residing in a community care facility in the determination of their eligibility for Medi-Cal benefits.

This bill would require the State Department of Health Services to exercise an option available under the federal medicaid program to disregard all changes in income or assets of a beneficiary until the beneficiary's next annual redetermination of eligibility for Medi-Cal benefits.

This bill would also provide for the exercise of an option available under federal law for the accelerated eligibility for Medi-Cal for children who are in the process of entering the foster care system.

This bill would require the State Department of Health Services to exercise a federal option authorizing states to provide services during a presumptive eligibility period for children to implement a program for accelerated enrollment of children in the Medi-Cal program, subject to federal approval of any required state plan amendments and federal financial participation.

Under existing law, counties are responsible for the implementation of eligibility determinations under the Medi-Cal program.

By extending the eligibility for benefits under the Medi-Cal program and modifying the eligibility determination process, this bill would increase the responsibilities of the counties in the administration of the Medi-Cal program, thereby resulting^{***} in a state-mandated local program.

Existing law requires the State Department of Health Services to review the current Medi-Cal long-term care reimbursement system and submit to the Legislature a formal report and proposal for statutory changes.

This bill would require the department to submit the report to the Legislature by April 1, 2002.

Existing law authorizes the State Director of Health Services to adopt regulations establishing payment rates for certain health care facilities under the Medi-Cal program.

This bill would require the State Department of Health Services, upon federal approval, to provide a supplemental rate adjustment for specific nursing facilities.

This bill would require the State Department of Health Services to provide instructions on facility requirements and would make any facility paid the supplemental rate adjustment that has not provided salary, wage, and benefit increases liable for the amount of the funds paid to the facility but not distributed to employees, would subject the facility to penalties for the failure to distribute funds according to the bill, and would make the facility subject to certain criminal penalties. By revising the scope of criminal liability of the facilities under criminal sanctions, this bill would change the definition of a crime thereby creating a state-mandated local program.

Existing law provides that, until July 1, 2001, ancillary outpatient services shall be covered under the Medi-Cal program for a patient of an institute of mental disease who is at least 21 years of age, but who has not attained the age of 65 years, regardless of the availability of federal financial participation.

This bill would indefinitely extend this provision.

Existing law, until January 1, 2003, authorizes the department to enter into contracts with manufacturers of single source and multiple source drugs under the Medi-Cal program, and specifies procedures for implementation of that authority, thus authorizing the use of a Medi-Cal contract drug list for the procurement of prescription drugs under that program.

Existing law requires the department to make every attempt to complete the initial contracting process for each major therapeutic category by January 1, 2001.

This bill would eliminate this requirement.

Existing law contains various requirements governing reimbursement for Medi-Cal services provided by federally qualified health centers and rural health clinics subcontracting with local initiatives. To be reimbursed under these provisions, a center or clinic is required to submit to the department for approval a rate differential based on the center's or clinic's reasonable costs.

This bill would allow the rate differential to be calculated based on the prospective payment rate of the federally qualified health center or rural health clinic.

The bill would require the department to conduct a study of the actual impact and projected impact of the transition from a cost-based reimbursement system to a prospective payment system for federally qualified health centers and rural health clinics.

Existing law provides that the board of supervisors of a county that contracted with the State Department of Health Services pursuant to a specified provision of law during the 1990-91 fiscal year and any county with a population under 300,000, as determined in

accordance with the 1990 decennial census, by adopting a resolution to that effect, may elect to participate in the County Medical Services Program for state administration of health care services to eligible persons in the county.

This bill would provide that the contract between the department and the County Medical Services Program Governing Board may include provisions for the administration of a pharmacy benefit program and, pursuant to these provisions, would authorize the department to negotiate, on behalf of the County Medical Services Program, rebates from manufacturers that agree to participate. The bill would revise, for the 2001–02 fiscal year, state and counties financial responsibilities for certain increases in costs in the County Medical Services Program. It would also require the governing board to reimburse the department for staff costs associated with these provisions.

Existing law imposes various functions and duties on the State Department of Health Services with respect to the administration and oversight of various health programs and facilities, including the Medi-Cal program.

This bill would authorize the department to issue a benefits identification card for persons who are eligible for Medi-Cal benefits or benefits under another health care program administered by the department.

This bill would require the department to issue an all-county letter to clarify, among other things, procedures for removing any indication of other health coverage, other than Medi-Cal, from a foster child's Medi-Cal eligibility information, and to provide the fiscal and policy committees of the Legislature and the local Los Angeles County 1115 Waiver Outright Committee with copies of all reports and updates provided to the federal Centers for Medicare and Medicaid Services as contained in the Los Angeles County waiver document. It would also revise the rulemaking authority of the department with respect to certain managed health care plan services to Medi-Cal recipients.

The bill would require the Director of Health Services to report to the Legislature, on or before March 31, 2002, regarding any changes in federal law permitting the state to expand the state program for ensuring cancer treatment availability for low-income uninsured women, specifically as it relates to noncervical gynecological cancers.

Existing law establishes various programs with respect to tobacco use prevention. The annual Budget Act provides that appropriations made by that act are appropriated for the use and support of the state for one fiscal year.

This bill would instead provide that funds appropriated by the Budget Act of 2001 for specified tobacco prevention programs shall be available for encumbrance and expenditure without regard to fiscal years for 2 years beyond the date of the appropriation, or until July 1, 2003, whichever is later. By extending the time for which an appropriation may be encumbered and expended, this bill would make an appropriation.

This bill, commencing August 1, 2001, would authorize local educational agencies (LEAs) participating in the Medi-Cal billing option to contribute funds to the department in order to fund a contract for a rate study for the LEA Medi-Cal billing option, and would require the department to match the contributed funds with the appropriate share of federal funds. It would require the department to contract for the study unless insufficient funds are received by the department by June 30, 2004, in which case the study would not be undertaken and funds would be returned to the contributing LEAs.

This bill would require the State Department of Developmental Services to submit a report on statistical data and an update on special incident information, would require the State Department of Health Services to submit a report on the state's Home and Community Based Waiver, to certain committees of the Legislature.

This bill would require the State Department of Health Services to convene a workgroup and report to the appropriate committees of the Legislature by March 1, 2002, on the availability and cost trends for general liability and professional liability insurance for long-term care providers in California.

The bill would specify that certain emergency regulations adopted for the administration of certain Medi-Cal programs prior to the repeal of the authorization to adopt emergency regulations shall remain valid until amended or repealed.

The bill would authorize the State Department of Health Services to adopt emergency regulations for the purposes of this bill.

Existing law creates the Cigarette and Tobacco Products Surtax Fund, composed of various accounts, with these moneys being available for specified purposes upon appropriation by the Legislature.

Existing law creates the California Health Care for the Indigent Program and the Rural Health Services Program, administered by the State Department of Health Services, under which moneys may be allocated to specified counties to cover the cost of uncompensated care.

This bill would require the department to allocate \$24,803,000 from money appropriated to the General Fund from the Cigarette and Tobacco Products Surtax Fund, for the 2001–02 fiscal year, for the cost of uncompensated emergency services under the California Health Care for the Indigent Program and the Rural Health Services Program, as prescribed.

This bill would also make technical, clarifying changes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 172 (SB 37) Speier. Health insurance: coverage for clinical trials.

Existing law provides for the regulation and licensing of health care service plans by the Director of the Department of Managed Health Care and for the regulation of disability insurers by the Insurance Commissioner. Existing law provides that a willful violation of provisions governing health care service plans is a crime.

Existing law requires health care service plans and certain disability insurers to provide an external review process to examine coverage decisions regarding experimental or investigational therapies under certain conditions.

This bill would require health care service plans and certain disability insurers to provide coverage for specified health care services related to the treatment of an enrollee or insured diagnosed with cancer and accepted in a clinical trial meeting specified requirements. The bill would require copayments and deductibles for those services delivered in a clinical trial to be the same as for the services not delivered in a clinical trial.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. Pursuant to existing law, County Organized Health Systems are systems that contract with the State Department of Health Services to provide comprehensive health care to all eligible Medi-Cal beneficiaries residing in a county, and that are operated directly by a public entity established by a county government.

This bill would require the Medi-Cal program and County Organized Health System plans to provide coverage for specified health care services related to the treatment of an enrollee or beneficiary diagnosed with cancer and accepted in a clinical trial meeting specified requirements. By modifying the eligibility determination process under the Medi-Cal

program, the bill would increase the responsibilities of counties in the administration of the Medi-Cal program and would result in a state-mandated local program.

Because a willful violation of the bill's requirements with respect to health care service plans would be a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 173 (SB 50) Machado. Speech-language pathology assistants.

Existing law requires the Speech-Language Pathology and Audiology Board to adopt regulations that include standards for approval of Associate Degree Speech-Language Pathology Assistant training programs. Existing law requires a person applying for approval as a speech-language pathology assistant to have graduated from a speech-language pathology assistant associate of arts degree program, or equivalent course of study, approved by the board, except that on or before January 1, 2001, a speech-language pathology aide who has worked in that capacity for at least 12 months may apply for registration as a speech-language pathology assistant.

This bill would require the board to adopt regulations establishing standards for accreditation of a training program's institution. The bill would also authorize until June 1, 2003, a person who has performed the functions of a speech-language pathology aide for a specified amount of time within the last 5 years to apply for registration as a speech-language pathology assistant.

Existing law continuously appropriates the money in the Speech-Language Pathology and Audiology Board Fund.

Because this bill would increase the amount of money deposited in the fund by way of application fees from speech-language pathology assistants, the bill would make an appropriation.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 174 (SB 63) Scott. Insurance.

Existing law authorizes a fire and casualty licensee to act as an insurance agent, broker, or solicitor, and to transact 24-hour care coverage, as defined.

This bill would also authorize a fire and casualty licensee to transact the coverages that a personal lines licensee is authorized to transact.

Existing law, operative January 1, 2002, requires the examination and licensure of a person to act as a personal lines licensee, as defined. Existing law, operative January 1, 2002, authorizes the Insurance Commissioner to exempt an applicant for a personal lines license from having to fulfill the examination requirement if the applicant has been continuously employed by an admitted insurer or licensed fire and casualty broker-agent in a full-time position for at least 3 years prior to January 1, 2001.

This bill would instead authorize the commissioner to exempt an applicant for a personal lines license from having to fulfill the examination requirement if the 3 years of required employment were immediately prior to January 1, 2001. The bill would provide that a personal lines licensee includes a person authorized to transact recreational vehicle and inland marine insurance. The bill would also specify the precensing education and other

requirements for a personal lines agent who applies to become a fire and casualty broker-agent.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 175 (SB 106) Sher. Service authority.

Existing law authorizes the establishment of a service authority and the imposition of a \$1 service fee in a county if the county board of supervisors, by a $\frac{2}{3}$ vote, and a majority of the cities having a majority of the incorporated population within the county, adopt a resolution establishing the authority and the imposition of a service fee on vehicles, as specified. Existing law requires the Department of Motor Vehicles to collect the fee at the time of vehicle registration, renewal of registration, or when renewal becomes delinquent. The net amount of fees collected for these fees is required to be deposited in the Abandoned Vehicle Trust Fund, which is continuously appropriated to the Controller for allocation to participating service authorities, as specified. Under existing law, if any funds received by a service authority are not expended to abate abandoned vehicles within 90 days of the close of the fiscal year in which the funds were received and the amount of those funds exceeds the amount expended by the service authority for the abatement of abandoned vehicles in the previous fiscal year, the fee for that authority is suspended for one year, commencing the following January 1. These provisions are currently required to terminate not later than 10 years from the date the actual collection commenced.

This bill would limit the authority to suspend the service fee to abatement programs that have been in existence for at least 2 full fiscal years and would require every service authority that imposes a service fee to issue a fiscal yearend report, as specified, to the Controller on or before October 31 of each year. The bill would require each service authority that fails to submit the annual report by November 30 of each year to have its fee suspended for one year.

The bill would require the Controller, on or before January 1, 2003, and on or before January 1 annually thereafter, to submit a report to the Legislature providing specified information and to review the fiscal yearend reports submitted by each service authority. The bill would require the Controller to determine whether a service authority fee is to be suspended for one year. The bill would require the suspension to commence on July 1, rather than January 1, following the Controller's determination. The bill would require the Controller to instruct the Department of Motor Vehicles on or before January 1, 2003, and on or before January 1 annually thereafter, as to the suspension of the service authority's fee. The bill would authorize the extension of the fee collection in increments of up to 10 years each, and would thereby extend the fee and the continuous appropriation, thereby making an appropriation.

Ch. 176 (SB 210) Committee on Local Government. Local Government Omnibus Act of 2001.

(1) Existing law allows the board of supervisors to designate the place for payment of the principal and interest of school bonds.

This bill would authorize those places to include any office of a trustee or paying agent, as specified.

(2) Existing law authorizes the oath of a disaster service worker to be destroyed 5 years after termination of his or her employment by a county.

This bill would authorize the destruction of the oath 5 years after the termination of any disaster service worker's service or, in the case of a public employee, 5 years after the termination of employment.

(3) Existing law authorizes the Controller to offset or deduct certain amounts due a city or county to satisfy certain state claims, and requires the assessor to notify the appropriate assessee, as specified.

This bill would transfer that notification duty to the tax collector.

(4) Existing law requires the county auditor to examine the books of the county treasurer, as specified.

This bill would require the auditor to reconcile the accounts on those books, as specified.

(5) Existing law authorizes a county board of supervisors to delegate to an appropriate county official the authority to lease property not to exceed \$2,500 per month.

This bill would increase that amount to \$7,500 per month.

(6) The existing Subdivision Map Act provides that a conveyance of land to, among other entities, a governmental agency, including a fee interest, easement, or license, is not considered a division of land for purposes of computing the number of parcels, and provides that a parcel map is not required except under specified conditions.

This bill would include the conveyance of a leasehold interest to a governmental agency within those provisions.

(7) Existing law authorizes certain documents to be recorded without acknowledgment, certificate of acknowledgment, or further proof.

This bill would include a certificate of correction for a subdivision final map or parcel map within those provisions.

(8) Existing law authorizes the treasurer of a local agency under specified conditions to deposit money in a bank to pay the principal and interest on bonds.

This bill instead would authorize those deposits to pay any warrant or to fund any electronic disbursement of funds from the local agency's treasury.

(9) Existing law prescribes certain procedures, applicable until January 1, 2002, to the detachment of territory from the Broadmoor Police Protection District.

This bill would extend the operation of those provisions until January 1, 2004.

(10) Existing law authorizes members of the governing board of the Fairfield-Suisun Sewer District to receive \$50 for each day's attendance at board meetings, not to exceed \$100 per month.

This bill would increase that daily amount to \$100, include additional days of service, and authorize the amount to be increased, as specified.

(11) Existing law prescribes procedures for emergency expenditures by a fire protection district.

This bill would substitute for those provisions other emergency contracting procedures that apply to public agencies generally.

(12) The existing Uniform Public Construction Cost Accounting Act authorizes public projects of \$75,000 or less to be let to contract by informal procedures, as specified.

This bill would increase that maximum amount to \$100,000.

(13) The existing County Water District Law requires each district to have a board of 5 directors, as specified.

This bill would require the Board of Directors of the Sawyers Bar County Water District to adopt a resolution ordering the number of directors to be reduced to 3 if the board receives a petition that meets prescribed requirements.

(14) This bill would also delete obsolete provisions relating to cancellation of Williamson Act contracts, approval of a final subdivision map for a land project, and formation of fire protection districts. The bill would make conforming changes relating to the designation of a clerk of the court rather than the county clerk to perform prescribed duties, and allocation of funds for snow removal, and would correct cross-references and make other clarifying changes.

This bill would delete the authority for a specified member of the Board of Directors of the Southgate Recreation and Park District to continue on that board, as proposed by SB 707, if that bill is enacted.

Ch. 177 (SB 637) McPherson. Bar pilots: Monterey Bay.

(1) Existing law provides for the regulation and licensing of pilots for the Bays of San Francisco, San Pablo, and Suisun.

This bill would apply those provisions also to persons who pilot vessels into or out of any harbor or port of the bay of Monterey Bay.

(2) Existing law authorizes the board of a harbor district to borrow money by issuance of promissory notes, or execute conditional sales contracts to purchase personal property, up to a specified amount, for the purposes of acquiring land for, and constructing or operating, any work, project, or facility, and prohibits any money borrowed pursuant to this provision from exceeding a term of five years. Existing law also requires, before the board may borrow money pursuant to this provision, that the board approve by resolution, and have on file, a specified report on the engineering and economic feasibility relating to the project.

This bill would exclude, from those requirements, any money borrowed from any agency or department of the United State government or of the State of California.

(3) Under existing law, any person who does not hold a license as a pilot or as an inland pilot and who pilots any vessel into or out of any harbor or port of the Bays of San Francisco, San Pablo, or Suisun, or who acts as a pilot for ship movements or special operations upon the waters of any of those bays, is guilty of a misdemeanor. By expanding the scope of persons subject to that law to include pilots in Monterey Bay, the bill would impose a state-mandated local program by creating a new crime.

(4) Existing law requires all moneys received by the Board of Pilot Commissioners pursuant to any statute to be deposited in the Board of Pilot Commissioners' Special Fund. The fund is continuously appropriated for the payment of the compensation and expenses of the board, its officers and employees, and the pilot training programs. Existing law specifies the rates for pilotage for vessels entering or leaving the Bays of San Francisco, San Pablo, and Suisun. Existing law also imposes a surcharge of 7.5% of pilotage fees, to be deposited in the fund and used to support the board, and imposes an additional charge for pension benefits payable to a fiduciary agent, as specified. Because this bill would increase the amount of money deposited in a continuously appropriated fund, the bill would make an appropriation.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 178 (SB 916) Ackerman. Discount buying organizations.

Existing law regulates membership contracts for discount buying organizations, as defined. Certain discount buying organizations are exempted from these provisions, including organizations that provide a full refund of membership fees, as specified, maintain a bond of \$20,000, and comply with certain other requirements.

This bill would additionally exclude certain discount buying organizations from these provisions if they establish, maintain, and file with the Secretary of State specified information regarding an escrow account in the amount of \$50,000 used to provide members with membership fee refunds, provide members with proof, in a specified form, of the creation of the escrow account and membership refund information, issue a refund within 10 days after the escrow trustee receives a member's request, provide the Attorney General and every prospective member with specified documents relating to membership cancellation and refund terms, possess an unrevoked acknowledgment from the Attorney General of compliance with the requirements of the exclusion provisions, and comply with other specified requirements.

Ch. 179 (AB 11) Dickerson. Olive pests.

Existing law establishes the Stone and Pome Fruit Pest District Control Law, the purpose of which is to organize and govern districts for the eradication of stone and pome fruit pests.

This bill would change the name of that act to the Olive, Stone, and Pome Fruit Pest District Control Law.

This bill would make various changes so as to provide for organization, operation, government, and dissolution of districts for the control and eradication of olive fruit pests. It would allow districts to eradicate, remove, or prevent the spread of any and all olive fruit pests by entering into or upon land within the boundaries of the district for the purpose of inspecting and treating olive trees and other host plants and fruit, removing trees, and levying annual assessments of parcels in the district with 10 or more olive trees.

Because this bill would require a local agency to perform an increased level of service it creates a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 180 (AB 202) Corbett. Joint Enforcement Strike Force on the Underground Economy.

Under existing law the Joint Enforcement Strike Force on the Underground Economy is comprised of specified members representing various state agencies.

This bill would include representatives of the Department of Insurance within that membership group.

Ch. 181 (AB 263) Correa. Bonds: public works contracts.

Existing law, the Bond and Undertaking Law, provides a comprehensive system for the execution and approval of bonds and undertakings. Existing law provides that a bond shall be executed by 2 or more sufficient personal sureties, or by one sufficient admitted surety insurer, or by any combination of sufficient personal sureties and admitted surety insurers, unless the statute providing for the bond requires execution by an admitted surety insurer.

This bill would provide that any bond required on a public works contract, as defined, shall be executed by an admitted surety insurer. This bill would require a public agency approving the bond on a public works contract to verify that the bond is being executed by an admitted surety insurer, and would provide that the public agency may fulfill this duty by either obtaining specified information from the Department of Insurance website or from the county clerk and attaching it to the bond. By increasing the duties of local agencies, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 182 (AB 274) Committee on Agriculture. Livestock.

Existing law allows an inspector or police officer who finds any animal, hide, carcass, or portion of a carcass in the possession of any person that he or she has reason to believe is not the legal owner or entitled to the possession of it to take possession of it or to direct the person in possession where to leave it pending investigation. A hide or carcass will not be held for more than 30 consecutive days unless the notice of seizure is renewed.

This bill would provide that an animal, a hide, or a carcass may not be held for more than 30 consecutive days unless the notice of seizure is renewed.

Existing law provides that a brand recording shall not be granted for a V brand on the left shoulder of an animal.

This bill would repeal this provision.

Existing law allows the owner of a recorded brand to renew that brand for a number of years by paying, in advance, \$25 per year to the Bureau of Livestock Identification, as specified.

This bill would call for biennial advance renewal payments of \$50.

Existing law requires that cattle undergo brand inspection at various times, as specified.

This bill would require brand inspection of cattle prior to their movement out of specified locations and upon movement out of the state.

Existing law provides that it is unlawful for any person who owns or has custody of cattle to transport them without the required brand inspection, as specified.

This bill would provide that movement of cattle by any person that owns or has possession of cattle without required inspection, as specified, is unlawful. Because this bill changes the definition of a crime, it would create a state-mandated local program.

Existing law authorized the chief to issue an annual permit to allow cattle to be transported out of this state without the brand inspections required under specified conditions, including, among other things, that the cattle are transported for pasture purposes and that the cattle are transported a distance of not more than 50 miles from the point of origin to the point of destination.

This bill would change the word transported to moved in these specified conditions.

Existing law provides that, under certain circumstances, a 90¢ fee be paid for brand inspection of each head of cattle shipped from another state into this state for slaughter.

This bill would repeal this provision leaving in place another provision which exempts out-of-state cattle from inspection when accompanied by proper documents.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 183 (AB 737) Oropeza. Disabled veteran business enterprises.

The Small Business Procurement and Contract Act permits a state agency to award a contract for goods, services, or information technology with a value of between \$5,000 and \$100,000 to a small business without complying with specified competitive bidding requirements.

This bill would allow the award of a contract under this exemption to a certified disabled veteran business enterprise, and would require small businesses to be certified to contract under this exemption.

Ch. 184 (AB 740) Aanestad. Public health: hospitals.

Existing law provides for local health care districts which govern certain health care facilities. Each health care district has specific duties and powers respecting the creation, administration, and maintenance of the districts.

This bill would, until January 1, 2008, authorize the Eastern Plumas Health Care District to obtain or be issued a consolidated license to operate a separate physical plant as a skilled nursing facility or an intermediate care facility on the campus of the Sierra Valley District Hospital.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 185 (AB 824) Cohn. Public employees' long-term care insurance.

Existing law requires the Board of Administration of the Public Employees' Retirement System to contract for long-term care insurance plans, authorizes the board to develop and administer self-funded long-term care insurance plans, and specifies that active and retired members and annuitants of specified public retirement systems and their spouses, their parents, and their spouses' parents shall be eligible to enroll in those plans. Premiums for any

self-funded long-term care plan developed by the board are required to be deposited in the Public Employees' Long-Term Care Fund, a continuously appropriated special fund.

This bill would provide that adult siblings of eligible active and retired members and annuitants shall also be eligible to enroll in those plans. By expanding the class of persons making deposits into a continuously appropriated fund, the bill would make an appropriation.

Ch. 186 (AB 837) Briggs. Joint powers agencies.

Existing law authorizes 2 or more public agencies, which include the federal government, the state, another state or any federal department or agency or any local agency, to make an agreement to jointly exercise any power common to the contracting parties and authorizes these parties to issue bonds, notes, or other evidence of indebtedness.

This bill would provide that the Treasurer is designated as an elected representative for federal tax purposes of a joint powers agency created pursuant to this law. The bill would provide that, in the discretion of the joint powers agency, the Treasurer is authorized to approve or certify the issuance of bonds, notes, or other evidence of indebtedness issued by or on behalf of the joint powers agency to the extent approval is required by federal tax law.

Ch. 187 (AB 844) Chan. School dropouts.

(1) Existing law authorizes a school district to establish an alternative education and work center for dropouts, as specified. The program includes certain administrative duties for the Superintendent of Public Instruction. The authorization becomes inoperative on June 30, 2001, and is repealed on January 1, 2002.

This bill would extend the effective date of these provisions to January 1, 2007. The bill would require the State Department of Education to submit a report to the Legislature on or before January 1, 2003, evaluating the centers, as specified.

(2) Existing law provides for various experimental school programs including, among others, individualized instruction based upon performance criteria, alternative schools, demonstration programs in intensive instruction, and gang risk intervention.

This bill would reenact provisions relating to educational clinics that became inoperative on June 30, 2000, and were repealed on January 1, 2001. The bill would authorize certification of educational clinics that would, among other things, recruit or receive referral of high school dropouts, provide instruction in basic academic skills, provide employment orientation or reentry orientation, operate on a clinical client-centered basis, and conduct courses of instruction. The bill would make the provisions inoperative on July 1, 2003, and repeal them as of January 1, 2004.

(3) This bill would declare that the aforementioned provisions shall be operative only to the extent funds are appropriated in the annual Budget Act.

(4) This bill would further declare that it is to take effect immediately as an urgency statute.

Ch. 188 (AB 950) Wright. Developmentally disabled persons: community care facilities: direct care staff training.

Under existing law, the State Department of Developmental Services contracts with regional centers for the provision of services and supports to persons with developmental disabilities.

Existing law provides, pursuant to an Alternative Residential Model (ARM), that the State Department of Developmental Services establish separate reimbursement rates for residential services to persons with developmental disabilities residing in community care facilities, in accordance with specified requirements.

Existing law specifies competency training and testing requirements that must be met by direct care staff at these ARM facilities.

This bill would make the training and testing requirements apply to direct care staff persons employed in any licensed community care facility that receives regional center funding

instead of ARM facilities. The bill would require the department to adopt emergency regulations to implement this provision.

Ch. 189 (AB 968) Chan. Technology, Trade, and Commerce Agency: organization.

Existing law sets forth the various offices and divisions within the Technology, Trade, and Commerce Agency, including the Office of Foreign Investment, the Office of Trade Policy and Research, the Office of California-Mexico Affairs, and the California State World Trade Commission. Within the California State World Trade Commission are the international trade and investment offices, also known as overseas trade offices, the Office of Export Development, and the Export Finance Office.

This bill would revise and recast those provisions and would provide that the Office of Foreign Investment, the Office of Trade Policy and Research, the Office of California-Mexico Affairs, the California State World Trade Commission, the international trade and investment offices, the Office of Export Development, and the Export Finance Office are within the International Trade and Investment Division within the agency. It would delete the references to overseas trade offices and instead refer to international trade and investment offices. The bill would make other related changes and make additional technical, nonsubstantive changes.

Ch. 190 (AB 1024) Nakano. Armories.

Existing law authorizes the Adjutant General to build and construct armories, if appropriations have been made by the Legislature.

This bill would authorize the Adjutant General to cooperate and contract with representatives of the United States in carrying out that authority. The bill would also require the Adjutant General, in connection with contracting on that basis, to make written findings based on specified criteria.

Ch. 191 (AB 1116) Committee on Revenue and Taxation. Income taxes: bank and corporation taxes.

Existing law defines “deficiency” for purposes of the Personal Income Tax Law and the Bank and Corporation Tax Law.

This bill would revise that definition to delete the provision specifying that “deficiency” includes the amount by which a credit subject to carryover is reduced by any action of the Franchise Tax Board.

This bill would specify the applicable administrative procedures if the Franchise Tax Board determines that the amount of a carryover disclosed by the taxpayer on an original or amended return is more than the amount of the carryover disclosed by its own examination.

This bill also would make changes with respect to the operative date of provisions effecting changes in withholding.

Ch. 192 (AB 1463) Longville. Litigation expenses.

Existing law requires a court in an eminent domain action to award the defendant his or her litigation expenses whenever the proceeding is wholly or partly dismissed or when the final judgment is that the plaintiff cannot acquire the property sought.

This bill would specify that where the plaintiff files a notice of abandonment as to a particular defendant, or a request for dismissal of a particular defendant, and the court determines that the defendant did not own or have any interest in the property at the time the action commenced, the court is required to award that defendant only those litigation expenses incurred up to the time of the filing of the notice of abandonment or request for dismissal.

Ch. 193 (AB 1533) Migden. Rehabilitation services.

Existing law establishes the Rehabilitation Revolving Loan Guarantee Fund, administered by the Department of Rehabilitation, to be used to guarantee loans made by eligible lenders to eligible persons for the purchase of vans, automobiles, and other special equipment to facilitate transportation of the physically handicapped. Existing law also establishes the Supported Employment and Adaptive Technology Revolving Loan Guarantee Account within the fund to assist private employers and employees with disabilities to purchase durable equipment, adaptive aids, and assistive devices.

This bill would establish a borrower's interest rate in accordance with a specified formula and would require the interest on these loans to be prepaid by the department to the participating lender out of the Supported Employment and Adaptive Technology Revolving Loan Guarantee Account, and if the borrower defaults on any loan guaranteed by this program, the participating lender would be required to reimburse the department for any interest not accrued, after deduction for any unavoidable loss suffered by the lender.

Existing law prohibits any loan in excess of \$20,000 to be made to any eligible person under the above provisions.

This bill would increase the maximum loan amount from \$20,000 to \$35,000.

Existing law establishes the State Rehabilitation Advisory Council to advise and assist the Director of Rehabilitation in carrying out certain vocational rehabilitation provisions.

This bill would rename this entity the State Rehabilitation Council and would make various technical, nonsubstantive changes.

Ch. 194 (AB 1558) Leach. School facilities: maintenance.

Existing law, the Leroy F. Greene School Facilities Act 1998 (Greene Act), provides funding to school districts to finance the construction and modernization of school facilities. The Greene Act requires applicants to make all necessary repairs, renewals, and replacements to ensure that a project is at all times kept in good repair. Existing law requires an applicant to establish a restricted account within the school district's general fund for the exclusive purpose of providing moneys for ongoing and major maintenance, and to agree to deposit prescribed amounts into the account for this purpose. Existing law requires the applicant school district to certify that it has publicly approved an ongoing and major maintenance plan.

This bill would define major maintenance for this purpose, would require, commencing January 1, 2002, any school district applying for funding pursuant to the Greene Act to annually review the plan, update it as needed, and certify that it is in compliance with the plan. The bill would require applicants to certify that the plan includes prescribed criteria, including, but not limited to, identification of the major maintenance needs of the project, and specification of a schedule for completion of the major maintenance.

Ch. 195 (AB 1657) Hertzberg. County health care.

Existing law creates various county health care services programs.

This bill would require the State Auditor to evaluate the financial capacity of the Los Angeles County Department of Health Services to render necessary health care services to the residents of Los Angeles County and, to the extent possible, to coordinate audit and review activities with the State Department of Health Services and the Los Angeles County Auditor-Controller and Department of Health Services.

Ch. 196 (AB 1690) Committee on Human Services. Elder and dependent abuse reporting: training.

Existing law requires mandated reporters to report instances of abuse of elder or dependent adults. Existing law also specifies that long-term health care facilities or community care facilities that provide care to adults shall provide training to their staff in recognizing and reporting elder and dependent adult abuse.

This bill would also make residential care facilities for the elderly subject to the requirement to provide training to staff in recognizing and reporting elder and dependent adult abuse, and would require compliance by July 1, 2002.

Ch. 197 (AB 440) Cardoza. Budget Act of 2001.

This bill would appropriate \$5,400,000 in addition to the amount appropriated in the Budget Act of 2001 for grants for specified law enforcement agencies. The bill would increase the minimum amount of each law enforcement grant from \$20,000 to \$30,000.

This bill would appropriate \$75,000,000 in addition to the amount appropriated in the Budget Act of 2001 for tax relief for senior citizens' property tax assistance and senior citizen renters' tax assistance.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 198 (AB 471) Hertzberg. Horse racing.

(1) Existing law authorizes wagering on the result of live and simulcast horse races, subject to the regulation and oversight of the California Horse Racing Board, and requires the licensure of various persons and entities associated with this industry. Existing law also imposes specified requirements on the operation of racetracks, backstretch facilities, and stabling and vanning services, and establishes pension funds and welfare funds for the benefit of backstretch personnel and horsemen.

This bill would state findings and declarations of the Legislature regarding the employment rights of racetrack backstretch employees, and direct the California Horse Racing Board to oversee the conduct of a union and multiemployer collective bargaining agent recognition procedure subject to specified conditions and procedures, provide for resultant labor agreements to be binding on the parties, and establish reasonable rules to regulate the time, place, and manner of representational meetings within the racetrack enclosure. This bill would also authorize individual trainers to opt out of the multiemployer bargaining process, subject to specified conditions, and require each trainer to keep accurate payroll records for all of his or her employees, subject to audit by the Labor Commissioner as specified, containing specified information which would be available for inspection by, or furnished to, the employee, his or her authorized representative, the board, the administrators of specified pension and health and welfare funds, or the Division of Labor Standards Enforcement of the Department of Industrial Relations.

(2) Existing law provides that every license granted under the Horse Racing Law is subject to suspension or revocation in any case where the board has reason to believe that any condition regarding the license has not been complied with, or that any provision of law or any rule or regulation of the board affecting it has been broken or violated.

This bill would expand this suspension and revocation authority to expressly include violations of the Labor Code and regulations adopted thereunder. This bill would also provide that upon a finding by the Labor Commissioner that a violation of any provision of the Labor Code under his or her jurisdiction has been committed by a person licensed under the Horse Racing Law, that upon expiration of the applicable period for appeal he or she shall notify the board of that finding.

(3) Existing law provides that no license to conduct a horse racing meeting shall be issued unless the track has been inspected and approved by the board as to specified racetrack safety standards within 30 days prior to the date of application.

This bill would additionally provide that the board shall, within 120 days of the effective date of this act, adopt emergency regulations, as specified, to establish employee housing standards at licensed racetracks, which shall be replaced by final, permanent regulations with 18 months thereafter, which racing associations shall be in compliance with by January 1, 2004, and as of that date would require the board, in conjunction with the Department of Housing and Community Development or a local housing authority in that jurisdiction, to annually inspect the living conditions of backstretch employee housing and submit these

findings to the board. The bill would provide that no license to conduct a horse racing meeting shall be issued to a racing association unless the board has inspected the housing conditions that exist on that track's backstretch and determined them to be in compliance with these standards.

(4) Existing law permits any racing association in this state, with the approval of the California Horse Racing Board, to accept out-of-state wagers on a race or races conducted by or disseminated by that association and to transmit live audiovisual signals of the race or races to locations out of state. Existing federal law, the Federal Interstate Wire Act, generally prohibits the transmission in interstate commerce of wagers using a wire communication facility, but allows for the transmission of wagering information as specified.

This bill would state findings and declarations of the Legislature regarding online wagering and account wagering.

This bill would authorize any racing association or fair to accept advance deposit wagers, or to allow these wagers through a betting system or multijurisdictional wagering hub, during the calendar period of its live racing meeting upon approval by the board, and to form partnerships, joint ventures, or any other affiliation to further this purpose. The bill would provide that an advance deposit wager is a method of making a parimutuel wager in which a person in California or elsewhere establishes an account with a licensee, betting system, or multijurisdictional wagering hub, and subsequently issues wagering instructions concerning the funds in this account, thereby authorizing the entity holding the account to place wagers on the account owner's behalf. The bill would provide that wagering instructions may be communicated by telephone call or through other electronic media, and that the entity holding the account shall ensure the identification of the account's owner by utilizing methods and technologies approved by the board. The bill would require entities holding advance wagering accounts to provide a full accounting of deposits and wagers, as specified, and after the payment of winning wagers and the deduction of contractual compensation and a host fee, where applicable, to pay the remaining amount to various racing entities in California, with specified percentages based on the amount handled on advance deposit wagers that originate in California for each race meeting to be dedicated to the Kenneth L. Maddy Fund for equine health, payment of auditing costs incurred pursuant to (1), reimbursement of the State Mediation and Conciliation Service for costs incurred pursuant to this act the augmentation of compulsive gambling prevention programs, and the augmentation of an existing welfare fund and existing pension plans benefiting backstretch personnel, with the remaining funds to be distributed as commissions, purses, and incentive awards, as specified. The bill would require the board to develop and adopt rules to regulate and license advance deposit wagering operations, security, and advertising, and would require that entities conducting advance deposit wagering conducted in California enter into contractual agreements with labor organizations, as specified. This bill would repeal these provision on January 1, 2008.

(5) Existing law defines "parimutuel wagering" as wagering where bettors purchase tickets, and provides that lawful parimutuel wagering shall only be conducted within the enclosure of a licensee.

This bill would provide that the term "parimutuel wagering" includes the issuance of wagering instructions leading to the placement of wagers, and that wagering instructions concerning funds held in an advance deposit wagering account shall be deemed to be issued within the licensee's enclosure, in accordance with (1).

This bill would repeal this provision on January 1, 2008.

(6) Existing law requires each licensed racing association to designate a certain number of racing days to be conducted as charity days for the purpose of the distribution of the net proceeds therefrom to beneficiaries, and requires that at least 20% of the distributions therefrom to be made to charities associated with the horse racing industry.

This bill would specify that an existing specified backstretch employee welfare fund shall be a health and welfare trust fund administered without prejudice for the benefit of every

eligible person, that the fund and benefits shall be administered in accordance with specified standards established in federal law, subject to oversight and regulation of the board, and that the welfare fund board be expanded, by March 1, 2002, to include 2 additional groom and stable employee licenses, also would be replaced by designees of a labor union with 60 days of that union having been chosen as the exclusive collective bargaining agent of a statewide majority of backstretch workers.

(7) Existing law provides that racing associations and fairs shall pay, from the portion deducted for purses, an amount equal to 1% of that portion for a pension plan for backstretch personnel to be administered by the respective trainers' organizations.

This bill would provide that within 60 days of a union having been chosen as the exclusive collective bargaining agent for a statewide majority of backstretch workers these funds shall instead be directed to a pension plan for backstretch personnel established by a plan submitted by trainers' organizations as specified which shall be administered by a committee that shall include 2 representatives designated by the bargaining agent.

(8) This bill would provide that its provisions are severable as specified.

Ch. 199 (AB 603) Dutra. Home furnishings.

(1) The Home Furnishings and Thermal Insulation Act, which establishes the Bureau of Home Furnishings and Thermal Insulation, requires, among other matters, that all mattresses manufactured for sale in this state as well as specified furniture sold or offered for sale for use in a place of public accommodation in this state and specified reupholstered furniture be fire retardant. Under the act, the failure to comply with these provisions is a crime.

This bill would require, on and after January 1, 2004, that all mattresses and box springs manufactured for sale in this state, except in specified establishments with automatic fire extinguishing systems, be resistant to an open flame under a standard specified by the bureau. The bill would require that this requirement be made applicable to other bedding if the bureau concludes that they contribute to mattress fires. The bill would make these regulations inoperative if a flame resistance standard for these products is adopted under federal law and would require the bureau to report to the Legislature summarizing its regulatory findings.

(2) Existing provisions of the act authorize the chief of the bureau to set license fees not exceeding specified amounts for licenses under the act.

This bill would increase the maximum fees that could be set for an importer's license and a furniture and bedding manufacturer's license under the act.

(3) Because a violation of the bill's expanded fire protection standard applicable to mattresses would be a crime, this bill would impose a state-mandated local program by expanding the scope of an existing crime.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 200 (AB 1003) Frommer. Criminal restitution.

Pursuant to existing law, any compensatory or punitive damages awarded by trial or settlement to a prisoner in connection with a civil action brought against a federal, state or local jail, prison, or correctional facility, or its official or agent, excluding reasonable attorney's fees and litigation costs approved by the court, must be paid directly to satisfy any outstanding restitution orders or fines. The Director of Corrections is permitted to deduct and retain an administrative fee in specified circumstances.

This bill would allow the director to deduct and retain an administrative fee of 5% of the amount paid from a settlement or trial award of a parolee to satisfy an outstanding restitution order. Because the bill would increase revenue deposited in the Restitution Fund, a continuously appropriated fund, the bill would make an appropriation.

Ch. 201 (AB 527) Kehoe. Special interest license plates and decals: veterans' organizations.

Existing law authorizes private organizations, including veterans' organizations, to participate in special interest license plate programs in which the Department of Motor Vehicles issues license plates with a participating organization's distinctive design or decal, and specifies the various fees concerning the issuance of, renewal of registration of, and replacement of damaged or unserviceable, plates and decals.

This bill would, operative July 1, 2002, reduce the fee for a replacement decal issued to a member of the veterans' organization from \$35 to \$10.

Ch. 202 (AB 1044) Migden. California Housing Finance Agency: bonds.

Existing law sets forth various powers and duties of the California Housing Finance Agency in conjunction with the financing of housing. Under existing law, the agency is authorized to issue revenue bonds not exceeding a specified amount outstanding at any time, exclusive of indebtedness incurred to refund or renew bonds previously issued by the agency, the proceeds of which are used to finance housing developments and other residential structures.

The bill would make an appropriation by increasing by \$2,200,000,000 the authorization of bonds to be issued by the agency, the proceeds of which under existing provisions of law are required to be deposited in the continuously appropriated California Housing Finance Fund.

Ch. 203 (SB 982) O'Connell. Special education.

Existing law requires, if the Commission on State Mandates determines that an act contains costs mandated by the state, that reimbursement to local agencies and school districts for those costs be made, as specified.

Under existing law, every individual with exceptional needs, who is eligible to receive educational instruction, related services, or both, is required to receive educational instruction, services, or both, at no cost to his or her parents or, as appropriate, to him or her.

This bill would require the Superintendent of Public Instruction to perform specified computations with respect to special education local planning areas and affected pupils and to permanently increase the amount per unit of average daily attendance for those areas. The bill would also state that, commencing with the 2001–02 fiscal year, to the 2010–11 fiscal year, \$25,000,000 shall be appropriated, on a one-time basis each fiscal year, for allocation to school districts pursuant to a prescribed calculation.

The bill would appropriate \$100,000,000 in augmentation of Item 6110-161-0001 of Section 2.00 of the Budget Act of 2001 for the purposes of the actions taken by the superintendent, as stated above. The bill would appropriate \$270,000,000 to the Superintendent of Public Instruction for allocation on a one-time basis to school districts, county offices of education, and special education local plan areas. The bill would also appropriate \$25,000,000 in augmentation of Item 6110-161-0001 of Section 2.00 of the Budget Act of 2001 for purposes of making the first one-time allocation in each fiscal year for the 2001–02 fiscal year to school districts, as provided for above. The bill would state that the allocation of certain of those funds is in full satisfaction and in lieu of any reimbursable mandate claims relating to special education programs and services, as specified.

Section 8 of Article XVI of the California Constitution (Proposition 98) sets forth a formula for computing the minimum amount of General Fund revenues that the state is required to appropriate for the support of school districts, as defined, and community college districts for each fiscal year. That formula is adjusted in certain fiscal years for changes in pupil enrollment, as specified. Certain funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 204 (AB 187) Liu. Food labeling and safety.

Existing law, the Sherman Food, Drug, and Cosmetic Law, contains various provisions regarding the packaging, labeling, and advertising of food, drugs, and cosmetics. A violation of any of these provisions is punishable as a misdemeanor.

This bill would require all manufacturers of Korean rice cakes to place labels issued by the Korean Rice Cake Association Corporation on the rice cakes that indicate the date of manufacture and would also be required to include a warning that the rice cake must be consumed within one day of manufacture.

Existing law, the California Uniform Retail Food Facilities Law, establishes uniform health and sanitation standards for retail food facilities as defined. The law requires the State Department of Health Services to adopt regulations to implement and administer those provisions, and delegate primary enforcement duties to local health agencies. A violation of any of these provisions is punishable as a misdemeanor.

This bill would permit the sale of Korean rice cakes that have been at room temperature for no more than 24 hours.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 205 (AB 443) Aanestad. Law enforcement funding.

Existing law provides specified funding for local law enforcement through the Local Public Safety Fund and local supplemental law enforcement services funds.

This bill would appropriate \$18,500,000 annually from the General Fund to the Controller for allocation to specified rural and small county sheriffs' departments to enhance law enforcement efforts in those counties. The bill would restrict, as specified, the use of these and other specified law enforcement funds for surveillance or monitoring of persons.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 206 (AB 113) Pavley. California Poet Laureate.

Existing law establishes the Arts Council and sets forth the duties of the council in promoting the arts in the state.

This bill would establish the position of California Poet Laureate, who would be appointed for a specified term by the Governor and confirmed by the Senate from a list of nominees garnered by the council through a specified process, and who would perform specified duties. It would authorize the council to pay an appropriate stipend to the California Poet Laureate and would require the council to provide for the payment of his or her expenses, as specified.

This bill would authorize the council to solicit and receive gifts, donations, bequests, grants of funds, or any other revenues, from public or private sources and to expend those moneys to increase the stipend of the California Poet Laureate and for any other purpose it deems necessary to implement this bill.

Ch. 207 (AB 395) Briggs. Alcoholic beverages: tied-house restrictions: signs.

The Alcoholic Beverage Control Act provides that any manufacturer, winegrower, manufacturer's agent, rectifier, distiller, bottler, importer, or wholesaler, or any officer, director, or agent of any of those persons, may furnish, give, lend, or rent specified types of signs, including signs relating to advertising beer.

This bill would revise these provisions by specifying that the interior signs advertising beer shall remain the property of the beer wholesaler who authorized and furnished them, unless the signs are given or sold to the retail licensee.

Ch. 208 (AB 532) Cogdill. Health care service plans: operation in rural areas.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Existing law requires the Legislative Analyst, among other matters, to study various issues and to report its findings to the Legislature.

This bill would require the Legislative Analyst to study the operation of health care service plans in rural areas of this state and to report to the Legislature and the Department of Managed Health Care on or before July 1, 2002, regarding the reasons plans have discontinued operating in those areas and incentives for plans to resume operating there.

Ch. 209 (AB 810) John Campbell. California water districts: Irvine Ranch Water District and Santa Margarita Water District.

The California Water District Law authorizes a California water district to acquire, plan, construct, maintain, improve, and operate the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any related drainage or reclamation works.

This bill would authorize the Irvine Ranch Water District and Santa Margarita Water District to acquire, construct, operate, maintain, and furnish facilities for the diversion of urban runoff from drainage courses within the district, the treatment of the urban runoff, the return of the water to the drainage courses, or the beneficial use of the water.

Ch. 210 (AB 929) Frommer. Child abuse.

Under existing law, there is within the Office of Criminal Justice and Planning the Child Abuser Prosecution Program. This program provides financial and technical assistance to district attorneys' offices. Existing law provides that each district attorney's office establishing a child abuser prosecution unit shall receive funds under this program, as specified, to concentrate enhanced prosecution efforts and resources on individuals who are under arrest for sexual assault of a child. Existing law also requires the Office of Criminal Justice Planning to report annually to the Legislature concerning this program.

This bill would make willful infliction of suffering or unjustifiable pain, injury or endangerment of person or health, assault resulting in death, as specified, cruel or inhumane corporal punishment, injury resulting in traumatic condition, and distribution of harmful matter with the intent of seducing a minor, when committed in conjunction with any of the other violations listed, offenses eligible for enhanced prosecution efforts.

This bill would also require the Office of Criminal Justice Planning to submit an evaluation of the Child Abuser Prosecution Program, as specified, using outcome measures to determine its effectiveness.

Ch. 211 (AB 942) Cedillo. Highway 101: pedestrian overhead crossing, walkway, or deck.

Existing law prescribes whether pedestrians or vehicles are to yield the right-of-way when a pedestrian crosses a roadway.

This bill would request the City of Los Angeles to consider the benefits of developing a pedestrian crossing, walkway, deck, or similar structure linking the areas of downtown Los Angeles separated by State Highway Route 101, consider potential funding sources for those alternatives, as well as the features, amenities, and other details of that development, and provide a report on the city's findings to the Los Angeles County Metropolitan Transportation Authority, for consideration in the regular local project selection, approval, and funding process.

Ch. 212 (AB 952) Kelley. Income taxes: exclusion.

The Personal Income Tax Law provides an exclusion from gross income for any amount received as a rebate from a local water agency or supplier for the purchase of a water conservation water closet.

This bill would allow the exclusion with respect to vouchers received from energy agencies or suppliers, and would extend the exclusion to energy efficient clothes washers, as provided, and plumbing devices, as specified.

This bill would take effect immediately as a tax levy.

Ch. 213 (AB 970) Dutra. Mobilehomes and manufactured housing.

Existing law requires the Department of Housing and Community Development to establish a permanent title record for each registered manufactured home, mobilehome, commercial coach, truck camper, and floating home and to issue a certificate of title and registration card. Existing law prescribes procedures for the transfer of title or interest in, and the creation and satisfaction of security interests in, a manufactured home, mobilehome, commercial coach, truck camper, or floating home.

This bill would authorize the department to electronically transmit or receive specified certificates of title pursuant to these provisions when the department determines that this is economically and technologically feasible and the appropriate state control agencies approve this determination. The bill would also authorize the department to establish electronic programs to facilitate improved business practices between the department and qualified private industry partners. These programs may include, but are not limited to, programs for the electronic processing of ownership and title documents for manufactured homes, mobilehomes, commercial coaches, truck campers, and floating homes, and the payment of related fees.

Ch. 214 (AB 973) Chan. County children and families commissions: information disclosure.

(1) Under the existing California Children and Families Act of 1998, a county may elect to participate in the California Children and Families Program, by forming a county children and families commission, in accordance with the provisions of the act, to promote, support, and improve the early development of children from the prenatal stage to 5 years of age.

This bill would provide that specified information regarding a child or a child's parent, legal guardian, or other family member, that is provided to a county commission by specified persons shall be considered confidential, and may be disclosed only to a person, agency, or entity that receives funding from the county commission by way of a grant award, contract, or as a service provider for early childhood services unless further disclosure is authorized by written consent of the parent or legal guardian or where disclosure is required by state or federal law.

(2) An initiative measure, the act provides that it may be amended only by a vote of $\frac{2}{3}$ of the membership of both houses of the Legislature and that all amendments to the act shall be to further the act and must be consistent with its purposes.

This bill, in conformance with those requirements, would declare that its provisions further the act and are consistent with its purposes.

(3) Existing law provides for access to information, including inspection or copying of any public record within control of a state or local agency, concerning the conduct of people's business under the California Public Records Act. Existing law also makes specified public information exempt from disclosure.

This bill would add to the list of exemptions records of county children and families commissions.

Ch. 215 (AB 992) Papan. Special education: nonpublic, nonsectarian schools and agencies. Existing law prohibits reimbursement by the state for special education and related services provided by a nonpublic, nonsectarian school or agency by an individual who is or was an employee of a contracting local educational entity within the last 365 days, with specified exceptions.

This bill would delete the prohibition against reimbursement by the state for special education and related services provided by a nonpublic, nonsectarian school by an individual who is or was an employee of a contracting local educational entity within the last 365 days, but would not delete the prohibition as it applies to nonpublic, nonsectarian agencies.

Ch. 216 (AB 1009) Wyland. Partnership academies.

Existing law provides for the establishment of partnership academies by participating school districts and establishes criteria qualifying “at-risk” students for enrollment in the academies. Under existing law, students not meeting the at-risk criteria may participate in an academy program and be considered qualified if they meet other criteria, but these students may not exceed $\frac{1}{3}$ of the participating students.

This bill would instead authorize a school district operating a partnership academy to enroll students that do not meet the at-risk criteria but meet other criteria and would limit the enrollment of these non-at-risk students to $\frac{1}{2}$ of students enrolled in the academy.

Ch. 217 (AB 1066) Dutra. Santa Clara Valley Transportation Authority.

Existing law, the Santa Clara Valley Transportation Authority Act, creates the Santa Clara County Transportation Authority and prescribes the powers and duties of that authority, including the power to construct and operate or acquire and operate transit works and facilities, as specified.

This bill would revise the powers and duties of the authority to permit it (1) to construct and acquire transportation facilities, as defined, (2) to provide facilities for the movement of vehicles, bicycles, and pedestrians, subject to the concurrence and oversight of the Department of Transportation with regard to the development and implementation of installations in state highways, and (3) to acquire and construct facilities necessary or convenient for vehicular and pedestrian transportation. This bill would also make conforming changes in this regard, including, but not limited to, granting the authority the right to exercise any power with respect to highways that is granted to counties, as specified.

Ch. 218 (AB 1161) Papan. Grand jurors: compensation.

Existing law provides that unless a higher fee or rate of mileage is otherwise provided by statute or county or city and county ordinance, the fees for grand jurors are \$10 a day for each day’s attendance as a grand juror, and 15¢ a mile, in going only, for each mile actually traveled in attending court as a grand juror.

This bill would provide, instead, that unless a higher fee or rate of mileage is otherwise provided by statute or county or city and county ordinance, the fees for grand jurors are \$15 a day for each day’s attendance as a grand juror and the mileage reimbursement applicable to county employees for each mile actually traveled in attending court as a grand juror.

This bill would be operative July 1, 2001.

Ch. 219 (AB 1719) Committee on Higher Education. Public postsecondary education.

(1) Existing law establishes the California State University and its various campuses under the administration of the Trustees of the California State University. Existing law provides that the name “California State University” is the property of the state, and prohibits the use of this name or any abbreviation of it or any name of which these words are a part without the permission of the trustees. Violation of this provision is punishable as a misdemeanor.

This bill would specify that the names of various campuses of the California State University, and abbreviations of those names, are the property of the state. The bill would also specify that permission of the trustees is required before any of these names may be used for any commercial purpose. This bill would impose a state-mandated local program by expanding the scope of a crime.

(2) Under existing law, the trustees are authorized to enter into agreements with any public or private agency, officer, or institution for the performance of acts or for the furnishing of services, facilities, materials, or equipment.

This bill would require the trustees to prescribe policies and procedures for the acquisition of services, facilities, materials, goods, supplies, or equipment. The bill would also require

these policies and procedures for the acquisition of materials, goods, supplies, or equipment to include competitive means for obtaining best value, and would authorize the policies and procedures to include financing arrangements.

(3) Existing law requires the Trustees of the California State University to establish an internal audit staff with prescribed duties, including auditing, reviewing, cost and systems analysis, analyzing, and recommending operating procedures for the university. Existing law also requires the university's internal audit staff to perform audits, at least once every 5 years, of the activities of the university pursuant to specified statutes.

This bill would add a reference to the statute authorizing the trustees to enter into agreements for the performance of acts or for the furnishing of services, facilities, materials, or equipment. The bill would delete references to 3 of these statutes contained in the Public Contract Code.

(4) Existing law authorizes the Trustees of the California State University to perform certain functions without prior approval of any other state department or agency when necessary to carry out the purposes of the university. These functions include the sale or exchange of personal property belonging to the university and the leasing of real property for the use of the university.

This bill would also authorize the trustees to lease personal property belonging to the university and to lease personal property for the use of the university.

(5) An existing provision of the Government Code defines "state civil service" to include all personnel appointed or employed at the state nautical school except personnel whose duties consist of instructing students or supervising instructional personnel and except for students enrolled at the school who are working part-time as student assistants.

This bill would delete this provision.

(6) Existing provisions of the Public Contract Code generally govern the procurement of materials, supplies, equipment, and services by state agencies. These provisions do not apply to the Regents of the University of California.

This bill would provide that these provisions also do not apply to the Trustees of the California State University.

(7) Existing law, known as the California State University Contract Law, provides, among other things, that, when, in the opinion of the Trustees of the California State University, the work does not require the application of that law, the trustees may carry out the project if the estimated cost does not exceed \$250,000.

This bill would instead provide that this estimated cost may not exceed the value of a minor capital outlay project for which, pursuant to a prescribed provision of the State Contract Act, 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.

(8) An existing provision of the California State University Contract Law prohibits the trustees from awarding annual contracts for repair or other repetitive work, or renovation or modification, on capital outlay projects where the total cost of the project exceeds \$250,000.

This bill would instead provide that this total cost may not exceed the value of a minor capital outlay project for which, pursuant to a prescribed provision of the State Contract Act, 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.

(9) An existing provision of the California State University Contract Law requires the trustees to obtain specified financial information from prospective bidders for contracts estimated to exceed \$300,000.

This bill would raise that limit to \$400,000.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 220 (SB 164) Johannessen. California Veterans Board: operation.

(1) Existing law requires the board to report to the Legislature by August 1 of each year regarding the activities, accomplishments, and expenditures of the board during the preceding calendar year.

This bill would require the board to report to the Legislature by October 1 of each year, and in addition would require the report to be prepared in sufficient detail so that Members of the Legislature may clearly understand the activities, accomplishments, and expenditures of the board that occurred during the report period.

(2) Existing law provides that state agencies shall annually submit a budget to the Department of Finance setting forth proposed expenditures and estimated revenues for the ensuing fiscal year.

This bill would provide that the department shall, in its budget, separately state the budget for the board, which shall be expended as the board determines necessary.

(3) Existing law provides for the appointment of an executive officer by the board, with specified duties.

This bill requires the chairperson of the board, with the concurrence of a majority of the members of the board, to appoint the executive officer. The bill would also require the Department of Veterans Affairs to provide the board with adequate office and meeting space.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 221 (SB 612) Soto. Office of Adjutant General.

Existing law specifies the membership of the office of the Adjutant General.

This bill would specifically include an officer who may be of the rank of brigadier general who is the Deputy Adjutant General, Joint Staff Division, within that membership.

Ch. 222 (SB 738) Peace. Budget Act of 2000: Contingencies or emergencies.

The Budget Act of 2000 appropriated \$5,000,000 from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for expenditure for contingencies or emergencies upon written authorization from the Director of Finance. The Budget Act of 2000 also appropriated \$2,500,000 for loans to state agencies for contingencies or emergencies.

This bill would appropriate \$528,772,000, as scheduled, in augmentation of these Budget Act appropriations. This bill would authorize the Director of Finance to withhold authorization for the expenditure of funds appropriated in the bill until preliminary estimates of potential deficiencies are verified.

This bill would declare that it is to take effect immediately as a statute providing an appropriation for the usual current expenses of the state.

Ch. 223 (SB 779) Karnette. Vehicles: preferential parking: school personnel.

Existing law authorizes a local authority by ordinance or resolution, to authorize preferential parking for members of organizations, professions, or other designated groups to park on specified streets if the local authority determines that the use of the permits will not adversely affect parking conditions for residents and merchants in the area.

This bill would specify that the category of persons eligible to be granted those permits includes school personnel.

Ch. 224 (SB 1192) Figueroa. Sex offender registration.

Existing law requires persons convicted of specified sex offenses to register with local law enforcement agencies upon their discharge, parole, or release from confinement and to update that registration annually or upon a change of residence address, and makes any willful violation of the registration requirements a crime. Existing law further requires every person required to register as a sex offender, who applies or accepts a position as an employee or volunteer with any person, group, or organization, where the registrant would be working directly and in an unaccompanied setting with minor children on more than an incidental and

occasional basis, or have supervision or disciplinary power over minor children, to disclose his or her status as a registered sex offender, as specified. Failure to comply with this requirement is a misdemeanor.

This bill would additionally prohibit a person who is required to register as a sex offender because of a conviction for a crime where the victim was a minor under 16 years of age, from serving as an employee or volunteer with any person, group, or organization, where the registrant would be working directly and in an unaccompanied setting with minor children, as specified. By creating a crime this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 225 (AB 553) Runner. Castaic Lake Water Agency.

(1) The Castaic Lake Water Agency Law creates the Castaic Lake Water Agency and requires the board of that agency to be comprised of 7 elected directors and 4 appointed directors that are nominated by specified retail water distributors.

This bill would require the term of office of a director appointed by a private water purveyor that is acquired by the agency to terminate at 12 o'clock noon on the first Monday after January 1 of the year following the acquisition, and would provide for the election of the successor to that director by agency voters at the statewide general election held in November of the even-numbered year following the acquisition. The bill would require the successor to hold that office for the term of 2 years and each director elected thereafter to that office to hold that office for the term of 4 years. The bill would provide for the abolishment of that office under prescribed circumstances. By imposing election-related responsibilities on the agency and other local officials, the bill would impose a state-mandated local program. The bill would make conforming changes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 226 (AB 678) Papan. Contractors.

Existing law prohibits any unlicensed contractor from bringing or maintaining an action to recover compensation in any court in this state.

This bill would authorize a person who utilizes an unlicensed contractor to bring an action in any court of competent jurisdiction in this state for recovery of compensation paid to the unlicensed contractor for performance of any act or contract.

Ch. 227 (AB 723) Vargas. Off-highway vehicles.

Existing law, the Off-Highway Motor Vehicle Recreation Act of 1988, provides for the acquisition, operation, and funding of state off-highway vehicular recreation areas and trails. Specified taxes imposed upon the distribution of motor vehicle fuel and certain fees, fines, forfeitures, and reimbursements are required to be deposited in the Off-Highway Vehicle Trust Fund for allocation, upon appropriation by the Legislature, by the Off-Highway Motor Vehicle Recreation Commission.

All of the above provisions in existing law are to be repealed on January 1, 2003.

This bill would extend that repeal date until January 1, 2007, and would similarly extend a January 1, 2003, repeal date, currently applicable to the collection and disposition of certain related fees, to January 1, 2007.

Ch. 228 (AB 832) Corbett. Health facilities: seismic safety.

Existing law requires the Office of Statewide Health and Planning and Development to allow any general acute care hospital facility that needs to relocate facilities on an interim

basis as part of its approval plan for compliance with the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, flexibility in achieving compliance with, or in substantial satisfaction of, the objectives of specified building materials.

This bill would provide that the above compliance provisions relate only to specified provisions of the act.

The existing Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 establishes, under the jurisdiction of the office, a program of seismic safety building standards for certain hospitals built on and after March 7, 1973. The existing act also requires owners of all general acute care hospitals to conduct seismic evaluations in accordance with specified criteria.

This bill would revise existing seismic evaluation criteria and would also provide that until January 1, 2008, all regulatory submissions to the California Building Standards Commission made by the office pursuant to specified provisions of the act are deemed, and shall be adopted as, emergency regulations.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 229 (AB 1194) Correa. Workers' compensation: physician assistants and nurse practitioners.

Existing law requires the physician first treating a workers' compensation claimant for injuries to submit a report ("Doctor's First Report of Occupational Injury or Illness") to the employer within 5 working days from the date of the initial examination.

This bill would, until January 1, 2006, authorize a physician assistant or nurse practitioner to cosign the Doctor's First Report of Occupational Injury or Illness and to authorize a workers' compensation claimant for injuries to receive time off from work for a period not to exceed 3 calendar days if that authority is included in standardized procedures or protocols. The bill would require the treating physician to sign the report and to make any determination of temporary disability.

Ch. 230 (AB 1278) Wayne. Health care decisions.

Existing law permits a person to authorize another to make certain decisions on their behalf pursuant to a power of attorney or pursuant to an advance health care directive, as specified.

This bill would exclude health care decisions from the authority of an attorney-in-fact under a general power of attorney. The bill would revise certain provisions with respect to the following: the duties and liabilities of an agent under a power of attorney for health care with respect to funeral decisions; the definition of "capacity" with respect to a person's ability to understand, make, and communicate decisions, including health care decisions; the person who may be designated to make health care decisions as an agent or surrogate; the authority of a surrogate, rather than an agent, to make health care decisions, if both have been designated; and the use of petitions in court to honor individual health care instructions or to enforce health care decisions by an agent or surrogate.

Ch. 231 (AB 1304) Rod Pacheco. Criminal procedure.

Under existing law, a defendant in a misdemeanor case may move for the return of property or to suppress as evidence any tangible or intangible thing obtained as a result of a search or seizure based on specified grounds. Under existing law, if the defendant's motion is denied, the defendant may appeal that decision. Existing statutory law does not specify whether the trial court has discretion to stay the trial pending disposition of the defendant's appeal, although case law has interpreted existing law to grant the trial court that discretion.

This bill would amend statutory law to specify that if a defendant in a misdemeanor case appeals denial of his or her motion for the return of property or to suppress evidence, the trial court has discretion to grant a stay of the trial pending disposition of the appeal.

Ch. 232 (AB 1517) Canciamilla. Public guardian.

Existing law provides that if any person domiciled in the county requires a guardian or conservator and there is no one else who is qualified and willing to act and whose

appointment as guardian or conservator would be in the best interest of the person, the public guardian may apply for appointment as guardian or conservator of the person, the estate, or the person and the estate, as specified. Existing law authorizes a public guardian who is authorized to take possession or control of property to issue a written certification of that fact. The written certification is effective for 5 days after the date of issuance.

This bill would make that certification effective for 15 days, rather than 5 days. The bill would specify the form of that certification.

Existing law requires that a guardian or conservator make a periodic accounting to the court for settlement and allowance and, as part of each of these accountings, submit copies of specified accounting statements from financial institutions in which estate money is deposited.

This bill would require guardians and conservators to file original account statements received from institutions, as defined, including account statements of their wards or conservatees, as part of the periodic accounts filed by the guardians or conservators with the court. The bill would require that certain personal information concerning the ward or conservatee be kept confidential.

Existing law authorizes a public guardian, upon receipt of a declaration from a peace officer indicating that an elder person is substantially unable to manage his or her financial resources or to resist fraud or undue influence, among other specified factors, to rely on that information and take immediate possession and control of the property of the elder person. Existing law authorizes the public guardian to issue a certification of that fact, as specified.

This bill would define the property of the elder person for these purposes as real or personal property belonging to the elder person, including any property that is held jointly between the elder person and a 3rd party that is subject to loss, injury, waste, or misappropriation. The bill would provide for a form entitled "Certificate of Authority" to be used by the public guardian when issuing this certification, would authorize the public guardian to deny use of, access to, or prohibit residency in, the home of the elder person, would require the public guardian to serve the elder person with a copy of the certification, and would provide that receipt of a certification constitutes sufficient acquittance to financial institutions and others in possession of an elder person's property to provide information and surrender property to the public guardian. The bill would provide that this certification is valid for 15 days after the date of issuance, and that the public guardian may seek additional certifications, as specified. The bill would make other conforming changes.

Ch. 233 (SB 85) Murray. Contracts: health studios.

Existing law regulates contracts for health studio services, defined to include contracts for instruction, training, or assistance in exercising, body building, and any other such physical skills. The law provides that the length of the term of these contracts may not exceed 3 years, nor may they require payments or financing over a period of more than 3 years.

This bill would prohibit a contract for health studio services from requiring payments or financing that exceed the term of the contract. This bill would also require a contract for health studio services to make specified disclosures about the length of the term of the contract.

Ch. 234 (SB 1224) Committee on Agriculture and Water Resources. Farmland conservancy.

Existing law, the California Farmland Conservancy Program Act, establishes a program for grants from the Department of Conservation to local governments and nonprofit organizations, subject to prescribed requirements and in accordance with procedures set forth in the act, for the acquisition of agricultural conservation easements, as defined, and for incidental costs. If a proposed agricultural conservation easement meets the eligibility criteria of the act, the department reviews the proposal based on selection criteria, which take

into consideration the amount of matching funds and in-kind services contributed by local governments.

This bill would expand the selection criteria to consider matching funds and in-kind services contributed by sources other than local governments.

Existing law establishes supplemental requirements, as specified, for contracts entered into by any state agency for the procurement of materials, supplies, equipment, and services.

This bill would exempt grant awards made pursuant to specified grant programs by the Department of Conservation from the requirements pertaining to public contracts.

Ch. 235 (AB 78) Alquist. Criminal procedure: evidence.

Existing law provides that, notwithstanding other limitations periods, a criminal complaint may be filed within one year of a report to a California law enforcement agency by a person under 18 years of age, that he or she was, while under 18 years of age, a victim of certain sex crimes if certain requirements are met.

This bill would provide in addition that, notwithstanding other limitations periods, a criminal complaint may be filed within one year of a report to a California law enforcement agency by a person under 21 years of age, that he or she was, while under 18 years of age, a victim of certain sex crimes if certain other limitations periods have expired, the crime involved substantial sexual conduct, and there is independent evidence corroborating the victim's allegation, as specified.

Ch. 236 (AB 488) Kehoe. Consumer credit reporting agencies: information: disclosure.

Existing law, operative July 1, 2001, governs the collection and disclosure of consumer credit reports. A consumer credit reporting agency must disclose the recipients of any consumer credit report regarding a consumer which the agency has furnished under specified circumstances. A consumer credit reporting agency must also make specified disclosures of, or provide notice regarding, information contained in a consumer credit report upon request of the consumer.

This bill, operative January 1, 2003, would require a consumer credit reporting agency to disclose, upon request of the consumer, the addresses and, if provided by the sources and recipients of the consumer's credit information, telephone numbers identified for customer services for the sources and recipients. This bill would exempt any consumer credit reporting agency that procures a credit report from another credit reporting agency for the purpose of reselling the report from requirements that they provide to the consumer upon request the address and telephone number of the source and recipient of the consumer credit information, and a record of specified inquiries not initiated by the consumer. This bill would also exempt any consumer credit reporting agency that provides a consumer credit report to another consumer credit reporting agency that procures the consumer credit report for the purpose of resale from requirements that they provide to the consumer upon request the address and telephone number of the prospective user of the consumer credit information.

Existing law also provides that any person who, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in the practice of assembling, evaluating, or disseminating information on the checking account experiences of consumer customers is subject to the same laws that govern consumer credit reporting agencies.

This bill, operative January 1, 2003, would exclude this person from the proposed requirements upon consumer credit reporting agencies to provide the address and, if available, the phone number of sources and recipients of consumer credit information to the consumer upon request.

Ch. 237 (AB 369) Dutra. Affordable housing development projects.

Existing law requires local agencies to make specified findings before disapproving or conditionally approving certain housing development projects affordable to very low, low-,

or moderate-income households, as that term is defined, and authorizes a court to order compliance with that requirement.

This bill would delete the term “affordable” from those provisions and make the provisions applicable to housing for very low, low-, and moderate-income households. The bill would revise the provisions for enforcement to authorize the court to award specified costs and attorney fees.

Ch. 238 (AB 645) Horton. Property taxation: audits and equalization.

Existing property tax law requires the assessor to audit the books and records of a profession, trade, or business at least once every 4 years in the case of a taxpayer, engaged in a profession, trade, or business, who owns, claims, possesses, or controls locally assessable trade fixtures and business tangible property with a full value of at least \$400,000, and permits an audit of the personal property valued at less than \$400,000.

Existing law further provides, in the case of a mandatory audit of a taxpayer engaged in a profession, trade, or business, for specified procedures and conditions with respect to escape assessments and for certain duties on the part of the assessor.

This bill would apply these procedures, conditions, and duties to both mandatory and discretionary audits. By imposing new duties upon local agencies, this bill would impose a state-mandated local program. This bill would also make technical, conforming changes.

Existing property tax law generally requires, with respect to each assessment year, that an application for reduction in an assessment be filed within the period from July 2 to September 15, inclusive.

This bill would provide, for certain assesseees not receiving notice of their assessed value prior to August 1, that the application for reduction may be filed no later than November 30.

By requiring county boards of equalization to provide a higher level of service, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 239 (AB 1071) Canciamilla. County employee retirement benefits: cost-of-living adjustments.

Existing law provides that retirement and death allowances payable by a retirement system subject to the County Employees Retirement Law of 1937 shall be increased or decreased annually according to changes in a specified Consumer Price Index; however, those annual adjustments may not exceed a specified percentage and the percentage change in the index that exceeds that specified maximum is required to be accumulated and met by increases or decreases in allowances in future years, as specified.

This bill would modify the method for computing those accumulations, as specified. The bill’s provisions would be subject to adoption by the county board of supervisors and, upon adoption, would be applied to accumulations of retired members retroactively to the member’s date of retirement.

Ch. 240 (AB 1179) Calderon. Workers’ compensation: billing or utilization review procedures.

Existing law relating to workers’ compensation requires an employer to notify the treating physician of an injured worker within 30 days if the billing for services submitted by the physician is going to be contested, denied, or determined to be incomplete. Existing law also

requires that notice to state all additional information necessary for the employer to make a decision concerning the billing.

This bill would require any employer or insurer that employs an individual or contracts with an entity to conduct a review of a workers' compensation billing submitted by a physician or medical provider to provide that individual or entity with all documentation submitted by the physician or medical provider, along with a copy of the billing and any preauthorization for services. The bill would also prohibit the individual or entity conducting the review from altering the procedure codes billed or recommending reduction of a bill unless the submitted documentation has been reviewed by that individual or entity, and would require the reviewer to provide the physician or medical provider with certain information in that regard.

Ch. 241 (SB 34) Burton. Political Reform Act of 1974.

The Political Reform Act of 1974 was amended by Proposition 34, a legislative initiative amendment adopted by the voters at the November 7, 2000, statewide general election. The changes enacted by Proposition 34 became operative on January 1, 2001, with the exception of certain provisions pertaining to candidates for statewide elective office that become operative on or after November 6, 2002.

This bill would limit this exception to those provisions of Proposition 34 that impose limitations on campaign contributions to, and voluntary expenditures by, candidates and that require the inclusion of candidates who accept voluntary expenditure limits in the statewide ballot pamphlet, except as specified.

Existing law requires a candidate or committee that makes a defined late independent expenditure to report the expenditure within 24 hours of the time it is made.

This bill would provide that this requirement applies only to committees.

Existing law requires a statewide elected officer, including members of the Board of Equalization, to file the original and one copy of his or her campaign statement with the Secretary of State, 2 copies with the Registrar-Recorder of Los Angeles County, and 2 copies with the Registrar of Voters of the City and County of San Francisco.

This bill would instead require members of the State Board of Equalization to file the original and one copy with the Secretary of State and 2 copies with the clerk of the county with the largest number of registered voters in the district affected.

Existing law requires an 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 \$5,000 or more for that appearance to disclose that payment or promised payment as prescribed by the Fair Political Practices Commission.

This bill would instead require a committee that makes an expenditure of \$5,000 or more to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage or defeat of a ballot measure to file a report within 10 days of the expenditure. The bill would also require the report to identify the measure, the date of the expenditure, the name of the recipient, and the amount expended.

Existing law establishes certain limits on the amount of contributions that a person or group can make to a candidate for elective state office, or to a committee.

This bill would provide that the contribution limit applies to contributions made to a political party used for the purpose of making expenditures at the behest of a candidate for elective state office for communications to party members related to the candidate's candidacy for elective state office.

Existing law requires specified committees primarily formed to support one or more state ballot measures to file online or electronically with the Secretary of State, within 24 hours of receipt of a contribution of \$1,000 or more received during an election cycle, a report disclosing the receipt of the contribution.

This bill would apply this provision to specified committees primarily formed to oppose, as well as support, one or more state ballot measures. The bill would require these committees

to file online or electronically with the Secretary of State, within 10 business days of receipt of a contribution of \$5,000 or more received at any time other than during an election cycle, a report disclosing receipt of the contribution. The bill would also require specified candidates for elective state office to file online or electronically with the Secretary of State, within 10 business days of receipt of a contribution of \$5,000 or more received at any time other than during an election cycle, a report disclosing the receipt of the contribution.

Existing law provides that, for the purposes of contribution limits imposed by the Political Reform Act of 1974, payments for communications to an organization's members, employees, shareholders, or their family members, to support or oppose a candidate or ballot measure are not contributions or independent expenditures if not made for general public advertisements, such as broadcasting, billboards, or newspaper ads.

This bill would delete the exception of the above payments as independent expenditures. It would require that payments by a political party for communications to registered party members that would otherwise qualify as contributions be reported in accordance with provisions governing the filing of periodic campaign reports, and governing the filing of reports online or electronically with the Secretary of State.

Existing law authorizes a candidate for elective state office to raise contributions for a general election prior to the primary election for the same elective state office if the candidate sets aside these contributions and uses these contributions for the general election. Under existing law, if the candidate for elective state office is defeated in the primary election or otherwise withdraws from the general election, he or she is required to refund the general election funds to the contributors on a pro rata basis less any expenses associated with the raising and administration of general election contributions.

This bill would apply these provisions to special primary and special general elections, and would authorize candidates for elective state office to establish separate campaign contribution accounts for the primary and general elections or special primary and special general elections.

Existing law establishes specified contribution limitations with regard to candidates for elective state office and statewide elective office.

This bill would provide that if a candidate for elective state office or the candidate's controlled committee had net debts resulting from an election held prior to January 1, 2001, contributions to that candidate or committee for that election are not subject to specified contribution limitations.

Existing law requires specified committees that make independent expenditures of \$1,000 or more during an election cycle in connection with a candidate for elective state office to file online or electronically a report with the Secretary of State disclosing the making of the independent expenditure, within 24 hours of the time the independent expenditure is made. Existing law provides that 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 specified circumstances.

This bill would include a committee that makes independent expenditures in connection with a state ballot measure in the online or electronic reporting requirement, and revise the circumstances under which an expenditure may not be considered independent for purposes of the provisions described above.

Existing law prohibits a controlled committee of a candidate from making independent expenditures and contributing funds to another committee for the purpose of making independent expenditures.

This bill would revise this provision to prohibit a controlled committee of a candidate from making independent expenditures and contributing funds to another committee for the purpose of making independent expenditures to support or oppose other candidates.

Existing law requires the Secretary of State and local election officers to designate in the ballot pamphlet those candidates for elective state office who have voluntarily agreed to specified expenditure limitations.

This bill would instead require the Secretary of State to designate in the state ballot pamphlet those candidates for statewide elective office who have voluntarily agreed to those expenditure limitations. The bill would also require local elections officers to designate in the voter information portion of the sample ballot those candidates for State Senate and Assembly who have voluntarily agreed to the expenditure limitations, thereby imposing a state-mandated local program.

Existing law authorizes a candidate for elective state office who accepts voluntary expenditure limits to purchase the space to place a statement in the ballot pamphlet that does not exceed 250 words.

This bill would instead authorize a candidate for statewide elective office who accepts specified voluntary expenditure limitations to purchase the space to place a statement in the state ballot pamphlet that does not exceed 250 words. This bill would prohibit the Secretary of State, on and after November 6, 2002, from including in the state ballot pamphlet a statement from any candidate who has not voluntarily agreed to specified expenditure limitations. This bill would also authorize a candidate for State Senate or Assembly who accepts specified voluntary expenditure limitations to purchase the space to place a statement in the voter information portion of the sample ballot that does not exceed 250 words.

Existing law requires a candidate or committee to return within 60 days any contribution of \$100 or more for which the candidate or committee does not have specified donor information on file.

This bill would require the return of the contribution not later than 60 days of receipt by the candidate or committee, and would clarify that a contribution may be returned after it has been reported under any provision of the act.

Existing law requires prescribed disclosure of a campaign contribution made to a committee on the condition that it be used to make a contribution to a particular candidate.

This bill would require that loans made to a committee for contribution to a particular candidate be disclosed as well.

Under existing law, a candidate may only accept contributions in accordance with specified provisions of law concerning campaign contribution and voluntary expenditure limitations, and all contributions deposited into the campaign account are deemed to be held in trust for the purposes set forth in those provisions of law.

This bill would instead provide that a candidate for elective state office may only accept contributions within the limits provided in those specified provisions of law concerning campaign contribution and voluntary expenditure limitations, and that all contributions deposited into the campaign account are deemed to be held in trust for expenses associated with the election of the candidate or for expenses associated with holding office.

This bill would make related changes.

Existing law makes a violation of the Political Reform Act of 1974 subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these criminal penalties on persons who violate the provisions of the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $2/3$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $2/3$ vote.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 242 (AB 68) Migden. Health care providers: private duty nursing agencies.

Existing law contains provisions governing the licensure of home health agencies, defined to include certain entities within the state that provide, or arrange for the provision of, skilled nursing services to persons in their temporary or permanent place of residence. Existing law provides for the administration of these provisions by the State Department of Health Services. A violation of these provisions or the rules and regulations promulgated under these provisions is a misdemeanor.

This bill would similarly provide for the licensure of private duty nursing agencies, defined to include certain entities within the state, that provide, or arrange for the provision of, private duty nursing services, as defined. The bill would make related changes in other programs concerning the provision of private duty nursing services.

This bill would make it a crime to violate the private duty nursing agency licensure provisions, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 243 (AB 192) Canciamilla. State bodies: open meetings.

(1) The Bagley-Keene Open Meeting Act requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body.

This bill would reorganize and recast the definition of "state body" for the purposes of the act. The bill would make conforming changes in this regard.

(2) The act defines the term "action taken" to mean, among other things, a collective decision made by members of a state body, but does not define the term "meeting." The act does not prohibit a state body from holding an open or closed meeting by teleconference if the convening at one location of a quorum of the state body is difficult or impossible, subject to specified conditions.

The bill would define "meeting" for the purposes of the act to include any congregation of a majority of the members of a state body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the state body in which it presides.

This bill, with the exception of teleconferencing, would prohibit any use of direct communication, personal intermediaries, or technological devices employed by a majority of the members of the state body to develop a collective concurrence as to action to be taken on an item by the members of the state body. The bill would not prohibit a state body from holding an open or closed meeting by teleconference for the benefit of the public and state body provided the meeting or proceeding complies with all applicable requirements or law relating to a specific type of meeting or proceeding. The bill would require a state body electing to conduct a meeting or proceeding by teleconference to post agendas at all teleconference locations and to conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body.

(3) Existing law authorizes a state body to take action on items of business not appearing on the posted agenda under a determination by a vote of the state body that an emergency situation exists or that there exists a need to take immediate action and that the need for the immediate action came to the attention of the state body subsequent to the agenda being posted. The act specifies the manner in which notice of the additional item to be considered by the state body is to be posted.

This bill would require notice to be made available on the Internet as soon as is practicable after the decision to consider additional items at a meeting has been made.

Ch. 244 (AB 326) Dutra. Fire safety: roof covering materials.

Existing law prohibits the sale of wood roofing materials in the state on and after January 1, 2001, unless the materials have passed at least 5 years of a 10-year natural weathering test.

This bill instead would prohibit on July 1, 2002, the sale or application of wood roof covering materials in the state unless the materials have been approved and listed by the State Fire Marshal as complying with state law governing those materials and have passed at least 5 years of the 10-year natural weathering test.

Ch. 245 (AB 405) Salinas. Transportation funding: Amtrak: bus feeder service: exemptions.

Existing law prohibits the Department of Transportation from providing funding to Amtrak for the purpose of entering into a contract with a motor carrier of passengers for the intercity transportation of passengers by motor carrier over regular routes unless prescribed conditions are met, including a requirement that service be provided only for passengers on trips where the passengers have had prior movement by rail or will have subsequent movement by rail, evidenced by a combination rail and bus one-way or roundtrip ticket. Existing law exempts from the requirement, until a specified date, service provided for disabled passengers who rely substantially on the use of wheelchairs and travel by motor carrier over any regular route that operates on a particular portion of State Highway Route 17.

This bill would expand the exemption to apply to service provided for disabled passengers who rely substantially on the use of wheelchairs and travel by motor carrier over any regular route that operates on the portion of the Capitol Corridor route between San Jose and Monterey County, including specific rail service between San Jose and Salinas and specific rail service between San Jose and California State University, Monterey Bay.

The bill would require the department to encourage certain transportation entities to develop and execute a memorandum of understanding that addresses long-term solutions to the transportation needs of passengers traveling by bus on the specified route.

The bill would provide that its provisions shall remain in effect only until January 1, 2004, or until all motor carriers of passengers that operate regular service on the specified route operate only vehicles that are fully accessible to disabled passengers who rely substantially on the use of wheelchairs on that route, whichever occurs first.

Ch. 246 (AB 480) Robert Pacheco. Cancer.

Under existing law, the State Department of Health Services is responsible for the administration and oversight of various health care programs.

Existing law establishes the Cancer Research Fund in the State Treasury, and provides that the moneys in the fund shall be available for expenditure by the department. Existing law also provides that it is the intent of the Legislature that after the initial appropriation to the fund, that the fund be enhanced by annual allocations as determined in subsequent budget acts.

This bill would provide that the fund consist of money accepted by the department from grants and donations from private entities and of public moneys transferred to the fund.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 247 (AB 656) Chan. Health facilities: seismic safety requirements.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Under the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, after January 1, 2008, general acute care hospital buildings that are determined to pose certain risks are required to be improved or only used for nonacute care hospital service, and after January 1, 2030, all acute care inpatient hospital buildings that are not in substantial compliance with certain seismic safety regulations and standards developed by the Office of Statewide Health Planning and Development are required to be demolished, replaced, or changed to nonacute use or seismically retrofitted so that they are in substantial compliance.

Existing law authorizes any hospital, with regard to a general acute care hospital building located in Seismic Zone 3, to request an exemption from Non-structural Performance Category-3 requirements provided by regulation, if the hospital building complies with certain year 2002 nonstructural requirements provided by regulation.

This bill would authorize, for a county-owned general acute care hospital building, an extension of the Non-structural Performance Category-2 requirements provided by regulation if the county complies with certain conditions, and specifically would authorize such a building to receive a one-year extension of the January 1, 2002, deadline for Non-structural Performance Category-2 requirements if the existing hospital building is removed from general acute care service and the construction of a specified replacement building is completed by January 1, 2003.

Ch. 248 (AB 659) Correa. Inmates.

Existing law provides that, while in jail, persons committed on criminal process and detained for trial may be kept or put in the same room with persons convicted and under sentence, for specified purposes.

This bill would, in addition, require inmates classified as sexually violent predators to be administratively segregated in jail, and provide that those persons may waive administrative segregation, as specified.

Ch. 249 (AB 668) Chan. California Dentist Loan Forgiveness Program.

Existing law requires the Office of Statewide Health Planning and Development to perform various functions and duties with respect to health policy and planning and health professions development, including administering the federal National Health Service Corps State Loan Repayment Program.

Under the existing program, federal funds are provided to states for the purpose of repaying qualifying educational loans of specified health care professionals who commit to provide full-time primary medical care or dental services for at least 2 and up to 4 years, at practice sites in designated Health Professional Shortage Areas. Under the existing program, the practice site is also responsible for repaying a portion of the health care professional's outstanding loan amount.

This bill would require the office to report to the Legislature on or before June 30, 2002, on the feasibility of establishing a California dental loan forgiveness program.

Ch. 250 (AB 722) Corbett. Educational counseling.

Existing law authorizes the governing board of any school district to provide a comprehensive educational counseling program for all pupils enrolled in the schools of the district.

This bill would require the State Department of Education to conduct a study of pupil support, defined to include school counselors, school psychologists, and school social workers, in the schools, as specified. The bill would require the State Department of Education to report the results of the study to the Governor and the Legislature by January 1, 2003. The bill would appropriate \$125,000 from the General Fund to the State Department of Education to conduct the study.

Ch. 251 (AB 1123) Committee on Revenue and Taxation. Taxation: sales and use taxes: transactions taxes: special taxes and fees.

NOTE: Superior numbers appear as a separate section at the end of the digests.

The State Board of Equalization collects and administers a variety of tax and fee programs with respect to matters including, but not limited to, vehicle fuels, timber, cigarettes and tobacco products, alcoholic beverages, emergency telephone services, integrated waste management, oil spills, hazardous materials, underground storage systems, and private railroad cars.

This bill would make technical, nonsubstantive changes to the provisions under which the board administers these tax programs.

Existing law requires certain taxes administered by the State Board of Equalization to be paid by electronic transmission when the tax liability meets a specified threshold, and allows payment by electronic transmission if the tax liability is below that threshold.

This bill extends the electronic transmission requirements to payments of the motor vehicle fuel tax.

This bill would incorporate additional changes to Section 25205.6 of the Health and Safety Code, proposed by AB 664, to be operative only if AB 664 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

This bill would incorporate additional changes to Section 7657 of the Revenue and Taxation Code, proposed by AB 309, to be operative only if AB 309 and this bill are both chaptered and become operative on or before January 1, 2002, and this bill is chaptered last.

Ch. 252 (AB 1177) Calderon. Workers' compensation: official medical fee schedule.

Existing law provides for administration of the workers' compensation system by the Director of the Division of Workers' Compensation of the Department of Industrial Relations, who is referred to as the administrative director.

This bill would authorize a health care provider or licensed health facility and a contracting agent, employer, or carrier to contract for reimbursement rates that are different from the official medical fee schedule. The bill would provide that the December 31, 2001 termination date contained in the California Code of Regulations for specified regulations be extended until new regulations on the medical fee schedule adopted by the administrative director become effective.

Ch. 253 (AB 1193) Steinberg. Insurers: hate crimes: cancellation or refusal to renew.

(1) Existing law provides for the regulation of insurers by the Insurance Commissioner. Existing law imposes various limitations on insurers relative to cancellation or nonrenewal of policies protecting against certain residential, liability, and commercial risks.

This bill would provide that an insurer issuing policies protecting against certain residential, liability, and commercial risks may not cancel or refuse to renew a policy solely on the basis that one or more claims have been made against the policy during the preceding 60 months for a loss that is the result of a hate crime committed against the person or property of an insured, if the insured is a religious or educational organization or other nonprofit organization organized and operated for religious, charitable, or educational purposes. This bill would authorize a law enforcement agency, using specified guidelines, to determine if the action in question was a hate crime. This bill would require an insurer to report to the commissioner the cancellation or nonrenewal of a policy subject to these provisions after an insured has submitted a claim to the insurer that is the result of a hate crime.

(2) Existing law provides that certain actions are defined as unfair methods of competition and unfair and deceptive acts or practices in the business of insurance, and specifies certain penalties and powers of the commissioner in this regard.

This bill would provide that a violation of the bill's requirements would be subject to these provisions.

Ch. 254 (AB 1217) Briggs. Gambling establishments.

Existing law permits the California Gambling Control Commission to make a list of persons who licensees are to exclude or eject from their gambling establishments. Existing law also permits a licensee to exclude various persons, as specified, from their licensed premises.

This bill would grant immunity from civil liability for a mistake as to the grounds for ejecting or excluding a person to gambling establishments that exclude or eject an individual from their premises, if the ejection or exclusion was based on a reasonable and good faith belief, after a reasonable investigation, that they may do so under the law. The bill would provide, however, that a gambling establishment shall not be relieved from liability for any damages arising from the means of ejection or exclusion.

Ch. 255 (AB 1537) Horton. Unemployment insurance: Indian tribes.

The Federal Unemployment Tax Act provides that services performed in the employ of state and local governments are excluded from the definition of employment for purposes of the federal act. Those entities are subject to California's unemployment insurance laws. Recent changes in federal law treat Indian tribes in the same manner as state and local governments.

This bill would revise and recast various provisions of the state unemployment insurance law with regard to Indian tribes in order to meet federal funding requirements contained in the Federal Unemployment Tax Act. The bill would provide that its provisions shall have a retroactive effect from December 21, 2000, the effective date of the changes in federal law.

Ch. 256 (AB 1608) Committee on Agriculture. Plant quarantine and pest control.

Existing law authorizes the Department of Food and Agriculture to provide, upon request, nonregulatory accreditation, analytical certification, diagnostic, inspection, quality assurance, testing, and other nonregulatory services relating to nursery stock, plants, seed, or other plant pest and diseases on a charge-for-service basis, or to accredit private persons or business entities to perform those services and adopt regulations to establish accreditation criteria.

The bill would require each governmental agency within the state that governs and conducts activities related to plant quarantine or conducts a program to control the pests or diseases of nursery stock, plants, or seed to accept the test results of any laboratory accredited as being valid, unless the agency establishes specific criteria and standards for rejecting those results prior to the rejection and provides written justification to the state accrediting entity and the laboratory stating the reasons the laboratory results do not meet the quarantine or disease or pest control program requirements under the jurisdiction of the agency.

This bill would also require any agency wishing to reject the accreditation of any laboratory or the test results of any laboratory accredited under this section to first obtain approval from the Secretary of Food and Agriculture, in writing.

Ch. 257 (AB 1709) Migden. Animals: mischievous: great bodily injury.

Existing law makes it a felony for any owner of a mischievous animal, knowing its propensities, to willfully suffer the animal to go at large, or to keep the animal without ordinary care, if the animal, while at large or not kept with ordinary care, kills any human being who has taken all the precautions which the circumstances permitted, or which a reasonable person would ordinarily take in the same situation.

This bill would revise the above provision to also make subject to its proscription any person having custody or control of a mischievous animal, and would, in addition, make it a misdemeanor or a felony if the mischievous animal causes serious bodily injury to any human being who has taken all the precautions which the circumstances permitted, or which a reasonable person would ordinarily take in the same situation. Because the bill increases the scope of an existing crime with respect to the perpetrator and what is perpetrated, and

because it increases the duties of local animal control officers with respect to mischievous animals, it would impose a state-mandated local program upon local governments.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 258 (AB 1738) Committee on Budget. Judgments and settlement claims against the state: appropriation.

Existing law requires the Attorney General to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state.

This bill would appropriate \$9,232,611.98 from the General Fund to the Attorney General to pay judgments and settlement claims in accordance with a specified schedule.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 259 (AB 132) Horton. Meyers-Milias-Brown Act: agency shop agreements.

The Meyers-Milias-Brown Act authorizes a local public agency and a recognized employee organization that has been recognized as the exclusive or majority bargaining agent to negotiate an agency shop agreement. Under the act, an agency shop arrangement is required to be placed in effect, without a negotiated agreement, upon (1) a signed petition of 30% of the employees of the applicable bargaining unit requesting an agency shop agreement and an election to implement an agency fee arrangement, and (2) the approval of a majority of employees who cast ballots in a secret ballot election in favor of the agency shop arrangement. Existing law provides that the petition may only be filed after good faith negotiations, not to exceed 30 days, have taken place between the parties in an effort to reach agreement.

This bill would permit the petition to be filed only after the recognized employee organization has requested the public agency to negotiate on an agency shop arrangement and, beginning 7 working days after the public agency received the request, the two parties have had 30 calendar days to attempt good faith negotiations in an effort to reach agreement.

Ch. 260 (AB 449) Firebaugh. Classified school employees: leaves of absence: service credit.

Under existing law, classified employees of schools and community colleges are school members of the Public Employees' Retirement System. Service retirement benefits for those members are based, in part, upon years of service credit, as defined. Certain provisions of existing law provide that classified employees of schools and community colleges shall receive service credit for periods of time during which they are on an approved leave of absence to serve as an elected officer of an employee organization, up to a maximum of 8 years, subject to specified conditions.

This bill would increase the maximum amount of service credit under those provisions to 12 years.

Ch. 261 (AB 587) Firebaugh. Civil rights.

Existing law provides that all persons in this state shall have full and equal access to the facilities, privileges, and services of business establishments of all kinds without regard to sex, race, color, religion, ancestry, national origin, disability, or medical condition. Existing

law further prohibits a business establishment from, among other things, boycotting, blacklisting, refusing to contract with, sell to, or trade with a person based on the criteria described above, and from discriminating on the price charged for similar or like services on the basis of a person's gender. A person who contravenes these provisions is liable for actual damages and any additional amount determined by a jury or the court up to a maximum of 3 times the amount of actual damages but not less than \$1,000.

This bill would increase the minimum additional amount that may be awarded in the cases described above to \$4,000.

Existing law provides that if a person or persons, whether or not acting under color of law, interferes by threats, intimidation, or coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by any individual or individuals of rights secured by the Constitution or laws of the United States, or of the rights secured by the Constitution or laws of this state, the Attorney General, any district attorney, or any city attorney may bring a civil action for injunctive and other appropriate equitable relief in the name of the people of the State of California, in order to protect the peaceable exercise or enjoyment of the right or rights secured.

This bill would specify that in an action brought by the Attorney General, any district attorney, or any city attorney, the Attorney General, or any district attorney or city attorney, may seek a civil penalty of \$25,000. This bill would also specify that if this civil penalty is requested, it shall be assessed individually against each person who is determined to have violated the right or rights of any individual or individuals secured by law and the penalty shall be awarded to each individual whose right or rights are determined to have been violated.

Ch. 262 (AB 826) Cohn. Pharmaceutical practice: prescriptions.

Under existing law, a pharmacist may authorize initiation of a prescription and provide clinical advice or information or patient consultation from outside a pharmacy premises if certain conditions are met, and may adjust the drug regimen of a patient for care provided by specified facilities. Existing law makes a knowing violation of the Pharmacy Law a crime.

This bill would, with respect to the requirements for initiation of prescriptions and providing clinical advice or information or patient consultation, delete the restriction that the transaction occur outside of a pharmacy premises. The bill would require that a pharmacist's initiation of a prescription be pursuant to specified provisions.

This bill would revise the requirement for the providing of clinical advice, information, or client consultation to specify that the advice, information, or consultation be provided to a health care professional or a patient. The bill would also authorize a pharmacist to initiate the drug regimen of a patient in specified facilities pursuant to a written order or authorization by the patient's prescriber and would require the pharmacist to provide written or electronic notification of that action.

This bill would incorporate additional changes in Section 4052 of the Business and Professions Code proposed by SB 1169, to be operative only if SB 1169 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

This bill would impose a state-mandated local program by changing existing crimes and creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 263 (AB 863) Thomson. Transactions and use tax: City of West Sacramento.

Existing law authorizes various local governmental entities, subject to certain limitations and approval requirements, to levy transactions and use taxes in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law.

This bill would additionally authorize the City of West Sacramento, subject to the approval of $\frac{2}{3}$ or a majority of the voters voting on the issue at an election, to levy a tax pursuant to the Transactions and Use Tax Law at a rate of 0.25% or 0.5%.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Ch. 264 (AB 1048) Frommer. Securities.

The Corporate Securities Law of 1968 provides for the licensing of agents and broker-dealers and the registration of investment advisers and investment adviser representatives by the Department of Corporations, subject to certain exceptions. Existing law requires these persons to pay certain fees and assessments to the department.

This bill would delete a provision that exempts from certification requirements a licensed broker-dealer who acts as an investment adviser. The bill would require the Commissioner of Corporations to make certain information concerning investment advisers that is in the possession of the commissioner available to the public on request. The bill would revise various fee provisions and would make other related changes.

Existing law prohibits a state or local public agency from asking or requiring an applicant for a license, certificate, or registration to reveal a record of arrest that did not result in a conviction or plea of nolo contendere.

This bill would provide that this prohibition is not applicable to the department relative to persons regulated by the department when using a national, uniform application that is required by the Securities and Exchange Commission and other entities for participation in certain national registration depositories. The bill would authorize the department to participate in those depositories.

Existing law prohibits the Commissioner of Corporations and his or her assistants, clerks, or deputies from having certain interests in entities regulated by the department. Existing law authorizes the holding or purchasing of securities by these public officials under certain conditions.

This bill would revise the provisions governing the holding or purchasing of securities by the commissioner, as specified.

Existing law requires that the Department of Corporations' administration be supported from the State Corporations Fund.

This bill would instead require that the administration and enforcement of, and the education of the public relative to, the laws and programs of the department be supported from the fund.

Ch. 265 (AB 1060) Negrete McLeod. Department of Veterans Affairs: homeless veterans.

Under existing law, the Department of Veterans Affairs has various functions relating to the well-being of veterans.

This bill would require the department, in collaboration with the State Department of Health Services, to study the status of homeless veterans in California and to establish a proposal on how to provide adequate housing for California's homeless veterans. On or before March 15, 2002, the department shall report the findings of the study to the Legislature and the Governor.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 266 (AB 1370) Wiggins. Tax forms: taxpayers 65 or older: study: property tax assistance.

Existing income tax laws require the use of various tax forms.

This bill would require the Franchise Tax Board to conduct a study of those forms relative to taxpayers who are 65 years of age or older, and to make a report on the results of that study to the Legislature, as provided.

The Gonsalves-Deukmejian-Petris Senior Citizens Property Tax Assistance Law provides for payment of assistance by the Franchise Tax Board to claimants, whether those claimants own or rent their residences, in accordance with schedules that reduce the amount of assistance provided as the amount of a claimant's household income increases along a specified scale of household income amounts. The amount of assistance for a claimant owning his or her residential dwelling is a specified percentage, based on household income, of tax on the first \$34,000 of full value. The amount of assistance for a claimant renting his or her residence is a specified percentage, based on household income, of the statutory property tax equivalent of \$250. For the 2001 calendar year and each year thereafter, the household figures used to calculate the assistance payments were to be increased by 45%.

This bill would eliminate the provisions increasing the household income figures used to calculate the assistance payments by 45% and would instead increase the property tax assistance payments by 45% for the 2001 calendar year and each calendar year thereafter.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 267 (AB 1442) Pescetti. Contract specifications: substitutions.

Existing law provides that a state agency, political subdivision, municipal corporation, district, or public officer responsible for letting public works contracts may not draft bid specifications in a manner that limits the bidding to any one concern or product, except under certain circumstances. Specification of a certain product is allowed if the specification lists at least 2 brands or trade names of comparable quality and is followed by the words "or equal" so that bidders may furnish any equal products.

This bill would revise these provisions so that the restrictions on the manner of drafting bid specifications would not apply if an awarding authority, either state or local, makes a finding that a particular material or service is designated by a brand name, either to make a field test or to match a material or service in use on a particular public improvement.

Existing law governing state agencies provides that if no time period is specified for submission of data substantiating a request for a substitution of "an equal" item, data may be submitted for 35 days after the award of the contract.

The bill would also make this provision applicable to local governments.

Ch. 268 (AB 1499) Negrete McLeod. Teachers: Teaching As A Priority Block Grant.

Existing law establishes the Teaching As A Priority Block Grant to be administered by the State Department of Education with the approval of the State Board of Education for the purpose of awarding 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. 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 may include signing bonuses, improved work conditions, teacher compensation, and housing subsidies.

This bill would authorize a school district receiving block grant funds to offer incentives to recruit and retain credentialed teachers interested in attaining cross-cultural, language, and academic development certification (CLAD) or bilingual, cross-cultural, language, and academic development certification (BCLAD). The bill would authorize incentives to include stipends to cover the costs of examinations necessary to attain CLAD or BCLAD certification and coursework necessary for preparation programs offering CLAD and BCLAD emphasis.

Ch. 269 (SB 57) Scott. Teacher credentialing.

(1) Existing law requires the Commission on Teacher Credentialing to ensure that each candidate for a teaching credential has demonstrated ability and sets forth programs for professional preparation that satisfy this requirement.

This bill would require the commission to waive components of these requirements for individuals meeting prescribed criteria regarding private school teaching experience.

(2) Existing law, the Teacher Education Internship Act of 1967, authorizes school districts, in cooperation with an approved college or university, to establish teacher education internship programs. Existing law also authorizes school districts, in consultation with an approved program of pedagogical teacher preparation to employ persons authorized by the Commission on Teacher Credentialing to provide service as district interns and requires these school districts to develop and implement a professional development plan for district interns.

This bill would authorize an intern to choose an early program completion option if the intern passes certain assessments and meets the requirements for teacher fitness.

Ch. 270 (SB 128) Burton. Trial court: employees.

Existing law establishes a trial court employee personnel system, as specified, governing, among other things, the authority to hire trial court personnel, and to regulate their classification and compensation, labor relations, personnel selections and advancement, employment protection, retirement, and personnel files.

This bill would make various technical and clarifying changes in these provisions. The bill would also require specified agency shop elections to be conducted by the Division of Conciliation of the Department of Industrial Relations if the parties fail to select a neutral person or entity to conduct the election within 10 days of the election petition. The bill would specify, as to an agency fee agreement other than in an agreement that is in effect on January 1, 2002, the recognized employee organization shall hold the court harmless and defend and indemnify the court, as specified.

The bill would provide for specified procedures for the release of budget and management information by the trial courts and the Judicial Council, including a hearing and appeal process.

Ch. 271 (SB 148) Oller. Preston Castle: lease and transfer of ownership.

Existing law authorizes the Director of General Services, with the consent of the state agency concerned, to let for a period not to exceed 5 years, any real or personal property that belongs to the state, if the director deems the letting to be in the best interest of the state.

This bill would direct the director to lease upon terms and conditions deemed in the best interest of the state, any or all of the Preston Castle portion of the Ione Youth Facility as agreed to and designated by the Department of the Youth Authority. The bill would require the Preston Castle portion of the Ione Youth Facility to be let in its "as is" condition and to be let for a term not to exceed 55 years for consideration of \$1 per year to the Preston Castle Foundation for specified uses. The bill would permit the director under specified conditions to transfer ownership and control of the Preston Castle at any time during the lease to the foundation at no cost.

Ch. 272 (SB 162) Committee on Local Government. Validations.

This bill would enact the Second Validating Act of 2001, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 273 (SB 163) Committee on Local Government. Validations.

This bill would enact the Third Validating Act of 2001, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Ch. 274 (SB 215) Burton. California Peace Officer Memorial Foundation: contributions: income tax return.

Under existing law regulating the administration of personal income taxes and bank and corporation taxes, individual taxpayers are allowed to contribute amounts in excess of their tax liability for the support of specified funds or accounts, including, among others, the California Peace Officer Memorial Foundation.

Existing law provides that all money transferred to the California Peace Officer Memorial Foundation Fund shall, upon appropriation by the Legislature, be allocated, after reimbursement to the Franchise Tax Board and the Controller for their costs, to the California Peace Officer Memorial Commission for building and maintaining the California Peace Officer Memorial.

This bill instead would require that moneys appropriated from the fund, after reimbursement to the Franchise Tax Board and the Controller, be allocated to the California Department of the Highway Patrol for allocation to the California Peace Officer Memorial Commission. The bill would also appropriate money transferred to the fund prior to the enactment of this bill in the same manner.

This bill would also require the California Peace Officer Memorial Commission to report to the Legislature on or before December 31, 2003, in accordance with either of certain specified procedures.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 275 (SB 313) Alpert. Highway tolls: transit service: program.

Existing law authorizes the San Diego Association of Governments (SANDAG), in cooperation with the Department of Transportation, to conduct a demonstration program pursuant to which single-occupant vehicles are allowed to use the high-occupancy vehicle (HOV) lane on a specified portion of the Interstate Highway Route 15 (I-15) for a fee. Existing law requires the department to annually audit the level of operating services during peak traffic hours. Existing law requires SANDAG to submit a report to the Legislature and repeals all of these provisions on January 1, 2002.

This bill would delete reference to "demonstration," would delete the requirement that SANDAG report to the Legislature, would delete certain obsolete provisions, and would delete the repeal date, thereby continuing the program indefinitely.

The bill would require the department to report the audit results at meetings of the program management team and would require program agreements to be consistent with agreements between the department and the United States Department of Transportation.

Ch. 276 (SB 344) Ortiz. Health care data reporting.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons.

This bill would require the State Department of Health Services to place on its Internet Web site, in a format that may be easily understood by the general public, certain data relating to program enrollment and other program data.

Ch. 277 (SB 454) Committee on Insurance. Insurance.

Existing law defines disability insurance to include insurance appertaining to injury, disablement, or death resulting from accidents or sickness.

This bill would define the term "health insurance" as a disability insurance policy that provides coverage for hospital, medical, or surgical benefits but does not include certain kinds of insurance. The bill would also make a related change.

Existing law authorizes secret fraternal societies meeting certain requirements to form insurers by association of their members. Existing law authorizes the association to insure against a specified list of losses, including vandalism or malicious mischief, ice, snow, and freezing, and collapse.

This bill would add to the list of insured losses burglary and theft and mysterious disappearance.

Ch. 278 (SB 477) Costa. Parks and recreation: California SNO-PARK program.

Existing law establishes the California SNO-PARK program, whereby winter recreationists purchase a windshield sticker that allows them to park in any of the roadside parking areas to be established and plowed for that purpose. Existing law requires the Department of Parks and Recreation, after consultation with the State Parks and Recreation Commission, the Department of Transportation, the Department of the California Highway Patrol, the appropriate boards of supervisors, and any local public or private persons owning lands adjacent to each site, to designate winter recreation parking locations throughout the state and include the sites as an element of the California outdoor recreation plan.

This bill would require the Director of Parks and Recreation to appoint a committee, which shall be known as, the "Winter Recreation Committee," to advise the director on the location of designated parking areas, and would authorize the department to enter into long-range agreements for the utilization of private and public lands for the program.

Existing law authorizes the department to contract directly for snow removal, provision of sanitary facilities, and other services.

This bill would authorize the department to contract with the appropriate public and private entities for those services and would additionally authorize the department to contract for signage, trash removal, and parking lot repairs. The bill would also authorize the department to contract with appropriate agencies for law enforcement.

Existing law requires that proceeds from the sale of SNO-PARK parking permits be paid to the State Treasury, to the credit of the Winter Recreation Fund, and requires that moneys in the fund be allocated, when appropriated, for specified purposes, including, among other things, snow removal, administrative costs, the acquisition, lease, development, and maintenance of additional designated parking areas, and for grants to counties for the actual and necessary costs incurred in the removal of snow from designated parking areas.

This bill would additionally permit the expenditure of moneys from the fund to inform and educate the public about the program.

Ch. 279 (SB 624) Soto. Vehicles: garbage: cover.

(1) Existing law prohibits a vehicle loaded with garbage, swill, cans, bottles, wastepapers, ashes, refuse, trash, or rubbish, or any other noisome, nauseous, or offensive matter, or anything being transported to a dumpsite for disposal from being driven or moved upon any highway unless the load is totally covered, as specified.

This bill would recast this prohibition to prohibit a vehicle from transporting, rather than prohibiting a vehicle loaded with, the materials specified above, and would include waste cardboard as one of the materials that would be required to be totally covered while being transported. The bill would also include transporting the matter for recycling, and would delete reference to a dumpsite. The bill would provide that vehicles transporting wastepaper, waste cardboard, or used cans or bottles, are in compliance with these provisions if appropriate binders including, but not limited to, bands, wires, straps, or netting are used to prevent the load, or any part of the load, from spilling or falling from the vehicle. The bill would exempt any vehicle transporting wet waste fruit or vegetable matter, or waste products to or from a food processing establishment, from application of its provisions.

Because this bill would expand the scope of an existing crime, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 280 (SB 655) Machado. Transportation: transit districts: property acquisition.

Existing law authorizes the Sacramento Regional Transit District to take by gift, or take or convey by grant, purchase, devise, or lease, and hold and enjoy, real and personal property of every kind within or without the district necessary to the full or convenient exercise of the district's powers.

This bill would authorize those powers for the district, with regard to real and personal property of every kind within the district, as necessary for, incidental to, or convenient for, transit-oriented joint development projects, as defined, that are consistent with the general plan, any applicable specific plan, any applicable transit village plan, and the land-use and development ordinances of the city or county in which the project is located.

The bill would prohibit the district from exercising its power of eminent domain in order to make an acquisition related to transit-oriented joint development projects.

The bill would require the district, prior to exercising the authority granted under the bill, to prepare, and adopt at a public hearing, written policies and procedures implementing the provisions of the bill. The bill would require the district to invite public comment during the preparation and adoption of the specified policies and procedures.

The bill would specify that the provisions of the bill apply only to acquisitions related to transit-oriented joint development projects and do not expand the district's existing powers.

Ch. 281 (SB 781) Knight. Veterans' homes.

Existing law provides for the establishment and operation of the Veterans' Home of California at various sites for aged and disabled veterans who meet certain eligibility criteria.

This bill would authorize the Department of Veterans Affairs to accept and process applications from veterans who are seeking residency at a home, beginning on the start date of construction of that particular home.

Ch. 282 (SB 923) McPherson. Bribery: punishment.

Existing law makes it a crime punishable by imprisonment in the state prison for 2, 3, or 4 years for any executive or ministerial officer, employee or appointee of the State of California, county or city or political subdivision of this state or any member of either of the houses composing the Legislature of this state or any judicial officer, juror, referee, arbitrator, or umpire, and any person authorized by law to hear or determine any question or controversy to ask, receive, or agree to receive, any bribe under specified circumstances.

This bill would include in this punishment, in cases in which no bribe has been actually received, a restitution fine of not less than \$2,000 or not more than \$10,000 or, in cases in which a bribe was actually received, a restitution fine of at least the actual amount of the bribe received or \$2,000, whichever is greater, or any larger amount of not more than double the amount of any bribe received or \$10,000, whichever is greater. In each case, the bill would require the court to consider the defendant's ability to pay the restitution fine.

Ch. 283 (SB 933) Margett. Veterans' home: eligibility.

Existing law provides for the establishment and operation of the Veterans' Home of California for aged and disabled veterans, eligible for hospitalization or domiciliary care in a veterans' facility in accordance with the rules and regulations of the United States Department of Veterans Affairs, and for spouses of these persons if specified conditions are met. The home is under the management and control of the Department of Veterans Affairs.

This bill would give priority to recipients of the Medal of Honor for eligibility for residence in the Veterans' Home of California, and would make widows and widowers of Medal of Honor recipients eligible for residency.

Ch. 284 (SB 1065) Perata. Highways: trees and shrubs.

(1) The Outdoor Advertising Act prohibits an advertising display from being placed or maintained in certain conditions. A violation of these provisions is grounds for the removal of the display and is a crime.

This bill would make it a violation of that act for the owner of a display or anyone acting on the owner's behalf to remove, cut, cut down, injure, or destroy, without a permit issued by the department any tree, shrub, plant, or flower growing on property owned by the Department of Transportation if that conduct is undertaken in order to enhance the display's visibility, thereby creating grounds for the removal of the display. Because this would also expand the scope of an existing crime, the bill would impose a state-mandated local program.

(2) Existing law provides a penalty of \$100 for each tree damaged on any state highway and allows for the collection of the costs and expenses incurred in a court action brought against a person who willfully and maliciously digs up, cuts down, destroys, or otherwise injures any shade or ornamental tree on any state highway.

This bill would recast this provision by additionally prohibiting a person from pruning or trimming any tree or shrub on any state highway without a permit issued by the department. The bill would increase the penalty as to a damaged tree to \$10,000 and to \$1,000 as to a damaged shrub; and the bill would allow the department to recover attorney and expert witness fees and the amount of actual damages to any tree or shrub.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 285 (SB 1187) Costa. Local transactions and use taxes: Fresno zoo.

Existing law authorizes various local entities to impose local transactions and use taxes for various purposes.

This bill would authorize the Board of Supervisors of the County of Fresno to establish an authority for zoological purposes in that county. This bill would authorize any authority that is so established to impose a transactions and use tax at a rate of 0.1%, if the tax is proposed by an ordinance that is approved by $\frac{2}{3}$ of the governing body of that authority, and by $\frac{2}{3}$ of the voters of the county voting on that ordinance.

This bill would make legislative findings and declarations as to the necessity for a special statute.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 286 (SB 78) Kuehl. Premarital agreements.

Existing law provides that a premarital agreement is not enforceable if the party against whom enforcement is sought proves either that he or she did not execute the agreement voluntarily or that the agreement was unconscionable at the time it was executed, as specified.

This bill would set forth specified findings that the court is required to make in order to find that the agreement was executed voluntarily.

Existing law provides that the parties to a premarital agreement may contract with respect to any matter not in violation of public policy or a statute imposing a criminal penalty.

This bill would provide that a provision in a premarital agreement regarding spousal support, including, but not limited to, a waiver of it, is not enforceable if the party against whom enforcement of the spousal support provision is sought was not represented by independent counsel, as specified, or if the provision regarding spousal support is unconscionable at the time of enforcement. The bill would also provide that an otherwise unenforceable provision in a premarital agreement regarding spousal support does not become enforceable solely because the party against whom enforcement is sought was represented by independent counsel.

Ch. 287 (SB 281) O’Connell. Vehicle conditional sale and lease contracts.

Existing law requires every conditional sale contract for a motor vehicle to contain a disclosure of all amounts financed, including various fees and taxes.

This bill would delete an obsolete reference and additionally require conditional sale contracts to include in the disclosure the California tire fee.

Existing law requires every lease contract for a motor vehicle to be in writing and contain specified information.

This bill would revise the information required to be contained in a motor vehicle lease contract. This bill would exclude from these provisions documents and agreements relating to an express warranty, titling or titling transfer, insurance policies, or documents regarding the sale or lease of specified goods or services.

This bill also would require a vehicle lease contract to be printed in a specified form.

Ch. 288 (SB 282) Dunn. Controller: reports of special districts.

Existing law provides that whenever, in the opinion of the Controller and an advisory committee of local governmental officers, the public welfare demands that reports of the financial transactions of a district other than a school district be published, the Controller shall notify the district that reports of its financial transactions are required to be furnished to the Controller. The Controller is required to compile and publish these reports.

This bill would require the Controller to make available annually, in a separate report, published in an electronic format on the Controller’s Web site specified information regarding the assets, liabilities, and equity of the selected special districts.

Ch. 289 (SB 298) Figueroa. Certified nurse-midwives: drugs and devices.

Existing law permits a certified nurse-midwife who meets certain qualifications, to furnish drugs or medical devices pursuant to standardized procedures. Existing law does not authorize a certified nurse-midwife to order drugs or devices and prohibits him or her from furnishing controlled substances.

This bill would authorize a certified nurse-midwife to furnish or order controlled substances under certain conditions. The bill would define the term “furnishing” to include the ordering of a drug or device pursuant to a standardized procedure or protocol and the transmitting of an order of a supervising physician and surgeon.

Because a willful violation of the bill’s requirements with respect to the ordering of dangerous drugs or devices would be a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 290 (SB 813) Dunn. Children’s hospitals.

Existing law defines “children’s hospital,” for purposes of state administration of health care services and medical assistance, to include a list of specified hospitals.

This bill would additionally define “University of California children’s hospital,” for specified purposes, to mean each of the University of California children’s programs within the 5 University of California academic medical center campuses and would define the purposes for which the term “children’s hospital” could be used.

Ch. 291 (SB 866) Costa. California Beef Council.

(1) Existing law establishes the California Beef Council, and specifies the entities eligible for membership on the council.

This bill would change references from “slaughterers” to “packers and processors.” The bill would eliminate a provision for a \$10 per diem payment, and would prohibit members of the council from receiving compensation, as specified.

NOTE: Superior numbers appear as a separate section at the end of the digests.

(2) Existing law prohibits the expenditure of beef council funds for the advertising of brand name beef products.

This bill would permit the advertising expenditures if approved by a 2/3 vote of the council with the concurrence of the secretary.

(3) Existing law provides that a fee of \$1 per head shall be paid on each sale of cattle and calves, except as specified.

This bill would make an additional exception to this fee for the sale of any calves weighing less than 300 pounds.

(4) Existing law provides that a fee greater than \$1 per head on the sale of cattle and calves shall not be charged unless the secretary finds, as specified, that the producers in this state have approved the greater fee.

This bill would specify that the secretary shall find that the producers in this state have approved the greater fee if he or she finds that 60% of the producers voting in the referendum voted in favor of charging the greater fee. The bill would make a conforming change to a related provision.

Ch. 292 (SB 1186) Chesbro. Transactions and use tax: City of Sebastopol.

Existing law authorizes various local governmental entities, in accordance with certain limitations and approval requirements, to levy transactions and use taxes in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law. Existing law authorizes the City of Sebastopol, subject to the approval of $\frac{2}{3}$ of the voters voting on the issue at an election, to levy a transactions and use tax pursuant to the Transactions and Use Tax Law at a rate of 0.125% for general revenue purposes.

This bill would authorize the City of Sebastopol, subject to the approval of a majority of the voters voting on the issue at an election, to levy a transactions and use tax pursuant to the Transactions and Use Tax Law at a rate of 0.125% for general revenue purposes.

This bill also would make legislative findings and declarations as to the necessity of a special statute.

Ch. 293 (SB 1221) Romero. Spousal support: domestic violence.

Existing law governs the award of spousal support. Existing law sets forth criteria to be considered in determining spousal support.

This bill would revise those criteria, as specified, and provide that in any proceeding for dissolution of marriage where there is a criminal conviction for an act of domestic violence perpetrated by one spouse against the other spouse entered by the court within 5 years prior to the filing of the dissolution proceeding, or at any time thereafter, there shall be a rebuttable presumption affecting the burden of proof that any award of temporary or permanent spousal support to the abusive spouse otherwise awardable pursuant to the standards of the provisions governing the award of spousal support should not be made. The bill would authorize the court to consider a convicted spouse's history as a victim of domestic violence as a condition for rebutting this presumption. The bill would make related changes.

Ch. 294 (AB 521) Koretz. Credit cards: student credit cards: credit card marketing practices.

(1) Existing law, known as the Song-Beverly Credit Card Act of 1971, prohibits the issuance of a credit card, as defined, except in response to an oral or written request or application, or as a renewal of, or in substitution for, an accepted credit card.

This bill would define a student credit card as a credit card that is provided to a student at a public or private college or university, and that is provided to that student solely based on his or her enrollment in a public or private university, or is provided to a student who would not otherwise qualify for that credit card on the basis of his or her income. The bill would provide that a student credit card does not include a credit card issued to a student who has

a cocardholder or cosigner who would otherwise qualify for a credit card other than a student credit card.

(2) Existing law establishes the various segments of the higher education system in the state. These segments include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges, and various private and independent colleges and universities.

This bill would request the regents and the governing body of each accredited private or independent college or university in the state, and require the trustees and the board of governors, to adopt policies to regulate the marketing practices used on campuses by credit card companies.

Ch. 295 (AB 800) Wesson. Employment: Workplace language policies.

Existing provisions of the California Fair Employment and Housing Act define and prohibit various discriminatory employment practices.

This bill would make it an unlawful employment practice for an employer to adopt or enforce a policy that prohibits the use of any language in the workplace unless the policy is justified by business necessity, as defined, and prescribed notice of the policy and consequences for violation of the policy is given to employees. The bill would also make a statement of legislative intent regarding its provisions.

Ch. 296 (AB 1183) Calderon. California Insurance Guarantee Association.

Existing law provides for the creation of the California Insurance Guarantee Association in order to provide insolvency insurance for its member insurers. Existing law requires certain insurers to be members of the association as a condition of doing business. Existing law, in the event an insurer becomes insolvent, provides for the association to collect premium payments from its members in an amount sufficient to pay covered claims of the insolvent insurer and the associated adjustment costs. Existing law provides that the premium charged to any member insurer in that event for any of certain categories shall not be more than 1% of the net direct premium written in the category in this state by that member.

This bill would increase this amount for a time period of one year after its effective date from 1% to 2%. The bill would require the association annually to have an independent auditor perform a financial audit of the association and would require the Insurance Commissioner to conduct an examination of the association and to provide a copy of the examination report to the Chairpersons of the Senate and Assembly Committees on Insurance.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 297 (SB 521) Alpert. Transportation.

(1) Existing law requires the San Diego Metropolitan Transit Development Board to provide a system of specified regional transit operating services and support activities, to be funded from the regional transit fund that the board is required to create. Under existing law, the board is required to determine the routes, fares, frequency of service, and hours of operation of regional service. Existing law also authorizes the board to adopt and amend, on an annual basis, an assessment formula for funding regional services.

This bill would delete these provisions.

(2) Existing law authorizes the board to receive federal funds for mass transit purposes and to reallocate the funds for these purposes in accordance with federal law.

This bill would prohibit any other public entity within the area of the board's jurisdiction from filing an application for funds for public transportation under specified provisions relating to transportation development. This bill would require the board to consolidate all available local, state, and federal transit financial resources for public mass transit operators

and systems within its jurisdiction and, in coordination with the various operators, adopt a policy for annually prioritizing the use of those funds for specified purposes.

To the extent that these provisions would increase the level of service required of the board, the bill would impose a state-mandated local program.

(3) Existing law establishes the San Diego County Regional Transportation Commission in the County of San Diego and authorizes the commission to impose a retail transactions and use tax by ordinance in the county, upon approval of the proposal by the voters at a special election called for that purpose and compliance with certain other requirements.

This bill would authorize the commission to extend or expand, as defined, the tax imposed as specified above, upon approval of the proposal by the voters at a special election called for that purpose and compliance with certain other requirements.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 298 (SB 871) Burton. Commercial vehicles: compliance with drug and alcohol regulations.

(1) Existing law requires motor carriers and drivers to comply with the controlled substances and alcohol use, transportation, and testing requirements of the United States Secretary of Transportation, as specified. Existing law requires every motor carrier to make available for inspection, upon request of an authorized employee of the Department of the California Highway Patrol, copies of all results and other records pertaining to controlled substances and alcohol use and testing conducted pursuant to federal law, including those records contained in individual driver qualification files. Existing law grants the department exclusive jurisdiction for the regulation of safety of operation of motor carriers of property, and provides for the Department of Motor Vehicles to suspend the motor carrier permit of a motor carrier of property on specified grounds.

This bill would permit any person who suffers injury that is proximately caused by the driver of a commercial motor vehicle to recover treble damages from the driver's employer where it is shown that the driver of a commercial motor vehicle was under the influence of alcohol or a controlled substance at the time that the injury was caused and that the driver's employer willfully failed, as defined, at the time of the injury to comply with specified federal law requirements.

This bill would require the suspension of the motor carrier permit of a motor carrier of property for failure to comply with the above regulations with respect to controlled substances and alcohol use, or for failure to make available for inspection the results and other records pertaining to alcohol use and testing pursuant to federal law. The bill would require suspensions for serious violations for specified periods of time, as specified.

This bill would prohibit an applicant for employment as a commercial driver or owner-operator seeking to provide transportation services from being placed on duty by the motor carrier, until compliance with certain federal regulations concerning controlled substance and alcohol use and employment history has occurred, as specified. The bill would require every motor carrier to document all activities regarding the making or receiving of drivers' employment histories.

The bill would provide that a motor carrier that utilizes a preemployment screening service to review applications for purposes of the above is in compliance with the employer duties under those provisions if the preemployment screening services that are provided satisfy the requirements of state and federal law and the motor carrier abides by any findings that would, under federal law, disqualify an applicant from operating a commercial vehicle.

Because a violation of these provisions would be a crime under current law, this bill would impose a state-mandated local program, by expanding the scope of a crime.

(2) Existing law requires a person who is self-employed as a commercial motor vehicle driver to comply with the commercial motor vehicle safety program and the statutes pertaining to employees.

This bill would provide that any motor carrier that engages an owner-operator meeting specified statutory requirements to provide transportation services under the direction and control, as defined, of that motor carrier is responsible for the compliance of that owner-operator with the provisions of the motor carrier safety program and for purposes of certain safety regulations adopted by the Department of the California Highway Patrol during the period of that direction and control.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 299 (AB 120) Havice. Discrimination: California National Guard and State Military Reserve personnel: loans and financing.

Existing law provides that any person who violates specified provisions prohibiting discrimination against a member of the military or naval forces of this state or the United States is guilty of a misdemeanor.

This bill would prohibit a person who provides lending or financing from discriminating against any person with respect to the terms of a loan or financing based on that person's membership in the military or naval forces of this state or of the United States. By expanding the definition of a crime, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 300 (SB 237) Vincent. Streets and highways: abandoned animals.

(1) Existing law requires the Department of Motor Vehicles to include within the California Driver's Handbook language regarding rail transit safety.

This bill would additionally require the department to include in the handbook language regarding the abandonment or dumping of any animal on a highway, and would provide that, in order to minimize the costs, this new language shall be initially included at the earliest opportunity when the handbook is otherwise revised or reprinted.

(2) Existing law requires the department to administer a written test of those persons seeking driver's licenses or certificates of renewal.

This bill would require the department to include, on a rotating basis, at least one question, in at least 20% of the tests of an applicant's knowledge and understanding of the provisions, to verify that the applicant has read and understands that the abandonment or dumping of any animal is a criminal offense that can create a severe traffic safety hazard.

(3) Existing law requires the Department of Transportation and local authorities in their respective jurisdictions, to place and maintain, or cause to be placed and maintained, appropriate signs, signals, and other traffic control devices. Under various provisions of existing law, the abandonment of animals is prohibited.

This bill would require the Department of Transportation to place and maintain on major state highways entering the state, as specified, a sign that states that the abandonment or dumping of any animal is a crime punishable by a fine of up to \$1,000 or by confinement in a county jail of up to 6 months, or both.

Ch. 301 (SB 333) Escutia. Elder death review teams.

Existing law imposes penalties for the abuse of elders.

This bill would authorize any county to establish an interagency elder death team to assist local agencies in identifying and reviewing suspicious elder deaths and facilitating communications among persons who perform autopsies and persons involved in the investigation or reporting of elder abuse or neglect.

This bill would specify that the county elder death review teams would be comprised of certain state and local agency staff and private entities.

The bill would establish procedures for the sharing or disclosure of information by elder death review teams.

Ch. 302 (SB 364) Alpert. Mortgages and deeds of trust: accrual of interest.

Existing law provides that interest on the principal obligation of a promissory note secured by a mortgage or deed of trust on real property improved by one to 4 residential dwelling units shall not commence to accrue prior to close of escrow if the loan proceeds are paid into escrow or, if there is no escrow, the date upon which the loan proceeds have been made available for withdrawal as a matter of right. This provision does not apply if the funds are paid or made available from a federally insured financial institution with an office in this state.

This bill instead would provide that a borrower may not be required to pay interest on a principal obligation under a promissory note secured by a mortgage or deed of trust on real property improved with between one to 4 residential dwelling units for a period of more than one day prior to recording the mortgage or deed of trust, if the loan proceeds are paid into escrow or, if there is no escrow, the date upon which the loan proceeds have been made available for withdrawal. The bill would additionally provide that interest may begin accruing on the business day immediately preceding the day of recording, if the borrower requests and the lender agrees that the recording will occur on Monday or a day immediately after a bank holiday, and if the lender makes specified disclosures. This bill would also delete the limitation for federally insured financial institutions within an office of this state thereby applying these provisions to those institutions. The bill would also exempt specified loans from these provisions.

Ch. 303 (SB 1178) Burton. Automotive repair.

Existing law, the Automotive Repair Act, provides for regulation by the Bureau of Automotive Repair in the Department of Consumer Affairs of the registration and licensing of automotive repair dealers.

This bill would require the Department of Consumer Affairs, in consultation with the Department of Insurance and other interested parties, to conduct a study in order to determine the best process for certifying crash parts. The bill would require the study to consider the appropriate standards or criteria for certifying crash parts and to include a recommendation as to which agency should oversee crash parts certification. The results of this study would be required to be reported to the Legislature by January 1, 2003.

This bill would appropriate \$125,000 from the Vehicle Inspection and Repair Fund to the Department of Consumer Affairs for allocation to the Bureau of Automotive Repair for purposes of this study. The bill would require that any funds not used for the study be returned to the Vehicle Inspection and Repair Fund.

Ch. 304 (SB 1194) Romero. Legal services: attorneys and immigration consultants.

(1) Existing law, the State Bar Act, prohibits a person from practicing law in California without being an active member of the State Bar, and makes it a crime for a person to hold himself or herself out as a practicing lawyer without an active membership in the State Bar.

This bill would allow a person who obtained services provided in violation of these prohibitions, or who purchased goods, services, or real or personal property in connection with services provided in violation of these prohibitions, to be awarded relief, including

damages in the amount that he or she suffered loss and equitable relief, from an individual practicing law without an active State Bar membership or an individual who sold the goods, services, or property, in an enforcement action brought in the name of the people of the State of California by the Attorney General, a district attorney, or a city attorney acting as a public prosecutor. The bill would also require the court to award reasonable attorney's fees and costs and authorize the court to award exemplary damages to the prosecuting agency.

(2) Existing law requires a person engaging in the business or acting in the capacity of an immigration consultant to have filed a bond of \$50,000 with the Secretary of State.

This bill would make it unlawful for a person to disseminate a statement indicating that he or she acts or proposes to act as an immigration consultant without having filed a bond. The bill would also delete obsolete references to making a deposit in lieu of filing a bond.

Because a violation of the provisions regarding representation as an immigration consultant without a bond would be a misdemeanor, the bill would impose a state-mandated local program.

(3) Existing law, until January 1, 2002, authorizes a person who is awarded damages in an action or proceeding for injuries caused by the acts of a person acting as an immigration consultant to recover damages from the bond and also provides that when any claim or claims against a bond have been paid, the immigration consultant shall cease to conduct any business unless and until the bond has been reinstated bringing the balance available for the payment of claims up to the minimum amount required.

This bill would extend these provisions indefinitely.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 305 (AB 408) Correa. Funeral, cemetery, and crematory establishments.

Existing law requires an officer of a corporation or association or a partner of the partnership appearing for an applicant for a funeral establishment license to be at least 18 years of age and to have not committed acts or crimes constituting grounds for denial of licensure.

This bill would require all officers of a corporation or association or all general partners of a partnership appearing for an applicant for a funeral establishment license to be at least 18 years of age and to have not committed acts or crimes constituting grounds for denial of licensure.

Existing law requires a funeral director to obtain a separate license for each funeral establishment the director operates.

This bill would require the funeral establishment to obtain a separate license for each funeral establishment operated.

Existing law allows the assignment of a funeral establishment's license if, among other things, a licensed funeral director manages, directs, or controls the business of the funeral establishment.

This bill would authorize the assignment of a funeral establishment's license upon receipt of a satisfactory audit, performed by a licensed certified public accountant or public accountant, that verifies the accuracy of the establishment's trust fund balances and reports the establishment's compliance with certain provisions of the Funeral Directors and Embalmers Law.

Existing law authorizes a crematory to be established, operated, or maintained by corporations, partnerships, or individuals that have a valid crematory license issued by the Cemetery and Funeral Bureau.

This bill would delete the cemetery authority exemption from the crematory license requirement and would provide that any existing crematory operated by a licensed cemetery authority on January 1, 2002, shall have until January 1, 2003, to submit an application for

a crematory license. The bill would require the bureau to be notified of any change of equitable interest of 50% or more in a crematory and would require that a new owner obtain a new crematory license from the bureau.

Because this bill would lead to an increase in certain fees and fines that are deposited in the Funeral Directors and Embalmers Fund and the Cemetery Fund, both of which are continuously appropriated, the bill would make an appropriation.

Ch. 306 (AB 446) Committee on Business and Professions. Professions and vocations.

(1) Existing law provides for the licensure of persons in various professions and vocations and requires payment of a renewal fee upon the renewal of an expired license. Under existing law, these renewal fees are deposited into funds that are continuously appropriated.

This bill would require, instead, that all accrued and unpaid renewal fees be paid at the time of renewal of an expired license unless the license or registration was designated as inactive or retired. Because this bill would increase the amount of renewal fees paid into a number of continuously appropriated funds, the bill would make an appropriation.

(2) Existing law establishes the Registered Veterinary Technician Examining Committee Fund.

This bill would change the name of that fund to the Registered Veterinary Technician Committee Fund.

(3) The Private Security Services Act authorizes the Director of Consumer Affairs to enforce and administer its provisions, and authorizes the director to adopt and enforce reasonable rules in connection with this function, including establishing the qualifications a uniformed employee of a licensee who operates as a private patrol operator is required to meet as a condition of handling guide dogs.

This bill would delete this particular provision from the rules that the director is authorized to adopt and enforce.

(4) The Electronic and Appliance Repair Dealer Registration Law provides for the registration and regulation of service dealers, a business which includes the repairing, servicing, or maintaining of an electronic set. Under that law, an electronic set is defined as including various types of electronic equipment, including cellular telephones.

This bill would delete cellular telephones from the list of equipment included in the definition of an electronic set.

(5) Existing law provides for the regulation and licensure by the Structural Pest Control Board of a structural pest control applicator and defines this term as including an individual who applies a specified chemical substance for various purposes, including for wood roof cleaning and treatment.

This bill would delete this particular purpose from the definition of a structural pest control applicator and would make related, conforming changes.

(6) Existing law requires a person engaged in a trade or business who negotiates primarily in the Spanish language to provide a Spanish-language translation of specified agreements to the contracting party. Under existing law, the translation may be submitted to the Department of Consumer Affairs to verify its accuracy.

This bill would delete these terms providing for the department's review of these translations.

Ch. 307 (AB 452) Correa. Real estate: subdivisions.

Existing law requires the Real Estate Commissioner to examine a proposed subdivision and to issue, unless grounds for denial exist, the subdivider a public report authorizing the sale or lease of the lots or parcels within the subdivision.

This bill would require, if the subdivision is used for residential purposes, the commissioner's report to disclose that a prospective buyer or the buyer's designee has the

right to negotiate property inspections with the seller under terms mutually agreeable to both parties.

Ch. 308 (AB 564) Lowenthal. Dentistry: oral conscious sedation.

The Dental Practice Act regulates and licenses the practice of dentistry, including the use of oral conscious sedation by licensees for pediatric patients.

This bill would require the Dental Board of California to submit a report to the Assembly Committee on Health and the Senate Business and Professions Committee on or before January 1, 2003, regarding reports it has received on deaths or hospitalizations as a result of dental treatment.

This bill would make it unprofessional conduct for a dentist to fail to notify the board in writing within 7 days of any patient that was removed to a hospital or emergency care center for medical treatment for more than 24 hours as a result of the administration of oral conscious sedation, conscious sedation, general anesthesia, or any dental treatment, unless the removal to a hospital or emergency care center is normal or expected based on the underlying dental condition, and would allow the board to inspect a dental office upon receipt of a report if the board finds it necessary. The bill would also give the board the authority to conduct an inspection of a dental office upon receipt of a report of an incident involving oral sedation that required medical assistance. The bill would make conforming changes.

This bill would also make legislative findings and declarations and express legislative intent regarding the use of sedatives in dentistry.

Ch. 309 (AB 761) Maddox. Private investigators: continuing education.

Existing law, the Private Investigator Act, authorizes the Director of Consumer Affairs to require an applicant for a private investigator's license, or his or her manager, to demonstrate the applicant's qualifications by a written or oral examination, or combination of both. Existing law also requires an applicant for licensure to meet certain experience requirements.

This bill would require the Bureau of Security and Investigative Services to consider including on the licensure examination questions on the subject of laws relating to privacy and professional ethics and to consider supplementing the examination with a separate professional ethics examination. If the bureau determines to supplement the examination with a professional ethics examination, the bill would require the bureau to require that current licensees take the examination if this requirement is appropriate. The bill would also authorize the bureau to require an applicant for licensure to submit proof of satisfactory completion of a course in professional ethics, and would authorize the bureau to specify which courses and course providers would satisfy the requirement. The bill would authorize the bureau to require a licensee who violates any provision of the act to either satisfactorily complete relevant coursework or retake the licensing examination.

Ch. 310 (AB 809) Salinas. Automated drug delivery systems.

Existing law provides for the licensing and regulation of pharmacies by the California State Board of Pharmacy in the Department of Consumer Affairs.

This bill would authorize automated drug delivery systems to be located in specified clinics. The bill would require clinics with automated drug delivery systems to develop and implement written policies and procedures. The bill would also require patient consultation with a pharmacist via a telecommunications link with 2-way audio and video capabilities, and would require that the pharmacist review the prescription and the patient profile, that he or she be located in California, and that he or she authorize the release of the dangerous drugs or devices from the automated drug delivery system. The bill would further require a pharmacist to perform the stocking, inventory maintenance, and review of the operation and maintenance of the system.

Because this bill would provide additional penalties that would be deposited into the Pharmacy Board Contingent Fund which is continuously appropriated, the bill would make an appropriation.

Existing law generally makes it a misdemeanor to knowingly violate the Pharmacy Law.

Because operating an automated drug delivery system in violation of the bill's requirements would be a crime, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 311 (AB 1083) Bates. Paralegals.

Existing law defines the term "paralegal," establishes qualifications for a paralegal, and sets forth activities that paralegals are prohibited from performing.

This bill would require that a person hold himself or herself out to be a paralegal in order to be considered a paralegal and that, among other things, the person be qualified by education, training, or work experience to be a paralegal.

Existing law prohibits, with specified exceptions, a paralegal from performing services for a consumer unless those services are performed under the direction and supervision of an attorney, law firm, corporation, government agency, or other entity that employs or contracts with paralegals.

This bill would make a clarifying change in those provisions.

Ch. 312 (AB 1088) Jackson. Civil rights: gender discrimination.

Existing law provides that no business establishment may discriminate, with respect to the price charged for services of similar or like kind, against a person because of the person's gender. Existing law specifies however that it does not prohibit price differences, specifically based upon the amount of time, difficulty, or cost of providing the services.

This bill would require specified business establishments to disclose in writing the pricing for each standard service, as defined, to display, in a specified manner, a sign stating that it is illegal to base pricing on gender and that a complete price list is available upon request, and to display, in a specified manner, a price list, and to provide the customer with a copy of the complete price list upon request. The bill would provide that a business establishment failing to correct a violation of these requirements within 30 days of receiving written notice of a violation is liable for a civil penalty of \$1,000.

Ch. 313 (AB 1144) Bates. Architectural services.

Existing law provides for the licensing and regulation of the practice of architecture by the California Architects Board in the Department of Consumer Affairs.

This bill would require a person holding a license to practice architecture to file with the board a current mailing address and the name and address of the entity through which he or she provides architectural services.

Ch. 314 (AB 416) Strom-Martin. Fish.

Existing law, until January 1, 2002, requires every person who is required to pay a landing tax for abalone to pay, in addition to that landing tax, an additional tax of 19½ cents for each pound, or fraction thereof, of abalone.

Existing law requires that the additional landing tax be deposited in the Fish and Game Preservation Fund, a continuously appropriated fund, for specified purposes. Existing law establishes the Commercial Abalone Advisory Committee and provides for the composition and duties of the committee. These provisions will be repealed on January 1, 2003.

This bill would extend to January 1, 2007, the law requiring the additional landing tax. The bill would extend to January 1, 2008, the law governing the advisory committee. Because

the bill would provide for a source of funding for the continuously appropriated Fish and Game Preservation Fund for an extended period of time, and would impose duties on the department, the costs of which are payable from that fund, the bill would make an appropriation.

Ch. 315 (AB 946) Kelley. Water rights.

(1) Existing law specifies procedures under which a person may be subject to administrative civil liability for unauthorized diversion or use of water. Existing law specifies procedures under which the State Water Resources Board may order a reconsideration of any of its decisions or orders on the filing of a petition for writ of mandate by any interested person.

This bill would expand these procedures to apply to any person or entity.

(2) Existing law authorizes any party aggrieved by any decision or order of the board to file a petition for a writ of mandate in accordance with specified provisions and, in this connection, provides that unless reconsideration makes available a higher level of review of a decision or order issued under authority delegated to an officer or employee of the board, that the right to petition is not affected by the failure to seek reconsideration before the board. Existing law provides that, except as otherwise provided, prescribed provisions of the Code of Civil Procedure govern the judicial proceedings and requires the court to exercise independent judgment on the evidence in specified cases relating to the appropriation of water.

This bill would provide that, except in cases where the decision or order is issued under that delegated authority, reconsideration is not required to be exhausted before filing a petition for writ of mandate.

(3) Existing law requires that the time for filing the petition for a writ of mandate described in (2) above be extended for any person who seeks reconsideration of the decision or order of the board.

Existing law, the California Environmental Quality Act (CEQA), requires that any action or proceeding to challenge certain acts or decisions of a public agency on the grounds of noncompliance with the act be commenced within certain time limits.

This bill would require that the time for filing any of these CEQA actions or proceedings against the board be extended for any person who seeks reconsideration of any decision or order of the board. The bill would provide that the amendment made by this bill, with respect to this provision, does not constitute a change in, but is declaratory of, existing law.

(4) Existing law requires the owner of any wastewater treatment plant to obtain approval of the board for any change in the point of discharge, place of use, or purpose of use of treated wastewater.

This bill would provide that this requirement does not apply to changes in the discharge or use of treated wastewater that do not result in decreasing the flow in any portion of a watercourse.

(5) Existing law authorizes an applicant to appropriate water, or a permittee or licensee, to petition to change the point of diversion, place of use, or purpose of water from that described in the application, permit, or license, as applicable.

This bill would require a petition for change filed in connection with an application, permit, or license, to include prescribed information and would authorize the board to request additional information regarding the petition, as specified. The bill would authorize any interested person to file with the board a written protest against the approval of the petition and would impose requirements in connection with the filing of that protest. The bill would authorize the board to request additional information regarding the protest, as prescribed. The bill would authorize the board to cancel a protest or petition for failure to provide information requested by the board in accordance with specified provisions.

The bill would authorize the board, after holding a hearing, to approve with conditions or deny a petition. The bill would authorize the board, under certain circumstances, to approve or deny a petition without holding a hearing.

Ch. 316 (AB 1187) Simitian. Solid waste: recycling: tires: used oil.

(1) Existing law, the California Integrated Waste Management Act of 1989, establishes an integrated waste management program administered by the California Integrated Waste Management Board.

Under the act, each operator of a solid waste disposal facility is required to pay a quarterly fee to the State Board of Equalization, based upon the amount of solid waste disposed of at each site, and the revenue from the fee is required to be deposited in the Integrated Waste Management Account in the Integrated Waste Management Fund. The board is authorized to expend the revenues in the account, upon appropriation by the Legislature, for specified purposes, including issuing grants to cities, counties, or other local agencies for specified purposes with regard to preventing the disposal of hazardous waste at solid waste disposal sites. Existing law prohibits the total amount of grants made by the board pursuant to this grant program from exceeding, in any one fiscal year, \$3,000,000.

This bill would allow the total amount of grants made by the board pursuant to the grant program to exceed that amount, but would prohibit the amount from exceeding \$5,000,000, in any one fiscal year, if sufficient funds are appropriated from the Integrated Waste Management Account.

(2) Existing law, which is part of the act, requires any person who stores, stockpiles, or accumulates waste tires in a specified manner, to clean up those waste tires or abate the effects thereof, or in the case of threatened pollution or nuisance, as defined, take other necessary remedial action, upon the order of the board. If a person fails to comply with such an order, the Attorney General, district attorney, or county counsel is required to file a petition within 45 days of the discovery of the failure to comply with the board's order, at the request of the board.

This bill would instead require the Attorney General to make such a petition, at the request of the board, and would authorize the district attorney or county counsel to file a petition within 45 days of the board's request, if the Attorney General declines, or is unable, to file a petition.

(3) Existing law requires every person who engages in the transportation of used and waste tires to hold a valid waste tire hauler registration.

This bill would define the term "waste and used tire hauler" for purposes of those provisions.

(4) Existing law authorizes a generator, waste and used tire hauler, or operator of a waste tire facility that is subject to prescribed requirements to submit an electronic report that includes all information required to be on the California Uniform Waste and Used Tire Manifest, if this submission is approved by the California Integrated Waste Management Board.

This bill would delete the provision in which this authority is granted in existing law, and would instead move this authority to another provision. The bill would also make related technical and conforming changes.

(5) Existing law, the California Oil Recycling Enhancement Act, requires an oil manufacturer to pay the board a specified amount for every gallon of lubricating oil sold or transferred in the state, or imported into the state for use in the state. These amounts are required to be deposited in the California Used Oil Recycling Fund, which is continuously appropriated for specified purposes, including the payment of recycling incentives to certified used oil collection centers. Existing law requires a used oil collection center to operate in a specified manner and prohibits a used oil collection center from accepting more than 20 gallons of used lubricating oil from a person each day.

This bill would repeal that prohibition.

Ch. 317 (AB 1201) Pavley. Stormwater pollution: used oil recycling fund.

Under existing law, certain fees imposed on lubricating oil sold or transferred into this state are deposited in the California Used Oil Recycling Fund. Existing law continuously appropriates the money in the fund for specified purposes and authorizes the money in the fund to be used for the costs of administration of the California Oil Recycling Enhancement Act, inspections and reports required by the act, contracting for certain enforcement and investigation purposes, hazardous materials contamination disposal costs, and other designated uses, including grants and loans to local governments and nonprofit entities for specified activities or projects relating to used oil collection.

This bill would additionally continuously appropriate the money in the fund to the California Integrated Waste Management Board to issue grants or loans to local governments or nonprofit entities to pay for education and mitigation projects relating to stormwater pollution, as defined, from oil and oil byproducts. The bill would prohibit a local government from receiving a grant or loan for these purposes unless the local government certifies that it has a stormwater management program approved by the appropriate California regional water quality control board and the project is consistent with that program.

The bill would specify that final approval of applicant and project eligibility standards, scoring and evaluation processes, and awarding of loans or grants under the act shall be made in a public meeting of, and pursuant to a vote of, the board.

Ch. 318 (SB 209) Sher. Commercial fishing: market squid.

(1) Existing law required the Director of Fish and Game, on or before April 1, 2001, to submit a report to the Legislature on the status of the market squid fishery with recommendations for a market squid conservation and management plan.

This bill would require the Fish and Game Commission, after considering that report, and after public hearings, to adopt a market squid fishery management plan on or before December 31, 2002. By imposing these duties on the commission, the bill would make an appropriation.

(2) Under existing law, until April 1, 2003, the fee for a commercial market squid vessel permit and the fee for a commercial squid light boat owner's permit is \$400.

This bill would require the commission to establish fees for commercial market squid vessel permits and commercial squid light boat owner's permits annually commencing April 1, 2003.

(3) The bill also would prohibit each person who is issued a commercial squid light boat owner's permit from selling, trading, or transferring the permit to another person. Because existing law would make a violation of this provision a crime, the bill would impose a state-mandated local program.

(4) Existing law specifies that the above provisions will become inoperative on April 1, 2003, and repealed as of January 1, 2004.

This bill would provide that specified provisions will become inoperative upon the adoption by the commission of a market squid fishery management plan and the adoption of implementing regulations and will be repealed 6 months thereafter.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 319 (SB 271) O'Connell. Hazardous waste: transportation: manifests: information.

(1) Existing law requires any person generating hazardous waste that is transported, or submitted for transportation, for offsite handling, treatment, storage, disposal, or any combination thereof, to complete a manifest prior to the time the waste is transported or offered for transportation and to submit the manifest to the Department of Toxic Substances

Control. Existing law requires any person who transports hazardous waste in a vehicle to have a manifest in his or her possession and requires the manifest to be shown upon demand to any representative of the department, any officer of the California Highway Patrol, any local health officer, or any local public officer designated by the director. A violation of the laws regulating hazardous waste is a crime.

This bill would additionally require the manifest to be shown, upon demand, to any certified unified program agency. Since a violation of this requirement would be a crime under existing law, the bill would impose a state-mandated local program.

(2) Existing law provides a modified manifesting procedure, which may be used only for non-RCRA waste or for RCRA waste that is not required to be manifested pursuant to federal law, and may be used only with the consent of the generator. Existing law allows used oil, antifreeze, oil/water separation sludge, and parts cleaning solvent to be manifested for transportation under this modified manifesting procedure.

This bill would repeal the current modified manifesting procedure and would establish a procedure for a consolidated manifest, as defined, to be used only for non-RCRA hazardous waste or for RCRA hazardous waste that is not required to be manifested pursuant to federal law, and to be used only with the consent of the generator. This bill would define the terms “consolidated transporter” and “consolidated manifest” for purposes of this consolidated manifesting procedure.

The bill would include, as eligible for the consolidated manifesting procedure, in addition to the materials currently subject to the modified manifesting procedure, solids contaminated with used oil, brake fluid, paint-related waste, spent photographic solutions, hydroxide sludge contaminated with metals from a wastewater treatment process, dry cleaning solvents and related wastes, asbestos, inks, chemical and laboratory lab packs collected from elementary and secondary schools, filters from dispensing pumps for fuels, disabled vehicle wastes, as defined, and any other waste, as specified, in regulations adopted by the department pursuant to specified requirements. The bill would require a transporter using the consolidated manifesting procedure to submit specified quarterly reports to the department, and would impose new requirements concerning the retention of receipts and manifests under the consolidated manifesting procedure. The bill would also make conforming changes.

(3) Existing law requires any application for a hazardous waste transporter’s application for an original or renewal registration received on or after January 1, 2000, from a transporter that transports or intends to transport used oil, antifreeze, oil/water separation sludge or parts cleaning solvent pursuant to the modified manifesting procedure to include a statement by the transporter notifying the department of that transportation.

This bill would require an application for an original or renewal registration received on or after January 1, 2002, from a transporter that transports or intends to transport any waste stream pursuant to the consolidated manifesting procedure established by this bill to include the notification statement by the transporter and to list the specific category or categories of waste streams to be transported using the consolidated manifesting procedure. The bill would also authorize the department to revoke or suspend an authorization to operate, as specified, and would require that revocation or suspension to be based upon a finding of specified factors.

(4) Existing law requires the department to adopt regulations that eliminate the requirement that generators who generate 100 kilograms or less of hazardous waste per month and are engaged solely in used oil or solvents milk run activities obtain a California EPA number.

This bill would repeal that requirement.

(5) Existing law authorizes the department to impose an annual verification fee upon all generators, transporters, and facility operators with 50 or more employees that possess a valid identification number issued either by the department or by the Environmental Protection Agency. Existing law requires the department to establish an identification number

certification system to biennially verify the accuracy of information related to generators, transporters, and facilities authorized to treat, store, or dispose of hazardous waste and requires the system to only include the verification of specified information.

This bill would require each entity issued an identification number to provide or verify this information and would revise the information required to be provided, thereby imposing a state-mandated local program by creating a new crime. The bill would also make conforming changes.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 320 (SB 672) Machado. California Water Plan: urban water management plans.

(1) Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, known as the California Water Plan.

This bill would require the department to include in the California Water Plan a report on the development of regional and local water projects within each hydrologic region of the state to improve water supplies to meet municipal, agricultural, and environmental water needs and minimize the need to import water from other hydrologic regions.

(2) Existing law requires every urban water supplier to prepare and adopt an urban water management plan.

This bill would require an urban water supplier to describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.

Ch. 321 (AB 289) Oropeza. Healing arts.

Existing law requires the State Department of Alcohol and Drug Programs to license and regulate narcotic treatment programs. The Medical Practice Act restricts the employment of licensed physicians and surgeons and podiatrists by a corporation or other artificial legal entity, subject to specified exemptions.

This bill would exempt a narcotic treatment program regulated by the department from these restrictions on the employment of licensed physicians and surgeons and podiatrists, provided that the program does not interfere with, control, or otherwise direct the professional judgment of a physician and surgeon.

Ch. 322 (AB 734) Chan. California Children and Families Program: trust fund and state commission.

(1) The California Children and Families Act of 1998 requires that the California Children and Families Program, established by the act, be funded by certain surtaxes imposed on the sale and distribution of cigarettes and tobacco products and deposited into the California Children and Families Trust Fund, and that the fund be used for the implementation of comprehensive early childhood development and smoking prevention programs. Existing law further requires that the 6% of funds deposited in a Mass Media Communications Account in the fund be used for, among other things, the prevention of tobacco, alcohol, and drug use by pregnant women.

This bill would require that these funds also be used for the cessation of tobacco, alcohol, and drug use by pregnant women.

(2) The existing California Children and Families Act of 1998 establishes a California Children and Families Commission, composed of 7 voting members and 2 ex officio members.

This bill would provide that, for purposes of mass media communications and statewide dissemination of public information and educational materials, the commission may also be identified as the California Children and Families Partnership.

(3) An initiative measure, the act provides that it may be amended only by a vote of $\frac{2}{3}$ of the membership of both houses of the Legislature and that all amendments to the act shall be to further the act and must be consistent with its purposes.

This bill, in conformance with those requirements, would declare that its provisions further the act and are consistent with its purposes.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 323 (AB 1142) Runner. Sexually violent predators: evaluators.

Existing law establishes procedures under which a person under the jurisdiction of the Department of Corrections may be referred for evaluation at least 6 months prior to the person's scheduled date for release from prison if the director determines that the person may be a sexually violent predator, as defined. Existing law provides, under certain circumstances, that this person may be required to stand trial and, if found beyond a reasonable doubt to be a sexually violent predator, may be committed to the custody of the State Department of Mental Health for treatment and confinement in a secure facility until his or her diagnosed mental disorder has so changed that he or she is not likely to commit an act of sexual violence.

Existing law provides that if the attorney petitioning for commitment determines that updated evaluations are necessary in order to properly present the case for commitment, the attorney may request the State Department of Mental Health to perform updated evaluations. Existing law further provides that if one or more of the original evaluators is no longer available to testify in court proceedings, the attorney petitioning for commitment may request the State Department of Mental Health to perform replacement evaluations.

This bill would provide that if one or more of the original evaluators is unable to testify in court proceedings for the petitioner, the petitioning attorney may request the State Department of Mental Health to perform replacement evaluations. This bill would also define "no longer available to testify for the petitioner in court proceedings," for purposes of the above provision, to mean that the evaluator, for any of specified reasons, is no longer authorized by the Director of Mental Health to perform evaluations regarding sexually violent predators.

Existing law requires that any updated evaluation be provided to the petitioning attorney.

This bill would require that any updated evaluation performed be provided, in addition, to counsel for the person evaluated.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 324 (AB 1263) Migden. AIDS: HIV: rapid testing programs.

Existing law makes provision for various programs relating to treatment of persons with the human immunodeficiency virus (HIV) and the acquired immune deficiency syndrome (AIDS).

This bill would authorize the State Department of Health Services to participate in a rapid immunodeficiency virus test research program conducted with the federal Centers for Disease Control and Prevention, involving innovative HIV testing and counseling programs.

The bill would additionally authorize the department to implement a rapid HIV test program in testing sites designated by the department, using specified tests, and in accordance with specified criteria.

Ch. 325 (AB 1311) Goldberg. Medical records: access.

Existing law requires that, within 30 days of receiving a written request, a health care provider shall provide a patient or his or her representative of all or any portion of the patient's

medical records that the patient has a right to inspect, subject to the payment of a specified fee. A willful violation of this requirement by certain health care providers is an infraction.

This bill would require a health care provider to provide, within 30 days of receiving a written request from a patient or former patient or the patient's or former patient's representative, a copy, at no charge, of the relevant portion of the patient's records, as defined, upon presenting to the provider proof that the records are needed to support an appeal regarding eligibility for a public benefit program, under specified circumstances. The bill would not apply these provisions to a patient represented by a private attorney, as defined, who is paying the patient's appeal costs pending the outcome of that appeal.

Because the bill would change the definition of an infraction, it would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 326 (AB 1643) Negrete McLeod. Long-term care facilities: temporary staff.

Existing law, the Employment Agency, Employment Counseling, and Job Listing Services Act, governs employment agencies, including nurses' registries. The provisions governing nurses' registries require, among other things, that a nurse's registry maintain a surety bond and regulate continuing contracts between private duty nurses and nurses' registries. A violation of the act is a misdemeanor.

This bill would prohibit an employment agency that procures temporary employment for long-term health care employers from referring a certified nurse assistant or licensed nursing staff, as defined, for employment without first conducting a personal interview of the individual, verifying the experience, training, and references of the individual, and verifying that the individual is in good standing with the appropriate licensing or certification board, including verification that the person has successfully secured a criminal record clearance.

The bill would regulate the temporary assignment of licensed nursing staff or certified nurse assistants rendering service to a patient who is a resident of a long-term care facility. Among other things, the bill would require an employment agency that refers licensed nursing staff or a certified nurse assistant for temporary employment in a licensed long-term care facility to provide written verification to the facility that the person referred is in good standing with the applicable registry or licensing board, and has had a recent health examination. The bill would also require the agency to provide an employer with a statement that a certified nurse assistant referred by the agency has at least 6 months' experience working in a long-term health care facility. The employment agency would also be required to provide written verification that the certified nurse assistants or licensed nursing staff referred by the agency do not have any unresolved allegations against them involving the mistreatment, neglect, or abuse of a patient. The bill would enact other requirements related to advertising by employment agencies with respect to employment in long-term health care facilities.

Since a violation of these provisions would be a misdemeanor, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 327 (SB 87) Soto. Blind Vendor Revolving Loan Fund.

Existing state and federal laws provide for the establishment of vending facilities to be operated by blind vendors on state and federal property. The program is administered by the

Director of Rehabilitation, and requires the director to establish the Business Enterprises Program for the Blind, and to encourage and establish these vending facilities.

This bill would create the Blind Vendor Revolving Loan Fund in the State Treasury and would continuously appropriate moneys in the fund to the Department of Rehabilitation, for the purpose of providing loans for the purchase of inventory and equipment by existing blind vendors, in accordance with specified criteria. The bill also would appropriate \$100,000 from the Rehabilitation-Huelsman Trust Special Deposit Fund to the department for deposit in the Blind Vendor Revolving Loan Fund.

Ch. 328 (SB 455) Committee on Insurance. Health care.

(1) The Medical Practice Act provides that any type of business organization that holds itself out to the public as an organization practicing medicine, or that a reasonably informed person would believe is engaged in the practice of medicine, shall only be owned and operated by one or more licensed physicians and surgeons, except as otherwise provided, and further provides that a physician and surgeon who knowingly practices medicine with a business organization in violation of this requirement shall have his or her license to practice permanently revoked by the Medical Board of California.

This bill would repeal this provision of the Medical Practice Act.

This bill would require the Department of Insurance to report, based on evidence, to the appropriate regulatory agency, a suspected violation by physicians and surgeons, and organizations being operated in violation of provisions governing clinics, professional corporations, and physicians and surgeons, relative to potential insurance fraud. The bill would require the appropriate regulatory agency, upon receiving a report from the department, to conduct an investigation. The bill would also require the permanent revocation of the license of a physician and surgeon who practices medicine with a business organization that is in violation of the above provisions.

(2) Existing law requires under specified circumstances that a health care service plan provide or authorize a 2nd opinion by an appropriately qualified health care professional. Existing law defines an “appropriately qualified health care professional” as a primary care physician, specialist, or other health care provider acting under certain conditions.

This bill would delete health care providers other than primary care physicians and specialists from that definition except for specialized health care service plans.

(3) Existing law, with regard to Medicare supplement insurance policies, provides that all insurers, brokers, agents, and others engaged in the business of insurance owe a policyholder a duty of honesty, and a duty of good faith and fair dealing.

This bill would provide that these duties are also owed to prospective policyholders.

(4) Existing law, with regard to Medicare supplement insurance policies, imposes limitations on the amount of premiums that may be collected by an issuer of a policy prior to the time that the policy is delivered to the applicant, and imposes other related requirements.

This bill would provide that these provisions also apply to insurers that issue long-term care insurance policies.

Ch. 329 (SB 751) Speier. Hospitals: surrogate decisionmakers.

Existing law provides for the designation by a patient of a surrogate to make certain health care decisions in accordance with the patient’s individual health care instructions, or other wishes.

This bill would provide that, except under specified circumstances, within 24 hours of the arrival in the emergency department of a general acute care hospital of a patient who is unconscious or otherwise incapable of communication, the hospital shall make reasonable efforts to contact the patient’s agent, surrogate, or a family member or other person the hospital reasonably believes has the authority to make health care decisions on behalf of the patient.

Ch. 330 (AB 184) Liu. Seismic improvements.

The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, “full cash value” is defined as the assessor’s valuation of real property as shown on the 1975–76 tax bill under “full cash value” or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. The California Constitution authorizes the Legislature to exclude from classification as “new construction” requiring reappraisal the construction or installation in existing buildings of certain seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies.

This bill would revise the definitions of “seismic retrofitting improvements” and “improvements utilizing earthquake hazard mitigation technologies” and would revise the time period for filing the certificate of compliance issued by a local agency, specifying that the reconstruction or improvement is in accordance with a seismic safety ordinance.

Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

This bill would take effect immediately as a tax levy.

Ch. 331 (AB 197) Correa. Volunteer firefighters: death benefit.

Existing law provides for the Volunteer Firefighters Length of Service Award System Fund, which is administered by the Board of Administration of the Public Employees’ Retirement System and funded by contributions from contracting departments. Volunteer firefighters may receive from the fund up to \$100 per month for life, based on their length of service, and a supplemental amount not to exceed \$50, based on an actuarial analysis of the condition of the fund as determined by the board.

This bill would additionally require the board to pay a lump-sum benefit of \$3,000 upon the firefighter’s death to his or her designated beneficiary or estate, if the firefighter has accrued 10 years of service.

Ch. 332 (AB 378) Calderon. Water quality: cleanup.

Existing law authorizes a California regional water quality control board, by itself or with the cooperation of any other governmental agency, to clean up or abate the effects of waste and provides that the person who discharges the waste is liable to that regional board or other governmental agency for reasonable costs actually incurred in cleaning up or abating the effects of the waste. Existing law provides that those costs are recoverable in a civil action and that the amount of those costs constitutes a lien on the affected property.

This bill would authorize a regional board to contract with a water agency to perform, under the direction of the regional board, investigations of existing or threatened groundwater pollution or nuisance.

The bill would require a groundwater cleanup system that commences operation on or after January 1, 2002, and that is required to obtain a discharge permit from the regional board, and that discharges treated groundwater to surface water or groundwater, to treat the groundwater to standards approved by the appropriate regional board, as prescribed.

The bill would require the appropriate regional board to consult with various specified entities in making its determination of the applicable water quality standards to be achieved by the operator of a groundwater cleanup system that commences operation on or after January 1, 2002, that draws groundwater from an aquifer that is currently being used or has been used at any time since 1979 as a source of drinking water supply by the owner or operator of a public water system, and that discharges treated groundwater to surface water or groundwater from which a public water system draws drinking water.

Ch. 333 (AB 437) as amended, Committee on Budget. Rural Transit System Grant Program.

Existing law provides for funding of public transit under various programs, including the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act.

This bill, until July 1, 2002, would require the Department of Transportation and the California Transportation Commission to establish a Rural Transit System Grant Program to purchase, construct, and rehabilitate transit facilities, vehicles, and equipment, including energy efficiency retrofits, and to purchase rights-of-way for transit systems. The bill would require the department to submit a report describing the projects funded under the program to the Legislature on or before June 30, 2002.

This bill would not become operative unless funds for the program are appropriated by the Budget Act of 2001.

Ch. 334 (AB 701) Dickerson. Juveniles: booking and fingerprinting.

Existing law authorizes a peace officer to take into temporary custody a minor for whom there is reasonable cause to believe he or she has committed a crime, and provides for the disposition of the minor, as specified.

This bill would provide that if the minor is released upon written notice to appear, the written notice to appear may require the minor to be fingerprinted, photographed, or both, upon appearance before the probation officer under certain circumstances.

Ch. 335 (AB 854) Briggs. Air pollution: smog check.

Existing law establishes a motor vehicle inspection and maintenance (smog check) program, that among other things, requires all motor vehicles, except for certain exempted vehicles, that are registered in designated areas of the state to biennially obtain a certificate of compliance or noncompliance with motor vehicle emission standards.

(1) Existing law, until January 1, 2002, also provides that a certificate of compliance or noncompliance issued to a licensed automobile dealer is valid for 2 years, or until the vehicle is sold and registered to a retail buyer, whichever occurs first.

(2) Effective January 1, 2002, a certificate of compliance or noncompliance issued to a licensed automobile dealer is 180 days.

This bill would extend the operation of the provision described in (1) indefinitely and would repeal the provision described in (2).

Ch. 336 (AB 931) Frommer. Insurance Commissioner: restriction on travel payments or reimbursements.

Existing law regulates the business of insurance in California and provides for the election of an Insurance Commissioner who, among other things, is charged with the duty of enforcing the laws regulating the business of insurance. Under existing law, the commissioner is authorized to incur traveling and other expenses as are necessary, convenient, or advisable for the performance of his or her duties.

This bill would prohibit the commissioner from accepting, using, or benefiting from travel reimbursements or payments made to the Department of Insurance from an entity or a private attorney or law firm with a client subject to regulation by the commissioner, from a private attorney or law firm that is under contract or consideration for a contract to represent either the department or commissioner in his or her official capacity, or from a private attorney or law firm seeking attorney's fees under a specified provision of existing law. The bill would authorize the Attorney General or any other person in this state to file a civil action for a violation of these provisions and would provide for assessment of a civil penalty in that action.

Ch. 337 (AB 1031) Canciamilla. Natural gas supplies.

Existing law requires the State Energy Resources Conservation and Development Commission to publish and submit to the Governor and the Legislature, every 2 years, a

comprehensive report describing emerging trends relating to the use, availability, and pricing of various fuels, including natural gas.

This bill would require the report to include, with respect to long range forecasts of the demand for natural gas, an evaluation of average conditions, as well as best and worst case scenarios, and an evaluation of the impact of increasing renewable resources on natural gas demand.

Ch. 338 (AB 1334) Harman. Caulerpa species.

(1) Existing law makes it unlawful for any person to receive, bring, or cause to be brought into this state, for the purpose of propagation, any fish, reptile, amphibian, or aquatic plant from any place wherein any infected, diseased, or parasitized fish, reptile, amphibian, or aquatic plants are known to exist.

This bill would prohibit the sale, possession, importation, transportation, transfer, releasing alive in the state, or giving away without consideration the salt water algae of enumerated Caulerpa species, except the bill would authorize the possession of salt water algae of enumerated Caulerpa species for bona fide scientific research upon authorization by the Department of Fish and Game. The bill would authorize the imposition of a civil penalty for violation of the provisions of the bill, in addition to any other penalty provided by law.

Because existing law would make a violation of these provisions a crime, the bill would impose a state-mandated local program by creating new crimes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The bill would declare it is to take effect immediately as an urgency statute.

Ch. 339 (AB 1347) Pescetti. Dementia caregiver training.

Under existing law, the various requirements have been established for skilled nursing facilities and intermediate care facilities that provide care for elderly and disabled citizens. Existing law also specifies the training requirements for persons employed in these facilities.

This bill would establish dementia-specific training and education requirements for the certified nurse assistant staff of skilled nursing facilities and intermediate care facilities.

Ch. 340 (AB 1550) Wiggins. Farmworker housing.

The existing Farm Labor Center Law authorizes, among other things, a housing authority to arrange and contract for the furnishing of services, works, or facilities for or in connection with a farm labor center within the authority's area of operation.

Existing law authorizes the establishment of county service areas to provide prescribed services within the area.

This bill would authorize formation of a county service area in Napa County for the sole purpose of acquiring, constructing, leasing, and maintaining farmworker housing. It would authorize the Napa County Board of Supervisors to impose an annual assessment not to exceed \$10 per planted vineyard acre for this purpose.

Ch. 341 (SB 86) Oller. Veterans: memorial district.

Existing law requires that the board of directors of a memorial district established to maintain veterans' buildings or memorials consist of 5 members.

This bill would require that a majority of the board of directors be composed of veterans, as provided.

Ch. 342 (SB 299) Scott. Teacher credentialing.

(1) Existing law requires that each allegation of an act or omission by an applicant for, or holder of, a credential for which he or she may be privately admonished, publicly reprovved, or for which his or her application or credential may be denied, suspended, or revoked be

presented to the Committee of Credentials. Existing law defines “credential” to mean a document issued by the State Board of Education or the Commission for Teacher Preparation and Licensing, authorizing a person to engage in the service specified by the credential.

This bill would instead require that each allegation of an act or omission by an applicant for, or holder of, a credential for which he or she may be subject to an adverse action be presented to the Committee of Credentials, and would define “adverse action” to include all of the circumstances in existing law that currently require presentation to the Committee of Credentials. The bill would delete the existing definition of “credential” and would instead define it to include a credential, certificate, life document, life diploma, permit, certificate of clearance, or waiver issued by the commission.

(2) Existing law defines the term “sex offense” as used in provisions relating to school employees, in part, by referring to Penal Code provisions of law and includes in that definition any offense committed or attempted in any other state which if committed or attempted in this state would have been punishable as one of the offenses referred to in the Penal Code provisions.

This bill would include in the definition of “sex offense” any offense against the laws of the United States which if committed or attempted in this state would have been punishable as one of the offenses referred to in the cited Penal Code provisions.

(3) Existing law requires the Commission on Teacher Credentialing to report, by January 10 of each year, to the Legislature and the Governor on the number of classroom teachers who received credentials, internships, and emergency permits in the previous fiscal year.

This bill would require the report to be made by April 15 of each year.

(4) Existing law requires the Commission on Teacher Credentialing to conduct a study of teacher preparation programs to assess the extent to which those programs prepare candidates for teaching credentials to teach critical thinking and problem solving skills and to make a written report, based on the results of the study, on or before November 1, 1995.

This bill would repeal these provisions.

(5) Existing law authorizes the commission to approve for credit any coursework completed for credential purposes or for step increases in programs offered in California by out-of-state institutions of higher education that meet prescribed requirements only if the program of courses is offered by a regionally accredited institution and evidence of satisfactory evaluation by both that accrediting body and the Western Association of Schools and Colleges is submitted by the out-of-state institution.

This bill would delete the requirement that the Western Association of Schools and Colleges submit evidence of satisfactory evaluation.

(6) Existing law requires the commission to complete a program approval process concerning bilingual education training programs offered by private postsecondary educational institutions within a prescribed timeframe and provides for an appeal process when approval is denied. Provisions of law authorizing the program approval process were repealed.

This bill would repeal provisions regarding the time within which the program approval process was to have been completed and the provisions regarding the appeal process.

(7) Existing law requires the Commission on Teacher Credentialing to maintain for public record certain enumerated information and authorizes the commission to disclose that information.

This bill would, notwithstanding any other provision of law, prohibit the disclosure by the commission of information other than the information maintained for public record absent an order from a court of competent jurisdiction.

(8) Existing law requires the commission to continue to administer all regulations that were in effect on December 31, 1988, until the commission amends or repeals those regulations to implement the provisions of this chapter.

This bill would repeal this provision.

(9) Existing law gives jurisdiction to the Committee on Credentials to commence an investigation under specified circumstances, including, but not limited to, notice from the employer of a credential holder that the credential holder has been suspended for more than 10 days or has otherwise left employment because of the allegation of misconduct.

This bill would instead authorize the committee to commence an initial review, as specified, and would authorize the commission to seek information, excluding personnel records, to determine whether jurisdiction exists to conduct the initial review.

The bill would require that the employer provide notice to the commission not later than 30 days after suspension for more than 10 days, placement on unpaid administrative leave for more than 10 days, or other departure of the employee, as specified, thereby imposing a state-mandated local program. The bill would authorize the committee to conduct an initial review upon the receipt of an affirmative response as to any conviction, adverse action on, denial of, or pending investigation into criminal or noncriminal conduct, by any governmental licensing agency on any application submitted to the commission.

The bill would require the committee to investigate all alleged misconduct and the circumstances in mitigation and aggravation upon commencement of a formal review. The bill would require that the formal review be held no later than 6 months after the commencement of the initial review.

(10) Existing law continuously appropriates and makes available for expenditure without regard to fiscal year, upon the order of the Superintendent of Public Instruction, funds reimbursed to the State Department of Education by the Commission on Teacher Credentialing for the purposes of paying costs incurred in the process of adopting the assessment instrument and overseeing the implementation of the provisions relating to basic skills proficiency testing.

This bill would repeal this provision.

(11) Existing law authorizes the holder of a multiple subject teaching credential, or a standard elementary credential, who is employed by the San Diego City Unified School District to be assigned to teach any subject in grades 1 to 6, inclusive, in a departmentalized setting until the Commission on Teacher Credentialing completes a study of teacher assignments in kindergarten and grades 1 to 6, inclusive.

This bill would repeal this provision.

(12) Existing law authorizes a specified language development requirement to be satisfied by the completion of a commission-approved program of study or passage of an appropriate examination or assessment that has been adopted for this purpose by the commission.

This bill would repeal this provision.

(13) Existing law requires the commission to issue a 5-year preliminary multiple subject teaching credential authorizing instruction in a self-contained classroom or a 5-year preliminary single subject teaching credential authorizing instruction in departmentalized classes to any experienced out-of-state prepared teacher who meets certain requirements. Existing law also requires the commission to issue a 5-year preliminary education specialist credential authorizing instruction of special education pupils to an applicant who has not been awarded a specified credential and fulfills certain requirements.

This bill would delete the provisions regarding the issuance of a 5-year preliminary education specialist credential authorizing instruction of special education and would instead require the commission to issue that type of credential to any experienced out-of-state prepared teacher who meets specified requirements.

(14) Existing law requires the commission to issue a 5-year preliminary education specialist credential to a teacher prepared in a state other than California or a country other than the United States who meets certain requirements. Existing law requires that the area of concentration of the special education credential program completed in a state other than California or a country other than the United States correspond with the areas of concentration for the California credential awarded.

This bill would delete the latter provision and would instead require the commission to determine the area of concentration for the California education specialist credential based on the special education program completed out of the state or country.

(15) Existing law authorizes a preintern teaching certificate to be renewed for an additional year if the holder takes the appropriate subject matter examination.

This bill would also authorize that renewal if the holder is enrolled in a subject matter program.

(16) Existing law authorizes the professional preparation requirements for a teaching credential to be met by certification by the Director of the Peace Corps of the United States if the applicant meets certain conditions.

This bill would authorize the Peace Corps Country Director also to make the certification.

(17) Existing law requires the Commission on Teacher Credentialing to deny an application for the issuance of a credential made by an applicant who has been convicted of a violent or serious felony, as defined, or certain other enumerated crimes, or whose employment has been denied or terminated because of a conviction of a violent or serious felony. Existing law prohibits the denial of a credential solely on the basis that the applicant was convicted of a violent or serious felony if the person has a certificate of rehabilitation and pardon.

This bill would authorize, but not require, the commission to grant a credential to an applicant who was convicted of a violent or serious felony if the person has a certificate of rehabilitation and pardon.

(18) Existing law establishes the California School Paraprofessional Teacher Training Program under which a participating school district or county office of education is required to certify that it has received a commitment from each participating paraprofessional it recruited that he or she will complete one school year of classroom instruction in the district or county office of education for each year that he or she receives assistance for books, fees, and tuition while attending an institution of higher education under the program.

This bill would require a participating school district or county office of education to certify that it has received a commitment from each participating paraprofessional it recruited that he or she will also graduate from an institution of higher education with a bachelor's degree and obtain a multiple, single subject, or education specialist teaching credential.

(19) Existing law establishes the National Board for Professional Teaching Standards Certification Incentive Program 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.

This bill would require the commission to issue a professional clear credential to the holder of a preliminary multiple or single subject teaching credential who attains certification from the National Board for Professional Teaching Standards.

(20) Existing law requires the Commission for Teacher Preparation and Licensing to suspend the credentials of any person employed by a school district in a position requiring certification qualifications if that person refuses, without good cause, to fulfill a valid contract of employment with the district or leaves the service of such district without the consent of the superintendent, as specified.

This bill would authorize the commission to take an adverse action on the credential holder but not suspend the credential for more than a year or revoke the credential.

(21) Existing law requires that all meetings and hearings to consider the suspension or revocation of credentials be executive and closed sessions.

This bill would require all final actions taken to consider an adverse action or reduction in penalty to be made public, except for private admonitions, as specified.

(22) Existing law sets forth the requirements for admission to internship programs governed by the Teacher Education Internship Act of 1967.

This bill would revise those requirements.

(23) Existing law contains obsolete references to the Commission for Teacher Preparation and Licensing.

This bill would update those references by instead referring to the Commission on Teacher Credentialing.

(24) The bill would make other technical changes.

(25) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 343 (SB 394) Sher. Internet Tax Freedom Act: continuation.

The California Internet Tax Freedom Act prohibits, with specified exceptions, the imposition, assessment, or attempt to collect (1) a tax on Internet access, Online Computer Services, or the use of the Internet or Online Computer Services, (2) a bit or bandwidth tax, or (3) any discriminatory tax on Online Computer Services or Internet access. This act provides that it is to become inoperative on January 1, 2002.

This bill instead would, on the basis of whether certain conditions are met, provide that the act shall remain in effect only until January 1 of either 2003 or 2004, and as of the applicable date is repealed.

Ch. 344 (SB 675) Poochigian. Charter schools: audits.

Existing law prohibits the governing board of a school district from denying a petition for the establishment of a charter school unless it makes written factual findings to support one or more specified findings, including that the petition does not contain a reasonably comprehensive description of the manner in which annual, independent, financial audits will be conducted. Existing law requires, not later than the first day of May of each fiscal year, each county superintendent of schools to provide for an audit of all funds under his or her jurisdiction and control and the governing board of each school district to either provide for an audit of school district income and expenditures by source of funds, or make other prescribed arrangements.

This bill would require a charter school to transmit a copy of its annual, independent, financial audit report for the preceding fiscal year to its chartering entity and the State Department of Education by December 15 of each year. The bill would not require the charter school to transmit the audit report if the school is encompassed in the audit of its chartering entity.

Ch. 345 (SB 912) Chesbro. Employment of minors: agricultural packing plants.

Existing law prescribes limits on the hours of employment of minors, but authorizes the Labor Commissioner to grant an exemption to employers operating agricultural packing plants for employment of minors 16 and 17 years of age for up to 10 hours per nonschool day during peak harvest season. Under existing law, which will be repealed on January 1, 2002, that exemption may additionally authorize employment of a minor who is enrolled in a school in Lake County to be employed for more than 48, but not more than 60, hours a week upon prior written approval by the Lake County Board of Education.

This bill would extend that repeal date to January 1, 2005, and would require the Labor Commissioner, prior to issuing the Lake County exemption or renewing an exemption, to inspect an affected agricultural packing plant. The bill would also require an affected employer, on or before March 1 of each year, as a condition of receiving that exemption or a renewal of that exemption, to file a written report to the Labor Commissioner, as specified.

The bill would additionally require the Labor Commissioner to file a written report with the Legislature on or before March 1 of each year describing the general working conditions of minors employed in the agricultural packing industry during the past year, as specified.

Ch. 346 (SB 551) Machado. Victims of crime.

Existing law provides for the indemnification of victims and derivative victims of specified types of crimes for specified expenses that become necessary as a direct result of the crime. Indemnification is made under these provisions from the Restitution Fund, which is continuously appropriated to the California Victim Compensation and Government Claims Board for these purposes.

This bill would, until January 1, 2004, authorize the board to provide reimbursement up to a specified amount to county boards of supervisors for specified services provided as a result of specified crimes of terrorism, and authorize the board to expand the scope of assistance to specified derivative victims, to provide reimbursement for mental health services for members of California trauma or search and rescue teams, and to allocate a specified amount to the victim compensation program in the State of New York, as a result of the 4 terrorist attacks that occurred on September 11, 2001. By authorizing new uses for a continuously appropriated fund, this bill would make an appropriation.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 347 (SB 311) Chesbro. Public postsecondary education: excuse of tuition and fees.

Existing law requires the Regents of the University of California, the Board of Directors of the Hastings College of the Law, and the Trustees of the California State University to excuse the mandatory systemwide tuition and fees of any surviving spouse or surviving child, natural or adopted, of a deceased person who was a resident of the state, who was employed by a public agency, as defined, whose principal duties consisted of active law enforcement service or active fire suppression and prevention, and who was killed in the performance of active law enforcement or active fire suppression and prevention duties. This provision is applicable to the Regents of the University of California only if the regents, by resolution, make it applicable.

Until January 1, 2002, these provisions also apply to the surviving spouse or surviving child of a person who died while performing these duties, and who was employed as a contractor, or as an employee of a contractor, performing services for a public agency, as defined.

This bill would extend until January 1, 2004, the application of these provisions to the surviving spouse or surviving child of a person who died while performing these duties, and who was a contractor, or an employee of a contractor, performing services for a public agency.

Ch. 348 (AB 632) Cedillo. Redistricting: Senate and congressional districts.

The California Constitution requires the Legislature to adjust the boundary lines of Senate, Assembly, Board of Equalization, and congressional districts in the year following the year in which the national decennial census is taken and requires the districts be redrawn in accordance with specified standards.

This bill would provide that the Senate and congressional districts consist of specified elements.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 349 (SB 802) Perata. Redistricting: Assembly and Board of Equalization districts.

The California Constitution requires that the boundary lines of Senate, Assembly, congressional, and Board of Equalization districts be adjusted in the year after which the federal decennial census is taken in accordance with specified standards.

This bill would provide that Assembly and Board of Equalization districts are to consist of specified counties, districts, census tracts, and census blocks.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 350 (AB 161) Maddox. Dog breeders.

Existing law establishes regulations with respect to dog breeders.

This bill would revise the definition of a dog breeder, for those purposes.

Existing law establishes various requirements a dog breeder is required to do with respect to housing and maintaining dogs.

This bill would revise those requirements.

Ch. 351 (AB 479) Shelley. Guardians: conservators: charitable corporations.

Existing law generally provides that the court has discretion in determining compensation to conservators or guardians of an estate for services rendered; however, if a nonprofit charitable corporation that has been providing care, counseling, or financial advice to the proposed ward or conservatee under the care of a registered social worker is appointed guardian or conservator, the compensation to the corporation, and any fee for an attorney for the corporation, is required to be for services actually rendered and may not be based on the value of the estate. Existing law also permits a nonprofit charitable corporation to be appointed as trustee of a trust under specified conditions, and permits representation of the corporation by counsel, but limits compensation to the corporation, and the fee charged by counsel, to compensation or fee for services actually rendered and prohibits a court from basing the compensation or fee on the value of the estate.

This bill would delete these prohibitions on basing compensation and fees upon the value of the estate.

Ch. 352 (AB 536) Bates. Pharmacy technicians.

The Pharmacy Law authorizes a pharmacy technician to perform nondiscretionary tasks only while assisting, and while under the direct supervision and control of, a pharmacist. Existing law requires any pharmacist responsible for a pharmacy technician to be on the premises at all times and requires the pharmacy technician to be within the pharmacist's view, except when the pharmacy technician is employed to assist in the filling of prescriptions for an inpatient of a hospital or for an inmate of a correctional facility. Existing law provides that the ratio of pharmacy technicians to pharmacists shall not exceed one to one when the pharmacy technician is assisting the pharmacist by the performance of nondiscretionary tasks. Existing law also authorizes a minimum ratio of pharmacy technicians to pharmacists of at least one technician for each pharmacist when the technician is performing nondiscretionary tasks in connection with filling prescriptions for an inpatient of a licensed health facility and for a patient of a licensed home health agency.

This bill would provide that, except for clerical functions, a pharmacy with one pharmacist may have only one pharmacy technician when the technician is assisting the pharmacist by the performance of nondiscretionary tasks and that the ratio of pharmacy technicians assisting any additional pharmacist by the performance of nondiscretionary tasks may not exceed a 2 to one ratio. This bill would also authorize at least one pharmacy technician for a single pharmacist in a pharmacy, and at least 2 technicians for each additional pharmacist, when the technician is performing nondiscretionary tasks in connection with filling prescriptions for an inpatient of a licensed health facility and for a patient of a licensed home health agency. The bill would allow a pharmacist assigned to supervise a 2nd pharmacy technician to refuse to supervise the technician in specified circumstances, and would prohibit an employer from discharging, disciplining, or discriminating against a pharmacist for doing so.

Existing law generally makes it a misdemeanor to knowingly violate the Pharmacy Law. Because violations of this bill would be a misdemeanor, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 353 (AB 538) Cardoza. Adoption.

Existing law provides that a child, the child's natural mother, or a man presumed to be the child's father, among other specified persons, may bring an action to determine the existence or nonexistence of the father and child relationship, as specified. Existing law requires that action to be consolidated with an action to terminate the parental rights of the father in an adoption proceeding.

This bill would require a paternity action that is consolidated with an action to terminate the parental rights of the father in an adoption proceeding, to be heard in the county in which the action to terminate parental rights is filed, unless the court in the paternity action finds, by clear and convincing evidence, that transferring the paternity action to the other county poses a substantial hardship. If the court determines that there is a substantial hardship, the bill would require that the consolidated action be heard in the county in which the paternity action is filed.

Existing law requires each state resident who adopts a child through an intercountry adoption that is finalized in a foreign country to readopt the child in this state if it is required by the Immigration and Naturalization Service.

This bill would provide that each state resident who adopts a child through an intercountry adoption which is finalized in a foreign country may obtain a birth certificate in the State of California, as specified.

Existing law authorizes the probation officer, qualified court investigator, or, at the option of the board of supervisors, the county welfare department in a county in which an adoption proceeding is pending, to conduct an investigation of each case of stepparent adoption, and provides that the court may not make an order of adoption until after the probation officer, qualified court investigator, or county welfare department has filed its report and recommendation and they have been considered by the court.

This bill would additionally authorize a licensed clinical social worker or licensed marriage family therapist to engage in the above investigation, and to prepare and file a report and recommendation regarding the stepparent adoption to be considered by the court.

Existing law requires that, as soon as possible, but not later than 30 days after initial placement of a child into foster care, the child protective agency provide the caretaker with the child's current health and education summary, as specified, and for each subsequent placement, the child protective agency shall provide the caretaker with a current summary, as specified, within 48 hours of the placement.

The bill would provide that the child protective agency may disclose information, as specified, to prospective caretakers prior to placement of a child if the child protective agency intends to place the child with the prospective caretaker or caretakers and the prospective caretaker or caretakers are willing to become the adoptive parent or parents of the child and meet other specified criteria. The bill would also provide that the child protective agency may disclose to the prospective caretaker the child's placement history or underlying source documents, as specified.

The bill would require that siblings be assigned to the same social worker when there is a prospective adoptive family that intends to adopt the children as a sibling group, except as specified.

Because this bill would increase certain duties of a child protective agency, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 354 (AB 655) Wright. Personal identifying information: identity theft.

Existing law requires consumer credit report agencies to allow a consumer to elect to have his or her name removed from any list provided by the consumer credit reporting agencies for firm offers of credit that are not initiated by the consumer, as specified.

This bill would permit a consumer to specify, either verbally or in writing, that his or her name shall be removed from lists that a consumer credit reporting agency furnishes for credit card solicitations for a minimum of two years, and that consumer credit reporting agencies would be required to inform a consumer of this option, as specified.

Existing law provides a process by which a consumer may dispute the accuracy of information in a consumer credit report. Existing law requires a consumer credit reporting agency to promptly and permanently block certain information when a consumer provides a valid copy of a police report indicating that another person has unlawfully used the consumer's personal identifying information.

This bill additionally would require a consumer credit reporting agency to promptly and permanently block certain information when a consumer provides a valid copy of a Department of Motor Vehicles investigative report indicating that another person has unlawfully used the consumer's personal identifying information. The bill would set forth requirements regarding the unblocking of certain information by a consumer reporting agency after an allegation of identity theft by a consumer, and would permit a consumer reporting agency to disregard a consumer's version of disputed information, as specified. This bill would also require that a consumer credit reporting agency delete from a consumer credit report inquiries for credit reports that were initiated as the result of identity theft.

Existing law places certain requirements on users of consumer credit reports, including the right of the consumer to prohibit the use of information in a consumer's files in connection with credit transactions not initiated by the consumer.

This bill would require any person who uses a consumer credit report in connection with a credit transaction and who discovers that the address on the consumer credit report does not match the address of the consumer requesting or being offered credit to take reasonable steps to verify the accuracy of the consumer's address, as specified, and confirm that the credit transaction is not the result of defined identity theft. This bill would create similar requirements for any person who uses a consumer credit report in connection with a credit transaction and who receives specified notification from a consumer credit reporting agency that information in the report has been blocked as the result of an identity theft. This bill would provide that a consumer damaged by a failure to fulfill the above described requirements would have a claim against the person using the report, as specified.

Existing law restricts the dissemination of certain types of personal identifying information by specific professions and businesses. Existing law also provides, generally, that a consumer is not liable on debt incurred by a 3rd party, and limits a consumer's liability on the unauthorized use of a credit card, as defined.

This bill would allow a person to bring a cause of action against a claimant to establish that the person is a victim of identity theft, as defined; or if the claimant has brought a cause of action to recover on its claim, the bill would allow the person to file a cross complaint to establish that the person is a victim of identity theft in connection with the claim. This bill would allow the victim to obtain a judgment that, among other things, declares the victim

is not obligated on these claims, that declares void any security interests in the victim's property, that provides for an injunction restraining attempts to collect on these claims, that may include actual damages and equitable relief as the court deems appropriate, that may include a civil penalty up to \$30,000 and that awards reasonable attorney's fees and costs. This bill would allow the victim to join any person purporting to have a claim that the victim maintains arises from identity theft in the action regardless of whether those claims arise out of the same transaction or occurrence. The bill would also provide for continuing jurisdiction in these actions and the limitation on bringing actions or joining defendants with respect to the action.

Existing law regulates the activities of investigative consumer reporting agencies, as specified.

This bill would revise and recast various provisions governing the activities of investigative consumer reporting agencies. Among other things, it would expand the definition of "investigative consumer reporting agency," increase disclosure requirements, eliminate certain exemptions, increase penalties for violations, and would make related changes.

The bill would prohibit creditors from selling a consumer debt to a debt collector, except as specified, if the consumer's file with a consumer credit reporting agency is blocked or the creditor has reason to believe the consumer is a victim of identity theft. The bill would also prohibit persons who gather specified information on a consumer in lieu of using the services of an investigative consumer reporting agency to provide that information to the consumer.

This bill would incorporate additional changes in Section 1785.10 of the Civil Code proposed by AB 488 to become operative only if this bill and AB 488 are both enacted on or before January 1, 2002, each bill amends Section 1785.10 of the Civil Code, and this bill is enacted last.

Ch. 355 (AB 1014) Papan. California Public Records Act: disclosure procedures.

(1) Existing law, the California Public Records Act, requires state and local agencies to make public records available upon receipt of a request that reasonably describes an identifiable record not otherwise exempt from disclosure, and upon payment of fees to cover costs.

This bill would require, when a member of the public requests to inspect or to obtain a copy of a public record, that, in order to assist the individual to make a focused and effective request that reasonably describes an identifiable record, the agency shall assist the member of the public to identify records and information that may be responsive to a request, describe the information technology and physical location in which the records exist, and provide suggestions for overcoming any practical basis for denying access to the records or information sought. The bill would specify that these requirements to assist a member of the public do not apply if the agency makes available the requested records, determines that the request should be denied based solely on an express exemption listed in the act, or makes available an index of its records.

The act provides that, upon a request for a copy of records, an agency has 10 days to determine whether the request seeks disclosable public records and to notify the requester of this determination and the reasons therefor. The act further provides that, in unusual circumstances, as defined, the agency may extend this time limit by written notice, which shall specify the reasons for the extension and the date on which a determination is expected to be dispatched.

This bill would require that, when the agency dispatches the determination of whether the request seeks disclosable public records, it state the estimated date and time when the records will be made available.

By imposing additional duties and responsibilities upon local agencies in connection with requests for inspection of records, this bill constitutes a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 356 (AB 1318) Correa. Multi-unit manufactured housing: construction standards.

(1) The existing Mobilehomes-Manufactured Housing Act of 1980 requires multi-unit manufactured housing to meet specified handicap accessibility and adaptability requirements applicable to dormitories, hotels, and apartment houses when the multi-unit manufactured housing is constructed for those purposes. The act provides that all provisions of law that apply to manufactured homes also apply to multi-unit manufactured homes.

This bill would require multi-unit manufactured housing to meet specified egress and fire separation requirements applicable to dormitories, hotels, apartment houses and structures that contain 2 dwelling units when the multi-unit manufactured housing is constructed for those purposes. It would require multi-unit manufactured housing containing 3 or more dwelling units to meet specified accessibility and adaptability requirements applicable to dormitories, hotels, and apartment houses.

(2) Existing law authorizes placement upon a foundation system any manufactured home originally sited on or after January 1, 1985, in a mobilehome park constructed prior to January 1, 1982, subject to certain requirements.

This bill would prohibit any single structure from exceeding 2 stories or containing more than 4 dwelling units. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 357 (AB 1560) Nation. Automotive repairs: emissions.

(1) Existing law provides that it is an infraction for an individual to act as an automotive repair dealer unless that person has a properly issued and valid registration. Existing law also provides, with certain exceptions, that any person who fails to comply with any automotive repair provision is guilty of a misdemeanor.

This bill would delete the provision that makes a violation of that provision an infraction and thus, under existing law, any violation would therefore be a misdemeanor.

(2) Existing law relating to the motor vehicle inspection and maintenance (smog check) program specifies a statute of limitations period for filing accusations against licensees for conduct involving fraud or misrepresentation that could result in disciplinary action.

This bill would revise this provision to allow any act involving fraud or misrepresentation resulting in injury to be filed within 2 years after the discovery of the facts constituting the fraud or misrepresentation.

(3) Existing law, the Automotive Repair Act, specifies a statute of limitations period for filing accusations against licensees for conduct involving fraud or misrepresentation that could result in disciplinary action.

This bill would revise this provision to allow any act involving fraud or misrepresentation resulting in injury to be filed within 2 years after discovery of the facts constituting the fraud or misrepresentation.

Because this bill would increase penalties for existing crimes, it would impose a state-mandated local program.

(4) Existing law requires the smog check program to be administered by the Department of Consumer Affairs and the State Air Resources Board. The smog check program is required to provide for inspection of motor vehicles upon registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law requires all smog check stations to utilize monitoring equipment certified by the department.

Existing law also requires manufacturers of monitoring equipment used at smog check stations to furnish to the department and install software updates on monitoring equipment used at smog check stations, and provides that the failure to furnish or install software updates is cause for the department to decertify the equipment or to issue a citation to the manufacturer, which may include a penalty of up to \$1,000.

This bill would expand that requirement to require equipment manufacturers to also install hardware updates on monitoring equipment and furnish those updates to the department. The bill would also permit the department to establish hardware specifications, performance standards, and operational requirements for the certification of monitoring equipment, and would provide that a failure to meet those specifications, standards, or requirements is also cause for the department to decertify the equipment or to issue a citation to the manufacturer, including a penalty of up to \$1,000.

(5) Existing law prescribes the area of the state in which the smog check program is to be implemented, requires vehicles subject to the program to have a biennial inspection, requires the department to ensure that vehicle emissions of specified pollutants are reduced by specified percentages through the program, and establishes a review committee to analyze the effect of the program. Existing law requires the department to issue a citation to a smog check station licensee if any fraudulent certification of vehicles occurs on the premises of the station. Existing law also requires the department, pending a hearing, to temporarily suspend any smog check station or technician's license for a period not to exceed 60 days, if, within 2 years of the issuance of a citation, any fraudulent certification of vehicles occurs at the station.

This bill would repeal those provisions.

Existing law also requires the department to revoke the license of any smog check technician or station licensee who participates in the fraudulent certification of vehicles, as specified.

This bill instead would require that the department revoke the license of those licensees if they participate in the fraudulent inspection, rather than fraudulent certification, of vehicles, and would add an additional ground as the basis for that revocation.

This bill would revise this provision to allow any act involving fraud or misrepresentation resulting in injury to be filed within 2 years after discovery of the facts constituting the fraud or misrepresentation.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 358 (SB 111) Alpert. Medical assistants.

Existing law authorizes a medical assistant to perform specified services relating to administration of medication, performance of skin tests and simple routine medical tasks and procedures, and performance of venipuncture or skin puncture for withdrawing blood upon specific authorization from and under the supervision of a licensed physician and surgeon, podiatrist, or a physician and surgeon or podiatrist group or corporation. Pursuant to existing law, the specific authorization is required to come from a supervising physician and surgeon or podiatrist, and supervision by a licensed physician and surgeon or podiatrist is required to be within the scope of his or her practice.

This bill would also authorize a medical assistant to perform the above services in specified clinics for a physician assistant, nurse practitioner, or nurse-midwife. In those cases, the bill would require that specific authorization for the services be given by a physician assistant, nurse practitioner, or nurse-midwife, and that supervision over the services be performed by a physician assistant, nurse practitioner, or nurse-midwife. The bill would authorize a physician and surgeon in these specified clinics to provide written instructions for medical assistants, regarding the performance of tasks or duties, which may allow a nurse practitioner, nurse-midwife, or physician assistant to supervise tasks authorized by a physician and surgeon and may allow the tasks to be performed when the supervising physician and surgeon is not onsite, so long as certain conditions are met.

Ch. 359 (SB 140) Bowen. Guardians and conservators.

Existing law requires that every person appointed as a guardian or conservator shall give a bond of a specified amount that is approved by a court before letters of guardianship and conservatorship are issued, except as specified. Existing law also provides that the guardian or conservator may be required to furnish an additional bond upon the sale of real property or the borrowing of money secured by the real property of the estate.

This bill would provide that when the guardian or conservator has knowledge of facts from which he or she knows or should know that the bond posted is less than the required amount, he or she must apply for an order increasing the bond to the required amount. The bill would create an exception to the provision requiring the guardian or conservator to furnish an additional bond upon the sale of real property or the borrowing of money secured by the real property of the estate if the court makes a specified finding. The bill would also require that if a bond or an additional bond is required, the bond be posted before a court order confirming the sale or borrowing of money is effective and may be filed. The bill would also provide that if an additional bond is required by the court when the account is heard, the order approving the account and related matters would not be effective and the court would be prohibited from filing the order until the additional bond is filed.

Existing law requires a conservator or guardian to present an account of the estate of the conservatee or ward to a court for settlement and allowance within a specified time period, as specified.

This bill would provide that, when a conservator or guardian does not file an account and set the account for hearing within a specified time period, a court would be required to do one or more of the following: (1) punish or remove the conservator or guardian, as specified; (2) order that money or personal property in the estate be deposited into an account to be subject to withdrawal only upon authorization of the court; (3) suspend the powers of the conservator or guardian and appoint a temporary conservator or guardian; (4) appoint legal counsel to represent the ward or conservatee, who shall be ordered to perform one or more specified activities; (5) grant an extension of time not to exceed 60 days, as specified, in which to file the account. The bill would also make a related change.

Ch. 360 (SB 197) Chesbro. Building standards: marinas.

Existing law requires the State Fire Marshal, the chief of any city or county fire department or of any fire protection district, and their authorized representatives to enforce in their respective areas building standards and other regulations of the State Fire Marshal, except under certain conditions. Existing law also requires annual inspections of all buildings, and structures accessory thereto, except dwellings, by designated local officials for compliance with building standards and other regulations of the State Fire Marshal.

This bill would require each marina, as defined, that is developed or improved with funds loaned by the Department of Boating and Waterways pursuant to specified provisions of existing law to have all of its electrical systems that extend into or over water inspected biennially, during the term of the loan, by a licensed electrical contractor or electrical engineer, for compliance with the safety-related provisions of the California Electrical Code

in effect at the time the marina is developed. If the marina is improved with a loan, the bill would require the areas of the marina in which electrical improvements were made, to comply with all of the California Electrical Code provisions in effect at the time of the improvement.

Ch. 361 (SB 341) Perata. Acupuncture.

Existing law, the Acupuncture Licensure Act, lists certain techniques and modalities that a licensed acupuncturist may use on patients.

This bill would expand the modalities available for use by a licensed acupuncturist and specifically authorize the use of heat, cold, diet, magnets, plant, animal, and mineral products, and dietary supplements to promote, maintain, and restore health. The bill would define “magnet,” “plant, animal, and mineral products,” and “dietary supplement.”

Ch. 362 (SB 475) Escutia. Dispute resolution: referees and arbitrators.

Existing law provides that when the parties to an action do not consent, the court may, upon the written motion of any party, or of its own motion, appoint a referee in certain cases.

This bill would specifically provide that the appointment shall be subject to the procedures specified in a provision of existing law.

Existing law requires the Judicial Council to collect specified information on the use of references in certain cases in which the parties do not consent to the appointment of a referee and to make a specified report thereof to the Legislature by January 1, 2003.

This bill would also require the Judicial Council to collect specified information from the trial courts on the use of referees in discovery matters whether appointed upon agreement of the parties or when the parties do not consent. Further, this bill would extend the period to collect information and would require the Judicial Council to report thereon to the Legislature by July 1, 2003.

Existing law establishes standards for arbitration.

This bill would require arbitrators to comply with ethical standards adopted by the Judicial Council beginning July 1, 2002. This bill would also require the Judicial Council, consistent with the standards established for arbitrators in the judicial arbitration program, to adopt ethics standards that address the disclosure of conflicts of interest, including prior service as an arbitrator or other dispute resolution neutral entity, disqualifications, the acceptance of gifts, and the establishment of future professional relationships. The bill would also specify the grounds upon which a proposed neutral arbitrator may be disqualified and the procedure to do so including the form of the petition to disqualify.

Existing law requires the court to vacate an arbitration award if the arbitrator, upon receipt of a timely demand, fails to disqualify himself or herself from the proceedings.

This bill would also require the courts to dismiss an arbitration award if the arbitrator failed to disclose, within the time required for disclosure, grounds for disqualification of which the arbitrator was then aware.

This bill would also make a declaration of legislative intent regarding the grounds for vacating arbitration awards.

Ch. 363 (AB 606) Negrete McLeod. State employees: memorandum of understanding.

Existing law provides that if any provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees requires the expenditure of funds, those provisions of the memorandum of understanding shall not become effective unless approved by the Legislature in the annual Budget Act.

This bill would approve provisions that require the expenditure of funds of a memorandum of understanding entered into between the state employer and State Bargaining Unit 7, the California Union of Safety Employees, and would provide that the

provisions of any memorandum of understanding that require the expenditure of funds shall become effective even if the provisions of the memorandum of understanding are approved by the Legislature in legislation other than the annual Budget Act.

This bill would provide that provisions of the memorandum of understanding approved by this bill that require the expenditure of funds shall not take effect unless funds for these provisions are specifically appropriated by the Legislature, and would provide that if funds for these provisions are not specifically appropriated by the Legislature, the state employer, and the affected employee organization shall meet and confer to renegotiate the affected provisions.

Existing law prescribes contribution rates for state employees who are state miscellaneous, state industrial, or state safety members of the Public Employees' Retirement System.

This bill would reduce the contribution rates by 2¹/₂% during the period from August 31, 2001, to June 30, 2002, inclusive, and by an additional 2¹/₂% during the period from July 1, 2002, to June 30, 2003, inclusive for state employees who are state miscellaneous, state industrial, and state safety members of the Public Employees' Retirement System in State Bargaining Units 7 and 8.

Existing law provides that the home address of any of a list of state officers and employees that appears in any record of the Department of Motor Vehicles is confidential if requested by the officer or employee.

This bill would add to that list state employees employed as Museum Security Officers and state employees in specified job classifications within the Department of Motor Vehicles and California Highway Patrol.

The bill would also declare that it is to take effect immediately as an urgency statute.

Ch. 364 (AB 649) Negrete McLeod. State employees: memoranda of understanding: State Bargaining Units 5 and 8.

(1) Existing law provides that if any provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees requires the expenditure of funds, those provisions of the memorandum of understanding shall not become effective unless approved by the Legislature in the annual Budget Act.

This bill would approve provisions that require the expenditure of funds of memoranda of understanding entered into between the state employer and State Bargaining Units 5 (California Association of Highway Patrolmen) and 8 (California Department of Forestry Employees Association), and would provide that the provisions of any memorandum of understanding that require the expenditure of funds shall become effective even if the provisions of the memorandum of understanding are approved by the Legislature in legislation other than the annual Budget Act.

This bill would also provide that provisions of the memoranda of understanding approved by this bill that require the expenditure of funds shall not take effect unless funds for these provisions are specifically appropriated by the Legislature, and would provide that if funds for these provisions are not specifically appropriated by the Legislature, the state employer, and the affected employee organization shall meet and confer to renegotiate the affected provisions.

(2) Existing law provides that in any case where specified provisions of the State Civil Service Act and the Public Employees' Retirement System and related statutory provisions are in conflict with the provisions of a memorandum of understanding reached between the state employer and a recognized employee organization, the memorandum of understanding shall be controlling without further legislative action.

This bill would specify additional statutory provisions to which this provision would apply with respect to state employees in State Bargaining Units 8, 12 (International Union of Operating Engineers), and 13 (International Union of Operating Engineers).

(3) Existing law requires that for each class of state employees there shall be a general reemployment list; however, there are different requirements for the general reemployment list for State Bargaining Units 5 and 8.

This bill would delete the different requirements for general reemployment lists for those units.

(4) Existing law provides that a probationary period for state employees in State Bargaining Units 5, 6, and 8 may extend from 6 months to 2 years, while the general probationary period is from 6 months to one year.

This bill instead would apply the general probationary period to state employees in State Bargaining Units 5 and 8.

(5) Existing law provides that if discrimination, as defined, has occurred against a state employee in State Bargaining Unit 6 or 8, seniority may be added by the State Personnel Board.

This bill would make that provision inapplicable to State Bargaining Unit 8.

(6) Existing law establishes certain procedures for layoffs of state employees and makes specific procedures for transfers, layoffs, and demotions, in lieu of layoffs, of state employees in State Bargaining Units 5, 6, and 8.

This bill would make those specific procedures inapplicable to State Bargaining Units 5 and 8.

(7) Existing law establishes procedures for the adoption of regulations by the Department of Personnel Administration applicable only to state employees in State Bargaining Units 5, 6, or 8.

This bill would make those provisions inapplicable to State Bargaining Units 5 and 8.

(8) Existing law makes specific provisions for salary adjustments for state employees in State Bargaining Units 5 and 8, and exempts them from other provisions relating to automatic salary adjustments.

This bill would delete those specific provisions and exemptions.

(9) Existing law authorizes a state agency appointing power, with approval of the Department of Personnel Administration, to authorize payment at any step above the minimum salary limit to classes or positions of state employees in State Bargaining Unit 8 to correct salary inequities.

This bill would repeal that authority.

(10) Existing law prescribes contribution rates for state employees who are state peace officer/firefighter members of the Public Employees' Retirement System.

This bill would reduce the contribution rates by 2 $\frac{1}{2}$ % during the period from August 31, 2001, to June 30, 2002, inclusive, and by an additional 2 $\frac{1}{2}$ % during the period from July 1, 2002, to June 30, 2003, inclusive, for certain of those employees excluded from collective bargaining or civil service.

(11) The bill would also declare that it is to take effect immediately as an urgency statute.

Ch. 365 (AB 906) Salinas. State employees: memorandum of understanding: State Bargaining Units 10, 12, 13, 16, 18, and 19.

(1) Existing law provides that if any provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees requires the expenditure of funds, those provisions of the memorandum of understanding shall not become effective unless approved by the Legislature in the annual Budget Act.

This bill would approve provisions that require the expenditure of funds of memoranda of understanding entered into between the state employer and State Bargaining Units 10, 12, 13, 16, 18, and 19 and would provide that the provisions of any memorandum of understanding that require the expenditure of funds shall become effective even if the provisions of the memorandum of understanding are approved by the Legislature in legislation other than the annual Budget Act.

This bill would also provide that provisions of the memoranda of understanding approved by this bill that require the expenditure of funds shall not take effect unless funds for these provisions are specifically appropriated by the Legislature, and would provide that if funds for these provisions are not specifically appropriated by the Legislature, the state employer, and the affected employee organization shall meet and confer to renegotiate the affected provisions.

(2) Existing law prescribes contribution rates for state employees who are members of the Defined Benefit Program of the State Teachers' Retirement Plan and for state employees who are state miscellaneous, state industrial, or state safety members of the Public Employees' Retirement System.

This bill would reduce the contribution rates by 2 $\frac{1}{2}$ % during the period from August 31, 2001, to June 30, 2002, inclusive, and by an additional 2 $\frac{1}{2}$ % during the period from July 1, 2002, to June 30, 2003, inclusive, for state employees who are members of the Defined Benefit Program of the State Teacher's Retirement Plan; state miscellaneous, state industrial, and state safety members of the Public Employees' Retirement System in State Bargaining Units 10, 12, 13, 16, 18, and 19; and excluded, as defined, and specified non-civil service state miscellaneous, state industrial, and state safety members of the system, as specified.

(3) Existing law establishes personnel and retirement system classifications and salary ranges that are applicable only to state employees in State Bargaining Unit 19.

This bill would delete those provisions.

(4) Existing law establishes procedures relating to state employee discipline and merit awards.

This bill would provide that those discipline procedures, as they apply to members of State Bargaining Units 8, 12, and 13, would be subject to modification pursuant to the terms of a memorandum of understanding between the state employer and that bargaining unit, as specified; and those provisions relating merit awards, as they apply to members of State Bargaining Unit 16, would be subject to modification pursuant to the terms a memorandum of understanding between the state employer and that bargaining unit. The bill would also make certain other employee discipline provisions inapplicable to State Bargaining Unit 16, as specified.

(5) The Public Employees' Retirement Law prescribes increased death or disability benefits for certain state miscellaneous or state industrial members whose death or disability arises out of and in the course of employment, as specified.

This bill would provide that state miscellaneous members employed by the State Department of Developmental Services at Porterville Developmental Center would be eligible for those benefits in specified circumstances.

(6) Under the Public Employees' Retirement Law, specified employees of the Department of Corrections have been classified as state safety members. Existing law provides that when those officers or employees become safety members, they may, within 90 days after notification by the board, elect to remain state industrial members.

This bill would authorize employees of the Department of Corrections in the job classifications of dentist, physician and surgeon, staff psychiatrist, or podiatrist, who previously elected to remain state industrial members, to elect, during a specified period, to become state safety members.

(7) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 366 (AB 933) Migden. State employees: compensation.

The annual Budget Act appropriates specified amounts from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for state employee compensation.

This bill would appropriate \$69,515,000 from those funds for state employee compensation, in augmentation of the Budget Act of 2001.

This bill would declare that it is to take effect immediately as a statute providing an appropriation for the usual and current expenses of the state.

Ch. 367 (AB 328) Salinas. Mental health realignment: reports.

Existing law establishes various programs providing mental health services administered by counties and funded through several state and local revenue sources.

This bill would require the State Department of Mental Health, in collaboration with the California Mental Health Directors Association and other relevant parties, to submit specified data on the current status of county mental health programs. This bill would require the department to submit the data to the Legislature by April 1, 2002.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 368 (AB 533) Cedillo. Landlord-tenant: payments.

Existing law regulates the relationship between landlord and tenant, as specified.

This bill would provide, with respect to commercial leases and nonresidential tenancies, that it is unlawful for any person (1) to require, demand, or cause to make payable any payment of money, including, but not limited to, "key money," however denominated, or the lessor's attorney's fees, as a condition of initiating, continuing, or renewing a lease or rental agreement unless the amount of the payment is stated in the written lease or rental agreement. Any payment in violation of this provision would be subject to a civil penalty of 3 times the amount of actual damages proximately suffered by the person seeking to obtain the lease of the real property, and the person so damaged would be entitled to an award of costs, including reasonable attorney's fees, reasonably incurred in connection with obtaining the civil penalty. The bill would also contain clarifying provisions.

Ch. 369 (AB 708) Bill Campbell. Retail food facilities: internal food temperatures.

Existing law, the California Uniform Retail Food Facilities Law, provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Health Services. Violation of any of these provisions is a crime. Under existing law, pork shall be heated to an internal temperature of 68 degrees C (155 degrees F), and foods containing certain raw or incompletely cooked animal tissue that is heated in a microwave shall be heated at a minimum internal temperature of at least 14 degrees C (25 degrees F) above specified minimum cooking temperatures.

This bill would instead require pork to be heated to an internal temperature of 63 degrees C (145 degrees F), and would require microwaved foods containing raw or incompletely cooked animal tissue to be heated to an internal temperature of 74 degrees C (165 degrees F).

This bill would require that when any potentially hazardous food, as defined, that has been prepared, cooked, cooled, and is reheated by a food facility, for hot holding, it shall be reheated to a minimum internal temperature of 74 degrees C (165 degrees F).

The bill would also require that when any potentially hazardous food, as defined, is taken from a commercially processed, hermetically sealed container or other intact package from a regulated food processing plant and is thereafter heated by a food facility for hot holding, the minimum internal temperature must be at least 60 degrees C (140 degrees F).

Existing law requires each food facility, as defined, to have an owner or employee who has successfully passed an approved and accredited food safety examination, on or before January 1, 2000.

This bill would exclude from the definition of a food facility for these purposes any food facility that handles only unpackaged, nonpotentially hazardous foods.

Existing law defines an "open-air barbecue facility" for purposes of retail food sales, and exempts these facilities from existing enclosure requirements, in accordance with specified criteria.

This bill would recast and revise the definition of an open-air barbecue facility, and the related enclosure requirements.

Under existing law, enforcement officers are charged with the enforcement of the California Uniform Retail Food Facilities Law.

This bill would revise the provisions relating to the duties of enforcement officers, and would make it a violation of the retail food facilities provisions for any person to refuse to permit specified activities relating to the inspection of premises or records, or the taking of evidence.

Existing law requires all utensils and equipment to be scraped, cleaned, or sanitized as circumstances require.

This bill would revise the existing cleaning and sanitization requirements for equipment food-contact surfaces and utensils.

Under existing law relating to mobile food facilities, a tamale is considered prepackaged if it is distributed to customers in its original, labeled, inedible wrapper.

This bill would delete the requirement that the tamale wrapper be labeled, in order for it to be designated prepackaged.

This bill would also recast and revise the requirements relating to the maintenance and storage of potable and wastewater tanks for mobile food facilities.

This bill would exempt mobile food facilities approved prior to January 1, 2002, that are limited to the portioning and dispensing of nonprepackaged, nonpotentially hazardous food, from specified hand and utensil washing sink requirements, under certain circumstances.

By changing existing requirements and creating new crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 370 (AB 1046) Migden. Sharps injury prevention.

Existing law requires the Occupational Safety and Health Board to adopt specified regulations regarding bloodborne pathogens that shall include standards and practices related to sharps injury prevention technology.

This bill would make clarifying changes to this provision and would require the Department of Health Services to maintain a Sharps Injury Control program that shall, among other things, maintain a continuously updated list of existing needleless systems and needles with engineered sharps injury prevention.

The bill would also declare the intent of the Legislature to appropriate \$300,000 to implement this act.

Ch. 371 (AB 1426) Wright. Child support: earnings assignment.

Existing law provides for the enforcement of child support. Employers are required to withhold child support payments from employees' earnings that are subject to an earnings assignment order. If an employer withholds support pursuant to an earnings assignment order, but fails to forward the support to the obligee, the local child support agency is required to take appropriate action to collect the withheld sums.

This bill would provide that the child support obligee or the local child support agency upon application may obtain an order requiring payment of support by electronic transfer from the employer's bank account when the employer has willfully failed to comply with the assignment order or when the employer has otherwise failed to comply with the assignment order on 3 separate occasions within a 12-month period. The bill would also provide that the court may impose a civil penalty on the employer of up to 50% of the support amount that has not been received by the obligee under specified circumstances. In addition, the

employer would be liable to the obligee for any interest incurred as a result of the employer's failure to forward the payment pursuant to the assignment order.

Ch. 372 (AB 1452) Cox. Vaccinations: meningococcal disease.

Existing law makes provision for the administration of vaccinations to children and certain college students.

This bill would require the State Department of Health Services to develop information regarding meningococcal disease. This bill would require the department to make the information available to requesting school districts and degree-granting postsecondary educational institutions. This bill would require that the information be provided by each degree-granting public postsecondary educational institution that provides on-campus housing, to each incoming freshman who has been accepted for admission and will be residing in on-campus housing. Each degree-granting public postsecondary educational institution that provides on-campus housing would be required to require each incoming freshman of each public postsecondary institution to return to the institution a completed response form indicating whether the incoming freshman received the information and whether or not he or she chooses to receive the vaccination. Each public postsecondary institution would be required by this bill to maintain the records in the same manner as it maintains other confidential student records.

This bill would require each degree-granting private postsecondary educational institution that provides on-campus housing to adopt a policy to notify all incoming students about meningococcal disease and the availability of the vaccination, beginning with the 2002–03 school year.

This bill would apply to the University of California only to the extent that the regents make it applicable.

Because this bill would require community colleges to comply with its requirements, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 373 (AB 1552) Committee on Agriculture. Agricultural products.

Existing law establishes the biomass-to-energy incentive grant program administered by the Department of Food and Agriculture.

This bill would provide that procedures, forms, and guidelines implementing environmental grant programs of the department are exempt from submission to the Office of Administrative Law.

Existing law generally regulates direct marketing of agricultural products, including marketing in farmers' markets.

This bill would, in addition, impose additional requirements relating to sales, transport, packaging, and labeling of products sold at farmers' markets and would permit various inspections by enforcing officers. Violation of these provisions would be a misdemeanor, pursuant to existing law.

By creating new crimes, this bill would impose a state-mandated local program.

Existing law authorizes the Secretary of Food and Agriculture or the county agricultural commissioner to assess civil penalties for violations relating to certified farmers' markets.

This bill, in addition, would authorize the secretary and county agricultural commissioners to administer civil penalties and certificate suspensions irrespective of the county in which the violation occurred or the county in which the certificate was issued.

Existing law creates the California Tomato Commission in state government, and prescribes the membership, functions, and duties of the commission.

For the purpose of those provisions, existing law defines “tomatoes” to mean all tomatoes that are produced for commercial purposes and are handled within the state in fresh form, except cherry tomatoes, tomatoes grown in a greenhouse either under glass or plastic, and hydroponically grown tomatoes, as defined.

This bill would recast those provisions to define “tomatoes” to mean all tomatoes that are produced for commercial purposes and are handled within the state in fresh form, except cherry tomatoes, and tomatoes grown in a greenhouse, as specified.

Existing law specifies the powers and duties of the California Tomato Commission, including, among other things, the authority to accept contributions of funds for purposes of promoting and maintaining the tomato industry.

This bill would, in addition, authorize the commission to solicit contributions for these purposes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 374 (SB 212) Oller. Meningococcal disease.

Existing law contains various vaccination requirements related to school attendance.

This bill would require the State Department of Health Services to develop a Meningococcal Disease Strategic Prevention Plan. In developing the plan the department would be required to review various scientific and medical references, other governmental disease prevention programs, and health coverage programs.

This bill would also require the department to involve and receive input from victims of meningococcal disease and their families in the development of the plan.

This bill would require the department to have the plan completed and made available to the Legislature on or before June 30, 2002.

This bill would appropriate \$100,000 from the General Fund to the State Department of Health Services for the purposes of the bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 375 (SB 322) Ortiz. Tobacco.

Existing law regulates the distribution and sales of various types of tobacco products in the state, and specifies civil and criminal sanctions for violations of that regulatory scheme.

This bill would prohibit any person from selling, offering for sale, distributing, or importing a tobacco product referred to as bidis or beedies unless the product is sold, offered for sale, or intended to be sold in a business that excludes minors from its premises. This bill would make a violation of this prohibition a misdemeanor or would make that person subject to civil action.

By revising the definition of existing crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 376 (SB 757) Ortiz. Tobacco control.

Existing law vests with the State Department of Health Services primary responsibility for enforcement of tobacco control laws, and requires the department to conduct random onsite inspections at retail sites and to enlist the assistance of persons under the age of 18 in conducting the enforcement activities.

This bill would authorize the department to conduct onsite sting inspections in response to public complaints regarding the sale of tobacco products to minors or at retail locations where previous violations have occurred. This bill would also authorize the department to investigate illegal sales of tobacco products to minors by telephone, mail, or the Internet.

This bill would also provide that a peace officer is required to identify to the seller the identity of the person under 18 years of age who engaged in the sale of tobacco products. This bill would also require the department to notify the retail establishment of the inspection following an attempted sale.

Under existing law, it is unlawful to sell tobacco products from a vending machine or appliance except vending machines located at least 15 feet from the entrance of a public premise licensed to sell alcohol.

This bill would make it unlawful for any person engaged in the retail sale of tobacco products to sell, offer for sale, or display cigarettes by self-service display, as defined, except in specified circumstances, and would impose civil penalties for violation of this prohibition. It would authorize the Attorney General, a city attorney, a county counsel, or a district attorney to bring a civil action to enforce this provision.

Under existing law, it is unlawful for any person, agent, or employee of a person in the business of selling or distributing smokeless tobacco or cigarettes to engage in the nonsale distribution of tobacco in certain public areas, as defined.

This bill would include within the prohibition the nonsale distribution of smokeless tobacco or cigarettes on any private property that is open to the public, except as specified.

Existing law provides that every person, firm, or corporation that knowingly sells, gives, or in any way furnishes to another person under 18 years of age, any tobacco or prescribed tobacco-related product, is subject to either a criminal action for a misdemeanor or to a civil action to be brought by a city attorney, a county counsel, or a district attorney.

This bill would make a person, firm, or corporation who knowingly, or under circumstances in which it has knowledge, or should have had knowledge of the person's minority age, subject to criminal prosecution. By expanding the scope of existing crimes, thus imposing new duties upon local agencies, this bill would impose a state-mandated local program.

Existing law imposes an infraction on a person who sells cigarettes that are not contained in a sealed and properly labeled package, as defined.

This bill would impose an infraction or civil penalty for the manufacturing, distribution, sale, or offering of a package of cigarettes that does not contain at least 20 cigarettes or a package of roll-your-own tobacco that does not contain at least 0.60 ounces of tobacco. Because this bill would create a new infraction, thus imposing new duties upon local agencies, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 377 (SB 769) Figueroa. Sentry dogs.

Existing law establishes limitations and procedures with respect to the use of sentry dogs.

This bill would require any person, firm, partnership, association, or corporation that operates or maintains a business to sell, rent, or train any attack, guard, or sentry dog to obtain a permit from the local public agency or private society or pound contracting with the local public agency for animal care or protection services. The bill would also require each local public agency to adopt and implement a permit program for the administration of the permit

requirement by the local public agency or private society or pound contracting with the local public agency for animal care or protection services and would permit the local public agency to pass an ordinance establishing standards for the care of animals under this bill. This bill would also give the local agency the authority to revoke, in specified circumstances, any permit it has issued. This bill would also require microchipping of animals subject to this bill for identification purposes, and would also require certain immunizations of the animals. This bill would also establish civil penalties for violation of its provisions.

To the extent this bill would increase the responsibilities of local agencies, this bill would result in a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 378 (SB 819) Johnson. Child day care facility.

Existing law requires that if a death or injury occurs to a child while in the care and control of a child day care provider because of abuse or willful neglect by the personnel of the facility, the local child protective agency must be notified.

Under existing law, within 2 days of receipt of evidence that the death or serious injury occurred at a child day care facility, the department shall temporarily suspend the license, registration, or special permit of the facility. The Director of Social Services is required to request that the law enforcement agency responsible for investigating the death or serious injury expedite the investigation and provide evidence as long as it will not affect the criminal prosecution.

This bill would require that the department reopen an investigation into a licensed child day care facility when any person provides the department with a certified copy of a court record in which a judicial officer has determined that a child's injury may have been inflicted while in the custody of the day care facility.

Ch. 379 (SB 1177) Polanco. Cornfield rail yards.

Existing law requires the Department of Parks and Recreation to develop, operate, and maintain units of the state park system.

This bill would authorize the department to use \$36,000,000 appropriated by specified items of the Budget Act of 2001 for the acquisition, planning, design, environmental assessment, and environmental cleanup of the 32-acre parcel known as the "Cornfield" rail yards in the City of Los Angeles.

The bill would require the Director of Parks and Recreation, not later than February 1, 2002, to establish the Cornfield State Park Advisory Committee, which would be responsible for assisting the department, in an advisory capacity, to plan for interim and permanent land uses and facilities through the general planning process for the Cornfield site. The bill would also require the department to take specified actions with respect to the development of a state park at the Cornfield site.

Ch. 380 (SB 1219) Romero. Health coverage: cervical cancer screening test.

Existing law provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and for the regulation of policies of disability insurance by the Insurance Commissioner. Under existing law, a health care service plan contract and a disability insurance policy that include coverage for the treatment or surgery of cervical

cancer are required to provide coverage for an annual cervical cancer screening test. Existing law makes a willful violation of the provisions pertaining to health care service plans a crime.

This bill would require a health care service plan contract and a disability insurance policy issued, amended, or renewed on or after January 1, 2002, that include coverage for the treatment or surgery of cervical cancer to provide coverage for an annual cervical cancer screening test in accordance with deductible or copayment provisions contained in the plan contract or policy that includes the conventional Pap test and the option of any cervical cancer screening test approved by the federal Food and Drug Administration, upon the referral of the patient's health care provider. The bill would provide that, in regards to a disability insurance policy, it would not apply to vision only, dental only, Medicare supplement, CHAMPUS supplement, long-term care, or disability income insurance nor would it impose a new benefit mandate on accident only, hospital indemnity, or specified disease insurance.

Because this bill would change a requirement pertaining to the regulation of a health care service plan, the willful violation of which would be punishable as a criminal offense, it would expand the scope of an existing crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 381 (AB 169) Wiggins. Property tax revenue allocations: audits.

Existing property tax law establishes various procedures and requirements with respect to the annual apportionment and allocation of ad valorem property tax revenue. Existing law requires the Controller to regularly audit the apportionment and allocation by counties of property tax revenue in accordance with a specified formula and to submit an annual report to the Legislature containing a description of the audit findings along with recommendations to correct any errors.

This bill would deem to be correct any allocation of property tax revenue that was subject to a prior, completed audit by the Controller under a specified statute, and those legislation implementation guidelines issued by the State Association of County Auditors with the approval of state officials. This bill would also prohibit, with regard to any error in property tax revenue allocation methods, a cumulative reallocation or adjustment that exceeds 1% of the current year's original secured roll tax levy. This bill would require any reallocation or adjustment to be completed in equal increments within the following 3 fiscal years or as negotiated with the Controller in the case of reallocation to the Educational Revenue Augmentation Fund or to schools, and would require the subject county auditor to correct the allocation method in the fiscal year following the fiscal year in which the error is discovered.

Ch. 382 (AB 174) Oropeza. Pupil performance: Compton Unified School District.

Existing law requires, until January 1, 2002, the State Department of Education to identify the three lowest performing elementary schools in the Compton Unified School District for purposes of extending the school year for certain pupils who are performing in mathematics or English language arts at 2 or more grade levels below the grade level in which they are enrolled and authorizes, until January 1, 2002, the Compton Unified School District to identify additional schools in the district and extend their school year instruction. Existing law requires, until January 1, 2002, that the attendance of those pupils subject to the extended school year shall be excluded from the determination of average daily attendance. Existing law requires, until January 1, 2002, the district to test specified pupils at certain times and the department to review teacher compensation in certain low performing schools and, in

conjunction with the Legislative Analyst, to contract for an independent evaluation to determine the effectiveness of the extended school year curriculum and related matters.

This bill would extend the repeal date of these provisions to January 1, 2003, thereby extending the application of these provisions and imposing a state-mandated local program. The bill would, in addition to the evaluation required pursuant to existing law, require a second independent evaluation to further determine the effectiveness of the extended school year curriculum and related matters. The bill would require that the results of the second evaluation be reported on or before January 1, 2003, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 383 (AB 180) Cedillo. Sales and use tax exemption: charitable thrift stores.

The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from this tax, including an exemption for retail items sold by thrift stores operated by a nonprofit organization, if the purpose of that thrift store is to obtain funding for medical and social services provided to individuals with HIV disease or AIDS by the nonprofit organization. This exemption will be repealed on January 1, 2002.

This bill would revise the definition of a nonprofit organization eligible for this exemption to include organizations that provide hospice services to persons with HIV disease or AIDS. This bill would extend the repeal date of the exemption to January 1, 2007.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from the state sales and use taxes enacted by the Legislature are incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date.

Ch. 384 (AB 236) Kelley. Agriculture: the Egg Commission: agricultural markets.

(1) Existing law establishes the Egg Commission and provides a definition of "handler" for purposes of the provisions governing the Egg Commission. The definition provided under existing law, among other things, specifies that when the handler is a corporation, all of the directors and officers of the corporation in their capacity as individuals shall be included within the definition.

This bill would additionally provide that any handler that owns, controls, or is affiliated with any other person engaged in the handling of eggs in any marketing year shall be considered to be the handler of all eggs handled by that person. The bill would provide a definition of the term "person" for purposes of the provisions governing the Egg Commission.

(2) Existing law sets out various powers and duties of the California Egg Commission, including the promotion and sale of eggs and egg products by advertising and other

promotional means, to maintain and expand present markets and create new and larger intrastate, interstate, and foreign markets for eggs and egg products, and to educate and instruct the public, as specified.

This bill would also authorize the commission to petition the Secretary of Food and Agriculture to adopt and administer any activity authorized by the California Marketing Act of 1937 relating to the commodity covered by the commission, as specified.

Ch. 385 (AB 319) Salinas. Mail ballot elections.

Under existing law, any local, special, or consolidated election may be conducted wholly by mail under specified circumstances.

This bill would provide that any election in Monterey County may be conducted wholly by mail, subject to specified conditions.

Ch. 386 (AB 458) Rod Pacheco. Honors courses.

Existing law requires the governing board of every school district to enforce in its schools the courses of study and the use of textbooks and other instructional materials prescribed by the proper authority.

This bill would prohibit a school district, when calculating a pupil's grade point average, from assigning extra grade weighting to a course that covers a subject required for admission to the University of California or the California State University unless the University of California approves the course for extra grade weighting.

Ch. 387 (AB 706) Firebaugh. Campaign literature: use of official seals.

Existing law provides that every person who maliciously or for commercial purposes uses or allows to be used any reproduction or facsimile of the Great Seal of the State in any manner whatsoever is guilty of a misdemeanor.

This bill, in addition, would provide that a person who uses or allows to be used any reproduction or facsimile of the Great Seal of the State in any campaign literature or mass mailing, as defined, with intent to deceive the voters, is guilty of a misdemeanor.

Existing law authorizes a county board of supervisors to adopt a county seal, and authorizes a city council of a general law city to adopt a city seal.

This bill would provide that any person who uses or allows to be used any reproduction or facsimile of the seal of a county or a city in any campaign literature or mass mailing, as defined, with intent to deceive the voters, is guilty of a misdemeanor.

Existing law requires that each court in this state have an official seal and that the clerk of the court keep the official seal of the court.

This bill would provide that a person who uses or allows to be used any reproduction or facsimile of the seal of the California Supreme Court, an appellate court, or the seal of any superior court in any campaign literature or mass mailing, as defined, with intent to deceive the voters, is guilty of a misdemeanor.

This bill would provide that, for purposes of this bill, the use of a reproduction or facsimile of a seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by a public official is evidence of intent to deceive.

This bill, by adding to the definition of the crime of misdemeanor, would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 388 (AB 720) Committee on Local Government. Local agency formation.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation, change of organization, and reorganization of cities and special districts. The act provides that the county board of supervisors may authorize payment of a

per diem to local agency formation commission members and alternates for each day while they are in attendance at meetings of the commission.

This bill would make numerous technical and conforming changes in provisions of that act and repeal an obsolete provision. The bill would provide instead that the local agency formation commission may authorize payment of a per diem to its members and alternates.

This bill would incorporate additional changes in Section 56985 of the Government Code proposed by AB 1495 and additional changes in Section 57114 of the Government Code proposed by AB 948 that would become operative if those bills and this bill are enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 389 (AB 795) Dutra. Real estate.

Existing law, the Real Estate Law, requires the licensure of a person by the Real Estate Commissioner to engage in the business of, act in the capacity of, or advertise or assume to act as, a real estate broker or a real estate salesman within this state. Existing law authorizes the commissioner to suspend or revoke the license of a licensee, or deny the issuance of a license to an applicant, who has committed certain acts. Existing law requires a real estate broker to file certain information with the commissioner relative to the conducting of a transaction that involves the sale of or offer to sell a series of notes secured directly by an interest in real property, or the sale of undivided interests in a note secured directly by real property equivalent to a series transaction, otherwise known as a multilender transaction, as specified. Existing law requires a real estate broker who negotiates a loan to be secured by real property to deliver to the borrower a statement in writing containing certain information about the terms and costs of the loan unless, in the case of a federally regulated residential mortgage loan, the borrower is provided with a good faith estimate prepared pursuant to the federal Real Estate Settlement Procedures Act, applicable disclosures required by the federal Truth in Lending Act, and other disclosures with respect to loans with balloon payment provisions. Existing law provides that a violation of the Real Estate Law is a crime.

This bill would authorize the commissioner to suspend or revoke the license of a licensee, or deny the issuance of a license to an applicant, who has failed to comply with the filing requirement imposed on those transactions secured directly by an interest in real property. The bill would require a broker or person who becomes the servicing agent for certain notes or interest that have been sold to file a certain notice with the commissioner and file a specified annual report. The bill would require a borrower to acknowledge, in writing, receipt of the good faith estimate and the disclosures required by the Truth in Lending Act prior to becoming obligated on a loan. The bill would require a broker to retain a copy of the written acknowledgment of the borrower for a period of 3 years. Because a violation of the bill's requirements would be a crime, this bill would impose a state-mandated local program by expanding the definition of a crime.

Existing law provides for creation of the Recovery Account in the Real Estate Fund, which is funded by fees imposed on licensees. Existing law provides that when an aggrieved person obtains a final judgment in a court of competent jurisdiction or an arbitration award against a defendant based upon the defendant's fraud, misrepresentation, or deceit, made with intent to defraud, or the defendant's conversion of trust funds, arising directly out of any transaction in which the defendant, while a real estate licensee, performed acts for which his or her license was required, the aggrieved person may file an application with the Department of Real Estate for payment from the Recovery Account of the amount unpaid in the judgment that represents an actual and direct loss to the claimant in the transaction. Upon payment of the application, the affected licensee's license is suspended until the Recovery Account is reimbursed.

This bill would provide that a final judgment in a court of competent jurisdiction for these purposes includes a judgment in a federal court but does not include a judgment in the court of another state. The bill would also revise the procedures for filing an application for a claim against the Recovery Account with the Real Estate Commissioner, for contesting payment,

and for obtaining judicial review of the commissioner's decision. The bill would enact other related provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 390 (AB 864) Thomson. Sanitation districts: City of West Sacramento.

Existing law provides for the composition of the board of directors of a sanitation district in the County of Sacramento, but specifies that if the district includes territory that is within a city, the board of directors shall be composed of the county board of supervisors and the presiding officer of the governing body of each of these cities.

This bill would provide that if the sanitation district also includes territory in the City of West Sacramento in Yolo County, the sanitation district board of directors shall also include the presiding officer of the governing body of the City of West Sacramento and, until January 1, 2005, or specified conditions are met, a member of the Yolo County Board of Supervisors whose district includes all, or the greater portion, of the population of the City of West Sacramento. It would also specify the extent of the voting powers of the member of the Yolo County Board of Supervisors on all sanitation district matters that come before the sanitation district board of directors.

Ch. 391 (AB 898) Leach. Income taxes: LLCs: fee adjustment.

The Personal Income Tax Law provides that a limited liability company doing business in this state shall pay annually a specified tax for the privilege of doing business in this state. In addition, that law requires that any limited liability company subject to that tax shall pay a fee, based upon total income from all sources reportable to this state, which is subject to adjustment pursuant to a study and determination by the Franchise Tax Board.

This bill would increase these fees, as specified, and would delete those provisions relating to the adjustment of that fee, as provided.

This bill would take effect immediately as a tax levy.

Ch. 392 (AB 1230) Papan. Finance lenders.

Existing law, the California Finance Lenders Law, requires the licensure of a person by the Commissioner of Corporations to engage in the business of a finance lender or broker. Existing law requires the commissioner to investigate specified individuals if an applicant for licensure is a corporation, trust, or association.

This bill would require the commissioner, if an applicant is a corporation, trust, or association, to investigate the applicant's principal officers, as defined.

Ch. 393 (AB 1249) Daucher. Railroad crossings: pilot projects.

Existing law requires that an audible warning device be sounded from a locomotive engine at least 1,320 feet before the intersection of the railroad and a street, road, or highway, with certain exceptions. Existing law imposes a civil fine on a railroad corporation that violates this provision and makes it a misdemeanor for a person in charge of a locomotive engine to fail to sound the warning. Existing law authorizes the commission to authorize on an application by application basis, and supervise, the operation of pilot projects to evaluate proposed crossing warning devices or new technology, and states the intent of the Legislature that the commission may authorize pilot projects to test the utility and safety of stationary, automated audible warning devices in the communities of Roseville and Lathrop.

This bill would also authorize the commission to authorize pilot projects to evaluate other additional safety measures. The bill would modify the statement of legislative intent to include pilot projects to test the utility and safety of stationary, automated audible warning devices in additional specified communities and in any other location determined to be

suitable by the commission, and to authorize, until January 1, 2003, supplementary safety measures, as defined, for use on rail crossings.

Ch. 394 (AB 1302) Committee on Education. Kindergarten readiness.

(1) Existing law establishes the Kindergarten Readiness Pilot Program. Existing law, for the 2001–02 school year, and each school year thereafter in which a school district continues to participate in the program, requires a school district to offer admission to first grade at the beginning of the school year, or at a later time in the same school year, only to children who will have their 6th birthday on or before September 1 of that school year.

This bill would delay the above provision to the 2002–03 school year and would specifically allow charter schools to participate in the program. The bill would permit school districts to implement the program in selected schools or on a districtwide basis.

(2) Existing law, for the 2002–03 school year, and each school year thereafter in which a school district participates in the Kindergarten Readiness Pilot Program up to and including the 2007–08 school year, requires the Superintendent of Public Instruction to allocate a grant of funds for developing and operating the program and funding necessary to fully mitigate the financial impact upon the district of the reduced attendance that results from the implementation of the program and states the intent of the Legislature to establish a mechanism to provide sufficient funding in future years to ensure that participating school districts are annually provided funding to fully mitigate any ongoing financial consequences from reduced enrollment due to participation in the program for every school year up to and including the 2013–14 school year.

Existing law appropriates \$100,000 from the General Fund to the Office of the Superintendent of Public Instruction for a statewide public information campaign to notify school districts and parents of the availability and goals of the Kindergarten Readiness Pilot Program.

This bill would delete from the grant of funds those funds required to fully mitigate the financial impact upon the district of the reduced attendance that results from the implementation of the program, delete the above statement of legislative intent, annually adjust the per-pupil funding amounts for inflation, and revise the method of calculating the amount of program funding a school district would receive. The bill would make the \$100,000 appropriation also available for other state operations costs to implement the Kindergarten Readiness Pilot Program in a timely manner, thereby making an appropriation.

(3) Existing law requires that in calculating changes in enrollment for purposes of calculating the state's minimum funding obligation for the public schools that the 2001–02 average daily attendance for school districts participating in the Kindergarten Readiness Pilot Program be calculated with each unit of participating kindergarten attendance counting as $1\frac{1}{3}$ unit of average daily attendance.

This bill would delete that provision.

(4) Existing law requires the Kindergarten Readiness Pilot Program to become inoperative on June 1, 2010, and repeals the program on January 1, 2011.

This bill would change those dates to July 1, 2009, and January 1, 2010, respectively.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 395 (AB 1359) Lowenthal. Housing: Predevelopment Loan Fund.

Existing law creates the Rural Predevelopment Loan Fund and the Urban Predevelopment Loan Fund, which are continuously appropriated to the Department of Housing and Community Development to make loans for specified housing purposes.

This bill would repeal the provisions relating to the Rural Predevelopment Loan Fund, except as specified, rename the Urban Predevelopment Loan Fund as the Predevelopment Loan Fund, transfer the balance of specified funds into that fund, and revise various criteria for expenditure of money under the Predevelopment Loan Program, thereby making an

appropriation. The bill would repeal obsolete provisions relating to the State Home Retention Account in the Rental Housing Construction Fund.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 396 (AB 1367) Wiggins. Land use: school siting.

(1) Existing law authorizes the governing board of a school district, by a $2/3$ vote of its members, to render a city or county zoning ordinance inapplicable to a proposed use of school district property except when the proposed use is for nonclassroom facilities. The board is also required to give notice to the city or county within 10 days of taking the proposed action.

This bill would modify this authorization to also require the governing board of the school district to take this action only after the planning commission or other local planning agency of the city or county has received notice and copies of any relevant and available information, master plan, or other long range plan, including, if available, any proposed school facility needs analysis, that relates to the potential expansion of existing school sites or the necessity to acquire additional school sites, at least 45 days prior to completion of the needs analysis, master plan, or other long range plan.

(2) Existing law requires a local planning agency, prior to action by a legislative body to adopt or substantially amend a general plan, to refer the proposed action to, among other entities, any elementary, high school, or unified school district within the area covered by the proposed action.

This bill would provide that upon notification of the proposed action specified above, any elementary, high school, or unified school district may request a meeting within 15 days with the local planning agency on new school facilities and school sites to review and consider specified issues. The bill would also require the governing board of a school district to notify a city or county with land use jurisdiction within 45 days prior to the completion of a school facility needs analysis, as specified, and to meet with the city or county within 15 days following notification if a meeting is requested.

Because the bill would impose new duties on local planning officials, it would create a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 397 (AB 1548) Committee on Agriculture. Agriculture: commercial feed: agricultural commissions and councils.

(1) Existing law provides that it is a misdemeanor for any person to manufacture or distribute in this state any commercial feed without complying with the statutory and regulatory provisions relating to commercial feed, including a requirement that any commercial feed distributed within this state shall have affixed to it, or be accompanied by, a label containing, among other things, adequate directions, warnings, and caution statements that may be necessary for the safe use of any feed.

This bill would in addition provide that it is a misdemeanor for any person to use any commercial feed containing drugs or food additives except in compliance with all directions for use stated on any tag or label affixed to or accompanying the commercial feed. By creating a new crime, this bill would impose a state-mandated local program upon local governments.

(2) Existing law provides that the person having control of a seized or held lot of commercial feed found to be in violation may appeal the result of analysis to the Secretary of Food and Agriculture in writing within 5 days of receiving the notice of violation; upon receipt of the appeal, the secretary shall take a further sample of the lot of commercial feed in question for analysis; the cost of sampling and analysis shall be at the expense of the person that requests the appeal sample; and the findings from the appeal analysis are conclusive.

This bill would revise these provisions to instead provide that the manufacturer or guarantor of a seized or held lot of commercial feed found to be in violation may appeal the result of analysis to the secretary in writing within 10 days of receiving the notice of violation; upon receipt of the appeal, the secretary shall perform an additional analysis of the official sample representing the lot of commercial feed in question; the cost of analysis shall be at the expense of the person that requests the appeal; and the findings from the appeal analysis are final.

(3) Under existing law, one of the duties and powers of the California Sheep Commission is to promote the sale of lamb, wool, and their products throughout the state, nation, and world. The commission has the authority to establish an assessment rate to defray the operating costs of the commission and has done so with respect to all wool marketed by producers, as specified. "Wool" is defined for the purposes of these provisions as the shorn fiber of live sheep in the grease basis, including wool tags in the natural state before cleaning or scouring.

This bill would instead define "wool" for the purposes of these provisions as the shorn fiber of live sheep in the grease basis, including offsort wool or offsorts in the natural state before cleaning or scouring. The bill would define "offsort wool or offsorts" as wool which has become discolored from urine or feces, dung locks, or floor sweepings, wool which has been shorn from the belly of the sheep, or wool which has been shorn from the crotch area of a sheep. The bill would also authorize the commission to establish an assessment rate that is different for offsort wool or offsorts than for other wool, provided that the rate does not exceed the maximum assessment authorized.

(4) The bill would, with respect to the provisions relating to the production and marketing of sheep and wool, (A) revise the definitions of "handler," "marketing year," and "producer," as specified; (B) provide that the results of any research conducted by or on behalf of the Sheep Commission may be used by the commission in any way it deems appropriate and may be maintained in confidence by the commission and not disseminated to any person not subject to the provisions relating to the production and marketing of sheep and wool; (C) authorize the Sheep Commission to collect information, including, but not limited to, industry statistics; and (D) make it a misdemeanor to fail or refuse to render or furnish a report, statement, or record required by the Sheep Commission. By creating a new crime, this bill would impose a state-mandated local program upon local governments.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 398 (AB 1671) Committee on Water, Parks and Wildlife. Fish and game.

(1) Existing law, which is to be repealed on January 1, 2003, delineates the general regulatory powers of the Fish and Game Commission, including, among other things, the authority to establish, extend, shorten, or abolish open seasons and closed seasons, establish, change, or abolish bag limits and possession limits, and establish and change areas of territorial limits for the taking of any or all species or subspecies. That law also authorizes any regulation adopted pursuant to those provisions to supersede any section of the Fish and Game Code under specified circumstances.

This bill would extend those provisions indefinitely by repealing their repeal date. Since a violation of a regulation adopted by the commission is a misdemeanor under existing law,

the bill would impose a state-mandated local program by continuing in existence indefinitely crimes that otherwise would be repealed.

(2) Existing law imposes various duties on the Fish and Game Commission with respect to the implementation and enforcement of laws regulating the taking of fish and game in the state.

This bill would establish the Wildlife Violator Compact, the purposes of which would be to provide a means through which participating states, as defined, may join in a reciprocal program to effectuate specified policies regarding the protection and taking of fish and game in a uniform and orderly manner, and to provide for the fair and impartial treatment of wildlife violators operating within participating states in recognition of the violator's right to due process and the sovereign status of participating states. The bill would prescribe procedures for the administration and enforcement of the compact, as provided.

(3) Existing law establishes the Suisun Marsh Wetlands Enhancement and Mosquito Abatement Demonstration Program, until December 31, 2005, for the purpose of devising and evaluating methods by which wetland management techniques in the Suisun Marsh can be better integrated with mosquito abatement programs, and requires the Department of Fish and Game to award grant funds for the program to the Suisun Resource Conservation District until December 31, 2004.

This bill would change the repeal date of those provisions to June 30, 2005, and would also extend to June 30, 2005, the date until which those grant funds for the program would be required to be awarded to the district.

(4) Existing law requires the Suisun Resource Conservation District to submit a final report to the department on the program by March 1, 2005.

This bill would, instead, require that the final report be submitted to the department by June 1, 2005.

(5) Existing law requires that the sum of \$140,000 be appropriated from the General Fund to the department for allocation to the Suisun Resource Conservation District for the purpose of implementing the program, and requires the department to allocate the sum of \$35,000 to the conservation district in each of the 2000–01, 2001–02, 2002–03, and 2003–04 fiscal years, as prescribed.

This bill would additionally require the department to allocate the sum of \$35,000 to the conservation district for the 2004–05 fiscal year, thereby making an appropriation.

(6) Existing law requires the department to impose and collect a filing fee of \$850 to defray the cost of identifying streams and providing studies pursuant to specified provisions governing streamflow protection standards, but provides that the fee shall not be imposed on certain types of permit applications filed with the State Water Resources Control Board.

This bill would include within those types of applications exempt from the payment of the fee, water applications or petitions, the primary purpose of which is to benefit fish and wildlife resources, as determined by the department.

The bill would require that only one filing fee be required for applications or petitions for the same appropriation transfer, extension, or change, if an applicant or petitioner files multiple applications or petitions for the same appropriation, and the State Water Resources Control Board reviews and considers the applications or petitions together.

(7) Existing law continuously appropriates the money in the Fish and Game Preservation Fund to the Department of Fish and Game to carry out the Fish and Game Code and to the commission for the payment of the compensation and expenses of the commissioners and employees of the commission. Because this bill would continue indefinitely existing duties imposed on the commission that otherwise would be repealed, the bill would make an appropriation.

(8) The bill also would correct an erroneous cross-reference.

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 399 (AB 1720) Committee on Higher Education. Private postsecondary and vocational education: Joint Legislative Sunset Review Committee: Bureau for Private Postsecondary and Vocational Education: California Postsecondary Education Commission: report.

The existing Private Postsecondary and Vocational Education Reform Act of 1989, which is administered by the Bureau for Private Postsecondary and Vocational Education in the Department of Consumer Affairs, generally effectuates legislative intent to ensure minimum standards of instructional quality and institutional stability in private postsecondary educational institutions. Existing law establishes the California Postsecondary Education Commission as the statewide postsecondary education planning and coordinating agency and as an adviser to the Legislature and the Governor.

Existing law establishes the Joint Legislative Sunset Review Committee, and specifies its duties with respect to the review of various boards and commissions. Existing law requires the committee, in 2002 and every 4 years thereafter, to hold a public hearing to receive testimony from the Director of Consumer Affairs, the Bureau for Private Postsecondary and Vocational Education, private postsecondary educational institutions regulated by the bureau, and students of those institutions.

Existing law establishes the California Postsecondary Education Commission for, among other purposes, the collection of data pertinent to the planning and coordination of the higher education system of the state.

This bill would require the committee to conduct the public hearing in cooperation with the commission. The bill would also require the committee, in cooperation with the commission, to review and evaluate the effectiveness and efficiency of the bureau based upon specified factors and standards of performance.

The bill would require the committee to report its findings and recommendations to the Department of Consumer Affairs in accordance with a prescribed statute. The bill would also require the bureau to prepare an analysis and submit a report to the committee in accordance with prescribed criteria.

Ch. 400 (AB 1737) Committee on Budget. Budget Act of 2001.

Existing law, as set forth in the Budget Act of 2001, makes various appropriations for the support of state government for the 2001–02 fiscal year.

This bill would revise the Budget Act of 2001 by augmenting, reappropriating, making technical changes, and correcting references to certain appropriations, as specified.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 401 (SB 214) Alpert. School districts: boards of education: community college districts.

Under existing law, every school district is required to be under the control of a board of school trustees or a board of education. Existing law prescribes the powers and duties of boards of education as well as the procedures for electing or appointing a member to a board of education. Existing law establishes the California Community College system, under which community college districts throughout the state are administered by governing boards. Existing law establishes the amount of compensation a member of a county board of education and a member of a governing board of a school district or community college district may receive for attending board meetings. For a member of a county board of education, the amount of compensation varies according to the classification of the county based on its average daily attendance. For a member of a school district or community college governing board, the amount varies based on the average daily attendance of the school district for the prior school year.

This bill would authorize the county board of education, the governing board of a school district, and the governing board of a community college district to increase the compensation of individual board members of the county board of education, the governing board of a school district, and the governing board of a community college district, respectively, beyond the limits provided by those provisions by an amount not to exceed 5% based on the present monthly rate of compensation, to be effective upon the approval of the county board of education, governing board of the school district, or governing board of the community college district, respectively, but subject to rejection by a majority of the electors in that district voting in a referendum established for that purpose.

Ch. 402 (SB 323) O'Connell. California State University: real property exchange.

Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University.

This bill would, notwithstanding any other provision of law, authorize the trustees to exchange a portion of a prescribed parcel located approximately 8 miles from, and maintained by, the California State University, Channel Islands, for land, or for a combination of land and money, in accordance with prescribed criteria. The bill would provide that any funds received from the transaction authorized by the bill would be appropriated to the trustees for expenditure, without regard to fiscal year, for construction and capital development of projects that are eligible for state support, following review and approval by the Department of Finance. The bill would require that the expenditure of funds received under the bill be consistent with the master plan of the campus for which the project is proposed. The bill would also require that any funds received under the bill that are not encumbered prior to January 1, 2007, revert to the General Fund.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 403 (SB 327) Scott. California State University: Program for Education and Research in Biotechnology.

Existing law establishes the California State University and its various campuses under the administration of the Trustees of the California State University. Existing law expresses legislative findings and declarations regarding the Program for Education and Research in Biotechnology, which was established to provide a coordinated and amplified development of biotechnology research and education within the university, to foster competitiveness in the industry on both the state and national levels, to facilitate training of a sufficient number of biotechnology technicians and scientists, to catalyze technology transfer and enhance intellectual property protection, and to facilitate the acquisition and long-term maintenance of state-of-the-art biotechnology resource facilities.

This bill would express legislative intent to provide additional state funding to the California State University for development of a bioscience center in Pasadena that would integrate research and innovation, applied workforce training, and incubation of new bioscience enterprise, as prescribed.

Ch. 404 (SB 346) Perata. Transportation: San Francisco Bay Area Water Transit Authority.

Existing law establishes the San Francisco Bay Area Water Transit Authority in state government and specifies the membership of the authority's governing board and the powers and duties of the authority, including a requirement that the authority prepare and adopt a San Francisco Bay Area Water Transit Implementation and Operations Plan, to be submitted to the Legislature on an unspecified date.

This bill would require the specified implementation and operations plan to be submitted to the Legislature for statutory approval, in accordance with a specified procedure.

The bill would specify the types of alternative fuels that may be included in a feasibility analysis and proposal required under the plan.

Ch. 405 (SB 1105) Margett. Special education.

(1) Existing law requires that each meeting to develop, review, or revise the individualized education program of an individual with exceptional needs be conducted by an individualized education program team and include certain representatives.

This bill would delete this provision and replace it with another similar provision, pertaining to the individualized education program team, but would include the pupil's regular education teacher. The bill would revise other requirements relating to the individualized education program.

The bill would require the individualized education program team to consider specified criteria when developing each pupil's individualized education program, thereby imposing a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 406 (SB 1127) Karnette. Recycling: trash bags: rigid plastic containers: polystyrene.

(1) The existing California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, establishes an integrated waste management program. The act requires every manufacturer that manufactures plastic trash bags of 0.75 mil or greater thickness to ensure that a trash bag intended for sale in this state contains a quantity of recycled plastic postconsumer material equal to at least 10% of the weight of the bag, or that at least 30% of the weight of the material used in all of the manufacturer's plastic products intended for sale in this state is recycled plastic postconsumer material. The board was required, until January 1, 2001, to credit a manufacturer, for purposes of compliance with those requirements, with having used 1.2 pounds of recycled plastic postconsumer material for each pound of recycled plastic postconsumer material purchased from a source of recycled plastic postconsumer material.

This bill would delete the January 1, 2001, limitation on the use of that credit, thereby reenacting the requirement upon the board to provide that credit with regard to the purchase of recycled plastic postconsumer materials.

(2) The act requires, except as specified, every rigid plastic packaging container, as defined, that is sold or offered for sale in the state to meet on average at least one of 5 criteria, including being made from 25% postconsumer material or having a prescribed recycling rate, based on annual reports published by the board.

Existing law imposes specified criminal fines and civil penalties upon a person who violates these manufacturing criteria, and requires the board to deposit the fines and penalties into the Rigid Container Account in the Integrated Waste Management Fund in the State Treasury. The board is required to use the moneys deposited in the Rigid Container Account, upon appropriation by the Legislature, to assist local governmental agencies to develop and implement collection and processing systems for the recycling of the materials subject to these manufacturing criteria.

This bill would additionally authorize the funds in the Rigid Container Account to be expended for the development of markets for those materials and for the board's costs of implementing these manufacturing requirements.

(3) The bill would require the board to conduct a study, by January 1, 2003, on the use and disposal of polystyrene in the state and to report to the Governor and the Legislature on the findings and recommendations made by the study.

Ch. 407 (SB 1181) Committee on Revenue and Taxation. Taxation.

(1) Existing law requires the county assessor to reassess any rezoned parcel in a timberland production zone on the basis of the value of the property in its rezoned use. Existing law allows the owner of the parcel to appeal this new valuation.

This bill would require the application for an appeal to be filed no later than 60 days after the date of the mailing of the notice certifying the new valuation.

Existing law imposes a tax recoupment fee upon the owner of a parcel in a timberland reduction upon the immediate rezoning of that parcel.

This bill would provide that the tax recoupment fee is due 60 days after mailing of notice of the amount due, instead of 60 days after receipt of the notice.

(2) Existing property tax law provides for supplemental tax assessments if a change in ownership occurs, or new construction is completed, between property tax lien dates. Existing property tax law specifies different limitation periods for making of supplemental assessments, depending upon the circumstances of the assessment, including, among others, 4-year and 6-year limitation periods.

This bill would require these limitation periods to be measured from the year in which the event giving rise to the supplemental assessment occurred, rather than from the year in which any of certain filings was made with respect to that event.

(3) Existing law authorizes a county board of supervisors to provide by ordinance for the reassessment of property that is damaged or destroyed, without fault on the part of the assessee, by a major misfortune or calamity, upon the application of the assessee or upon the action of the county assessor with the board's approval, where the value of the damage or destruction exceeds \$5,000. Existing law requires the application to be fixed within the time specified in the ordinance, or if no time is specified, within 60 days of the misfortune or calamity.

This bill would allow counties to grant assessors additional powers to initiate reassessment, increase the required value of the damage or destruction to a minimum of \$10,000, extend the 60-day period in which an applicant may file for reassessment to one year, and make related changes. By requiring local tax officials to provide a higher level of service with respect to reassessment appeals, this bill would impose a state-mandated local program.

(4) The California Constitution requires the State Board of Equalization to annually value and assess specified unitary property that is located in 2 or more counties, as well as property owned and used by regulated railways, telegraph and telephone companies, car companies operating on railways in this state, and companies selling or transmitting electricity in this state.

Existing property tax law requires a state assessee, upon the board's request and in compliance with the applicable of certain deadlines, to file a property tax statement relating to its state-assessed property. Existing law imposes penalties upon a taxpayer's failure to timely file a required property statement, including a penalty of 10% of unitary value with respect to that part of the property statement relating to the development of the unitary value of operating property, and a penalty of 10% of the allocated value of property with respect to that part of the property statement that lists or describes specific operating property.

This bill would, for purposes of imposing these penalties, clarify that "specific operating property" does not include "property relating to the development of the unit value of operating property."

Existing property law allows a state assessee, upon a showing of good cause, to receive a 45-day extension for filing the portion of a property statement relative to "property relating to the development of the unit value of operating property," and a 30-day extension of time for filing on the portion of a property tax statement relating to "specific operating property."

This bill would clarify that the category "specific operating property" does not include "property relating to the development of the unit value of operating property."

This bill would make legislative findings and declarations that the clarifications made by these provisions are declaratory of existing law.

(5) Existing property tax law provides, pursuant to the authorization of the California Constitution, for the exemption from property taxation of the home of a disabled veteran, or a veteran's spouse in the case in which the veteran has, as a result of a service-connected disease or injury, died while on active duty in military service. Existing property tax law specifies an exemption amount of \$40,000 and increases that amount to \$100,000 in the case in which the disabled veteran is completely disabled. Existing law increases these amounts to \$60,000 and \$150,000, respectively, if the exemption claimant's income does not exceed \$40,000 as adjusted by a specified inflation factor.

This bill would revise and recast this inflation factor to be derived from price index changes over a different annual period.

(6) Existing law provides that all assessment information required by the State Board of Equalization from an owner of state-assessed property, or furnished in a property statement to that board, is required to be held secret by the board.

This bill would require county assessors and auditors that receive the assessment information from the board to hold that information secret.

(7) Existing property tax law provides for the exchange of information between the parties to an assessment appeals hearing, and sets forth procedures for that exchange.

This bill would revise these procedures by, among other things, requiring the initiating party to submit the requisite data to the other party and the clerk at least 30 days before the commencement of the hearing date, and requiring the responding party to provide the requisite information at least 15 days prior to the hearing.

(8) Existing law establishes procedures for challenging the assessment of private railroad cars, including a procedure that requires an owner or lessee, prior to filing a petition for reassessment, to file a declaration of intent to file that petition.

This bill would delete the requirement that an owner or lessee file a declaration of intent to petition for reassessment prior to filing that petition. This bill would also allow a petition for reassessment, with respect to an assessment made outside the regular assessment period, to be filed on or before the 50th day, rather than the 30th day, following the date of the notice of assessment.

(9) Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 408 (SB 1198) Romero. Agricultural employees.

Existing law establishes the Agricultural Labor Relations Board to enforce state agricultural labor laws governing wages, hours, and related topics. Existing law permits the board to, under certain conditions, order employers who violate agricultural labor laws to pay monetary damages to employees.

This bill would require the board to collect, on behalf of employees, all monetary relief the board orders paid by employers who violate agricultural labor laws. The bill would require

the board to locate and pay the employees on whose behalf the board has collected moneys. The bill would also establish and continuously appropriate the Agricultural Employee Relief Fund. The bill would require that if, after 2 years, the board is unable to locate an employee on whose behalf the board has collected moneys, the monetary damages collected on the employee's behalf be deposited in the fund. The bill would require the moneys deposited in the fund to be used to pay aggrieved employees the unpaid balance of any monetary relief the board has ordered and that the board, after making reasonable efforts to collect the moneys from the employer, deems impossible to collect.

Ch. 409 (SB 40) Alarcon. Unemployment insurance: benefits: compensation.

(1) Under existing law, an unemployed individual is not disqualified for eligibility for unemployment compensation benefits solely on the basis that he or she is a student.

This bill would eliminate this provision and instead provide that an unemployed individual is not disqualified for eligibility for unemployment compensation benefits solely on the basis that he or she is only available for part-time work.

Because this provision would increase the amount of unemployment compensation paid, it would increase the amount payable from the Unemployment Fund, a continuously appropriated special fund, and thereby would make an appropriation.

(2) Existing law specifies that a person is "unemployed" in any week during which he or she performs no services and with respect to which no wages are payable to him or her.

This bill would require that payments received from an employer, that has failed to provide advance notice of facility closure required by the federal Worker Adjustment Renotification and Training Act, not be construed to be wages or compensation for personal services for purposes of determination of eligibility for unemployment compensation benefits.

(3) Under existing law, unemployment compensation benefits are based on wages paid in a base period that is calculated according to the month within which the benefit year begins.

This bill would, as specified, revise the calculations for these base periods.

(4) Under existing law, the weekly unemployment compensation benefit for an individual whose highest wages in the quarter of his or her base period exceeded a specified amount is 39% of those wages divided by 13, but may not exceed \$230.

This bill would, for new claims filed with an effective date after January 1, 2002, specify a weekly benefit for an individual whose highest wages in the quarter of his or her base period exceeded a specified amount, of a certain percentage, of those wages divided by 13, and would also increase, in accordance with a certain schedule, the maximum weekly benefit to a specified dollar amount.

Because this provision would increase the amount of unemployment compensation paid, it would increase the amount payable from the Unemployment Fund, a continuously appropriated special fund, and thereby would make an appropriation.

The bill would require the Employment Development Department to contract with an independent research organization to study the most effective and efficient means of establishing eligibility for employment insurance benefits.

Ch. 410 (AB 110) Zettel. Personal income taxes: credit: credentialed teachers.

The Personal Income Tax Law authorizes various credits against the taxes imposed by those laws, including a credit against taxes imposed by those laws for credentialed teachers in an amount equal to specified amounts, depending upon years of service as a teacher.

Existing law requires the Franchise Tax Board to impose an accuracy-related penalty equal to 20% of the amount of tax underpaid, if the underpayment is attributable to negligence or results from a substantial understatement or undervaluation of specified categories of income subject to tax.

This bill would provide that the accuracy-related penalty does not apply to tax credits authorized for credentialed teachers claimed on tax returns filed for taxable years beginning on or after January 1, 2000, and before January 1, 2001.

Ch. 411 (AB 146) Wayne. State attorneys and administrative law judges: service on governmental bodies.

Existing common law and case law prohibits a state officer, including an attorney employed by the state and administrative law judge, from engaging in activities that may be incompatible with their duties to the state and results in the automatic vacation of the former office. Existing law provides that service on an appointed or elected governmental body by an attorney employed by a local agency in a nonelective position shall not, by itself, be deemed to be an incompatible activity and shall not result in the automatic vacation of either of the offices.

This bill would provide that service on a local appointed or elected governmental board, commission, committee, or other body or as an elected local official by an attorney employed by the state in a nonelected position or by an administrative law judge shall not, by itself, be deemed to be an incompatible activity and shall not result in the automatic vacation of either office. This bill would also provide that it shall not be construed to prohibit an administrative law judge or an attorney employed by the state in a nonelected position from serving on any other appointed or elected governmental board, commission, committee, or other body, consistent with all applicable conflict-of-interest statutes and regulations and judicial canons of ethics.

Ch. 412 (AB 185) Wright. Local agency military base recovery areas.

(1) The Local Agency Military Base Recovery Area Act provides, among other things, that whenever the state prepares an invitation for bid for a contract for goods in excess of \$100,000, with a specified exception, the state shall award a 5% preference to California-based companies who certify under penalty of perjury that no less than 50% of the labor required to perform the contract shall be accomplished at a worksite or worksites located in a local agency military base recovery area. In evaluating proposals for contracts for services in excess of \$100,000, with a specified exception, the state is required to award a 5% preference on the price submitted by California-based companies who certify under penalty of perjury that they shall perform the contract at a worksite or worksites located in a local agency military base recovery area.

This bill instead would provide that whenever the state prepares a solicitation for a contract for goods in excess of \$100,000, with that specified exception, the state shall award the 5% preference to California-based companies who demonstrate and certify under penalty of perjury that of the total labor hours required to manufacture the goods and perform the contract, at least 50% of the hours shall be accomplished at an identified worksite or worksites located in a local agency military base recovery area. It would also provide that, in evaluating proposals for contracts for services in excess of \$100,000, with that specified exception, the state shall award a 5% preference on the price submitted by California-based companies who demonstrate and certify under penalty of perjury that not less than 90% of the labor hours required to perform the contract shall be accomplished at an identified worksite or worksites located in a local agency military base recovery area.

By expanding the scope of a crime, this bill would impose a state-mandated local program.

(2) The act also provides that where a bidder complies with the provisions set forth above, the state shall award a 1% preference for bidders who shall agree to hire persons living within a local agency military base recovery area equal to 5 to 9% of its workforce during the period of contract performance.

This bill instead would provide that the state shall award a 1% preference under these provisions for bidders who certify under penalty of perjury to hire persons meeting these criteria.

By expanding the definition of a crime, this bill would impose a state-mandated local program.

(3) The act further provides that a business that requests and is given the preference provided for under these provisions by reason of having furnished a false certification, and that by reason of this certification has been awarded a contract to which it would not otherwise have been entitled, shall, among other things, be ineligible to transact any business with the state for a period of not less than 3 months and not more than 24 months.

This bill instead would state that the business would be ineligible to directly or indirectly transact any business with the state for this period.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 413 (AB 220) Strom-Martin. Vehicles: limitations of access.

Existing law exempts from established limitations of access, licensed carriers of livestock when engaged in travel necessary and incidental to the shipment of livestock on specified portions of State Highway Route 101. This exemption is repealed on January 1, 2002. Existing law requires the Department of the California Highway Patrol, in consultation with the Department of Transportation, to conduct a study of the effect that the exemption has on public safety and report to the Legislature on or before July 1, 2001.

This bill would extend the January 1, 2002, repeal date to January 1, 2004, thereby continuing the exemption until January 1, 2004.

The bill would require the Department of the California Highway Patrol, in consultation with the Department of Transportation, to conduct a comprehensive study of the effect that the exemption has on public safety during the entire effective period of the exemption, and would require the findings of the study to be reported to the Legislature on or before May 1, 2003.

Ch. 414 (AB 472) Cedillo. Real property: substandard conditions.

(1) Existing law provides for abatement of substandard conditions in buildings, and authorizes a court to appoint a receiver in specified cases involving real property.

This bill would provide procedures for a receiver of real property containing rental housing to obtain a court order to assist in the abatement of substandard conditions. The bill would authorize specified persons to file a motion in a receivership action for the purpose of seeking further instructions to the receiver. The bill would prescribe procedures whereby the owner of property or designated agent would be required to pay relocation benefits to tenants who are displaced or subject to displacement by local enforcement activities.

(2) The State Housing Law authorizes a city, county, or city and county enforcement agency to issue an order or notice to repair a building to the owner if the building is maintained in a manner that violates any provisions of this law, the building standards published in the State Building Standards Code, or any other rule or regulation promulgated pursuant to the law, and the violations are so extensive and of a nature that the health and safety of the residents or the public is substantially endangered.

This bill would extend the applicability of these provisions to the violation of any provision in a local ordinance that is similar to a provision in the State Housing Law, and would authorize the issuance of an order or notice to abate.

(3) Under the State Housing Law, if the owner does not correct the condition that caused the violation within a reasonable time after the issuance of a notice or order to repair by a court as part of a civil or criminal judgment against the owner, or in a specified stipulation to a judgment by the owner, a court may impose criminal penalties upon the owner, and is authorized to order an owner not to claim any deduction with respect to state taxes for interest, taxes, expenses, depreciation, or amortization paid or incurred with respect to the

cited structure, as well as the appointment of a receiver for a substandard building if certain conditions are met.

This bill would revise this provision to authorize the enforcement agency, if the owner does not correct the condition that caused the violation within a reasonable time after the issuance of a notice or order to repair by the enforcement agency, to seek the imposition of criminal penalties upon the owner, as well as an order to prohibit the owner from claiming any deduction for the above described state taxes. It would also authorize, if the owner does not correct the condition that caused the violation within a reasonable time after the issuance of a notice or order to repair by the enforcement agency, a court to order the appointment of a receiver.

(4) This bill would incorporate additional changes in Section 17980.7 of the Health and Safety Code proposed by AB 1467, to be operative if AB 1467 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 415 (AB 584) Cox. Alien insurers: issuance of securities: exemption from requirements.

Existing law provides for regulation of insurers by the Insurance Commissioner. Existing law imposes certain requirements relative to issuance of securities by insurers, and provides certain exemptions from these requirements.

This bill would additionally exempt from these requirements the offer or sale of stock by a foreign or alien insurer to fire and casualty broker-agents under certain conditions.

Ch. 416 (AB 647) Horton. Whistleblower protection: Reporting by Community College Employees of Improper Governmental Activities Act.

Existing law, the California Whistleblower Protection Act, sets forth the circumstances and procedures under which a state employee may report improper governmental activities or make a protected disclosure to the State Auditor, and prohibits retaliation or reprisal against a state employee for these acts. Existing law defines any employee of the California State University as a state employee and the California State University as a state agency for some provisions of this act. Existing law authorizes a California State University employee to file a written complaint with his or her supervisor or manager, or any other designated university officer alleging actual or attempted acts of reprisal, retaliation, threats, coercion, or similar improper acts for having made a protected disclosure. It is a misdemeanor for any person to intentionally engage in acts of retaliation, reprisal, threats, coercion, or similar acts against an employee of the California State University for having made a protected disclosure under these provisions.

Existing law establishes the Reporting by Community College Employees of Improper Governmental Activities Act, which enacts provisions similar to the California Whistleblower Protection Act, that are applicable to community college campuses.

This bill would amend the Reporting by Community College Employees of Improper Governmental Activities Act to include procedures for the investigation and determination of complaints by the State Personnel Board that are currently contained in the California Whistleblower Protection Act.

Ch. 417 (AB 873) Harman. Nonprobate transfers: former spouses.

Existing law provides for the transfer of property upon death by various means, including wills, trusts, joint tenancies, insurance policies, and retirement death benefits, among others. Existing law permits a trustee with a power of appointment to distribute property to beneficiaries according to the terms of the trust. Existing law permits the structuring of certain financial accounts so that they will be payable to one person upon the death of another. Existing law permits vehicles to be owned in joint tenancy and, upon death of one of the parties, that ownership may pass to another joint tenant. Existing law provides that dissolution of a marriage revokes a bequest of property made in a will to a former spouse,

and revokes a beneficiary designation to a former spouse under the Public Employees' Retirement System, as specified. Existing law provides that dissolution of marriage prohibits a former spouse from receiving the spouse's share under intestate succession.

This bill would provide that specified property transfers to a transferor's spouse upon death would fail if, at the time of death, that person is no longer the transferor's surviving spouse, due to annulment or dissolution of marriage, except where the transfer is not subject to revocation at time of death, or where there is clear and convincing evidence that the transferor intended to preserve the transfer to the former spouse. This bill would except provisions in life insurance policies from the definition of specified property transfers subject to the provisions described above. The bill would provide that a joint tenancy created between a decedent and the decedent's former spouse is severed if it was created before or during marriage and, at the time of death, the former spouse is not the decedent's surviving spouse, due to annulment or dissolution of marriage, except as specified.

The bill would also provide for the property rights of a person who subsequently purchases or encumbrances property in good faith, and would provide that a specified affidavit or declaration in this regard may be recorded. By increasing the duties of local officials processing these documents, this bill would create a state-mandated local program.

The bill would additionally provide that holders of certain property may transfer the property in accordance with provisions of specified instruments despite possible inconsistencies with the rights of a person named as a beneficiary, except as specified. The bill would permit a court to award damages and fees when a notice of a person claiming an interest in certain property is determined to have been filed in bad faith. The bill would delete the definition of spouse from the California Statutory Will. The bill would also make related and conforming changes. The bill would be operative on January 1, 2002, but would provide that specified provisions do not apply if the decedent making the nonprobate transfer or creating the joint tenancy dies, or if the dissolution of a marriage terminating the status of a beneficiary occurs, before that date.

Chapter 49 of the Statutes of 2001, operative January 1, 2002, revised, recast, and consolidated provisions regarding the determination of claims brought to determine ownership of real or personal property claimed by an estate, a ward or conservatee, or a trustee, as specified.

This bill would require a court, acting under those provisions, to deny a petition, if the court determines that the matter should be determined by a civil action. This bill would also make related technical changes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 418 (AB 967) Chan. Building standards: military bases.

Existing law authorizes until January 1, 2007, the governing body of a local agency to adopt an ordinance permitting certain buildings or other structures located on military bases, including specified buildings at the Oakland Army Base and the Alameda Naval Air Station, to comply with specified provisions establishing state building standards and state standards of fire safety, or any regulations or standards adopted pursuant to state building standards, in a graduated manner over a period of no more than 7 years from the date that the property has been transferred by the federal government to the local agency, if specified conditions are met, including the adoption of a graduated compliance plan by January 1, 2000.

This bill would include additional specified buildings at the Oakland Army Base and the Alameda Naval Air Station, within that authority.

Ch. 419 (AB 1019) Corbett. Victims of crime.

Existing law provides for the indemnification of victims of specified types of crimes, including an adult victim of domestic violence, and a minor victim of sexual assault, for specified expenses that become necessary as a direct result of the crime. Indemnification is made under these provisions from the Restitution Fund, which is continuously appropriated to the California Victim Compensation and Government Claims Board for these purposes.

Existing law, until January 1, 2003, provides for specified conditions on the reimbursement for mental health counseling for certain derivative victims of crime.

This bill would provide for the indemnification of any victim of sexual assault or domestic violence for specified expenses under those provisions. It would extend until January 1, 2004, the operation of the provisions specifying conditions on the reimbursement for mental health counseling for certain derivative victims of crime. By authorizing new uses for, and extending the period of time for expending moneys from, a continuously appropriated fund, this bill would make an appropriation.

The bill would incorporate additional changes in Section 13965 of the Government Code proposed by AB 1017, to be operative if this bill and AB 1017 are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 420 (AB 1253) Matthews. Nursing.

(1) Existing law, the Nursing Practice Act, requires that a nurse satisfy specified requirements in order to practice as a clinical nurse specialist. Various other provisions of law include within their application a registered nurse with education or experience in psychiatric-mental health nursing.

This bill would recast those provisions, including within their application an advanced practice registered nurse certified as a clinical nurse specialist who participates in expert clinical practice in the specialty of psychiatric-mental health nursing.

(2) Existing law provides for the indemnification of crime victims, as specified, for certain expenses including counseling related fees if the counseling services are provided by a designated professional.

This bill would include within these designated professionals a person licensed as a registered nurse who meets specified requirements and an advanced practice registered nurse who meets the requirements described in paragraph (1). The bill would specify that these provisions become inoperative and are repealed on January 1, 2002, if AB 1017 is enacted and becomes effective on or before that date.

(3) This bill would also incorporate additional changes in Section 1010 of the Evidence Code proposed by SB 716, to be operative on January 1, 2002, only if that bill and this bill are enacted and become effective on or before January 1, 2002.

(4) This bill would declare that its provisions would become effective immediately as an urgency statute.

Ch. 421 (AB 1402) Simitian. Public works: design-build contracts.

Under existing law, a school district governing board is required to let any contract for a public project that costs \$15,000 or more to the lowest responsible bidder.

Existing law also requires school districts constructing school facilities to meet various requirements, including requirements pertaining to seismic safety, the contents of plans for school construction, use of factory-built school buildings, and the acquisition of proposed schoolsites.

This bill would authorize school district governing boards to enter into a design-build contract, as defined, in which factors in addition to price and cost may be considered in awarding a contract for the design and construction of a school facility that exceeds

\$10,000,000. The bill would require the Superintendent of Public Instruction to develop guidelines for design-build projects within 6 months after the operative date of the bill. The bill would require each contract to prohibit construction or alteration of any school building without the prior written approval of the plans by the Department of General Services, and would prescribe related matters. The bill would require a school district that elects to use the design-build process to submit its report to the Legislative Analyst, and would require the Legislative Analyst to submit an interim report to the Legislature by January 1, 2004, and a final report by January 1, 2006. The provisions of the bill would be repealed on January 1, 2007.

Ch. 422 (AB 1478) Salinas. School construction approval.

Existing law establishes various requirements regarding the siting and construction of school facilities, including, but not limited to, the requirement that prescribed geological and soil engineering studies be conducted for the construction of any school building, as defined, within the boundaries of special studies zones or if the costs of construction exceeds \$20,000.

This bill would increase that amount to \$25,000, would require an annual inflation adjustment for this amount, and would make technical, nonsubstantive, changes in related provisions.

Ch. 423 (AB 1628) Committee on Agriculture. Fairs.

Existing law provides the Department of Food and Agriculture with regulatory authority over district agricultural associations, and authorizes the department to delegate approval authority for such matters as the department may determine to the board of directors of the association. Existing law permits the board of directors of district agricultural associations and the board of directors of the California Exposition and State Fair to enter into agreements to secure donations, memberships, sponsorships, and marketing and licensing agreements for the receipt of money, or services, or products in lieu of money. Existing law permits the board to employ or enter into an agreement with an entity or person to develop, solicit, sell, and service these agreements.

This bill would also authorize the boards to create and participate in an entity to develop, solicit, sell, and service these agreements. This bill would place additional requirements on the district agricultural association boards by requiring them to give written notification to the Department of Food and Agriculture before entering these agreements if the agreements, among other things, exceed a specified amount and prior to creating an entity. This bill would also prohibit an association from entering into a settlement for an amount greater than \$10,000 without prior approval of the department.

Ch. 424 (SB 88) Costa. Air pollution: odors.

(1) Existing law prohibits the discharge of any air contaminant or other material that causes injury, detriment, nuisance, or annoyance to, or that endangers, the public. Existing law exempts from that prohibition, among other things, all odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals and also exempts odors emanating directly from a facility or operation that produces, manufactures, or handles compost, as defined. Existing law also requires an air pollution control district or air quality management district that receives a complaint regarding an odor emanating from an exempt composting operation to refer the complaint to an enforcement agency with jurisdiction pursuant to the California Integrated Waste Management Act of 1989, and requires that agency to take appropriate enforcement action. Existing law also provides for the repeal of those provisions on January 1, 2002.

This bill would instead make those provisions inoperative on April 1, 2003, and after that date would exempt from that prohibition all odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals, unless the California Integrated Waste Management Board adopts and submits to the Office of Administrative

Law on or before that date, regulations governing the operation of organic composting sites that include specified provisions. By extending the operation of the requirement that the district and the enforcement agency take appropriate action, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(3) This bill would provide that it is to take effect immediately as an urgency statute.

Ch. 425 (SB 263) Johnson. Limited liability partnerships: limited liability companies.

Existing law provides for the creation of various forms of business organizations, including limited liability partnerships and limited liability companies. Existing law requires the Secretary of State to prescribe a form relative to filing with the Secretary of State of a certificate of registration by limited liability partnerships and articles of organization by limited liability companies.

This bill would require the Secretary of State to include with instructional materials provided in conjunction with these forms a notice that filing the registration will obligate the limited liability partnership or limited liability company to pay an annual tax for that calendar year to the Franchise Tax Board. The bill would require the notice to be updated annually to specify the dollar amount of the tax.

Ch. 426 (SB 312) Alpert. Cigarette and tobacco products taxes: returned products.

The Cigarette and Tobacco Products Tax Law imposes a tax on every distributor of cigarettes at specified rates. For purposes of that law, "untaxed tobacco product" is defined as any tobacco product that has not yet been distributed in a manner that results in a tax liability.

This bill would include as an "untaxed tobacco product" any tobacco product that was distributed in a manner that resulted in a tax liability, but that was returned to the distributor after the tax was paid and for which the distributor claimed a deduction, refund, or credit.

The Tobacco Tax and Health Protection Act of 1988 (Proposition 99), which was adopted by the voters at the general election held on November 8, 1988, imposes a surtax on the distribution of cigarettes in addition to the tax imposed pursuant to the Cigarette Tax Law as of the effective date of the adoption of Proposition 99, and imposes a tax on the distribution of certain tobacco products at an equivalent total rate determined pursuant to specified criteria.

The California Families and Children Act of 1998 (Proposition 10), which was adopted by the voters at the general election held on November 3, 1998, imposes a surtax on the distribution of cigarettes in addition to the tax imposed pursuant to the Cigarette Tax Law and the Tobacco Tax and Health Protection Act of 1988 as of the effective date of the adoption of Proposition 10, and imposes a tax on the distribution of certain tobacco products at an equivalent rate.

This bill would provide that the wholesale cost used to calculate the amount of those taxes does not include the wholesale cost of tobacco products that were returned by a customer during the same reporting period in which the tobacco products were distributed, when the distributor refunds the amount paid in cash or credit.

The bill would also make changes with respect to refunds and credits, related to the other provisions of this bill.

The Tobacco Tax and Health Protection Act of 1988, an initiative measure, and the California Families and Children Act of 1998, another initiative measure, each require that amendments to their provisions be consistent with the act's purposes, and be approved by either a $4/5$ or $2/3$ vote of both houses of the Legislature.

This bill would declare that it amends those measures in a manner that furthers and is consistent with the purposes of those measures, and that it would require a $4/5$ vote for passage.

This bill would take effect immediately as a tax levy.

Ch. 427 (SB 1007) Machado. State Payment Card Act.

(1) Existing law requires all state agencies, with limited exceptions, to accept payments made by credit card or payment device and authorizes the Director of General Services, or his or her designee, to negotiate and enter into contracts necessary to implement or facilitate the acceptance of credit cards. Existing law also authorizes the director to seek to negotiate master contracts or other contracts that allow the cost-effective acceptance of payment by credit card or payment device.

This bill would authorize the director to negotiate master contracts or other contracts in this regard, and would require the director, in consultation with the Director of e-Government, to take steps to encourage the adoption of standard payment policies and procedures for all state agencies. The bill would authorize a state agency to enter into an interagency agreement with another state agency for the purposes of establishing uniform policies and acquiring equipment to support payment by credit card or other payment device.

(2) Existing law generally requires all state agencies to accept payment made by means of a credit card or payment device, but permits the Director of General Services to grant an exemption from this requirement upon the request of a state agency if the agency makes specified findings.

This bill would, subject to these exemption provisions, require all state agencies to accept these means of payment. The bill would authorize the director to request that an exemption be renewed on a periodic basis and that the agency provide a plan for implementing the requirement that it accept payment by means of a credit card or other payment device.

Ch. 428 (AB 237) Papan. Eminent domain.

Existing law, the Eminent Domain Law, provides a procedure to exercise the power of eminent domain to acquire property for a public use. It details the rules for the commencement of such a proceeding and for compensation of the owner of the property. Existing law requires the plaintiff, at least 20 days prior to the date of the trial on the issues relating to compensation, to file with the court and serve on the defendant its final offer of compensation in the proceeding and requires the defendant to file and serve on the plaintiff its final demand for compensation in the proceeding.

This bill would require the final offer and demand to include all elements of required compensation, including compensation for loss of goodwill, and to indicate whether or not interest and costs are included.

The bill also would provide that the parties may by agreement refer a dispute that is the subject of an eminent domain proceeding for resolution by mediation or binding or nonbinding arbitration, as specified; and, if a judgment in eminent domain is not more favorable to the moving party following nonbinding arbitration, would require the court to order that party to pay to the other parties, specified nonrefundable costs and fees unless the court finds in writing and on motion that the imposition of costs and fees would create such a substantial economic hardship as not to be in the interest of justice.

The bill would provide that, upon motion of a party, the court may postpone the date of trial in an eminent domain proceeding for a period that appears adequate to enable resolution

of a dispute pursuant to alternative resolution procedures provided that the court is satisfied that certain conditions are met, as specified.

Existing law provides that at any time before entry of the judgment, the plaintiff may deposit with the State Treasury the probable amount of compensation, based on an appraisal, that will be awarded in the proceeding. Existing law requires the plaintiff, prior to making the deposit, to have an expert qualified to express an opinion as to the value of the property make an appraisal of the property and prepare a written statement of, or summary of, the basis for the appraisal.

This bill would require the statement or summary to contain detail sufficient to clearly indicate the basis for the appraisal, including the highest and best use and applicable zoning of the property, the principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the appraisal, and if the appraisal includes compensation for damages to the remainder, the compensation for the property and for damages to the remainder stated separately, and the calculations and a narrative explanation supporting the compensation, including any offsetting benefits.

Existing law requires the court, upon motion, to determine or redetermine whether the amount deposited is the probable amount of compensation that will be awarded.

This bill would specify the information necessary to support that motion.

Existing law defines the "date of exchange" for purposes of the provisions relating to the exchange of valuation data in eminent domain proceedings, as the date agreed to by the parties for the exchange of their lists of expert witnesses and statements of valuation data by the party who served a demand and the party on whom the demand was served, or, failing agreement, a date 60 days prior to commencement of the trial on the issue of compensation, or the date set by the court on noticed motion of either party establishing good cause therefor.

This bill would provide that failing agreement, the date of exchange is a date 90, rather than 60, days prior to the above specified events, and would provide that unless otherwise agreed to by the parties, the date of exchange shall not be earlier than 9 months after the date of commencement of the proceeding.

Existing law requires the statement of valuation data to provide the name and business or residence address of the witness and to include a statement whether the witness will testify to an opinion, as specified.

This bill would require the method used to determine a loss of good will and a summary of the data supporting the opinion to be included in the exchange of valuation data. Moreover, the bill would provide that either party may move the court for a ruling on an evidentiary or other legal issue affecting the determination of compensation, and would require the motion to be made 60 days before commencement of trial on the issue of compensation. The bill would authorize the court to postpone the date of final offers and demands of the parties and the date of trial for a period sufficient to enable the parties to engage in further proceedings before trial in response to the court's ruling on the motion.

Existing law requires a public entity to establish an amount which it believes to be just compensation for the acquisition of real property and to provide the owner of real property with a written statement of, and summary of the basis for, the amount it established as just compensation. Existing law provides that where the property is owner occupied residential property and contains no more than 4 residential units, the homeowner shall, upon request, be allowed to review a copy of the appraisal upon which the offer is based.

This bill would specify the necessary detail required of the written statement and summary, and would provide that the public entity may meet the written statement, summary, and review requirements by providing the property owner with a copy of the appraisal.

The provisions of the bill would apply to any proceeding commenced on or after January 1, 2002.

Ch. 429 (AB 309) Longville. Sales and use taxes: fuel: prepayment: fuel taxes.

The Motor Vehicle Fuel Tax Law and the Diesel Fuel Tax Law impose specified taxes with respect to fuel. Both laws are administered by the State Board of Equalization.

This bill would allow the board to accept and authenticate any return, report, declaration, or statement filed under those laws using electronic media, and would also allow the board to be provided with returns filed with the Internal Revenue Service's Excise Summary Terminal Activity Reporting System (ExSTARS) if a terminal operator provides consent and authorization.

This bill would amend specified provisions of the Motor Vehicle Fuel Tax Law and the Diesel Fuel Tax Law to conform to comparable federal fuel tax laws and federal fuel regulations, including regulations authorizing one taxpayer to pay another taxpayer's tax liability on fuel removed from the terminal rack (2-party exchange agreements), operative only if authorized by the IRS.

This bill would reconcile provisions of the Motor Vehicle Fuel Tax Law and the Diesel Fuel Tax Law, revise and recast administrative provisions, incorporate additional definitions based on federal fuel regulations into the Motor Vehicle Fuel Tax Law and the Diesel Fuel Tax Law, and update specified definitions that were revised in federal fuel regulations. This bill would allow the board to recommend a refund of amounts overpaid by any person, rather than only a licensed supplier.

Under existing law, any distributor or broker of motor vehicle fuel, any aircraft jet fuel dealer who sells aircraft jet fuel, or any producer, importer, or wholesaler who makes a sale of diesel fuel is required to collect prepayment of sales tax from the person to whom the fuel is sold. Existing law also provides that when these fuels are resold, the person is entitled to claim credit for the prepayment paid to the supplier on the return for the period in which the fuel is resold.

This bill would require the sales tax prepayment on fuel at the first point of distribution, known as the rack.

Existing law provides that a person who is required to make sales and use tax prepayment with respect to motor vehicle fuel distributions may not be required to also make prepayments under the general sales and use tax provisions, if at least 75% of the gross receipts of that person are derived from the retail sale of motor vehicle fuel.

This bill would include retail sales of diesel fuel and aircraft jet fuel in that percentage calculation, in addition to retail sales of motor vehicle fuel.

This bill would incorporate additional changes in Section 60022 of the Revenue and Taxation Code proposed by AB 86 of the 2nd Extraordinary Session of the Legislature, to be operative only if AB 86 and this bill are both enacted and become effective, as specified, and this bill is enacted last.

This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date.

Ch. 430 (AB 743) Robert Pacheco. Credit unions.

Existing law provides for regulation of credit unions and other financial institutions by the Department of Financial Institutions, and by various federal agencies, if the financial institutions are federally chartered. Existing law, with respect to deposit of various funds held by certain public agencies and officials, or for other finance-related purposes, specifies appropriate financial institutions that may be used for those purposes by those public agencies and officials, including county superintendents of schools, school districts, Director of Education, Treasurer, directors of overseas trade offices, and county boards of retirement for various public agency employees.

This bill would provide that credit unions may also be appropriately used for these purposes by the above-mentioned agencies and officials.

This bill would incorporate additional changes in Section 15364.77 of the Government Code, proposed by AB 968, to be operative only if AB 968 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 431 (AB 815) Havice. Controlled substances: unlawful detainer.

Existing law, scheduled to be repealed by its own terms on January 1, 2002, provides that the city prosecutor or city attorney of specified judicial districts in the County of Los Angeles may file, in the name of the people, an action for unlawful detainer against any tenant who is unlawfully engaged in specified controlled substance offenses, and shall maintain records of all actions filed, as specified. Existing law requires the court, after judgment is entered in any unlawful detainer proceeding, to submit to the Judicial Council information on the case, as specified.

This bill would provide for the continued existence of the above law until January 1, 2005 and would provide that an action for unlawful detainer may be brought if any of the specified controlled substance offenses occurs on the subject real property and is documented by the observations of a peace officer. The bill would revise the information to be collected by the city attorney and city prosecutor regarding unlawful detainer actions filed and would instead require, commencing January 1, 2002, the city attorney and city prosecutor, and not the court, to report annually information compiled on unlawful detainer actions to the Judicial Council. It would also revise the designation of Los Angeles County judicial districts to which these provisions shall apply, and would make related changes. By either continuing to impose certain duties, or by imposing new duties, on local officials, this bill would impose a state-mandated local program upon local governments.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 432 (AB 1006) Jackson. Courts: Ventura County.

Existing law authorizes a county to establish a courthouse construction fund, as specified.

This bill would authorize the County of Ventura to establish a Juvenile Justice Facilities Construction Fund to improve county juvenile justice facilities, as specified.

The bill would also provide that deposits to the courthouse construction fund established in Ventura County shall continue to and including the 25th year after the initial year in which the surcharge is collected or the 25th year after any borrowings are made for any construction, as specified.

The bill would make legislative findings and declarations as to the necessity for a special statute.

Ch. 433 (AB 1099) Havice. Judges' retirement: benefits.

(1) Existing law establishes reciprocity between specified public retirement systems, thereby allowing a member of more than one qualifying system to use the compensation earned while a member of one of those reciprocal systems to calculate benefits under the other system, subject to specified limitations. Under the Public Employees' Retirement Law, compensation earnable during any period of service as a member of specified retirement systems is considered compensation earnable as a member of the Public Employees' Retirement System for purposes of computing final compensation for the member, as specified. Under the County Employees Retirement Law of 1937, the average compensation during any period of service as a member of a reciprocal retirement system is considered compensation earnable for a member for purposes of determining final compensation, as specified.

This bill would add the Judges' Retirement System II to these provisions of the Public Employees' Retirement Law and would add both the Judges' Retirement System and the

Judges' Retirement System II to these provisions of the County Employees Retirement Law of 1937. The bill would further require a judge to have a minimum of 6 years of judicial service to be eligible for benefits provided by retiring concurrently from specified reciprocal retirement systems.

(2) Under the Public Employees' Retirement Law, specified state and local employees and legislators are eligible to participate in the Supplemental Contributions Program, as specified. Participant contributions under the program are deposited in the Supplemental Contributions Program Fund, a continuously appropriated fund.

This bill would authorize judges who are members of the Judges' Retirement System or the Judges' Retirement System II to participate in that program, thereby making an appropriation.

(3) The Judges' Retirement System authorizes a judge to elect, at any time prior to retirement, to make contributions to the system and receive service credit for all time served as a federal judicial officer, subject to specified limitations.

This bill would additionally permit a judge to elect to make contributions and receive service credit for all of the time in which the judge served as a full-time subordinate judicial officer prior to becoming a judge, as specified. By increasing the amount of money deposited into the Judges' Retirement Fund, a continuously appropriated fund, the bill would make an appropriation.

(4) Under the existing Judges' Retirement System and Judges' Retirement System II, judges may elect from among 4 optional settlements, 2 of which provide for a retirement allowance payable until the judge's death and a specified continuing allowance payable to the judge's surviving spouse for life.

This bill would provide that if a judge elected either of those 2 optional settlements to be effective after January 1, 2002, and if the judge's spouse predeceases the judge or the judge's total interest in the system is awarded to the retired judge in proceedings for dissolution of marriage, annulment, or legal separation, the judge's retirement allowance shall be adjusted to the amount that would have been paid had the judge not elected the optional settlement. The bill would also authorize those judges, at the time of electing the optional settlement, to waive the right to the adjustment that would be made upon the death of the judge's spouse or upon the dissolution, annulment, or legal separation of the judge and his or her spouse, as specified.

(5) The existing Judges' Retirement System II Law prescribes retirement benefits for judges who are first elected or appointed to judicial office on or after November 9, 1994, which benefits are based, in part, on the period of service, as defined, of the judge. During their service, those judges are required to make specified contributions to the Judges' Retirement System II Fund, a continuously appropriated special fund.

This bill would permit a judge to elect to make contributions and receive service credit for the time in which the judge served as a full-time subordinate judicial officer, subject to the payment by the judge of additional contributions and other specified conditions. By increasing the amount of money deposited into the Judges' Retirement System II Fund, the bill would make an appropriation.

Ch. 434 (SB 325) O'Connell. Mobilehome and special occupancy parks.

(1) Existing law, known as the Mobilehome Parks Act, generally regulates various classifications of mobilehome and related vehicle parks, including special occupancy parks, and imposes related duties on the Department of Housing and Community Development and local enforcement agencies.

This bill would delete provisions relating to special occupancy parks from that act and would enact separate provisions known as the Special Occupancy Parks Act that would impose generally similar duties on the Department of Housing and Community Development and local enforcement agencies with respect to special occupancy parks. The bill would create a state-mandated local program by creating new crimes. The bill would

provide that funds collected by the department pursuant to the Special Occupancy Parks Act, including provisions imposing specified fees, are to be deposited in the Mobilehome Parks and Special Occupancy Parks Revolving Fund, which the bill would create by renaming the Mobilehome Parks Revolving Fund, and from which those funds would be available, upon appropriation, to the department for purposes of the act.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would become operative on January 1, 2003, except that the Department of Housing and Community Development would be required to adopt any necessary regulations by October 30, 2002.

(4) This bill would incorporate additional changes in Section 18610.5 of the Health and Safety Code proposed by SB 339, to be operative if SB 339 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 435 (SB 349) Committee on Business and Professions. Healing arts.

(1) Existing law provides for the regulation and licensing of businesses, professions, and vocations, including the imposition of specified delinquency fees and unpaid renewal fees in connection with expired licenses and registrations.

This bill would provide that delinquency fees or accrued and unpaid renewal fees for expired licenses and registrations do not apply to licenses and registrations that have been lawfully designated as inactive or retired.

(2) Existing law, the Medical Practices Act, provides for the licensure and regulation of the practice of podiatric medicine by the California Board of Podiatric Medicine within the Medical Board of California. Pursuant to existing law, the podiatric medicine board may contract with consultants to assist the board in its enforcement program.

This bill would authorize the board to employ all personnel necessary to carry out its duties subject to the appointment of investigative personnel by the Division of Investigation in the Department of Consumer Affairs. The bill would make the contract and employment provisions affecting the podiatric medicine board inoperative as of July 1, 2003, and would repeal them on January 1, 2004.

(3) Existing law provides that in certain circumstances specified license or registration renewal fees must be paid in order to renew an expired license or registration for speech-language pathologists and audiologists, physical therapists, vocational nurses, psychologists, optometrists, physician assistants, and psychiatric technicians.

This bill would require payment of all accrued and unpaid licensure or registration renewal fees in order for an individual to renew his or her license or registration with regard to the above professions or vocations. Because this bill would increase fee revenue deposited into various continuously appropriated funds applicable to these separate professions or vocations, the bill would make an appropriation.

(4) Existing law requires a registered marriage and family therapist intern to notify the board of his or her commencement of employment and termination of employment, and to meet certain guidelines in doing so, or he or she may risk losing credit for the experience gained during the period of employment.

This bill would eliminate the requirement that a registered intern notify the board of the commencement of employment and the termination of employment as an intern.

(5) Existing law requires that the Board of Registered Nursing provide for an analysis of the practice of entry level registered nursing at least every 8 years and that the analysis be used in the determination of subjects required to be completed at nursing school for licensure as a registered nurse.

This bill would require the analysis to be of all registered nurses and to be completed no less than every 5 years. The bill would also require that the results of the analysis be utilized in determining required subjects for validation of the licensing examination and assessment of the current practice of nursing.

(6) Existing law provides that the Physician Assistant Committee, which regulates the licensure and practice of physician assistants, meet at least 4 times annually, at least once in Sacramento and once in Los Angeles, and conduct additional meetings as necessary.

This bill would remove these requirements and instead require the committee to convene as deemed necessary.

Ch. 436 (SB 542) Ortiz. Cemeteries.

Existing law regulates the business of cemeteries and defines key terminology used in the cemetery business.

This bill would make changes to the definitions used in the cemetery business in that it clarifies, amends, and eliminates various definitions.

This bill would combine the statutes, which provided for a cemetery authority's power to regulate the use, care, control, management, restriction, and protections of the cemetery land, into one statutory section and repeal other sections that duplicate the powers of the cemetery authority.

Under existing law, if the owner of a cemetery plot transferred to the owner by deed or certificate of ownership dies without making a disposition of the plot either in his or her will or by specific devise or by a written declaration filed and recorded in the office of the cemetery authority, the plot becomes inalienable upon the person's death and becomes the family plot of the owner.

This bill would provide that if the owner of a family plot dies without making disposition of the plot, the unoccupied portions of the plot would pass by the laws of intestate succession upon the owner's death. This bill would also provide that, on and after January 1, 2002, any unoccupied portions of a family plot that previously were inalienable pursuant to the above existing law provision, shall pass by the laws of intestate succession and shall become alienable. This bill would impose specific requirements on the seller and the cemetery authority with respect to the sale, transfer, or donation of any unoccupied portions of a family plot.

Ch. 437 (SB 920) Dunn. Mobilehomes.

Existing law regulates mobilehome parks and limits the fees and charges the mobilehome lot park management may charge a park resident or owner of a mobilehome within the park. Existing law requires that, if the management provides both master-meter and submeter service of utilities to residents and owners, the monthly charges shall be separately stated for each resident or owner and that the management post in a conspicuous place the prevailing residential utilities rate schedule as published by the serving utility.

This bill would require the management of a master-meter mobilehome park to give written notice by February 1 of each year to homeowners and residents in their utility billing statements about assistance to low-income persons for utility costs available under the California Alternate Rates for Energy (CARE) program. The notices would be required to include specified information regarding the CARE program.

This bill would provide that the management of a master-meter mobilehome park may accept and help process CARE program applications, and send the applications to the serving utility. This bill would also provide that the management may not deny a homeowner or resident who chooses to submit a CARE application to the utility himself or herself any park information, including a utility account number, the serving utility requires to process an application.

This bill would also require the management of a master-meter mobilehome park to pass through the full amount of the resulting CARE program discount in monthly utility billings

to homeowners and residents who have qualified for the CARE rate schedule, as defined in the serving utility's applicable rate schedule. The bill would require the management to notice the discount on the billing statements of any homeowner or resident who has qualified for the CARE rate schedule, as specified.

Ch. 438 (SB 958) Ackerman. Attorneys: mortgages and deeds of trust.

(1) Existing law, which will be repealed by its own terms on January 1, 2002, requires the State Bar of California to conduct a study, as specified, concerning the legal and professional responsibility issues that may arise as a result of the relationship between an attorney and an insurer when the attorney is retained by the insurer to represent an insured, and the attorney is subsequently retained to represent a party against another party insured by the insurer, and to submit a report of the study, with any recommendations, to the Legislature and the California Supreme Court on or before July 1, 2001.

This bill would extend that repeal date to January 1, 2003, and extend the deadline for submission of the report of the study to the Legislature and the California Supreme Court to on or before July 1, 2002.

(2) Existing law requires a person recording a notice of default of a mortgage or deed of trust to perform specified actions.

This bill would require that person recording the notice of default to provide a copy of the notice of sale to the Internal Revenue Service if a "Notice of Federal Tax Lien" has been recorded against the real property to which the notice of sale applies.

(3) Existing law limits specified trustee's or attorney's fees in connection with certain procedures required upon default in payment of obligations under a mortgage or deed of trust to \$240 with respect to any portion of the unpaid principal sum secured that is \$50,000 or less, plus additional incremental allowable percentages of the principal sum over that amount.

This bill would, operative January 1, 2002, increase the specified maximum amount of that fee to \$300 plus additional incremental percentages of a principal sum of \$50,000 or less, or \$250 plus additional incremental percentages of a principal sum in excess of \$50,000.

(4) Existing law limits specified trustee's or attorney's fees in connection with the enforcement of certain terms of obligation upon default in payment under a mortgage or deed of trust to \$350 with respect to any portion of the unpaid principal sum secured that is \$50,000 or less, plus additional incremental allowable percentages of the principal sum over that amount.

This bill would, operative January 1, 2002, increase the specified maximum amount of that fee to \$425 plus additional incremental percentages of a principal sum of \$150,000 or less, or \$360 plus additional incremental percentages of a principal sum in excess of \$150,000.

(5) Existing law limits specified trustee's or attorney's fees in connection with a sale of property, that may be deducted from the proceeds of the sale, to \$350.

This bill would, operative January 1, 2002, increase that fee limit to \$425. The bill would also make clarifying changes with respect to reconveyance fees.

(6) Existing law provides for the postponement of sales of property under the power of sale in a deed of trust or mortgage, as specified.

This bill would, operative January 1, 2002, revise the postponement of those sales that are subject to postponement pursuant to a stay imposed under federal bankruptcy law.

(7) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 439 (SB 185) Bowen. Battered women's shelters.

Existing law requires the Maternal and Child Health Branch of the State Department of Health Services to administer grants, awarded as the result of a request for application process, to battered women's shelters.

This bill would require the Maternal and Child Health Branch of the State Department of Health Services to conduct a site visit to each agency that receives funding received through

the grant program for a performance assessment and to provide technical assistance to each agency.

Ch. 440 (SB 201) Speier. Public Utilities Commission: division to represent interests of customers and subscribers.

Existing law establishes a division within the Public Utilities Commission to represent the interests of public utility customers and subscribers in commission proceedings. Existing law provides for a director of the division appointed by and serving at the pleasure of the Governor, subject to Senate confirmation. Existing law provides for the Public Utilities Commission Ratepayer Advocate Account in the General Fund and requires that money from the Public Utilities Commission Utilities Reimbursement Account in the General Fund be transferred in the annual Budget Act to the Public Utilities Commission Ratepayer Advocate Account for performance of the duties of the division. Existing law provides for the repeal of those provisions on January 1, 2002, and the replacement of those provisions on that date with provisions requiring the commission to create an organization or division within the commission to represent the interests of public utility customers and subscribers in commission proceedings.

This bill would delete the repeal of the provisions that provide for the division, the director of the division, and the Public Utilities Commission Ratepayer Advocate Account, and would repeal the provisions that were to become operative January 1, 2002. The bill would instead provide that the division represent the interests of public utility customers and subscribers, but no longer limit that representation to commission proceedings. This bill would also set forth the procedures for making and resolving objections to demands for the production or disclosure of information made by the division, as specified.

Ch. 441 (SB 481) Speier. Vehicles: dealers: licenses.

(1) Existing law requires licensed vehicle dealers to post certain notices at the dealer's established place of business.

This bill would also require each dealer to clearly and conspicuously display in its showroom at its established place of business and in a place that is easily accessible to prospective purchasers, a clear and conspicuous listing of each vehicle that the dealer has advertised for sale if the vehicle meets prescribed requirements.

Because, under existing law, a violation of the statutes governing licensed dealers is a crime, this bill would impose a state-mandated local program by changing the definition of a crime.

(2) Existing law makes it unlawful for an advertisement by a licensed vehicle dealer of a specific vehicle for sale to fail to identify the vehicle by either its vehicle identification number or license number.

This bill would exclude from this prohibition any advertisement that offers for sale a class of new vehicles, consisting of 5 or more vehicles, in a dealer's inventory that are all of the same make, model, model-year, and type. The bill would also allow a vehicle to be identified by a certain portion of the vehicle identification number.

(3) Existing law makes it unlawful for a licensed vehicle dealer to, among other things, advertise the total price of a vehicle without including all costs to the purchaser at the time of sale except certain specific exemptions (for example, taxes and registration fees). The fact that these costs are excluded from the total advertised price of a vehicle is required to be included in the advertisement.

This bill would include the costs of the California tire fee, as defined, in costs that may be excluded from the total advertised price.

The bill would require the fact that certain costs are excluded from the advertised total price to be disclosed by a specific disclosure statement. The bill would thus impose a state-mandated local program by expanding the scope of an existing crime.

(4) Existing law makes it unlawful for a licensed vehicle dealer to fail to sell a vehicle to any person at the advertised total price, which is a price exclusive of taxes, fees, and certain other authorized charges.

This bill would provide that an advertised vehicle must be sold at or below the advertised total price regardless of whether the purchaser has knowledge of the advertised total price. The bill would thereby impose a state-mandated local program by expanding the scope of an existing crime.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 442 (SB 594) Chesbro. Pest control: Pierce's disease.

Existing law creates in the Department of Food and Agriculture the Pierce's Disease Control Program. Under existing law, funds appropriated for this program shall not be allocated to a local public entity, as designated by the county's board of supervisors, until the local public entity creates a Pierce's disease work plan that is approved by the department.

Existing law, the Winegrape Pest and Disease Control District Law, authorizes the formation of winegrape pest and disease control districts to respond to the effects of winegrape plant pests and diseases, and to collect and disseminate to winegrape producers in the district all relevant information and scientific studies concerning the pests and diseases, as well as to chart and determine the extent and location of any infestations. Existing law sets forth a procedure for the formation, consolidation, reauthorization, and dissolution of the districts, and provides for their powers and duties, including the power to make assessments for the purposes of the district.

This bill would create the Napa County Winegrape Pest and Disease Control District Law and would state various findings and declarations with respect to Pierce's disease and its vector the glassy-winged sharpshooter, winegrapes, and Napa Valley's contribution to the winegrape industry. This bill would declare that it is the purpose of these provisions to, among other things, assist in the funding of the inspection, detection, and education of Pierce's disease as stated in the Napa County Glassy-Winged Sharpshooter Workplan, as specified, to prevent the spread of Pierce's disease by the glassy-winged sharpshooter. This bill would set forth procedures for the formation, consolidation, reauthorization and dissolution of the districts, and provide for their powers and duties in a similar fashion to existing law. The bill would impose duties on a county board of supervisors if a petition is filed to form a district, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 443 (SB 664) Poochigian. Nursing education.³

Existing law establishes the California Postsecondary Education Commission as the statewide postsecondary education coordinating and planning agency, which serves as a fiscal and program advisor to the Governor and the Legislature on postsecondary educational policy.

This bill would require the commission to conduct, or contract to conduct, a review and analysis of California community college districts' admission procedures and attrition rates for their 2-year associate degree nursing programs. The bill would require the commission to submit findings of the review and analysis, along with relevant recommendations, to the Governor and the Legislature on or before January 10, 2003. The bill would repeal these

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provisions on January 1, 2004. The bill would appropriate \$130,000 from the General Fund to the commission for purposes of the bill.

Ch. 444 (SB 683) Ortiz. Public health information: confidentiality.

Existing law relating to public health surveillance provides for the collection of information with respect to birth defects monitoring, and also with respect to determination of the incidence of cancer. Existing law further provides for the confidentiality of this information, except as specified.

The bill would specifically designate the information described above as “confidential information.” This bill would recast and revise the confidentiality requirements relating to each of the above subjects, including providing that the confidential information shall not be available for subpoena, or disclosed, discoverable, compelled to be produced, or admissible as evidence in any civil, criminal, administrative, or other proceeding. This bill would provide that individuals to whom the confidential information pertains shall have access to their own information in accordance with the Information Practices Act of 1977.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 445 (SB 884) Escutia. Dependent children.

Existing law requires, whenever a child may be placed in the home of a relative or a prospective guardian or other person who is not a licensed or certified foster parent, the county social worker to check the Child Abuse Index, as specified, to be requested from the Department of Justice. If the fingerprint clearance check indicates that the person has been convicted of a crime that would preclude that person from receiving a license or permit to operate a foster family home, the child may not be placed in the home, except that existing law authorizes the Director of Social Services, upon request from a county, to waive the application of these requirements, as specified.

This bill would revise the above-described exception to authorize a county to grant an exemption from these requirements if the Director of Social Services has granted the county permission to issue criminal records exemptions, as specified. The bill would require the State Department of Social Services to conduct an evaluation of the implementation of these provisions through random sampling. The bill also would authorize the State Department of Social Services to evaluate a request from an Indian tribe for an exemption from these requirements to allow placement into an Indian home, as specified. These provisions would remain operative only until January 1, 2005.

Operative January 1, 2005, the bill would delete the provision in existing law authorizing the Director of Social Services to waive the application of these requirements.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 446 (SB 908) Chesbro. State Coastal Conservancy: California Coastal Trail.

Existing law requires the State Coastal Conservancy to implement various coastal protection and preservation programs in coastal areas of the state.

This bill would require the conservancy, in consultation with the Department of Parks and Recreation and the California Coastal Commission, to coordinate the development of the California Coastal Trail, and would require each agency, board, department, or commission of the state with property interests or regulatory authority in coastal areas, to the extent feasible, and consistent with their individual mandate, to cooperate with the conservancy with respect to planning and making lands available for completion of the trail. The bill would authorize the conservancy to award grants and provide assistance to public agencies and nonprofit organizations to establish and expand inland trail systems that may be linked to the California Coastal Trail. The bill would require the California Coastal Trail to be developed in a manner that demonstrates respect for property rights and the proximity of the trail to residential uses, and that evidences consideration for the protection of the privacy of adjacent property owners.

The bill would also require the conservancy, not later than January 31, 2003, in consultation with the California Coastal Commission, the California Conservation Corps, and the Department of Parks and Recreation, to complete a plan for the development of the California Coastal Trail, and to submit to the Legislature a copy of the plan by that date. The provisions of the bill would be implemented only during those fiscal years for which funding is provided for the purposes of the bill in the annual Budget Act.

Ch. 447 (SB 1055) Morrow. Public Utilities Commission: customer priorities.

(1) Existing law requires the Public Utilities Commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, and among the uses of electricity or gas by those customers. In establishing those priorities, the commission is required, among other things, to identify those customers and uses that provide the most important public benefits and serve the greatest public need in descending order of priority.

This bill would require the commission to also include as a consideration when establishing these priorities a determination of unacceptable jeopardy or imminent danger to public health and safety that creates substantial likelihood of severe health risk requiring medical attention. The bill would also require the commission to consider the effect of providing a high priority to some customers on nonpriority customers.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 448 (SB 1136) Polanco. Insurance.

Existing law provides that it is a misdemeanor to advertise a nonadmitted insurer in this state unless the advertising is performed by a surplus line broker. Existing law provides, until January 1, 2002, certain exceptions to that prohibition on advertising a nonadmitted insurer.

Existing law provides, until January 1, 2002, that it is a misdemeanor to place certain types of insurance with a nonadmitted insurer unless placed by or through a special lines' surplus line broker, as specified.

This bill would delete the January 1, 2002, repeal of those provisions. The bill would make related changes.

Ch. 449 (SB 1154) Sher. Coastal Watershed Salmon Habitat Program.

Existing law sets forth a process to govern the expenditure of any funds received by the state from the federal government for the purposes of salmon and steelhead trout conservation and restoration.

This bill would additionally require the expenditure of funds authorized for the Coastal Watershed Salmon Habitat Program to be subject to that process.

This bill would appropriate \$7,500,000 from the Coastal Watershed Salmon Habitat Subaccount to the Department of Fish and Game for the Mill Creek acquisition project.

Ch. 450 (SB 1158) Knight. Hazardous waste: universal waste aerosol cans.

(1) Under existing law, the Department of Toxic Substances Control is required to issue hazardous waste facilities permits to use and operate hazardous waste management units. Existing law exempts, from the hazardous waste facilities requirements, the puncturing, draining, or crushing of aerosol cans if specified requirements are met by the owner or operator conducting that activity, including that the equipment used is designed to capture the gaseous and liquid contents of the cans, prevent fire, explosion, and unauthorized releases of hazardous constituents, and prevent worker exposure to hazardous materials released from the cans, and is certified by the department. A violation of the hazardous waste control law is a crime.

The bill would delete the puncturing, draining, or crushing of aerosol cans from that exemption from hazardous waste facilities requirements. This bill would define the term of "universal waste aerosol can" as a hazardous waste aerosol can while it is being managed according to specified regulations, and in a specified manner. The bill would impose

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specified requirements on any person who manages aerosol cans that meet specified requirements, and would require a universal waste handler, as defined, to manage universal waste aerosol cans in a manner that prevents fire, explosion, and the unauthorized release of any universal waste or component of a universal waste into the environment. The bill would require a container used to accumulate or transport universal waste aerosol cans, or their contents, to meet specified requirements and would require a universal waste handler to accumulate universal waste aerosol cans in clearly marked or labeled containers, as specified. The bill would authorize a universal waste handler to remove and collect any contents of a universal waste aerosol can if the handler meets specified requirements, and would impose requirements on any contents of a universal waste aerosol can that exhibit a characteristic of hazardous waste. The bill would require a universal waste handler that processes universal waste aerosol cans to submit a specified notification to the Certified Unified Program Agency (CUPA) with jurisdiction over that universal waste handler, or to the agency authorized by the Secretary for Environmental Protection for that purpose. The bill would impose a state-mandated local program by creating new crimes regarding the management of universal waste aerosol cans.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 451 (SB 1180) Committee on Public Employment and Retirement. Public Employees' Medical and Hospital Care Act: protection and advocacy agency.

Existing law establishes a protection and advocacy agency that is a private nonprofit corporation, designated by the Governor pursuant to federal law, for the protection and advocacy of the rights of persons with developmental disabilities and persons with mental illness.

Existing law authorizes specified public agencies to elect, subject to certain conditions, to provide coverage for the agency's employees and annuitants, as defined, in health benefits plans under the Public Employees' Medical and Hospital Care Act and requires those agencies to make specified contributions to the Public Employees' Contingency Reserve Fund, a continuously appropriated special fund, to cover the administrative costs incurred by the Board of Administration of the Public Employees' Retirement System in providing that coverage.

This bill would authorize the protection and advocacy agency to elect to provide health benefits coverage under that act to the agency's employees and annuitants, if the agency obtains a specified opinion from the United States Department of Labor. By authorizing a new source of contributions to a continuously appropriated fund, the bill would make an appropriation.

Ch. 452 (SB 1190) Committee on Health and Human Services. Assistive dog allowance.

Existing law specifies that an individual who has a guide, signal, or service dog and who is a recipient of the federal Supplemental Security Income/State Supplementary Program for the Aged, Blind and Disabled (SSI/SSP) is eligible for a \$50 per month allowance for dog food and other costs related to the care and maintenance of the dog.

Existing law also provides that an individual who has a guide, signal, or service dog, and who is a recipient of federal Social Security Disability Insurance (SSDI) benefits whose income and resources are not in excess of the federal poverty level is eligible for a \$35 per month allowance for dog food and other costs related to the care and maintenance of the dog.

This bill would increase the allowance level for eligible SSDI recipients to \$50.

Ch. 453 (AB 297) Kehoe. Before and after school programs.

Existing law establishes the After School Learning and Safe Neighborhoods Partnerships Program to create incentives for establishing local after school enrichment programs and establishes maximum grant amounts for participating schools and serve pupils in kindergarten and grades 1 to 9, inclusive, at participating elementary, middle, and junior high schoolsites. Under existing law, every after school program established pursuant to the program is required to operate a minimum of 3 hours a day and at least until 6 p.m. on every regular schoolday.

Existing law, notwithstanding any other provision of law or regulation, permits a participating program operated by a city, county, or nonprofit organization to operate for up to 20 hours per week without obtaining a license or special permit otherwise required under prescribed provisions of law.

This bill would, until January 1, 2005, establish the Six-to-Six Before and After School Program to establish a similar program to provide local before and after school enrichment programs. This bill would permit a participating program, operated by a city or county in partnership with a community-based organization with the approval of a local educational agency and operated on a schoolsite, to operate for up to 30 hours per week without obtaining a license or special permit otherwise required under prescribed provisions of law. The bill would authorize the enrichment programs to operate only pursuant to the authorization of the governing board of a school district.

Ch. 454 (AB 334) Steinberg. Mental health funding: local grants.

Existing law provides for the allocation of state funds to counties for mental health programs. Existing law requires the State Department of Mental Health to establish service standards relating to mental health services. These standards are required to include, among other things, plans for services, evaluation strategies, coordination, and access to related medications, substance abuse services, housing assistance, vocational rehabilitation, and veterans' services. Existing law requires the department to select up to 3 counties or portions of counties for eligibility for demonstration grants to be used to provide comprehensive services to certain adults who are severely mentally ill. Existing law also requires the director to establish a methodology for awarding these grants and to establish a designated advisory committee.

This bill would make various statements of legislative findings and intent regarding the need to provide sufficient funds to counties for adult mental health and related services. This bill would define the outreach services that are part of the service planning and delivery process under the bill. This bill would provide that the outreach to adults required as part of the service standards may include adults voluntarily or involuntarily hospitalized as a result of a severe mental illness. This bill would also require that the service standards include provision for persons who have been suffering from an untreated severe mental illness for less than one year, and who do not require the full range of services but are at risk of becoming homeless unless a comprehensive individual and family support services plan is implemented. The bill would require that these persons be served in a manner that is designed to meet their needs. This bill would also make various changes in and additions to reporting requirements. This bill would also add certain training, consultation, and technical assistance requirements to existing law. This bill would also provide for services for persons who have been suffering from an untreated severe mental illness for less than one year. This bill would also provide for training for various professionals likely to come into contact with persons who may be suffering from an untreated severe mental illness. This bill would also require that proposals to be submitted to the state by a city or county be reviewed by a local advisory committee, including clients, family members, private providers of services, and other relevant stakeholders. This bill would require the advisory committee to provide to the director written comment on each of the county programs.

Ch. 455 (AB 402) Papan. Taxpayer contributions: Lupus Foundation of America, California Chapters Fund.

Provisions relating to the administration of personal income taxes allow individual taxpayers to contribute amounts in excess of their tax liability for the support of specified funds.

This bill would additionally allow taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the Lupus Foundation of America, California Chapters Fund, which would be created by this bill. However, the bill would provide that a voluntary contribution designation for this fund shall not be added on the tax return until another voluntary contribution designation is removed.

This bill would provide that all money contributed to the fund pursuant to these provisions would be subject to appropriation by the Legislature, as specified.

This bill would provide that these voluntary contribution provisions are repealed on January 1 of the fifth taxable year following the taxable year the fund first appears on the tax return. The bill would also provide that the provisions are repealed for taxable years beginning on or after January 1 of the calendar year in which the Franchise Tax Board estimates, by September 1, that the contributions made on returns filed in that calendar year will be less than \$250,000, or an adjusted amount for certain subsequent taxable years.

Ch. 456 (AB 451) Firebaugh. Air pollution: architectural paint and coatings.

(1) Existing law requires each air pollution control district and each air quality management district that has been designated a nonattainment area for ozone, carbon monoxide, sulfur dioxide, or nitrogen dioxide to submit to the State Air Resources Board a plan for attaining and maintaining the state ambient air quality standards. Existing law also requires the state board to make technical assistance available to support attainment planning.

This bill would authorize the state board to recommend for adoption by a district any suggested control measure for any architectural paint or coating, if the state board determines that the control measure will achieve a feasible reduction in volatile organic compounds emitted, and if the state board determines that adequate data exist to establish that the control measure is necessary to attain state and federal ambient air quality standards and is commercially and technologically feasible and necessary.

(2) Existing law also requires the governing board of each district to hold a noticed hearing prior to adopting, amending, or repealing any rule or regulation.

This bill also would require each district to provide at least one public workshop for any rule the district adopts regarding architectural paint or coating. By imposing an additional duty on the districts, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 457 (AB 509) Leach. Traffic violator schools.

(1) Existing law requires the Department of Motor Vehicles to license schools for traffic violators for purposes of providing traffic safety instruction to those persons referred to the schools by courts.

This bill would provide that the traffic violator schools are also licensed for purposes of providing traffic safety instruction to other persons who elect to attend. The bill would make related and conforming changes.

(2) Existing law requires the department to license driving schools and schools for traffic violators in accordance with separate provisions.

This bill would require any person who elects to attend a traffic violator school to receive from the traffic violator school and to sign a copy of a prescribed consumer disclosure statement concerning the different training, regulatory standards, and Vehicle Code requirements of licensed driving schools and licensed traffic violator schools prior to the payment of the traffic violator school fee and attending the school. The bill would specify that this requirement does not apply to persons referred to traffic violator schools by courts.

The bill would require a copy of each signed disclosure statement to be retained by the traffic violator school for a minimum of 36 months.

Because under existing law, a violation of the Vehicle Code is a crime, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 458 (AB 559) Wiggins. Emergency medical services.

(1) Existing law authorizes a pharmacy to furnish a dangerous drug or dangerous device to a licensed health care facility for storage in a specified manner.

This bill would authorize a pharmacy to furnish epinephrine auto-injectors to a school district or county office of education if certain conditions are met. The bill would require the school district or county office of education to maintain records regarding the acquisition and disposition of epinephrine auto-injectors furnished by the pharmacy for a period of 3 years from the date the records were created.

(2) Under existing law, the governing board of any school district is required to give diligent care to the health and physical development of pupils, and may employ properly certified persons for that work.

This bill would authorize a school district or county office of education to provide emergency epinephrine auto-injectors to trained personnel, and would authorize the trained personnel to utilize those epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. The bill would expressly authorize each public and private elementary and secondary school in the state to voluntarily determine whether or not to make emergency epinephrine auto-injectors and trained personnel available at its school and to designate one or more school personnel to receive prescribed training regarding epinephrine auto-injectors from individuals in specified positions. The bill would require the Superintendent of Public Instruction to establish minimum standards of training for the administration of epinephrine auto-injectors and to consult with the State Department of Health Services, organizations, and providers with expertise in administering epinephrine auto-injectors and administering medication in a school environment in developing those standards. The bill would authorize school nurses or, if the school does not have a school nurse, a person who has received training regarding epinephrine auto-injectors, to obtain prescriptions for epinephrine auto-injectors from individuals in certain positions and to immediately administer an epinephrine auto-injector under certain circumstances. The bill would require those individuals to initiate emergency medical services or other appropriate medical followup in accordance with written training materials. The bill would also require any school district or county office of education electing to utilize epinephrine auto-injectors for emergency medical aid to create a plan to address specified issues.

(3) Existing law requires the Emergency Medical Services Authority to develop planning and implementation guidelines for emergency medical service systems which address, among other things, manpower and training. Existing law requires the authority to adopt

rules and regulations as may be reasonable and proper to enable the authority to exercise its powers and perform its duties.

This bill would require the authority to establish training and standards for all prehospital emergency care personnel regarding the characteristics and method of assessment and treatment of anaphylactic reactions and the use of epinephrine, and to promulgate regulations therefor.

Ch. 459 (AB 652) Horton. University of California: Health Professions Education and Outreach.

Existing law establishes the University of California, and provides for its administration, and the provision of instruction at its various campuses, by the Regents of the University of California.

This bill would request the Regents of the University of California, on or before January 15, 2003, to report to the Legislature concerning the university's existing and planned efforts to recruit students to its schools of medicine, dentistry, and optometry from communities and populations that are dentally and medically underserved. The bill also would request the regents, to the extent possible, to use existing resources to establish dental, medical, and optometric health professions outreach and exposure programs for elementary, high school, and undergraduate students, including community college students.

Ch. 460 (AB 871) Cox. Vehicles: dealers.

(1) Existing law excludes from the term "dealer" for purposes of the Vehicle Code, among other persons and entities, public or private nonprofit charitable, religious, or educational institutions or organizations that sell vehicles if certain conditions are met, including that the proceeds of the sale of the vehicles are retained by that institution or organization for specific purposes and that the vehicles sold are donated to the institution or organization.

This bill would allow an institution or organization to sell vehicles on behalf of another qualifying institution or organization under described circumstances.

(2) Under existing law, any institution or organization described above is required to keep a record for not less than 3 years of the name and address of each vehicle donor. Existing law authorizes the Department of Motor Vehicles to inspect the records of a nonprofit institution or organization that sells vehicles in order to ascertain whether it meets the conditions described in (1).

This bill would recast this provision to require the institutions or organizations to keep additional records including, if the donated property is being sold by an institution or organization on behalf of another institution or organization, unless sold at wholesale, a described signed, written contract and separate listings and documents pertaining to the sale.

Because, under existing law, a violation of the Vehicle Code is a crime, this bill would impose a state-mandated local program by expanding the scope of that crime.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 461 (AB 1259) Wiggins. Hazardous waste facilities permits: suspension.

Existing law authorizes the Department of Toxic Substances Control to deny, suspend, or revoke any permit applied for, or issued, pursuant to the hazardous waste control laws, if the applicant or holder of the permit has violated, or is not in compliance with, specified laws and regulations governing hazardous wastes and substances.

This bill would require the department to suspend the permit, as defined, of any hazardous waste facility for nonpayment of specified fees, or for a failure to pay penalties imposed for a violation of the hazardous waste control laws or regulations by an administrative hearing

officer or trial court judge. The bill would also authorize the department to deny a new permit or the renewal of an existing permit, on the same grounds that the department is required to suspend a permit.

The bill would require the department, before suspending a permit, to comply with specified procedures and would specify related matters.

Ch. 462 (AB 1376) Wyman. Emergency response vehicles.

Existing law requires the Department of Transportation and local authorities in their respective jurisdictions, to place and maintain, or cause to be placed and maintained, appropriate signs, signals, and other traffic control devices.

This bill would require the department to apply, in cooperation with other interested cities with Traffic Signal Override Systems, to the United States Secretary of Transportation for federal funding to conduct a research program in one or more cities to test the effectiveness of the installation of signal emitters and sensors in emergency response vehicles in reducing accidents and injuries. It would require the department to submit a report on its findings to the budget and transportation committees of the Legislature within 6 months after the study is completed.

Ch. 463 (AB 1449) Keeley. Child support.

Existing law requires the local child support agency in each county to enforce child support orders and to collect arrearages, as specified.

This bill would require the Department of Child Support Services, in consultation with the State Department of Social Services, to establish and promulgate, by October 1, 2002, specified regulations by which the local child support agency may compromise an obligor's liability for public assistance debt in cases where the parent separated from or deserted a child who consequently became the recipient of aid under the AFDC-FC or CalWORKS programs, if specified conditions are met, and the department determines that compromise is necessary for the child's support. The bill would define "guardian" and "relative caregiver" for these purposes. The bill would also require the State Department of Social Services, in consultation with the Department of Child Support Services, by October 1, 2002, to promulgate specified regulations by which the county child welfare department, in case of separation or desertion of a parent or parents from a child resulting in aid, as specified, would determine whether it is in the best interests of the child to have his or her case referred to the local child support agency for child support services, as specified. The bill would further require the local child support agency to consult with the county child welfare department prior to compromising an obligor parent's liability for debt incurred for AFDC-FC payment provided to a child.

This bill also would require the Department of Child Support Services and the State Department of Social Services to make a report to the Governor and Legislature, by October 1, 2003, which contains specified topics addressed by this bill.

Certain provisions of this bill would not be implemented if it is determined that the provisions would reduce federal financial participation to AFDC-FC or CalWORKS programs. The bill would make other related, conforming changes.

Because this bill would impose new duties on local officials, it would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 464 (AB 1589) Simitian. Healing arts: electronic transmission of prescriptions.

Existing law, the Medical Practice Act, creates the Medical Board of California and requires it to perform various duties relating to the practices of physicians and surgeons and other healing arts practitioners.

This bill would require the board to consult with the California State Board of Pharmacy and commission a study that evaluates the electronic transmission of prescriptions by physicians and surgeons and report its results to the Legislature on or before January 1, 2003. The bill would specify that the board's report include recommendations on whether the electronic transmission of prescriptions should be encouraged, methods to encourage physicians and surgeons and other specified persons to use this method to transmit prescriptions, and to identify systems to protect the privacy of patients, including the issuance of a digital certification, as defined.

Ch. 465 (AB 1258) Wiggins. Vehicles: rentals.

Existing law regulates commerce relating to the sale, lease, or rental of motor vehicles.

This bill, from September 11, 2001 until January 1, 2002, upon written findings by the Director of Motor Vehicles and the Executive Officer of the State Air Resources Board, would authorize a vehicle rental company, as specified, to rent passenger vehicles in this state that are registered in another state, if the vehicles model years are 2000, 2001, or 2002.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 466 (SB 189) Bowen. Controlled substance release: notification.

Existing law requires a seller of residential property to make disclosures upon the transfer of that property, and sets forth the content and form of these disclosures.

This bill would require any owner of residential real property who knows, by receipt of a specified notice or actual knowledge, that any release of an illegal controlled substance has come to be located on or beneath that real property to give written notice of that condition to the buyer, as prescribed. The bill would also require an owner of a residential dwelling unit who knows, by receipt of a specified notice or actual knowledge, that such a release has come to be located on or beneath that dwelling unit to give written notice to a prospective tenant prior to the execution of a rental agreement, as prescribed.

The bill would repeal the changes made by the bill on January 1, 2004.

Ch. 467 (SB 297) Speier. DNA data base.

Existing law requires that the Department of Justice develop a DNA data base for all cases involving the report of an unidentified deceased person or a high-risk missing person, as defined. Existing law requires that the data base be comprised of DNA data from genetic markers that are appropriate for human identification but have no capability to predict biological function. Under existing law, the department is directed to compare DNA samples of unidentified deceased persons with those of high-risk missing persons. Existing law requires that all DNA samples extracted from a living person be destroyed after a positive identification is made and a report issued. Existing law also provides that all DNA samples are confidential and can only be disclosed to department personnel, law enforcement officers, coroners, medical examiners, and district attorneys. Under existing law, a person who collects, processes, or stores DNA samples can be civilly and criminally liable for failure to comply with the sample destruction and confidentiality requirements.

This bill would allow inclusion in the DNA data base of DNA data from genetic markers that predict gender. This bill would also provide that retained samples and DNA extracted from a living person, and profiles developed therefrom, shall be used solely for the purpose of identification of the deceased's remains. In addition, this bill would waive the requirement that a DNA sample from a living person, and any profile developed therefrom, be destroyed after a positive identification is made and a report is issued in specified situations where the

DNA sample may be required for a criminal investigation to determine whether an identified person's death has been occasioned by criminal means or where a government agency is required to retain the sample while a person is incarcerated in connection with a case for which the DNA sample was obtained. This bill would also allow disclosure of DNA samples to persons who need access to a sample for the purposes of prosecuting or defending a criminal case, and would permit a law enforcement officer to publicly disclose the fact of a DNA profile match after taking reasonable measures to first notify the family of an unidentified deceased person or the family of a high-risk missing person that there has been an identification. In addition, this bill would require that a DNA sample submitted by a living person, including the parent or guardian of a child who submits a DNA sample of the child, be removed from the DNA data base upon that person's request. This bill would eliminate the existing criminal liability provisions and would provide that any person who discloses DNA or other forensic identification information to an unauthorized individual or agency or for purposes unrelated to identification or a criminal investigation or prosecution is guilty of a misdemeanor. This bill would also exempt DNA and other identification information retained by the department from public disclosure laws.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 468 (SB 314) Alpert. Criminal statistics.⁴

Existing law requires the Department of Justice to present a report to the Governor annually containing the criminal statistics of the preceding year, as specified. Existing law also requires the Department of Justice to collect data pertaining to the juvenile justice system.

This bill would require the report to contain statistics on the administrative actions taken by various branches of law enforcement and the criminal justice system in dealing with minors who are the subject of a petition or hearing in the juvenile court to transfer their case to the jurisdiction of an adult criminal court or whose cases are directly filed or otherwise initiated in an adult criminal court, as specified, beginning with the report due on July 1, 2003. This bill would also require that the data collected serve to assist the department in making this report.

This bill would appropriate the sum of \$75,000 from the General Fund to the Controller for disbursement to the Department of Justice for the purpose of these provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 469 (SB 315) Alpert. San Diego Advisory Committee for Environmentally Superior Antifouling Paints.

(1) Existing law generally provides for various state and local agency activities for the prevention of contamination of the state's water systems.

This bill would establish, until January 1, 2004, the San Diego Advisory Committee for Environmentally Superior Antifouling Paints, composed of specified persons appointed by the Board of Port Commissioners of the San Diego Unified Port District for 2-year terms. By requiring the board to appoint these committee members, the bill would impose a state-mandated local program. The purpose of the committee would be to make recommendations and to advise in the preparation of a report by the University of California, subject to the agreement of the university, or a consultant, to identify incentives necessary to ensure that nontoxic alternatives to metal-based antifouling hull coatings are used for recreational vessels.

(2) Existing law authorizes the Department of Boating and Waterways to expend funds from the Harbors and Watercraft Revolving Fund, which are available upon appropriation

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by the Legislature, for, among other things, boating facilities development, boating safety, and boating regulation programs. Existing law also makes the money in the fund available, upon appropriation by the Legislature, to the State Water Resources Control Board for boating-related water quality regulatory activities.

This bill would appropriate \$50,000 from the Harbors and Watercraft Revolving Fund to the department to provide funds to the University of California, subject to the agreement of the university, or a consultant, for preparation of the incentives report required under the bill.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 470 (SB 432) Monteith. Parole: child abuse.

Existing law requires that whenever a person confined in prison for a violent felony as defined, is to be released upon parole, the parole authority must notify the specified local law enforcement agency and the district attorney, who has jurisdiction in the community where the parolee is to be released. The notice must be made at least 45 days prior to the scheduled release of the inmate and must include specified information relating to the parolee, including the parolee's name, whether the parolee is required to register with local law enforcement, and the community in which the parolee will reside upon release. The agencies receiving notice are authorized to provide written comment to the parole authority responding to the scheduled release and these comments must be considered by the parole authority who is authorized to modify its decision regarding the community in which the parolee is to be released.

Existing law also requires that the parole authority provide notice to the immediate family of the victim, upon request, whenever a person confined in state prison for specified crimes involving child abuse as specified, or any sex offense specified as being perpetrated against a minor, or as ordered by a court, is scheduled to be released.

This bill would add to this notice requirement the release of a person who was confined for an act of domestic violence. The bill would require that notice also be given to a county child welfare services agency that requests notification.

Existing law requires that family reunification services be provided or arranged for by county welfare department staff in order to reunite the child separated from his or her parent because of abuse, neglect, or exploitation. These services shall not exceed 12 months, except as provided.

This bill would provide that when a county child welfare services agency is providing one parent with family reunification services and the other parent is serving a prison term for the conviction of child abuse, any sex offense specified as being perpetrated against a minor, or an act of domestic violence, the agency may request that it be provided with notification that the imprisoned parent is scheduled to be released on parole, or rereleased following a period of confinement pursuant to a parole revocation with a new commitment.

Ch. 471 (SB 459) McPherson. Housing programs: eligibility.

Existing law governing housing and home finance generally defines the term "affordable housing cost" to mean, with respect to very low, lower, and moderate-income households receiving assistance on or after January 1, 1991, housing costs not exceeding the product of a specified percentage times a specified percent of the area median income. Under existing law, this definition is used for determining, among other things, the affordability of housing made available pursuant to a requirement that a redevelopment agency allocate 20% of tax-increment revenues for housing available at affordable housing cost.

This bill would separately define affordable housing cost for any redevelopment agency within Santa Cruz County, with that specified percentage increased, for purposes of the provisions requiring a redevelopment agency to allocate 20% of tax-increment revenues for

housing available at affordable housing cost. The bill also would require the Department of Housing and Community Development to adopt specified regulations relative to housing affordability for purposes of the bill. These provisions would be repealed on January 1, 2005.

This bill would also impose specified reporting requirements on those redevelopment agencies and the Controller relating to the assistance provided by those agencies in Santa Cruz County.

This bill would incorporate additional changes in Section 33334.2 of the Health and Safety Code proposed by AB 637, AB 661, or both, to be operative if this bill and one or both of the other bills are enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 472 (SB 465) McPherson. Santa Cruz County Regional Transportation Commission.

(1) Existing law creates and prescribes the membership and powers of the Santa Cruz County Regional Transportation Commission.

This bill would revise the membership of the governing body of the commission. To the extent that this revision would establish additional duties upon local governmental entities, the bill would impose a state-mandated local program.

The bill would revise the power of the commission, to permit it to exercise (1) the power of eminent domain, (2) the power to preserve, acquire, construct, improve, and oversee multimodal transportation projects and services on rail rights-of-ways with Santa Cruz County to facilitate recreational, commuter, intercity, and intercounty travel, and (3) the authority to contract for any services to accomplish its purposes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 473 (SB 485) Committee on Public Safety. Public safety.

(1) Existing law prescribes various duties on probation officers.

This bill would reorganize specified provisions relating to the duties and responsibilities of probation officers.

(2) Under existing law, specified reserve officers have the powers of a peace officer upon compliance with certain conditions that include, among other things, completion of the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. Existing law imposes upon the commission specified requirements for implementing this provision. Among these requirements is the development of a supplemental course for existing level I reserve officers desiring to satisfy the basic training course for deputy sheriffs and police officers.

This bill would delete this requirement.

(3) Existing law provides for the disposition of photographs of minors that are harmful matter, as defined, and that are used in connection with criminal prosecutions, as specified.

This bill would recast those provisions to require the court to direct that disposition of the above described photographs take place, and would specify that the determination that the material constitutes harmful matter be made by the court.

(4) Existing law authorizes a person who is a peace officer, as defined, to purchase, possess, or transport, under specified conditions, any "less lethal weapon," as defined, for official use in the discharge of his or her duties. Existing law excludes from the definition of "less lethal weapon" specified semiautomatic firearms that are designated as assault weapons.

This bill would further exclude from the definition of "less lethal weapon" additional firearms that are also designated assault weapons.

(5) Existing law requires that the Department of Motor Vehicles make all specified records relating to the registration of vehicles, other information contained on an application for a driver's license, abstracts of convictions, and abstracts of accident reports required to be sent to the department in Sacramento, open to public inspection during office hours, except as specified.

This bill would require the department to make available to the courts and law enforcement agencies any conviction of specified vehicle offenses involving alcohol and drugs.

(6) Existing law requires the department to impose various penalties if any person refuses an officer's request to submit to, or fails to complete, a chemical test or tests to determine the alcoholic content of his or her blood, as specified. Existing law enhances the penalty if the person has prior convictions of specified provisions.

This bill would specify that for purposes of these provisions, a conviction of any offense in any state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or Canada, that if committed in this state, would constitute a violation of specified provisions, is a conviction of that particular provision in California.

(7) Existing law requires the Department of Motor Vehicles to undertake a study and report the findings of that study to the Legislature on or before January 1, 2002, on the effectiveness of specified provisions relating to ignition interlock devices and the devices themselves, and, among other things, their effect on specified vehicle offenses involving driving under the influence of alcoholic beverages or drugs.

This bill would revise the studies and reports required on ignition interlock and would require one study and report to be completed on or before July 1, 2002, and another to be completed on or before July 1, 2004.

(8) Existing law authorizes the court to require any person convicted of a first offense violation of specified vehicle offenses involving driving under the influence of alcoholic beverages or drugs, and requires the court to order a person who drives a motor vehicle when his or her license is suspended, to install a certified ignition interlock device on any motor vehicle that the person owns or operates and prohibits that person from operating a motor vehicle unless the vehicle is equipped with such a device. Existing law limits the term of this restriction to 3 years.

This bill would specify that the term of this restriction shall be 3 years from the date of conviction.

(9) Existing law creates a Joint Legislative Committee for the Revision of the Penal Code. Existing law requires the committee to study and appraise existing provisions of the penal laws and procedures and related statutes, and to prepare, for submission to the Governor and the Legislature, a revised, simplified body of substantive and procedural laws relating to crimes.

This bill would eliminate that committee.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 474 (SB 685) Costa. Fresno County Transportation Authority.

The Fresno Transportation Improvement Act provides for the establishment of the Fresno County Transportation Authority with a specified membership. Upon approval of a specified proposition by a majority vote of Fresno County voters, the authority would be authorized to impose a 1/2% retail transactions and use tax for up to 20 years to finance highway improvements and for local transportation purposes in Fresno County, with priority given to specified state highways. The authority would terminate 2 years after the tax is last collected and existing law would be repealed at that time.

This bill would revise that act to continue the Fresno County Transportation Authority. Upon approval of a specified proposition by the Fresno voters, by a 2/3 vote, the authority

would be authorized to impose a 1/2% retail transactions and use tax for up to 30 years to finance regional transportation improvements.

The bill would require the transportation planning agency to prepare a county transportation expenditure plan regarding the expenditure of the revenues expected to be derived, but that plan would not be adopted by the authority until it has been approved by the board of supervisors and the appropriate city councils. The bill would require the transportation planning agency to review the plan biennially and assess the needs for transportation improvements and would authorize the transportation planning agency to amend the plan, as specified. Because the bill would require the transportation planning agency, the Council of Fresno County Governments, to prepare and review a county transportation expenditure plan that specifies the amount and formula by which the retail transactions and use tax would be allocated, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 475 (SB 736) Poochigian. Local law enforcement funding.

This bill would declare the intent of the Legislature to make the necessary statutory changes to implement the Budget Act of 2001 relative to state and local government finance and taxation.

Existing law establishes in each county treasury a Supplemental Law Enforcement Services Fund that receives from the Controller an annual allocation of state funds. Moneys from this fund are required to be allocated by the county auditor to the county, each city located within that county, and designated districts providing law enforcement services, in accordance with specified requirements. The moneys are allocated for, among other things, frontline law enforcement services and the implementation of a comprehensive multiagency juvenile justice plan with specified components and objectives, developed by the local juvenile justice coordinating council in each county and city and county. The county board of supervisors and the Board of Corrections are required to approve these plans. These provisions will become inoperative on July 1, 2002, and are repealed as of January 1, 2003.

This bill would prohibit the county auditor from transferring moneys from the fund to a recipient agency until the county Supplemental Law Enforcement Oversight Committee certifies receipt of an approved expenditure plan from the governing board of that agency. The bill would also require the local juvenile justice coordinating council to review and modify annually its comprehensive multiagency juvenile justice plan and require the county board of supervisors and the Board of Corrections to approve the modified plan. The bill would also revise the date by which a specified annual report is to be made by the oversight committee to the Controller. The bill would also delete the inoperative and repeal dates, thereby continuing the operation of this funding program indefinitely.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 476 (SB 768) McPherson. Prisons.

Existing law creates the Department of the Youth Authority within the Youth and Adult Correctional Agency. Existing law generally commits to the Department of the Youth Authority any person convicted of a public offense who, among other things, is found to be less than 21 years of age at the time of apprehension and who has not been sentenced to specified crimes. Under existing law, the Youth Authority shall accept a person committed to it if it believes that the person can be materially benefited by its reformatory and educational discipline, and if it has adequate facilities to provide that care.

This bill would authorize the Director of the Youth Authority to transfer and cause to be confined within the custody of the Director of Corrections any person 18 years of age or older

who is subject to the custody, control, and discipline of the Department of the Youth Authority and who is scheduled to be returned, or has been returned to the Department of the Youth Authority after serving a sentence imposed for a felony that was committed while he or she was in the custody of the Department of the Youth Authority. Under this bill, the person would not be transferred unless he or she voluntarily, intelligently, and knowingly executes a consent to the transfer, which would be irrevocable. Additionally, the person would be required to meet with a parole agent or appropriate Department of the Youth Authority staff member who would be required to explain specified matters to the person prior to his or her return to the Department of the Youth Authority. The bill also would require any person housed in an institution under the jurisdiction of the Department of Corrections pursuant to these provisions who has not attained a high school diploma or its equivalent to participate in educational or vocational programs, to the extent the appropriate programs are available.

Ch. 477 (SB 824) Poochigian. Criminalists.

Existing law provides for the California Criminalistics Institute in the Bureau of Forensic Services of the Department of Justice. The purpose of the institute includes facilitation and coordination of approaches to meet the high technology and forensic science needs of crime laboratories operated by the department and local law enforcement agencies and provision of training and methodology development for all law enforcement agencies.

This bill would make findings and declarations concerning the urgent need for forensic scientists with the rigorous scientific backgrounds and the practical laboratory experiences necessary to perform DNA analysis. This bill would provide that the Department of Justice, the California State University, and upon agreement by the regents, the University of California, shall work together to enhance collaborative opportunities for DNA training of university students, graduates, and existing employees of crime laboratories. This bill would provide that through its California Criminalistics Institute, the Department of Justice would develop and create an internship program for graduate-level students designed to prepare students to meet national standards for DNA analysis, as specified.

This bill would also provide that its provisions may only be implemented to the extent that funds are provided for their purposes in the annual Budget Act.

Ch. 478 (AB 245) Wyland. Identity theft.

Existing law provides that every person who willfully obtains personal identifying information about another person without that person's consent and uses that information for any unlawful purpose is guilty of a crime punishable by imprisonment in a county jail not to exceed one year, a fine not to exceed \$1,000, or both, or by imprisonment in the state prison, a fine not to exceed \$10,000, or both.

This bill would eliminate the requirement that the person who uses another person's personal identifying information for an unlawful purpose obtain that information without the person's consent. This bill would therefore make it a crime to use another person's personal identifying information for an unlawful purpose, regardless of whether the information was obtained without the person's consent. By expanding the scope of an existing crime, this bill imposes a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 479 (AB 340) Wright. California Science Center: police and security services.

Existing law provides for the Sixth District Agricultural Association, which is known as the California Science Center and authorizes the Executive Director of the center to appoint specified security and safety personnel.

This bill instead would provide that these appointments be made by the Exposition Park Manager, a position that would be established by the center and filled by a person appointed by the Governor for the purpose of managing, scheduling, and administering all park-related events, including oversight for the police and security services of the park.

Ch. 480 (AB 360) Wesson. Vehicle impoundment.

(1) Existing law allows peace officers to impound vehicles driven by persons whose driving privileges are suspended or revoked or who have never been issued a driver's license. Under existing law, the agencies that impound vehicles are required to notify the legal owner of an impounded vehicle that his or her vehicle has been impounded. Existing law further provides that the registered owner of an impounded vehicle is entitled to a hearing regarding the validity of, and any mitigating circumstances attendant to, the storage of the impounded vehicle. Existing law also requires that, under specified circumstances, impounding agencies release impounded vehicles to registered owners within 30 days of impoundment.

This bill would require impounding agencies to have a published telephone number that provides information 24 hours a day regarding vehicle impoundment and the rights of registered owners to request a hearing regarding the storage of their vehicles. The bill would also require that an impounding agency release an impounded vehicle to the registered owner within 30 days of impoundment if the vehicle was seized for an offense that does not authorize seizure of a vehicle or if the person driving the vehicle reinstates or acquires his or her driver's license and proper insurance. Finally, the bill would direct the Department of Motor Vehicles and the California Highway Patrol to educate the public that a vehicle driven by an unlicensed driver can be impounded, even when the driver is not the vehicle's owner.

Because this bill would create new duties for impounding agencies, this bill would impose a state-mandated local program.

(2) This bill would incorporate additional changes in Section 14602.6 of the Vehicle Code proposed by AB 783, to be operative only if AB 783 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 481 (AB 398) Salinas. Highways: safety enhancement-double fine zones.

(1) Existing law, until January 1, 2004, requires the Department of Transportation, in consultation with the Department of the California Highway Patrol, to develop specified pilot projects to designate and identify certain highway segments as "Safety Enhancement-Double Fine Zones" and impose increased fines for traffic violations occurring within these zones.

This bill would require the County of Monterey, in consultation with the California Highway Patrol, to develop a Safety Enhancement-Double Fine Zone pilot project that would be administered by the county for a designated portion of Monterey County Road 16 (Carmel Valley Road). The bill thereby would impose a state-mandated local program by establishing additional duties for the county.

This bill would terminate the pilot project if the county fails to provide an evaluation to the department on or before October 1, 2002.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 482 (AB 453) Correa. Department of Justice: DNA testing: infectious disease: employee contact.

Existing law allows a court in specified circumstances to order criminal defendants and minors charged with certain offenses to provide blood samples for testing for indications of acquired immunity deficiency syndrome (AIDS) and other conditions and diseases. Under existing law, specified persons are entitled to test results.

This bill would allow specified persons who conduct forensic testing to petition the court to have the aforementioned test performed and would entitle those persons to test results, as specified.

The bill would also make conforming or technical, nonsubstantive changes to related provisions.

Ch. 483 (AB 469) Cohn. Domestic violence.

Existing law requires all law enforcement agencies to prepare a written incident report containing specified information about all domestic violence-related calls for assistance made to the department. Existing law also requires that the total number of domestic-violence calls received and the number of those cases involving weapons be compiled by the agency monthly and submitted to the Attorney General.

This bill would require a law enforcement officer who responds to the scene of a domestic violence-related incident to prepare a domestic violence incident report which includes a notation of whether he or she found it necessary, for the protection of the peace officer or other persons present, to inquire of the victim, the alleged abuser, or both, whether a firearm or other deadly weapon was present at the location, and whether the inquiry disclosed the presence of a firearm or other deadly weapon. This bill would also require officers to confiscate any firearm or deadly weapon discovered at the location of a domestic violence incident. Because this bill would require local law enforcement officers to perform additional duties, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 484 (AB 653) Horton. Crime: minors: schools.

Existing law specifies those acts for which a pupil may be suspended from school or recommended for expulsion.

This bill would, in addition, include the act of aiding or abetting the infliction or attempted infliction of physical injury to another person as an act for which a pupil may be suspended, but not expelled.

Existing law provides that an assault committed on school property against any person is punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment.

This bill would authorize the court, where the assault was committed by a minor, to order the minor to undergo counseling, with the cost of counseling to be borne by the minor's parents, as specified.

Existing law provides that a battery committed on school property against any person is punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment.

This bill would authorize the court, if the battery was committed by a minor, to order the minor to undergo counseling, with the cost of counseling to be borne by the minor's parents, as specified.

Existing law provides that any person who is under the age of 18 years when he or she violates any law or ordinance defining crimes, as specified, is within the jurisdiction of the juvenile court.

This bill would, in addition, provide that if persons are subject to the jurisdiction of the juvenile court by reason of the commission of an assault or battery on school grounds, as specified, the court shall, in addition to any other fine, sentence, or as a condition of probation, order the minor to attend counseling at the expense of the minor's parents, as specified.

Ch. 485 (AB 1004) Bates. Sex offenders: registration.

Existing law requires specified sex offenders to register with the chief of police, the sheriff, or chief of police of the collegiate campus, as specified, of the city in which he or she is residing, or if he or she has no residence, in which he or she is located. Existing law also requires that if the person who is registering has no residence address, he or she update his or her registration no less than once every 90 days, in addition to the previous registration requirement.

This bill would change the requirement to update the registration to no less than once every 60 days if the person who is registering has no residence address. By increasing the registration requirement, this bill would increase the duties of local officials and expand the scope of an existing crime, thereby creating a state-mandated local program.

This bill would declare the intent of the Legislature relative to certain sex offenders on probation.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 486 (AB 1029) Oropeza. Confidential DMV records.

(1) Existing law makes confidential the home address of certain persons appearing in the Department of Motor Vehicles records, if the person requests it be kept confidential, with certain exemptions for information available to specified governmental agencies. Violation of the confidentiality requirements is a felony.

This bill would include any employee designated for 3-year periods by a chief of police or sheriff as being in a sensitive position. This bill, by adding persons to be covered by the confidentiality requirements, would expand the scope of the crime, thereby imposing a state-mandated local program.

(2) This bill would incorporate additional changes in Section 1808.4 of the Vehicle Code, proposed by AB 84, to be operative only if AB 84 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 487 (AB 1112) Goldberg. Substandard residential rental property: owner registration.

(1) The State Housing Law regulates buildings used for human habitation and requires specified governmental agencies to enforce building standards.

This bill would require, until January 1, 2004, a private owner of multiunit residential rental property in Los Angeles County to submit to, and maintain with, the county board of supervisors certain identifying information regarding the property where a code enforcement agency has recorded with the county recorder a notice of substandard conditions or other specified document. Failure to comply with the reporting requirements of the bill would be a misdemeanor and would allow a tenant to raise an affirmation defense in an unlawful detainer action, except as specified. By creating a new crime, this bill would impose a state-mandated local program.

The bill would require the County of Los Angeles, on or before July 1, 2004, to prepare and provide a report on the effectiveness of the reporting requirements of the bill to specified committees of the Legislature. By imposing additional duties on local officials, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 488 (AB 1298) Wesson. Alcoholic beverage control: licenses: fees.

The Alcoholic Beverage Control Act provides for the issuance of licenses for which various annual fees are charged depending upon the type of license issued.

This bill would increase these annual fees by specified amounts through 2004, and would annually permit the Department of Alcoholic Beverage Control to adjust the fees charged commencing with the 2005 calendar year by an amount not to exceed an inflation factor based on the Consumer Price Index for the west region.

Under the Alcoholic Beverage Control Act, the Department of Alcoholic Beverage Control may issue a special on-sale general license to any nonprofit theater company that has been in existence for at least 10 years and meets other specified requirements. Theater companies holding a license pursuant to these provisions may only sell and serve alcoholic beverages to ticketholders during, 2 hours prior to, and one hour after, a bona fide theater performance of the company.

This bill would require that the license issued to the theater company be for a single specified premises, and would remove the requirement that the theater company have been in existence for at least 10 years.

This bill would permit a licensed manufacturer, winegrower, manufacturer's agent, California winegrower's agent, rectifier, distiller, bottler, importer, or wholesaler, or any officer, director, employee, or agent of that person, to serve on the board of trustees of a nonprofit theater company operating a theater in Napa County licensed pursuant to these provisions.

This bill would also require the department to conduct specified studies.

Ch. 489 (AB 1389) Shelley. San Francisco waterfront: cruise ship terminal development.

Under existing law (the Burton Act), the state granted certain lands to the City and County of San Francisco in trust for purposes of commerce, navigation, and fisheries, and subject to specified terms and conditions relating to the operation of the Port of San Francisco. Existing law (the McAteer–Petris Act) establishes the San Francisco Bay Conservation and Development Commission and requires the commission to regulate fill and development within a specified area in San Francisco Bay.

This bill would declare specified areas along the San Francisco waterfront to be free from the public trust for commerce, navigation, and fisheries, as provided, and would authorize the San Francisco Port Commission to approve a cruise ship terminal development, other maritime facilities, and commercial and office space on a specified area of the San Francisco waterfront. The bill would authorize the State Lands Commission to convey to the City and County of San Francisco all of the rights, title, and interest held by the state in trust to specified lands along the waterfront, but would prescribe terms and conditions for the use of those lands in connection with the cruise ship terminal development, as provided.

Ch. 490 (AB 1541) Dickerson. Park trailers: loft areas.

Existing law defines a recreational vehicle for purposes of the existing Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, and the Mobilehome-Manufactured Housing Act of 1980 to include a park trailer. A park trailer is defined to mean a trailer designed for human habitation for recreational or seasonal use only, that, among other requirements, contains 400 square feet or less of gross floor area.

This bill would exclude loft area space that meets specified requirements from the calculation of gross floor area in that definition.

Ch. 491 (AB 1567) Runner. Redevelopment: City of Lancaster.

The Community Redevelopment Law requires redevelopment agencies to provide a certain percentage of affordable replacement housing, as specified, in place of housing destroyed or removed as part of a redevelopment project and, until January 1, 2002, allows that requirement to be satisfied by the acquisition of certain long-term affordability covenants on multifamily units.

This bill would authorize until January 1, 2006, the Redevelopment Agency for the City of Lancaster to purchase, or otherwise acquire or cause by regulation or agreement the purchase or other acquisition of, long-term affordability covenants on mobilehome parks in which residents rent spaces and either rent or own the mobilehome occupying their spaces, that restrict the cost of renting or purchasing those units, under prescribed conditions.

This bill would become operative only if AB 637 is enacted and becomes effective on or before January 1, 2002.

Ch. 492 (SB 72) Kuehl. Storm water.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of storm water by municipalities and industries in accordance with the federal national pollutant discharge elimination system (NPDES) permit program.

This bill would require the state board to develop, before January 1, 2003, minimum monitoring requirements for regulated municipalities that were subject to a storm water permit on or before December 31, 2001, and minimum standard monitoring requirements for regulated industries, as specified, and would require the requirements established in accordance with the bill's provisions to be included in all storm water permits on or before July 1, 2008. The bill would require the state board to make available to the public via the Internet a summary of the results obtained from the storm water monitoring conducted in accordance with the bill, in a year in which the Legislature appropriates sufficient funds for that purpose.

Ch. 493 (SB 125) Alpert. Identity theft.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Existing law provides that every person who willfully obtains personal identifying information, as defined, of another person without the authorization of that person, and uses that information for any unlawful purpose in the name of the other person without the consent of that person is guilty of a public offense. Existing law further provides that a person who learns or reasonably suspects that his or her personal identifying information has been used by another to commit a crime may initiate a law enforcement investigation by contacting the local law enforcement agency. Under existing law, the law enforcement agency must take a police report of the matter and provide the complainant with a copy of that report.

This bill would entitle a person who discovers that an unauthorized person has applied for a loan, credit line or account, credit card, charge card, or utility service or has opened an account with a bank, other financial institution, or utility, in his or her name to receive, or specify a law enforcement officer to receive, a copy of the application or information related to that application, loan, credit line or account, credit card, charge card, or utility service. Before receiving these copies, the bill would require the entity with which the application was filed or the account was established to inform the requesting person of the categories of identifying information that the unauthorized person used to complete the application and would require the requesting person to provide identifying information in those categories and a copy of the police report. Additionally, before the entity provides copies to a specified law enforcement officer, the entity would be permitted to require the requesting person to provide them with a signed and dated statement by which the person authorizes the disclosure, as specified.

Existing law generally prescribes procedures for the disclosure of financial records in order to ensure customers' financial privacy. Existing law provides for specified exceptions to these requirements.

This bill would include among those exceptions disclosure by a financial institution to a peace officer provided the financial institution has complied with the requirements of the above provisions.

This bill would incorporate additional changes in Section 7480 of the Government Code, proposed by AB 1286, to be operative only if AB 1286 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 494 (SB 135) Figueroa. Contractors.

Existing law, the Contractors' State Licensing Law, requires the registrar to make available to the public the nature and disposition of all complaints on file against a licensee that have been referred for legal action. Existing law prohibits the disclosure of complaints that have been resolved in favor of the contractor.

This bill would require on July 1, 2002, the registrar to make available to the public the date, nature, and status of all complaints on file that have been referred for an accusation or an investigation due to a probable violation that, if proven, would be appropriate for suspension or revocation of the contractor's license or criminal prosecution. The bill would require the board to adopt a disclaimer that would accompany the disclosure of a complaint. The bill would require the registrar to disclose on July 1, 2002, or a later date, the date, nature, and disposition of all legal actions except as specified.

Ch. 495 (SB 136) Figueroa. Professional boards.

Existing law provides for the establishment of various professional boards and professional titling and regulatory programs within the Department of Consumer Affairs, including the Board for Professional Engineers and Land Surveyors, the State Board of Guide Dogs for the Blind, and the Tax Preparer Program. Funds in the Professional Engineer's and Land Surveyor's Fund are continuously appropriated for purposes of the Board for Professional Engineers and Land Surveyors.

This bill would extend the operation of the titling provisions relating to the Board for Professional Engineers and Land Surveyors, the State Board of Guide Dogs for the Blind, and the Tax Preparer Program. The bill would authorize the Board for Professional Engineers and Land Surveyors to increase registration fees for professional engineers and would thereby make an appropriation by including fee amounts deposited in a continuously appropriated fund. The bill would modify various other provisions relating to professional engineers, interior designers, and tax preparers. Because the bill would impose crimes and penalties for an extended period of time, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 496 (SB 667) Peace. Automated enforcement system.

(1) Existing law authorizes governmental agencies, in cooperation with law enforcement agencies, to operate an automated enforcement system. Under existing law, an automated enforcement system is a system that photographically records a driver's response to a rail or rail transit signal or crossing gate, or both, or to an official traffic control signal (stoplight) and is designed to obtain a clear photograph of the vehicle's license plate and the driver of the vehicle.

This bill would require, at each intersection at which there is an automated enforcement system in operation, the minimum yellow light change intervals to be established in accordance with the Traffic Manual of the Department of Transportation. The establishment of this requirement on agencies of local government would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 497 (SB 964) Costa. Vehicles.

(1) Existing law exempts from vehicle weight limits any cotton module mover or any truck tractor pulling a semitrailer that is a cotton module mover when operated during the period of September 15 of each year and ending March 15 of the following year and, among other things, when operating laterally across a state highway at grade of the state highway or upon any county highway within certain specified counties except when limited by the county board of supervisors.

This bill would allow the described vehicles to operate on any state highway within the specified counties during the described period, if the operator is in possession of a driver's license of the class required for operation of the mover, the mover is in compliance with certain lighting and equipment statutes, the mover does not exceed specified weight limits, and, in certain cases, the operator possesses a commercial driver's license.

The bill would provide that the above provisions do not apply to those highways designated as national network routes.

Because a violation of these prohibitions would be a crime, the bill would impose a state-mandated local program by creating new crimes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 498 (AB 285) Wayne. Sewage system overflows: reporting.

(1) Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are the principal state agencies that regulate water quality.

This bill would require the state board, on or before January 1 of a year in which the Legislature has appropriated sufficient funds for this purpose, and in consultation with specified entities, to develop report forms for spills or overflows from a sanitary sewer system. The bill would require a collection system owner or operator, as defined, commencing on July 1 of a year in which the Legislature has appropriated sufficient funds for this purpose, to use those report forms to report certain spills or overflows from a sanitary sewer system. The bill would require, commencing on July 1 of a year in which the Legislature has appropriated sufficient funds for this purpose, and in the event of a spill or overflow from a sanitary sewer system that is not subject to specified reporting requirements, if certain conditions are determined to exist, the particular agency making that determination to submit a prescribed report to the appropriate regional board. To the extent that this would increase the level of services imposed on local health officers, this bill would create a state-mandated local program. The bill would require the state board, before January 1 of a year in which the Legislature has appropriated sufficient funds for this purpose, and in consultation with specified entities, to develop and maintain a sanitary sewer system overflow database.

The bill would require, commencing on July 1 of a year in which the Legislature has appropriated sufficient funds for this purpose, each regional board to coordinate with collection system owners or operators, the State Department of Health Services, and local health officers to compile the reports submitted pursuant to the bill and report that information to the state board on a quarterly basis, to be included in the sanitary sewer system overflow database. The bill would require the state board to make available to the public, information that is generated pursuant to the bill. The bill would require the state board, in a year in which the Legislature has appropriated sufficient funds for the purposes described in this sentence, to prepare a summary report of the information collected in the sanitary sewer system overflow database, and make it available to the general public. The bill would make conforming changes and related legislative findings and declarations.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 499 (AB 459) Nation. Escrow agents: fees.

Existing law provides for the collection by the Commissioner of Corporations of various fees relating to the practice of escrow agents. Under existing law, until January 1, 2002, among other fees and assessments, an annual license fee of \$2,000 is required to be paid to the commissioner by an escrow agent for each office or location for the commissioner's administration of the Escrow Law. After January 1, 2002, in place of this annual licensing fee, an escrow agent is required to pay the commissioner a pro rata share, as estimated by the

commissioner, of all costs and expenses reasonably incurred in the administration of the Escrow Law.

This bill would extend from January 1, 2002, to January 1, 2006, the operation of the current fee and assessment procedure, but would authorize the imposition of an annual license fee of up to \$2,800 for an escrow agent. The bill, correspondingly, would delay until January 1, 2006, the requirement that an escrow agent pay the commissioner an annual charge equal to its pro rata share of the administrative costs and expenses of the commissioner under the Escrow Law.

Existing law provides for examination by the commissioner of the business, accounts, and records of every person performing as an escrow agent not less than every other calendar year.

This bill would require the commissioner to conduct an examination of each licensed escrow agent as often as deemed necessary and appropriate, but not less than once every 48 months. The bill would provide for an examination of a new licensee within 2 years of the issuance of the license. The bill would make other related changes.

Ch. 500 (AB 560) Jackson. Local used oil collection programs: storm water runoff pollution.

Under existing law, certain fees imposed on lubricating oil sold or transferred into this state are deposited in the California Used Oil Recycling Fund. Existing law continuously appropriates the money in the fund for specified purposes and authorizes the money in the fund to be used for, among other things, block grants issued by the California Integrated Waste Management Board to local governments that implement used oil collection programs that include specified elements, including providing for the collection of used oil and providing a public education program.

This bill would additionally authorize a local government that has implemented the used oil collection and education elements of a local used oil collection program to also include, in the program, provisions for the mitigation and the collection of oil and oil byproducts, including other solid waste that may be mixed with oil or oil byproducts, from storm water runoff, through the use of specified devices. The bill would prohibit a local government from receiving a block grant for this purpose unless the local government certifies that it has a storm water management program approved by the appropriate California regional water quality control board and those provisions in the used oil collection program are consistent with that storm water management program. Because the bill would allow funds that are continuously appropriated to the board to be used for a new purpose, the bill would make an appropriation.

Ch. 501 (AB 586) Nation. Pharmacists: performance of routine patient assessment procedures and skin puncture.

Existing law prohibits the performance of a clinical laboratory test or examination classified as waived or of moderate complexity under the federal Clinical Laboratory Improvement Amendments of 1988 unless it is performed under the overall operation and administration of the laboratory director, as specified, and is performed by a designated healing arts practitioner, including a pharmacist. The Pharmacy Law regulates the practice of pharmacy and authorizes a pharmacist to perform skin puncture in connection with routine patient assessment procedures, defined as including waived or moderate complexity tests, subject to the existing law provisions governing the performance of those tests by a pharmacist. Existing law requires a pharmacist performing these functions to, at the direction of the patient, report the results obtained from a blood test to the patient and the patient's physician of choice.

This bill would authorize a pharmacist to perform skin puncture in the course of performing an examination classified as waived. The bill would also delete moderate complexity tests from the definition of patient assessment procedures and would make the

performance of those procedures subject to the supervision of a laboratory director. The bill would require a pharmacist performing these functions to report the results from any test to the patient and any physician designated by the patient.

A violation of the Pharmacy Law is a crime. Because a violation of this bill's requirements regarding disclosure of test results to patients would be a misdemeanor, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would incorporate additional changes in Section 1206.5 of the Business and Professions Code proposed by SB 1174, that would become operative only if SB 1174 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 502 (AB 639) Nakano. Coastal waters: contamination.

Under existing law, the State Water Resources Control Board regulates water quality in the state.

This bill would require the board, in consultation with specified entities and on or before July 1, 2003, to develop reliable, rapid, and affordable diagnostic tests for measuring indicators of contamination by pathogens in coastal waters. The bill would require the board to prepare and submit to the Legislature a progress report on or before July 1, 2003. The bill would require the board to carry out these duties only to the extent that funds are made available for these purposes.

Ch. 503 (AB 955) Florez. Agricultural disaster prevention: quarantine powers.

Existing law authorizes the Secretary of the Department of Food and Agriculture to establish regulations in connection with a quarantine of domesticated animals. Existing law also generally authorizes the secretary to establish quarantine boundaries, hold or restrict the movement of animals relative to a quarantine by the secretary, specifies the powers of the secretary in regard to a quarantine district, and authorizes the secretary to restrict importation of animals, animal products, and vegetable matter in connection with an infectious disease in domestic animals, as specified, and to administer other quarantine matters, as specified. Existing law also authorizes the State Veterinarian to impose a quarantine.

This bill would revise provisions relating to quarantine. Among other things, the bill would transfer the authority of the secretary with respect to quarantine to the State Veterinarian. The bill would also additionally require the department to periodically publish and make available a list of reportable conditions that pose or may pose significant threats to public health, animal health, the environment, or the food supply which list would serve as a basis for reporting these conditions to the department.

Existing law provides that the state may contribute toward the payment of animals ordered destroyed if the United States shares in payment, the value of which to be determined by mutually agreed upon appraisers.

This bill would instead have the value determination made by a mutually agreed upon appraisal process.

Existing law requires the secretary, in the case of certain specified diseases, to impose and administer a quarantine, as specified.

This bill would repeal those provisions and related provisions.

Existing law authorizes the Governor to proclaim quarantine regulations that are applicable to any state, territory, or foreign country relative to any animals or diseases therein, including the regulations under which animals may be imported from those areas.

This bill would repeal those provisions.

Existing law authorizes the secretary to request the Attorney General to initiate proceedings for imposition of a civil penalty, as specified, for persons violating a quarantine, or causing an existing infestation to spread beyond quarantine boundaries, as specified. Existing law exempts the movement of livestock on foot from the pasture to another across state boundaries from that provision.

This bill would transfer, to the State Veterinarian, the authority to request that the Attorney General initiate proceedings to impose the civil penalty, and would eliminate the exemption.

Existing law provides that it is unlawful for any person to move animals that are subject to a quarantine without a permit, or to resist the destruction of any animal suffering from or exposed to any one of certain specified diseases. Existing law also provides that a violation of these provisions is punishable as a misdemeanor.

This bill would expand the scope of those provisions to apply to any person who moves animals, food products from animals, vehicles, farm equipment, farm products, or other materials subject to restriction, or who resists the destruction of any animal ordered destroyed by the State Veterinarian pursuant to a quarantine. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

Existing law provides that it is unlawful for any person to hide, secrete, or fail to disclose any animal suffering from or exposed to any one of certain specified diseases, or to fail to disclose the whereabouts of that animal in order to prevent its destruction. Existing law also provides that a violation of these provisions is punishable as a misdemeanor.

This bill would expand the scope of these provisions to apply to property, and to apply to any disease that is the subject of a quarantine.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

This bill would make additional technical and conforming changes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 504 (AB 1280) Reyes. Commercial motor vehicles.

(1) Under existing law governing commercial motor vehicle safety, the term “serious traffic felony” is defined to include specific traffic violations.

This bill would include in that definition driving a commercial motor vehicle without a commercial driver’s license, driving a commercial motor vehicle without the driver having in his or her possession a commercial driver’s license, except as specified, and driving a commercial motor vehicle when the driver has not met the minimum testing standards for that vehicle as to the class or type of cargo the vehicle is carrying.

(2) Existing law prohibits an employer to knowingly allow, permit, or authorize a driver to drive a commercial motor vehicle under specified conditions.

This bill would also prohibit an employer to require the driver to drive under the specified conditions which would be expanded to include instances where the driver or the commercial motor vehicle or motor carrier operator is subject to an out-of-service order or instances in violation of any law or regulation pertaining to a railroad-highway grade crossing.

(3) Existing law prohibits a driver of a commercial motor vehicle from operating a commercial motor vehicle for a period of one year if the driver is convicted of a first violation of specified vehicle-related offenses.

This bill would additionally include within the listed offenses driving a commercial motor vehicle when the driver’s commercial driver’s license is revoked, suspended, or canceled based on the driver’s operation of a commercial motor vehicle, when the driver is disqualified from operating a commercial motor vehicle based on the driver’s operation of a commercial motor vehicle, and when the driver causes a fatality through negligent or criminal operation of a commercial motor vehicle, as specified under federal law, resulting in a conviction.

(4) Existing law prohibits for a lifetime a driver of a commercial motor vehicle from operating a commercial motor vehicle if convicted of more than one violation of specific vehicle-related offenses.

This bill would include in those listed offenses the additional multiple offenses of driving a commercial motor vehicle when the driver's commercial driver's license is revoked, suspended, or canceled based on the driver's operation of a commercial motor vehicle, when the driver is disqualified from operation of a commercial motor vehicle based on the driver's operation of a commercial motor vehicle, and when the driver causes multiple fatalities through negligent or criminal operation of a commercial motor vehicle, as specified under federal law, resulting in a conviction.

This bill would also prohibit a driver from operating a commercial motor vehicle for not less than 60 days, 120 days, or one year, depending upon the occurrence of prior violations within specified periods, of specific offenses involving certain violations occurring at railroad-highway grade crossings.

(5) Existing law generally requires the driver of certain listed vehicles, before traversing a railroad crossing, to stop that vehicle not less than 15 nor more than 50 feet from the nearest rail of the track and while so stopped to listen, and look in both directions along the track, for any approaching train and for signals indicating the approach of a train, and not to proceed until he or she can do so safely.

This bill would revise vehicles subject to the above requirement to include farm labor vehicles and vehicles based on federal regulatory classifications.

(6) Existing law requires a vehicle operator to provide a person engaged in the loading of a container or trailer, having an actual cargo weight capacity of more than 10,000 pounds, involving agricultural products, as specified, with the tare weight of the tractor, container, or trailer to be loaded.

This bill would delete that requirement.

(7) Existing law requires a court, whenever a person, charged with a gross weight violation, shows to the satisfaction of the court that the person conducted his or her activities pursuant to a gross cargo weight verification issued in accordance with federal law and that the verification specifies a stated gross cargo weight that could be lawfully transported by the equipment on which the cargo was loaded, on request of the person so charged, to take appropriate steps to make that party a codefendant. Existing law allows the court to dismiss the charges against the person who received the gross cargo weight verification.

This bill would repeal those provisions.

(8) Existing law makes it a crime for the owner, or any other person, employing or otherwise directing the driver of any vehicle to cause the operation of the vehicle upon a highway in any manner contrary to law.

This bill would impose a fine of not more than \$10,000 on any employer who is convicted of allowing, permitting, requiring, or authorizing a driver to operate a commercial motor vehicle in violation of any law pertaining to a railroad-highway grade crossing.

(9) To the extent that this bill would expand the scope of existing crimes and would create new crimes, this bill would impose a state-mandated local program.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 505 (AB 1297) Papan. Pawnbrokers.

Existing law limits pawnbroker loan setup fees, handling and storage charges, and fees for certain notices to specified amounts. Existing law provides that a pawnbroker may collect a handling and storage charge for each article pawned and that an item smaller than one cubic foot is not subject to an additional storage charge. Furthermore, existing law provides that a broker may charge an additional fee for a vehicle larger than 6 cubic feet.

This bill would increase the amounts that may be charged for these services. The bill would also authorize an additional storage charge on all items larger than 6 cubic feet.

Because a knowing violation of the provisions of the bill would be a misdemeanor, the bill would impose a state-mandated local program by creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 506 (AB 1424) Thomson. Mental health: involuntary treatment.

Existing law, the Lanterman-Petris-Short Act, provides that when applying the definition of mental disorder for specified purposes, the historical course of the person's mental disorder, as determined by available relevant information about the course of the person's mental disorder, shall be considered when it has a direct bearing on the determination of whether the person is a danger to others or to himself or herself or is gravely disabled as a result of a mental disorder. Existing law authorizes the hearing officer, court, or jury to exclude from consideration evidence it deems to be irrelevant because of remoteness of time or dissimilarity of circumstances.

This bill would instead require the hearing officer, court, or jury to exclude from consideration evidence it deems to be irrelevant because of remoteness of time or dissimilarity of circumstances, and would broaden the types of information that are required to be included within the historical course of a person's mental disorder to include the patient's medical records and psychiatric records. It would also require that relevant information, including information provided by the patient's family or the patient about the historical course of a patient's mental disorder, be considered when determining whether probable cause exists to involuntarily detain a person for 72-hour treatment and evaluation.

This bill would provide that the fact that a person has been taken into custody under the Lanterman-Petris-Short Act may not be used in the determination of that person's eligibility for payment or reimbursement for mental health or other health care services for which he or she has applied or received under the Medi-Cal program, any health care service plan licensed under the Knox-Keene Health Care Service Plan Act of 1975, or any insurer providing health coverage doing business in the state.

Existing law authorizes the administration of antipsychotic medication by an agency or facility providing treatment to any person subject to detention, if that person does not refuse that medication following disclosure of the right to refuse medication as well as information required to be given to persons pursuant to specified provisions.

This bill would require the agency or facility providing treatment to any person to acquire the person's medication history, if possible, if the person is subject to detention for 72 hours on the basis he or she is a danger to himself or herself or others or is gravely disabled, or to extended periods of detention pursuant to professional evaluations of the person that he or she remains a danger to himself or herself or others or is gravely disabled or has suicidal tendencies.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health services.

This bill would prohibit a health care service plan, disability insurer, or, under the Medi-Cal program, the State Department of Health Services, from utilizing any information regarding whether a person's psychiatric inpatient admission was made on a voluntary or involuntary basis for the purpose of determining eligibility for claim reimbursement. Since a willful violation of the provisions applicable to health care service plans is a crime, this bill would impose a state-mandated local program.

This bill would incorporate additional changes to Section 5328 of the Welfare and Institutions Code proposed by AB 213, to be operative only if AB 213 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 507 (AB 1428) Aanestad. Dentistry: licensure.

Existing law, the Dental Practice Act, provides for the licensure and regulation of dentists by the Dental Board of California. The act specifies requirements for licensure to practice dentistry in this state, including successfully passing an examination before the board. Under the act, licensees are required to pay fees, including a fee for the initial issuance and renewal of their licenses, that are deposited into the State Dentistry Fund which is continuously appropriated. This act makes it a crime, among other matters, to engage in specified conduct relating to the practice of dentistry.

This bill would authorize the board to issue a license to a person who is currently licensed to practice dentistry in another state and who satisfies other specified requirements, without requiring that person to take the board examination and would require the board to supply out-of-state dentists with certain information in its application packet. The bill would also require the board to report to the Legislature by January 1, 2005, regarding the impact of these provisions on the availability of dentists in this state. The bill would provide that these provisions would become operative on July 1, 2002. Because the bill would increase the number of dentists paying license issuance and renewal fees and fines and forfeitures for violations, it would make an appropriation by adding revenue that would be deposited in a continuously appropriated fund.

Because the bill would increase the number of persons subject to criminal prosecution for engaging in conduct prohibited by the Dental Practice Act, it would expand the scope of existing crimes, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 508 (AB 1471) Diaz. Economic development.

(1) The California Small Business Development Corporation Law authorizes the formation of small business financial development corporations, subject to the approval of the California Small Business Board in the Technology, Trade, and Commerce Agency, to grant loans or guarantees for the purpose of stimulating small business development. The California Small Business Expansion Fund, created under the law, provides funds to be used to pay for defaulted loan guarantees and administrative costs of these corporations. Existing law requires each corporation to undertake a program to implement its responsibilities, which requires among other things that the corporation be independent of General Fund allocations for administrative support within 4 years.

This bill would delete this requirement.

(2) The California Small Business Development Corporation Law authorizes the Director of Finance, with the approval of the Governor, to transfer moneys in the continuously appropriated Special Fund for Economic Uncertainties to the Small Business Expansion Fund for use by the California Office of Small Business Development for the purpose of making loan guarantees, as specified. These provisions are to be repealed on January 1, 2002.

This bill would extend the operation of these provisions until January 1, 2007.

This bill would also specify that no more than \$5,000,000 may be transferred pursuant to these provisions in connection with any single declared disaster, and would require the Director of Finance to provide notice of the amount of a transfer to the chairs of specified legislative committees within 30 days of the transfer.

(3) Existing law provides that the Treasurer is the elected representative of the state to approve the issuance of bonds by the California Infrastructure and Economic Development Bank, a special purpose trust, or a sponsor pursuant to the Bergeson-Peace Infrastructure and Economic Development Bank Act.

This bill would provide that the Treasurer, Governor, or the Lieutenant Governor is an elected representative of the state to approve the issuance of those bonds.

Ch. 509 (AB 1586) Negrete McLeod. Healing arts: physicians and surgeons.

The Medical Practice Act provides for the licensure by the Medical Board of California of physicians and surgeons as well as other healing arts practitioners. The act requires each licensed physician to complete a questionnaire sent to him or her at the time of license renewal that seeks specified information.

This bill would additionally require each licensed physician to report to the board at the time of license renewal, any specialty board certification he or she holds and his or her practice status. The bill would authorize a physician to report to the board his or her cultural background and foreign language proficiency.

Ch. 510 (AB 1612) Matthews. Agricultural and seafood industries.

Existing law provides various declarations and findings regarding the commitment and support furnished by the State of California with respect to the state's agricultural and seafood industries, the success of which is attributed to state-established commissions and councils.

This bill would authorize any commission or council to petition the Secretary of the Department of Food and Agriculture to adopt and administer any activity authorized pursuant to the California Marketing Act of 1937. The bill would make related findings.

Ch. 511 (AB 1637) Dickerson. Klamath River water crisis: assistance program.

(1) Under existing law, the Budget Act of 2001 appropriated to the Technology, Trade, and Commerce Agency \$8,000,000 for the Klamath River Water Crisis Economic Assistance and Mitigation Program.

This bill would establish the Klamath River Water Crisis Economic Assistance and Mitigation Program. The bill would reappropriate those funds by requiring the Controller to allocate those funds to the Office of Emergency Services for use in accordance with a prescribed schedule. The bill would authorize the Office of Emergency Services, with approval of the Department of Finance, to transfer any unencumbered funds anticipated or remaining in any program or activity funded pursuant to that schedule to any other program or activity funded pursuant to that schedule.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 512 (AB 1705) Committee on Transportation. Transportation.

(1) Existing law requires that a regional or local agency receiving an allocation from the Traffic Congestion Relief Fund certify that it will sustain its level of expenditures for transportation purposes at a level that is consistent with the average of its annual expenditures during the 1997-98, 1998-99, and 1999-2000 fiscal years, including funds reserved for transportation purposes.

This bill, with respect to a transportation entity that imposes a retail transactions and use tax for transportation purposes in accordance with certain provisions of law and receives an allocation from the fund, would require the governing board of the entity to certify by resolution that the entity will expend the allocation for the originally programmed purpose, and that the entity will not use for other than transportation capital purposes any capital funds

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that were programmed, planned, or approved for transportation capital purposes on or before a specified date.

(2) Existing law authorizes the California Transportation Commission to offer to exchange state funds from the Traffic Congestion Relief Fund for federal regional surface transportation program and congestion mitigation and air quality program apportionments received as local assistance by regional transportation planning agencies. The Department of Transportation is required to repay to the fund all funds received as federal reimbursements for funds exchanged as they are received from the Federal Highway Administration.

This bill instead would require the department to repay from the State Highway Account in the State Transportation Fund to the Traffic Congestion Relief Fund all funds received as federal reimbursements, as they are received, for funds exchanged under the exchange program, except that the repayments are not required to be made more frequently than on a quarterly basis.

(3) Under existing law, the Los Angeles County Transportation Commission adopted an approved San Fernando Valley rail rapid transit route and plan, as an extension of metro rail or advanced technology transit, other than light rail, that is a deep bore subway through residential areas, unless modified through a subsequent state or federal environmental review process. Therefore, in specified areas, existing law prohibits any exclusive public mass transit rail guideway, rail rapid transit or light rail system, or other track, other than as a subway system that is covered and below grade, from being constructed.

This bill would make technical changes to these provisions.

(4) This bill would incorporate changes to Section 182.7 of the Streets and Highways Code proposed to be made by Assembly Bill 1706 that would become operative if both bills are enacted and this bill is enacted after Assembly Bill 1706.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 513 (AB 62) Migden. Sudden oak death.

(1) Prior budget acts have appropriated funds to the Department of Forestry and Fire Protection for various forestry programs throughout the state.

This bill would require the department to allocate \$3,586,000, as scheduled, from funds appropriated by the Budget Act of 2001, to develop and implement prescribed measures designed to prevent, control, and manage the condition known as sudden oak death, and to perform control work on public and private lands where sudden oak death is occurring, as determined by the State Board of Forestry and Fire Protection.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 514 (AB 87) Jackson. Community colleges: worksite-based training.

Existing law requires the Board of Governors of the California Community Colleges to review and approve all educational programs offered by community college districts and all courses that are not offered as part of an educational program approved by the board of governors. Existing law requires the board to appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges, who is required to execute the duties and responsibilities delegated to him or her by the board.

This bill would require the chancellor to award grants to community college districts for the purpose of developing curricula and pilot programs that provide training to licensed nurses, including training in the nursing specialty areas of critical care, emergency, obstetrics, pediatrics, neonatal intensive care, and operating room nursing. The bill would appropriate \$1,000,000 from the General Fund to the Chancellor of the California Community Colleges for allocation as grants to community college districts for purposes of this bill and \$4,000,000 to provide for enrollment growth in community college nursing programs. The amounts allocated under the bill would be applied toward the minimum funding

requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Ch. 515 (AB 211) Chavez. California Military Museum: World War II Oral History Program.

Under existing law, the California Military Museum is operated in the Old Sacramento State Historical Park.

This bill would appropriate \$125,000 from the General Fund to the California Arts Council for allocation to the California Military Museum for the continued operation of the World War II Oral History Program and coordination of this program with the California Center for Military History of the California State Military Reserve.

Ch. 516 (AB 322) Bill Campbell. Cemeteries: disposition of family plots.

Under existing law, if the owner of a cemetery plot transferred to the owner by deed or certificate of ownership dies without making a disposition of the plot either in his or her will or by specific devise or by a written declaration filed and recorded in the office of the cemetery authority, the plot becomes inalienable upon the person's death and becomes the family plot of the owner.

This bill would provide that if the owner of a family plot dies without making disposition of the plot, any unoccupied portions of the plot would pass by the laws of intestate succession upon the owner's death. This bill would also provide that, on and after January 1, 2002, any unoccupied portions of a family plot that previously were inalienable pursuant to the above existing law provision, would pass by the laws of intestate succession and would become alienable. This bill would impose specific requirements on the seller and the cemetery authority with respect to the sale, transfer, or donation of any unoccupied portions of a family plot.

Ch. 517 (AB 380) Wright. Evidence of prior sexual offenses.

Existing law provides that, except as specified, evidence of a person's character is inadmissible when offered to prove his or her conduct on a specified occasion. Existing law creates exceptions to that rule, including that in a criminal action in which the defendant is accused of a sexual offense, evidence of the defendant's commission of another sexual offense or offenses is not inadmissible under that rule, except as specified. Existing law defines the term "sexual offense" as conduct proscribed by various sections of the Penal Code as well as other types of conduct.

This bill would expand the definition of "sexual offense" for the purposes of the aforementioned exception to the rule against the admission of character evidence to include aggravated sexual assault of a child.

Ch. 518 (AB 487) Aroner. Medical professionals: conduct.

Existing law, the Medical Practice Act, provides for the regulation of physicians and surgeons by the Medical Board of California. Under that act, the board's Division of Licensing is required to adopt and administer standards for the continuing education of physicians and surgeons, and the board's Division of Medical Quality is required to take disciplinary action against those who are charged with committing unprofessional conduct and to report annually to the Legislature regarding those actions.

This bill would require the Division of Medical Quality to develop standards before June 1, 2002, for the investigation of complaints concerning the management, including, but not limited to, undertreatment, undermedication, and medication of pain and to include in its annual report to the Legislature a description of actions relating to that practice. The bill would also require physicians and surgeons to complete a mandatory continuing education course in the subjects of pain management and the treatment of terminally ill and dying patients by December 31, 2006, except that it would not apply to physicians practicing in pathology or radiology specialty areas. The bill would authorize the board to adopt

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regulations exempting physicians who do not engage in direct patient care, do not provide patient consultations, or do not reside in California.

Ch. 519 (AB 493) Migden. Public postsecondary education: cooperative educational partnerships.

Existing law establishes the California State University and authorizes the operation of its various campuses under the administration of the Trustees of the California State University. Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards and authorizes these districts to provide instruction at community college campuses throughout the state.

This bill would provide that funding for the implementation and provision of baccalaureate degree programs on the Cañada College campus, jointly offered by faculty of Cañada College and the San Francisco State University, be contingent upon an appropriation in the annual Budget Act. The bill would require Cañada College, before being allocated any of those funds, to submit an implementation plan to the Chancellor of the California Community Colleges. The bill would require the Office of the Chancellor of the California Community Colleges, in cooperation with the Chancellor of the California State University, to evaluate this program and to submit a preliminary report on its progress and a final written report to the Legislature.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 520 (AB 548) Runner. Specialty care for low-income persons.

Existing law creates various health care programs for low-income persons.

This bill would require the Office of Statewide Health Planning and Development, in consultation with the State Department of Health Services, to establish, until January 1, 2007, a specialty care access program in underserved areas. The bill would declare Legislative intent that the program be funded by private gifts and grants. Under this program, private funding obtained by the office would be deposited into the Specialty Care Fund, and used to reimburse participating out-of-area providers in underserved areas for the cost of care provided to low-income persons, upon appropriation by the Legislature.

The bill would require the office, in cooperation with interested provider organizations, to solicit, on a statewide basis, pediatric and adult specialty care providers for participation in the program on a voluntary basis.

Ch. 521 (AB 589) Wesson. Property tax: loans for property tax administration.

Existing property tax law authorizes eligible counties, as defined, to obtain a loan from the state pursuant to the State-County Property Tax Administration Loan Program for the funding of county property tax administrative costs. Existing law limits this loan program to the 1995–96 fiscal year to the 2001–02 fiscal year, inclusive, and establishes a loan amount for each county in accordance with a specified schedule.

This bill would create the State-County Property Tax Administration Grant Program which would, for the 2002–03 fiscal year to the 2006–07 fiscal year, inclusive, provide grants to electing counties to assist them in funding property tax administration costs. This bill would set forth a grant amount for each county in a specified schedule. This bill would provide that receipt of grant program funds by a county shall not result in any reduction of a county's property tax administrative costs that are otherwise reimbursable under a specified statute.

Ch. 522 (AB 599) Liu. Groundwater contamination: quality monitoring program.

Existing law declares that groundwater is a valuable natural resource in the state and should be managed to ensure its safe production and its quality. Existing law authorizes specified local agencies to adopt and implement groundwater management plans.

This bill would require the State Water Resources Control Board to integrate existing monitoring programs and design new program elements, as necessary, for the purpose of establishing a comprehensive monitoring program capable of assessing each groundwater basin in the state through direct and other statistically reliable sampling approaches, and to create an interagency task force to identify actions necessary to establish the monitoring program and to identify measures that would increase coordination among state and federal agencies that collect groundwater contamination information. The bill would require the state board to convene a described advisory committee to the task force. The bill would require the state board, in consultation with other specified agencies, to submit to the Governor and the Legislature, on or before March 1, 2003, a report that includes a description of a comprehensive groundwater quality monitoring program for the state.

Ch. 523 (AB 780) Thomson. Pesticide mill assessments.⁵

(1) Until January 1, 2003, existing law requires every registrant of a pesticide product to pay the Director of Pesticide Regulation an assessment of 17.5 mills per dollar of sales for all sales by that person of registered pesticides for use in this state. Existing law further provides that effective January 1, 2003, and thereafter, the mill assessment rate would be reduced to 9 mills per dollar of sales, for all sales of pesticide for use in this state.

This bill would specify that sales made electronically, telephonically, or by other means that result in a pesticide product being shipped to or used in the state are sales. This bill would also provide that the mill assessment rate commencing January 1, 2003, to June 30, 2004, shall be 17.5 mills per dollar of sales and commencing July 1, 2004, and thereafter, shall be 9 mills per dollar of sales for all sales of registered pesticides for use in this state.

(2) Existing law also allows the Director of Pesticide Regulation, until January 1, 2003, to collect an additional mill assessment, as specified, to fund provision of pesticide consultation to the Department of Pesticide Regulation by the Department of Food and Agriculture.

This bill would allow the director to continue to collect this assessment, as specified, until July 1, 2004.

(3) The bill would also require the Department of Pesticide Regulation, with assistance from a subcommittee of the Pest Management Advisory Committee containing members from specified groups or agencies, to prepare an analysis and report on specified issues to the Legislature by January 1, 2003, the purpose of which would be to recommend a funding solution for the department that would eliminate the need to reauthorize the mill assessment on pesticide and consumer product sales every 5 years and that would preserve the accountability of the department to the entities contributing to the financing of the department.

(4) This bill would appropriate \$7,000,000 from the General Fund to the Department of Pesticide Regulation to implement the provisions of this act.

Ch. 524 (AB 945) Wright. Lead inspections: certified industrial hygienists.

Existing law requires the State Department of Health Services to direct the Childhood Lead Poisoning Prevention Program to implement a program to identify and conduct medical followup of high-risk children, and to establish procedures for environmental abatement and followup designed to reduce the incidence of excessive childhood lead exposures.

This bill would provide that in addition to any other providers determined to be eligible by the department to provide environmental investigation services as a part of case management services under that program, a qualified certified industrial hygienist or other

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qualified professional who is certified by the department as an inspector/assessor shall be eligible to provide those services and those services shall be funded under that program.

Ch. 525 (AB 951) Florez. Clinics: interim license.

Existing law provides for the licensure and regulation of clinics by the State Department of Health Services. When a clinic files an application for a license, existing law requires the department to conduct an investigation of the facts in the application and the clinic's compliance with statutory requirements for licensure.

Under existing law, the department also licenses and regulates health facilities. License applications for certain health facilities are processed by the centralized applications unit in the Licensing and Certification Division of the department.

This bill would require the centralized applications unit to review, commencing July 1, 2002, all new applications for nonprofit primary care clinics, nonprofit community health centers, nonprofit community clinics, and free clinics. The bill would require the Licensing and Certification Division to designate surveyors to specialize in clinic surveys and complaint investigation.

Ch. 526 (AB 963) Cardoza. Medi-Cal reimbursement.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons.

Existing law authorizes the department to contract with various types of health care providers and entities in order to obtain Medi-Cal services through managed care arrangements as well as other health care providers under specified circumstances.

This bill would require that any county-operated community clinic, as defined, must be reimbursed, subject to reductions in a certain situation, for Medi-Cal services using the same methodology used for reimbursement for a licensed surgical center, to the extent federal financial participation is available.

Ch. 527 (AB 1023) Canciamilla. Animal control officers: use of batons.

Existing law provides that any uniformed security guard who successfully completes a specified course of instruction is entitled to receive a permit to carry and use a club or baton within the scope of his or her employment, issued by the Department of Consumer Affairs.

This bill would provide that an animal control officer is not prohibited from carrying any wooden club or baton if he or she has satisfactorily completed a specified course of instruction certified by the Department of Consumer Affairs. The training institution certified by the department to present the course would be authorized to charge a fee covering the cost of the training.

Ch. 528 (AB 1049) Robert Pacheco. L.A. Care Board: technical advisory committee: children's health consultant advisory committee.

Existing law authorizes Los Angeles County to establish a commission, called the L.A. Care Board, to administer a local health initiative for the purpose of implementing Medi-Cal managed care. The county has established the commission. Existing law creates a 13-member governing board for the commission. Existing law requires that the governing body establish a technical advisory committee.

This bill would expand the classes of membership of that technical advisory committee. This bill would also require the governing body to establish a children's health consultant advisory committee, which would meet on a regular basis and make recommendations and reports to the governing body.

Because this bill would require the county to incur additional expenses in creating an advisory committee, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 529 (AB 1490) Thomson. Health records: delivery of laboratory test results by Internet posting.

Existing law provides that a health care professional who orders a laboratory test shall provide a patient, upon a written or oral request, those test results in plain language deemed most appropriate by the health care professional who ordered the test. Under existing law, the reported test results will be recorded in the patient's medical record and reported to the patient within a reasonable time period after the test results are received by the health care professional. Existing law separately authorizes the disclosure of medical information by a provider of health care or a health care service plan for various purposes, including specified administrative purposes.

This bill would permit test results to be delivered in electronic form if requested by the patient and if deemed appropriate by the health care professional who requested the test. This bill would require that patient consent to receive laboratory results by Internet posting or other electronic form be obtained in a manner consistent with the administrative purposes referred to above. The bill also would prohibit the disclosure of specific laboratory test results by Internet posting or other electronic manner regardless of authorization by the patient.

This bill would prohibit the use of any patient identifiable test results and health information for any commercial purpose without consent of the patient for the administrative purposes referred to above.

This bill would provide that a patient who does not elect to obtain his or her laboratory test results through the Internet or electronic form may not be required to pay any cost, or be charged any fee as a result of making that election. It would also provide that, when a patient requests to receive laboratory test results by Internet posting, the health care professional shall advise the patient of any charges that may be assessed for the service, and that the patient may call for a more detailed explanation of the laboratory test results. The bill would authorize a patient or his or her physician to revoke any consent relating to the disclosure of the patient's laboratory tests in accordance with the bill, except to the extent that action has been taken in reliance on that consent.

Ch. 530 (AB 1495) Cox. Local agency formation.

(1) Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, a local agency formation commission may not approve a proposal that includes an incorporation unless it finds that revenues currently received by the transferor will accrue to the transferee and that expenditures currently made by the transferor that will be assumed by the transferee are substantially equal. However, the proposal may be approved if the commission finds that the county and all of the subject agencies agree to the proposed transfer or the negative fiscal effect of the proposal is mitigated pursuant to an agreement.

This bill would declare the intent of the Legislature that this revenue neutrality requirement be implemented in a rational and predictable process and that the financial stability of the county and other affected agencies is insured while permitting the incorporation of communities demonstrating the necessary resources and capacity for self-governance.

(2) Existing law requires the commission to hold a hearing on any proposal for a change of organization or reorganization.

This bill requires that prior to any continuance of a hearing regarding a proposal that includes an incorporation, the chief petitioners shall have an opportunity to address the commission on potential impacts or hardships for the incorporation effort that may result from a delay.

(3) Existing law requires the executive officer to prepare a comprehensive fiscal analysis for any proposal that includes an incorporation. The fiscal analysis is required to review and document the costs to the proposed city of providing public services and facilities during the 3 fiscal years following incorporation.

The bill would delineate the criteria to be followed in determining the costs to the proposed city of providing public services and facilities during the 3 fiscal years following incorporation. By imposing additional responsibilities on local agency formation commissions and county auditors, the bill would impose a state-mandated local program.

(4) Existing law requires the executive officer of the commission, upon receipt of an application to initiate proceedings for a change of organization or a reorganization, to give mailed notice to each interested agency, each subject agency, the county committee or school district organization, and each school superintendent whose school district overlies the subject area.

This bill would require the affected state and local agencies to submit data required by the executive officer when the application includes an annexation.

(5) Existing law authorizes any person or affected agency to file a written request with the executive officer requesting amendments to or reconsideration of a commission resolution making determinations. The request is required to state the specific modification that is requested and to state what new or different facts or law are claimed to warrant the reconsideration. The commission has up to 70 days to consider the request.

This bill would delete the requirement of stating what new or different facts or law would warrant reconsideration and would reduce the consideration period to 35 days.

(6) Existing law requires the commission to set the proposal for hearing within 35 days of adopting its resolution making determinations.

This bill would require that a proposal that includes an incorporation be set for hearing within 15 days following adoption of the resolution making determinations.

(7) This bill would incorporate changes to Section 56895 of the Government Code proposed by AB 720, to be operative if AB 720 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 531 (AB 1503) Nation. Health care: mental health.

Existing law provides for regulation of health care service plans by the Department of Managed Health Care. Existing law requires every health care service plan that provides group coverage to file a written policy with the department describing how the plan contract shall facilitate continuity of care for new enrollees receiving services for an acute condition from a nonparticipating provider. Pursuant to existing law, a willful violation of provisions governing health care service plans is a crime.

This bill would require, on or before July 1, 2002, when the enrollee's employer has changed health plans, a health care service plan or a specialized health care service plan that offers professional mental health services to file a written policy with the Department of Managed Health Care describing how the health plan would facilitate continuity of care for new enrollees who have been receiving services for acute, serious, or chronic conditions from a nonparticipating psychiatrist, licensed psychologist, licensed marriage and family therapist, or licensed clinical social worker. The bill would require that the health plan allow each new enrollee to continue his or her course of treatment with a nonparticipating provider for a reasonable transition period while transferring to another participating provider in order to effectuate a safe transfer. The bill would not require a health care service plan or a specialized health care service plan to cover services or provide benefits that are not already covered by the plan contract. The bill would not apply to health care service plans or

specialized health care service plans that provide out-of-network coverage to its enrollees. The bill would provide that a health care service plan or a specialized health care service plan is not liable for the negligent, malicious, tortious, or wrongful acts arising out of the provision of services from an existing provider.

Existing law provides for the regulation of policies of disability insurance administered by the Insurance Commissioner. Existing law requires that disability insurers provide coverage for certain benefits and services. Existing law requires every disability insurer that provides coverage for hospital, medical, and surgical expenses on a group basis to file a written policy with the Department of Insurance describing how the policy shall facilitate continuity of care for new enrollees receiving services for an acute condition from a noncontracting provider.

This bill would require, by July 1, 2002, a disability insurer that provides coverage for hospital, medical, and surgical benefits with providers charging alternative rates, and that provides specified mental health services, to file a written policy with the commissioner that describes how the insurer shall facilitate continuity of care for insureds who have been receiving services for acute, serious, or chronic conditions from nonparticipating mental health providers. The bill would provide that a disability insurer is not required to accept a noncontracting service provider onto its network and would not require an insurer to provide services not otherwise covered. The bill would require the written policy to describe how requests to continue services with an existing nonparticipating mental health provider are reviewed and would require the policy to consider the potential clinical effect of a change of provider. The bill would make conforming changes.

Because a willful violation of the bill's requirements with respect to health care service plans would be a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 532 (SB 134) Figueroa. Dentistry.

(1) Existing law provides that the Dental Board of California is in the Department of Consumer Affairs. Existing law provides for the licensing and regulation of dental professionals and dental auxiliaries by the Dental Board of California and the Committee on Dental Auxiliaries. The provisions creating the board, authorizing the board to appoint an executive officer, and creating the committee will become inoperative on July 1, 2002, and will be repealed on January 1, 2003.

This bill would revise the procedures for appointment of the board and would provide that the current board would be repealed on January 1, 2002. The bill would provide that a new board, vested with the same powers as the previous board, would be created on January 1, 2002, and would become inoperative on July 1, 2004. The bill would also extend the provisions creating the Committee on Dental Auxiliaries to July 1, 2004, and repeal them on January 1, 2005.

(2) Existing law provides that a person who has been issued a degree of doctor of dental medicine or doctor of dental surgery by a foreign dental school is eligible for the licensure examination if he or she has completed certain requirements. Existing law, as of January 1, 2003, revises the requirements that a person who has been issued a degree of doctor of dental medicine or doctor of dental surgery by a foreign dental school is required to complete to be eligible for the licensure examination.

This bill would change the date for revision of the requirements for the graduates of a foreign dental school to January 1, 2004.

(3) Existing law provides until January 1, 2003, that an applicant who fails to pass the licensure examination after 4 attempts is not eligible for further reexamination until he or she

has successfully completed at least 2 academic years of education at an approved dental school.

This bill would extend this provision to January 1, 2004.

(4) Existing law requires the board to conduct occupational analyses to be used in the evaluation of dentistry licensing examinations.

This bill would require the next occupational analysis to include a survey of the training and practices of oral and maxillofacial surgeons, and would require a report to be made to the Joint Legislative Sunset Review Committee.

(5) Existing law provides a licensing scheme for dentists and requires dentists to meet certain requirements in their practice. Existing law sets forth provisions for permits for oral and maxillofacial surgery.

This bill would require that the board inform all oral maxillofacial licensees of any existing statutory limitations on the services permitted under the authority of a dental license. The bill would also require that, prior to the performance of dental restoration work, a patient be provided with specified materials discussing possible health risks if the patient has not previously been provided with the materials by the dentist, and that these materials be made available to a patient upon request.

(6) Existing law provides for a licensing scheme for registered dental assistants and requires applicants to meet certain educational, experience, and examination requirements in order to be eligible for a license.

This bill would revise the licensure examination requirements. The bill would also require a registered dental assistant to provide evidence of having successfully completed a board-approved course in radiation safety and coronal polishing by January 1, 2005.

(7) Existing law requires the Committee on Dental Auxiliaries to meet at least 4 times annually, at least once in Sacramento and at least once in Los Angeles.

This bill would delete the requirements that the committee meet in Sacramento and Los Angeles.

(8) This bill would make additional changes to the composition of the board if AB 447 is enacted and becomes effective on or before January 1, 2002.

Ch. 533 (SB 198) Chesbro. Property taxation: welfare exemption: nature resources and open-space lands.

Existing property tax law provides, as specified, for a welfare exemption under which property used exclusively for religious, hospital, scientific, or charitable purposes and owned and operated by funds, foundations, or corporations meeting statutory requirements is exempt from taxation. Existing law also provides, with specified exceptions, that property used exclusively for the preservation of specified nature resources or open-space lands and meeting other specified criteria shall be deemed to be included within the welfare exemption. It further provides that this inclusion is operative to and including the lien date in 2002, and is of no further force or effect thereafter.

This bill would extend the foregoing limitation, on the inclusion of property within the welfare exemption, to and including the lien date in 2012.

Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy.

Ch. 534 (SB 244) Speier. Environmental quality: airport expansion and enlargement projects.

(1) Existing law, the California Environmental Quality Act, requires a lead agency to prepare an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, as defined, unless the project is exempt from the act. The act also defines a “responsible agency” as a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.

This bill would provide that the carrying out or approval of a plan for a project that expands or enlarges an existing publicly owned airport by any political subdivision constitutes carrying out or approving a project for the purposes of that definition.

(2) The existing act also requires a public review period for a draft environmental impact report of not less than 30 days.

This bill would require that the public review period for a draft environmental impact report prepared for a project involving the expansion or enlargement of a publicly owned airport requiring the acquisition of any tide and submerged lands or other lands subject to the public trust for commerce, navigation, or fisheries, or any interest therein, not be less than 120 days. To the extent the bill would lengthen the public review period for a draft environmental impact report, and thereby generate additional public comment, it would impose a state-mandated local program.

(3) Existing law, the State Aeronautics Act, requires any political subdivision, prior to the acquisition of land for the purpose of expanding or enlarging an existing publicly owned airport, to submit a plan of that expansion or enlargement to the board of supervisors of the county, or the city council of the city, in which the property proposed to be acquired is located, and requires the board of supervisors to conduct public hearings and approve or disapprove the plan.

This bill would expand that requirement to include the acquisition of any lands, including tide and submerged lands or other lands subject to the public trust for commerce, navigation, or fisheries, or any interest therein, acquired by a political subdivision for the purpose of expanding or enlarging an existing publicly owned airport.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 535 (SB 409) Vincent. Income and bank and corporation taxes: credit: qualified deposits.

The Personal Income Tax Law and the Bank and Corporation Tax Law, and existing law with respect to the taxation of insurers, authorize, until January 1, 2002, an annual tax credit in an amount equal to 20% of a qualified deposit, as defined, made into a community development financial institution, as defined.

This bill would extend the expiration date of the credit to January 1, 2007, would clarify the types of investments eligible for the credit, and would modify, as specified, limits on the amount of those eligible investments. This bill would also make various technical changes.

This bill would take effect immediately as a tax levy.

Ch. 536 (SB 505) Perata. Special education.

Existing law, the federal Individuals with Disabilities Act, requires the provision of education and related services to individuals with exceptional needs.

This bill would require the State Department of Education and the California State University to enter into an interagency agreement to have the Center for the Study of Correctional Education, located on the California State University, San Bernardino campus, provide technical assistance to the State Department of Education regarding compliance with state and federal laws and regulations regarding special education at the Department of the Youth Authority, to be funded with federal funding through an appropriation made in the annual Budget Act. The bill would require, no later than one year after entering into the

interagency agreement, and then annually thereafter until termination of the agreement, the State Department of Education, with the assistance of the center, to provide interim status reports of the services received from the center to the Department of Finance and the Legislature. The bill would require the State Department of Education to submit a report to the Legislature, no later than December 1, 2006, regarding the usefulness of the services received from the center. These provisions would be repealed on January 1, 2007.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 537 (SB 516) Johnson. Local coastal programs.

(1) The California Coastal Act of 1976 requires that, after a local coastal program is certified and all implementing actions within the area affected become effective, the California Coastal Commission ceases to exercise any development review authority over any new development proposed within the area affected and delegates that authority to the local government that is implementing the local coastal program.

This bill would require the County of Orange to exercise all development review authority pursuant to the certified local coastal program over those parcels and areas within the county, generally known as the "Annexed Area," upon the effective date of any reorganization or annexation by the City of Newport Beach that includes all or part of the Annexed Area.

The bill would authorize the City of Newport Beach, at any time after that annexation, if it elects to assume coastal management responsibility for the Annexed Area, to begin preparation of a local coastal program for that area, and to adopt provisions of the County of Orange's certified local coastal program that would apply to the Annexed Area. The bill would require that specified statutes and regulations governing procedures for the preparation, approval, and certification of a local coastal program by the California Coastal Commission be applicable to the preparation, approval, and certification of a local coastal program for the Annexed Area. The bill would require the City of Newport Beach, if it obtains certification of a local coastal program for the Annexed Area pursuant to those provisions, upon the effective date of that certification, to exercise all of the authority under the act granted to a local government with a certified local coastal program, and would provide that the aforementioned provisions requiring the County of Orange to exercise all development review authority pursuant to the certified local coastal program over those parcels and areas within the county defined as the Annexed Area shall become inoperative. The bill would require the City of Newport Beach to submit to the commission for approval and certification on or before June 30, 2003, or 24 months after the effective date of the annexation of the Annexed Area, the city's local coastal program for all of the geographic area within the coastal zone and the city's corporate boundaries as of June 30, 2000. By requiring the City of Newport Beach to submit a local coastal program for specified territory that lies inside the city limits within a specified time period, the bill would impose a state-mandated local program.

The bill would provide that if the City of Newport Beach does not submit a local coastal program to the commission as specified above, it would be required to submit a late fee of \$1,000 per month for deposit into the Violation Remediation Account of the Coastal Conservancy Fund.

(2) The bill would state the findings and declarations of the Legislature that, due to unique circumstances applicable to the County of Orange, a statute of general applicability cannot be made applicable.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 538 (SB 702) Escutia. Chronic disease: environmental determinants.

Existing law makes various provisions for the prevention of disease, including chronic diseases, and the promotion of health, and imposes various requirements on the State Department of Health Services in this regard.

This bill would declare legislative intent to establish an Environmental Health Surveillance System, in accordance with the recommendations of the working group created pursuant to the bill and described below.

This bill would provide that the purpose of the EHSS shall be to establish an ongoing surveillance of environmental exposures and the diseases afflicting Californians. The bill would require the division and the office, in cooperation with the Regents of the University of California, to create a working group of technical experts with specified duties, including the development of possible approaches to establishing the EHSS, and would express legislative intent that legislation be enacted adopting one of these approaches.

Ch. 539 (SB 734) Karnette. Vehicles: trailers: registration: International Registration Plan.

(1) Existing law defines various terms for purposes of regulating and licensing vehicle dealers, distributors, franchises, and manufacturers.

This bill would include in those definitions trailers that are subject to identification.

To the extent that the inclusion of trailers within the scope of these definitions would have the effect of expanding the scope of licensing requirements, violations of which are currently crimes, this bill would impose a state-mandated local program by expanding the scope of a crime.

(2) Existing law authorizes the Reciprocity Commission, on behalf of the state, to enter into, and become, a member of the International Registration Plan Agreement developed by the American Association of Motor Vehicle Administrators. The commission is authorized to adopt rules and regulations necessary to carry out the provisions of the International Registration Plan or other apportioned registration agreements entered into under the authority of existing law. In administering the International Registration Plan, the state is authorized to collect all appropriate registration and license fees due other jurisdictions, and foreign jurisdictions that are members of the agreement are authorized to collect all appropriate registration and license fees due to California and remit those fees to the state pursuant to the terms of the agreement. The Department of Motor Vehicles is authorized to collect an administrative service fee of \$1 for each application for apportioned registration.

This bill would authorize the department to issue a permit to authorize the unladen operation of that vehicle or vehicle combination for a period of not more than 15 continuous days, if the apportioned registration for a commercial vehicle or vehicle combination that was last registered by a California resident has expired or been terminated, and the department has received a completed application, a fee of \$30, and proof of financial responsibility for the vehicle. This provision would not apply to any vehicle or vehicle combination for which any vehicle registration fees, other than those for the current year, vehicle license fees, or penalties, or any combination of those are due. Operation of a laden vehicle or vehicle combination under an unladen operation permit issued pursuant to this provision would be an infraction. The bill thereby would impose a state-mandated local program by creating a new crime.

The bill would require the department to charge interest on any underpaid fees due under the apportioned registration provisions, at the rate of 1% per month of the underpaid portion of the fees, commencing on the date the underpaid portion of the fees were originally due. Interest charged would continue to accumulate during any disputation or hearing regarding the fees, except that the registrant would be authorized to pay underpaid fees and other charges during the disputation process or hearing, in order to avoid additional interest charges, and request a refund of any overpaid fees after final review.

The bill would require the department to impose a penalty of \$50 or 10% of the underpaid fees, whichever is greater, commencing on the date the underpaid fees were determined to be due.

The bill would require the administrative service fee specified above to be at least the amount determined by the department to be sufficient to pay membership dues to the association acting as the repository for the International Registration Plan, but not more than \$2 for each application.

The bill would require the department to require a deposit in an amount determined by the department to be sufficient to ensure compliance with the apportioned registration provisions, for each application to include an additional operating area or vehicle in a registration issued under those provisions.

The bill would require the department to impose a fee in an amount determined by the department to be sufficient to cover its administrative costs under this provision, for each application for immediate telephone service for a registration issued under the apportioned registration provisions.

(3) This bill would incorporate additional changes in Section 286 of the Vehicle Code, proposed by AB 871, to be operative only if AB 871 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 540 (SB 901) Costa. State real property: Department of General Services.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property. The Director of General Services is authorized to lease, lease-purchase, or lease with an option to purchase real property for the use of any state agency, but the director is prohibited from entering into an office space lease-purchase agreement or a lease with an option to purchase with an initial option purchase price over \$2,000,000, unless specifically authorized by the Legislature.

This bill would authorize the Director of General Services to enter into a joint powers agreement with prescribed governmental entities to study the infrastructure needs of downtown Fresno and the planning goals of the City of Fresno, explore financing methods, and make strategic recommendations.

Ch. 541 (SB 1058) Escutia. Teenage Pregnancy Prevention Grant Program.

Provisions of law that were repealed by their own terms on July 1, 2001, established a teenage pregnancy prevention program, targeted at pupils in elementary and secondary schools.

This bill would reenact and recast those provisions, would make those provisions inoperative on July 1, 2003, and would repeal them as of January 1, 2004.

Ch. 542 (SB 1112) Polanco. Courts: judicial holidays.

Existing law designates state holidays. Existing law adopts those state holidays, with the exception of Admission Day and Cesar Chavez Day, as judicial holidays.

This bill would include Cesar Chavez Day as a judicial holiday.

Existing law defines holidays, for purposes of the Code of Civil Procedure, to be state holidays, with specified exceptions.

This bill would revise that definition of holidays, to reference, instead, judicial holidays.

Existing law provides that if the last day for the performance of any act provided or required by law is a state holiday, excluding Martin Luther King Day and Cesar Chavez Day, and including Admission Day, then the period is extended to the next court day that is not a holiday.

This bill, instead, would provide that if the last day for the performance of any act provided or required by law is a judicial holiday, then the period is extended to the next court day that is not a holiday.

Ch. 543 (SB 1185) Committee on Revenue and Taxation. Income and corporation taxes: sales taxes: fees: administration: corporation: credits.

Existing law requires every generator of hazardous waste to pay an annual generator fee to the State Board of Equalization. Existing law provides for a refund of the generator fee paid under certain conditions and requires an application for a refund to be submitted to the board by March 31 of the fiscal year during which the generator paid the fee.

This bill would instead require that application to be submitted by the September 30 following the fiscal year during which the generator paid the fee.

Existing law provides that a taxpayer may file a claim with the State Board of Equalization for reimbursement of bank charges incurred as the direct result of an erroneous levy or notice to withhold by the board.

This bill would additionally allow reimbursement under those circumstances for any other reasonable 3rd-party check charge fees.

Under existing law, the Franchise Tax Board has adopted a policy of using electronic postmarks as the filing date of electronically filed tax returns.

This bill would codify that policy by conforming to provisions of federal income tax laws that allow electronic postmarks as proof of the date electronically filed tax returns are deemed filed.

The Bank and Corporation Tax Law imposes taxes upon income, as provided.

This bill would change the name of that law to the Corporation Tax Law and make conforming changes.

Existing income and bank and corporation tax laws allow a taxpayer to file a claim for refund or credit resulting from a federal adjustment within 2 years of the final federal determination.

This bill would allow the Franchise Tax Board to initiate an action on an overpayment resulting from a final federal determination, as provided.

Existing income and bank and corporation tax laws authorize the Franchise Tax Board to enter into voluntary disclosure agreements with specified entities.

This bill would authorize the board to also enter into those agreements with certain trusts and nonresident beneficiaries.

The Bank and Corporation Tax Law authorizes various credits against the taxes imposed by that law, including a credit against taxes imposed by that law in an amount equal to 6% of the amount paid or incurred during the taxable year for qualified property, as defined, that is placed in service in this state. The credit is required to be recaptured for dispositions of qualified property.

This bill would provide that certain sales of stock shall not be treated as a disposition of qualified property, as provided.

The Bank and Corporation Tax Law, in general, imposes a franchise tax measured by the net income from California sources of the preceding calendar or fiscal year, which is referred to as the "income year." The calendar or fiscal year for which the tax is imposed for the privilege of doing business in this state is referred to as the "taxable year."

This bill would delete references to "income year," and instead define "taxable year" as the calendar or fiscal year upon the basis of which the net income is computed.

Ch. 544 (AB 4) Bates. Sex offenders: registration.

Existing law requires certain persons, including any person convicted of specified sex offenses, for the rest of his or her life while residing or located within California, to register with the chief of police or the sheriff, as specified, and with the chief of police of a campus of the University of California, the California State University, or community college if the

person is residing or located upon the campus or in any of its facilities, within 5 working days of coming into, or changing his or her residence or location within, any city, county, or city and county, or campus. The information required to be given by the offender is determined by the Department of Justice, and includes the offender's residence address as well as the name and address of his or her employer.

This bill would apply these provisions to persons carrying on a vocation, as defined, and add a provision that would, commencing July 1, 2002, require transients, persons carrying on a vocation, and employees at university and college campuses to register and appear personally to notify the campus police department within 5 working days of changing his or her location or of ceasing to be enrolled or employed at the college or university. In cases where there is no campus police department, the registrant would be required to register with, and provide notice of changes to, the chief of police of the city in which the campus is located or the sheriff of the county where the campus is located if the campus is located in an unincorporated area or in a city that has no police department. Any violation of this registration requirement would be punishable as a misdemeanor with specified penalties based on first, 2nd, or 3rd violations. By expanding the scope of an existing crime and creating a new crime, the bill would impose a state-mandated local program.

The bill would make a conforming change.

The bill would incorporate additional changes to Section 290 of the Penal Code made by AB 349 and AB 1004 to be operative if this bill and one or both of the other bills are enacted and become effective on or before January 1, 2002, and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 545 (AB 6) Cardenas. Before and after school programs.

Existing law establishes the After School Learning and Safe Neighborhoods Partnership Program to create incentives for establishing local after school enrichment programs and establishes maximum grant amounts for participating schools.

This bill would permit schools to establish before and after school programs under these provisions, would establish maximum grants for before and after school programs, and would revise related funding priorities.

Existing law, notwithstanding any other provision of law or regulation, permits a participating program operated by a city, county, or nonprofit organization to operate for up to 20 hours per week without obtaining a license or special permit otherwise required under prescribed provisions of law.

This bill would increase the authorization to 30 hours per week.

Ch. 546 (AB 99) Zettel. Education technology: grants.

Existing law, the Digital High School Education Technology Grant Act of 1997, provides one-time installation grants and ongoing technology support and staff training grants to school districts and county offices of education that operate high schools.

This bill would authorize a high school established after October 6, 2000, that would have been eligible for an annual technology support and staff training grant, to receive that grant and would require a high school to provide a technology plan to the Superintendent of Public Instruction before receiving a grant.

Ch. 547 (AB 119) Chavez. Securities: broker-dealers: employee criminal background checks.

Existing law provides for the licensing and regulation by the Commissioner of Corporations of broker-dealers handling transactions of securities. Existing law authorizes the Department of Justice to furnish state summary criminal history information (otherwise

known as a background check) concerning an individual to various persons and entities that are authorized to receive that information, including banks and other financial institutions.

This bill would authorize a licensed broker-dealer, or affiliate, or any officer or employee thereof, to submit to the department fingerprints of an applicant for employment for the purpose of obtaining information on whether that applicant has a conviction or an arrest for which the applicant was released on bail or on his or her own recognizance pending trial, as established by the department. The bill would provide that fingerprints includes fingerprints taken by the use of fingerprint live-scan technology.

Ch. 548 (AB 254) Frommer. Brownfields loans: CLEAN program.

(1) Under existing law, the Site Designation Committee in the California Environmental Protection Agency is authorized to designate an administering agency for oversight of a remedial action to a hazardous substance release. Existing law requires the administering agency to supervise the site investigation and remedial action conducted by the responsible party and, upon determining that the site investigation and remedial action has been satisfactorily completed, to issue a certificate of completion to the responsible party. Existing law prohibits any agency that has jurisdiction over a hazardous materials release from taking any action against a responsible party with respect to the hazardous materials release for which a certificate of completion is issued. Existing law prohibits an administering agency from taking action against a responsible party with respect to the hazardous materials release for which a certificate of completion is issued unless specified conditions apply and provides that the administering agency is the sole agency responsible for determining if any of those conditions apply to such a hazardous materials release site. Existing law authorizes an agency to petition the chairperson of the committee to review, among other things, the failure of the administering agency to act pursuant to its authority under that provision.

This bill would revise those provisions to instead expressly specify that, except with regard to that petition process, no agency other than the administering agency, may take action against a responsible party with regard to such a release site. The bill would authorize an administering agency to take such an action, but only if the administering agency determines that one of those conditions applies.

(2) Existing law requires the Department of Toxic Substances Control, with the approval of the Secretary for Environmental Protection, to establish the Investigating Site Contamination Program to provide loans to conduct preliminary endangerment assessments of brownfields and underutilized property, as defined, and the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program, to provide loans to finance the performance of actions necessary to respond to the release or threatened release of hazardous material on an eligible property. Existing law defines the terms “brownfield” and “underutilized property” as property that meets specified conditions, including being located in an urbanized area, as defined.

Existing law provides procedures for the approval of, and repayment of, a loan under these programs. Under existing law, the Cleanup Loans Environmental Assistance to Neighborhoods Account in the General Fund is continuously appropriated to the department to provide loans under those programs, except that the department and the Environmental Protection Agency are authorized to expend funds in the account for administration only upon the appropriation of funds for that purpose. Existing law requires the department to serve as the administering agency for any site that is the subject of a loan.

This bill would revise the definitions of the terms “brownfield” and “underutilized property” to instead include property that is located in an urban area, as defined. The bill would provide that the money in the account may be expended by the department, a regional water quality control board, the State Water Resources Control Board, or the California Environmental Protection Agency for implementation costs, upon appropriation by the Legislature, and would define the term “implementation costs” to include the costs of

overseeing and reviewing preliminary endangerment assessments and response actions, and certain oversight conducted by the regional board or state board.

The bill would provide that a loan recipient is not liable for paying the department's, regional board's, or state board's costs associated with the oversight of preliminary endangerment assessment preparation and approval or the oversight of a response action at a site, if the department determines there are sufficient funds in the account to reimburse the department, regional board, or state board for that oversight. If the department determines that the account has insufficient funds to pay for those oversight costs, the bill would require the loan recipient to pay the department the amount of those costs.

The bill would also authorize the recipient of a loan to finance a response action to also use those loan funds to pay a premium for a specified environmental insurance product from any insurance company that meets specified requirements.

The bill would also make various technical changes regarding the approval and repayment of the loans and the agreement required to be executed by the loan recipient with the department.

The bill would provide that the administering agency for a site that is subject to a release from a leaking underground fuel tank where the release from that tank is the principal threat at the property, is to be a regional board, the state board, or a specified local oversight program. The bill would require the department to notify the regional board and the state board with regard to certain loan applications. The bill would specify procedures for the selection of an oversight agency for such a site and would require the regional board or state board to provide specified information to the department regarding the status of a response action subject to this procedure.

(3) Existing law authorizes the department to adopt emergency regulations to implement the CLEAN program and requires the regulations to be repealed 180 days after their effective date.

This bill would authorize the department to adopt emergency regulations to implement the changes made by the bill and would repeal the regulations 180 days after their effective date unless the regulations are readopted. The bill would require the Office of Administrative Law to consider those regulations to be necessary for the immediate preservation of the public peace, health and safety, and general welfare.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 549 (SB 468) Sher. Hazardous materials response actions: brownfields: insurance.

(1) Existing law requires the Department of Toxic Substances Control, with the approval of the Secretary for Environmental Protection, to establish the Investigating Site Contamination Program to provide loans to conduct preliminary endangerment assessments of brownfields and underutilized property, as defined, and the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program, to provide loans to finance the performance of actions necessary to respond to the release or threatened release of hazardous material on an eligible property. Existing law defines the terms "brownfield" and "underutilized property" as property that meets specified conditions, including being located in an urbanized area, as defined.

Existing law provides procedures for the approval of, and repayment of, a loan under these programs. Under existing law, the Cleanup Loans And Environmental Assistance to Neighborhoods Account in the General Fund is continuously appropriated to the department to provide loans under those programs, except that the department and the California Environmental Protection Agency are authorized to expend funds in the account for administration only upon the appropriation of funds for that purpose. Existing law requires the department to serve as the administering agency for any site that is the subject of a loan.

This bill would revise the definitions of the terms "brownfield" and "underutilized property" to instead include property that is located in an urban area, as defined, and would

define other terms for purposes of the CLEAN Program. The bill would revise the definition of “eligible property” to include certain property owned or operated by a small business, as defined, a specified nonprofit corporation, or a small business incubator. The bill would additionally, continuously appropriate the money in the account to provide subsidies for environmental insurance pursuant to the FAIR Program specified in (2) below, thereby making an appropriation. The bill would also provide that the money in the account may be expended by the department, a California regional water quality control board, the State Water Resources Control Board, or the California Environmental Protection Agency for administration and implementation costs, upon appropriation by the Legislature, and for administering and implementing the FAIR Program. The bill would define the term “implementation costs” to include the costs of overseeing and reviewing preliminary endangerment assessments and response actions, and certain oversight conducted by the California regional water quality control board.

The bill would also make various technical changes regarding the agreement required to be executed by the CLEAN loan recipient with the department. The bill would provide that a loan recipient is not liable for paying the department’s, regional board’s, or state board’s costs associated with the oversight of preliminary endangerment assessment preparation and approval or the oversight of a response action at a site, if the department determines there are sufficient funds in the account to reimburse the department, regional board, or state board for that oversight. If the department determines that the account has insufficient funds to pay for those oversight costs, the bill would require the loan recipient to pay the department the amount of those costs.

(2) This bill would establish the Financial Assurance and Insurance for Redevelopment Program (FAIR), which would require the secretary to solicit proposals for a package of environmental insurance products from insurance companies through a competitive bidding process. The selected insurance company or companies would be the exclusive state-designated provider of environmental insurance under the FAIR Program for a period of 3 years. The secretary would be required to evaluate the proposals based on specified factors. The bill would require an insurance company selected by the secretary to offer a prenegotiated package of environmental insurance products to any interested recipient of a loan under the CLEAN Program and to any other person who conducts a response action in the state.

The bill would require the secretary to expend the funds from the Cleanup Loans and Environmental Assistance to Neighborhoods Account that are made available in the annual Budget Act for expenditure to subsidize the cost of those environmental insurance products. The bill would require the secretary to provide from those available funds a subsidy of up to 50% of the cost of the premiums for the environmental insurance products provided under the FAIR Program and up to 80% of the self-insured retention amount of the cost overrun insurance, up to a maximum of \$500,000, under specified conditions. The bill would authorize any person who is conducting a response action to an eligible property under the CLEAN Program under the oversight of the department or a regional board to apply to the secretary for a subsidy.

The bill would require a recipient of a CLEAN Program loan to obtain secured creditor insurance, as defined, from the insurance company selected by the secretary pursuant to the FAIR Program, or comparable insurance, unless the secretary waives this requirement.

The bill would authorize the agency to adopt emergency regulations to implement the FAIR Program.

Ch. 550 (AB 284) Jackson. Public health: fungal contamination in indoor environments.

Existing law provides that the State Department of Health Services is vested with the duties, powers, purposes, responsibilities, and the jurisdiction of the department as they

relate to public health. The department has various duties to ensure that the most appropriate methods are being used to protect the public health.

This bill would require the California Research Bureau, which is part of the California State Library, in consultation with the State Department of Health Services, to perform a study of, and publish findings on, fungal contamination in indoor environments, and to organize meetings of a review panel to assist in the preparation of appropriate content for the study. This bill would require the California Research Bureau to submit, no later than January 1, 2003, the findings of the study to both the Legislature and the Director of Health Services.

Ch. 551 (AB 303) Dickerson. Special education: necessary small special education local plan areas.

Existing law authorizes certain special education local plan areas to request designation as necessary small special education local plan areas if their total reported units of average daily attendance in kindergarten and grades 1 to 12, inclusive, are less than 15,000 including all of the school districts located in the county or counties participating in the local plan, except those districts participating in a countywide special education local plan area located in an adjacent county that also meets certain criteria.

This bill would authorize a necessary small special education local plan area that experiences a reduction in its funding compared to the prior year, to claim, in addition to the current year funding, an amount equal to 40% of the reduction.

Ch. 552 (AB 409) Correa. Victims of crime: extension of filing period.

Existing law provides for the indemnification of victims and derivative victims of specified types of crimes from the Restitution Fund, which is continuously appropriated to the California Victim Compensation and Government Claims Board for these purposes. A victim or derivative victim is generally required to file an application for assistance with the board within one year of the crime or the date the victim attains 18 years of age, whichever is later, unless that deadline is extended for good cause to a 3-year period under certain circumstances. Existing law authorizes, until January 1, 2003, an additional extension to be granted for good cause under certain circumstances.

This bill would also authorize an additional extension for filing an application when it is filed by a victim or derivative victim of a crime for which the perpetrator or perpetrators received a sentence of death or life without possibility of parole, and certain other conditions are met. It would also extend the effective date of the provisions regarding the additional extension to January 1, 2004. By providing for expanded and continued uses of a continuously appropriated fund, this bill would make an appropriation.

Ch. 553 (AB 760) Shelley. School athletics: safety.

Existing law requires the governing board of any educational institution to provide for each member of an athletic team insurance protection for medical and hospital expenses. Existing law authorizes the governing board of any school district to make available ambulance service for athletic events. Existing law requests the University of California to design and conduct a study of pupil injuries resulting from participation in high school athletic events.

This bill would, subject to an appropriation in the 2001–02 Budget Act, provide grants to fund pilot projects that enter into partnerships to support safety in high school interscholastic athletics. This bill would authorize the department to contract with statewide nonprofit organizations to administer the program and would require the department or that organization to request and review proposals from grant applicants. The bill would require the department, or its administering nonprofit organization, to report to the Legislature.

Ch. 554 (AB 783) Kelley. Repossession agencies.

(1) Existing law, the Collateral Recovery Act, requires a licensed repossession agency to serve a debtor with a notice of seizure as soon as possible after the recovery of collateral, and requires the notice to contain certain information. A violation of the act is a misdemeanor.

This bill would require that the notice also contain a disclosure of the charges owed to the repossession agency for storage of the collateral and personal effects from the date of repossession until release of the property from storage.

(2) Existing law authorizes a peace officer, if he or she determines that a driver was driving a vehicle with driving privileges suspended or revoked, or without a license, to cause the removal and seizure of the vehicle. Existing law authorizes a magistrate, presented an affidavit of a peace officer establishing reasonable cause to believe that a vehicle was an instrumentality used in a peace officer's presence in violation of specified provisions, to issue a warrant or order authorizing the seizure and removal of the vehicle. A legal owner or their agent is required to present specified documents to the impounding agency to secure release of the vehicle. The impounding agency is authorized to impose a charge equal to the cost of a hearing or appeal on the legal owner or their agent if the legal owner or their agent requests a hearing or appeal relating to the removal, impound, storage, or release of the vehicle.

This bill would prohibit a city, county, city and county, or state agency from requiring that a legal owner that is a motor vehicle dealer, bank, credit union, acceptance corporation, other licensed financial institution legally operated in this state, or other person holding a security interest in the vehicle who is not the registered owner, or the legal owner's agent request a poststorage hearing as a requirement for release of the vehicle to the legal owner or the legal owner's agent. The bill would also revise the documents that a legal owner or agent is required to present to the impounding agency for release of the vehicle and would prohibit the agency from requiring documents other than those specified. The bill would provide that the impounding agency is not liable to the registered owner for improper release of the vehicle to the legal owner or the legal owner's agent so long as the release complies with the bill.

(3) Because the bill's provisions would expand the definition of a crime by expanding the notice requirement, the bill would impose a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(5) This bill would incorporate additional changes in Section 14602.6 of the Vehicle Code proposed by AB 360, to be operative only if AB 360 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 555 (AB 807) Salinas. Farmworker housing.

The existing Joe Serna, Jr. Farmworker Housing Grant Program requires the Department of Housing and Community Development to make grants from the Joe Serna, Jr. Farmworker Housing Grant Fund, a continuously appropriated fund, to local public entities and nonprofit corporations for the construction or rehabilitation of housing for agricultural employees and their families. Grants may also be made for the purchase of the land in connection with the housing and for the construction and rehabilitation of related support facilities necessary to the housing.

This bill would authorize the department to make grants and loans from the Joe Serna, Jr. Farmworker Housing Grant Fund to local public entities and nonprofit corporations to establish capitalized operating reserves for short-term occupancy housing for migrant farmworker households. By expanding the purposes of a continuously appropriated fund, this bill would make an appropriation.

This bill would incorporate additional changes to Section 50517.5 of the Health and Safety Code proposed by AB 1160, to be operative if AB 1160 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 556 (AB 821) Simitian. High Technology Crime Task Force.

Existing law establishes the High Technology Theft Apprehension and Prosecution Program Trust Fund, and specifies the purposes for which the moneys in the fund may be used. Funding is contingent upon appropriation by the Legislature, as provided.

This bill would, in addition, permit the Executive Director of the Office of Criminal Justice Planning to allocate and award up to 5% of the funds available from the trust fund to public agencies or private nonprofit organizations for the purposes of establishing statewide programs of education, training, and research for public prosecutors, investigators, and law enforcement officers relating to deterring, investigating, and prosecuting high technology-related crimes.

Existing law establishes the High Technology Crime Advisory Committee, composed of members representing various governmental agencies and professional organizations, appointed by the Executive Director of the Office of Criminal Justice Planning.

This bill would in addition provide for the appointment by the executive director to the committee of a representative of the California banking industry.

Ch. 557 (AB 842) Diaz. International Baccalaureate Program.

Existing law states that the Legislature finds and declares that the International Baccalaureate Diploma Program is a comprehensive and rigorous 2-year curriculum, leading to examinations for high school pupils. Existing law requires, from funds appropriated for this purpose, the Superintendent of Public Instruction to annually allocate to each school district on behalf of each public high school in the district that offers the International Baccalaureate Diploma Program, up to \$25,000 to cover the ongoing costs of professional development required by the program.

This bill would delete the term "Diploma" from the International Baccalaureate Diploma Program. The bill would make participating middle schools eligible for funding as specified. The bill would also authorize funding to be expended to help pay the test fees for low- and middle-income pupils in need of financial assistance, as specified. The bill would require an annual cost-of-living adjustment to the amount of funding provided on an annual basis, as specified.

The bill would reappropriate \$140,600 from the unexpended balance of a specified statutory item relating to the International Baccalaureate Program to the Superintendent of Public Instruction for allocation to school districts for the purposes of the program, as specified. To the extent that funds appropriated by this bill are allocated to a school district or a community college district, those funds would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Ch. 558 (AB 876) Wyland. Pupil reading programs.⁶

Existing law provides for various reading programs for pupils in specified grades, including the Comprehensive Reading Leadership Program Act of 1996, the Elementary School Intensive Reading Program, and the Governor's Reading Award Program.

This bill would appropriate \$100,000 from the General Fund to the State Department of Education for the purpose of contracting for a study that identifies reading programs in schools that maintain kindergarten or any of grades 1 to 6, inclusive, where the performance of 75% of the pupils was at or above the 80th percentile on the reading portion of the achievement tests administered pursuant to the Standardized Testing and Reporting Program.

Ch. 559 (AB 1012) Corbett. Child Pornography.

Under existing law, possession of child pornography is an offense generally punishable as a misdemeanor. Possession of child pornography is a felony under existing law if the defendant has previously been convicted of possession of child pornography.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would also make possession of child pornography a felony if the defendant had a prior conviction either for sale, distribution, or production of matter depicting sexual conduct by a minor for commercial purposes, or for use of a minor to produce matter depicting sexual conduct by a minor for commercial purposes.

By making a misdemeanor a felony based upon a prior conviction for any of the specified offenses, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 560 (AB 1090) Hertzberg. Real property.

Existing law provides that when an obligation secured by a deed of trust has been satisfied, the beneficiary, or its assignee, shall execute and deliver to the trustee the original note, deed of trust, request for a full reconveyance, and other documents as may be necessary to reconvey, or cause to be reconveyed, the deed of trust. Existing law provides that the trustee shall deliver a copy of the reconveyance to the beneficiary if known. Existing law provides that the trustee, beneficiary, or mortgagee may charge a reasonable fee to the trustor or mortgagor, or the owner of the land, as the case may be, for all services involved in the preparation, execution, and recordation of the full reconveyance. If the fee does not exceed \$65 it is conclusively presumed to be reasonable. Existing law also provides that the mortgagee or trustee may not record or cause the certificate of discharge or full reconveyance to be recorded under specified circumstances. A person who violates these provisions is liable to the person affected by the violation for all damages the person affected may sustain and forfeits to the person affected the sum of \$300.

This bill would require the beneficiary or the assignee of the beneficiary to execute and deliver to the trustee the original note, deed of trust, request for full reconveyance, and other documents as may be necessary to reconvey, or cause to be reconveyed, the deed of trust within 30 calendar days after the obligation secured by any deed of trust has been satisfied. This bill would also provide that, instead of delivering the original note and deed of trust to the trustee within 30 days of loan satisfaction, the beneficiary may, within 120 days of loan satisfaction, deliver the original note and deed of trust to either the trustee or trustor and would require that upon satisfaction, the note and deed of trust be altered to indicate that the obligation is paid in full.

This bill would also require the reconveyance instrument to specify the trustor as the person to whom the recorder will deliver the recorded instrument.

This bill would also require a beneficiary, upon satisfaction of an obligation secured by a deed of trust, to mark the note "paid in full" and, within 120 days of satisfaction, either deliver the note to the trustee or mail it to the trustor.

This bill would also require that, if the note, or deed of trust, or any copy of the note or deed of trust, is electronic, upon satisfaction of an obligation secured by a deed of trust, any electronic original, or electronic copy which has not been previously marked solely for use as a copy, of the note and deed of trust, shall be altered to indicate that the obligation is paid in full.

This bill also would change the amount of the fee for preparation, execution, and recordation of a full reconveyance to \$45 and would prohibit the fee from being charged unless demand for the fee was included in the payoff demand statement. This bill would also provide that a beneficiary may, at its discretion but subject to a specified procedure, substitute as trustee the title company conducting the escrow through which the obligation is satisfied, and that the title company must comply with the requirements of a trustee and may collect applicable trustee fees. The bill also would increase the sum forfeited by a person who violates these provisions from \$300 to \$500.

This bill also would provide that no other fee or charge may be imposed on the trustor in connection with, or relating to, these provisions, except as specified.

The bill also would delete the provision specifying the circumstances in which a mortgagee or trustee shall not record or cause the certificate of discharge or full reconveyance to be recorded.

Existing law requires a mortgagee or beneficiary of a mortgage or deed of trust, or his or her designees, to prepare and deliver specified documents upon demand, including a beneficiary statement and a payoff demand statement. A beneficiary who provides those documents pursuant to this provision is authorized to impose a charge not to exceed \$60 for furnishing each required statement, except as specified.

This bill would reduce that maximum charge for the statement to \$30 and would require a beneficiary, who collects a fee for reconveyance and thereafter discovers that the release of obligation had already been recorded, to refund the fee.

This bill also would provide specified rules regarding the refiling of, and costs and attorney's fees for, claims dismissed as a result of certain changes made to existing law by this bill.

This bill would make specified legislative findings regarding changes to, and interpretation of, existing law.

Ch. 561 (AB 1189) Aanestad. School finance.

Existing law provides that a unified school district that meets certain criteria is eligible to receive apportionments pursuant to the schedules for a necessary small school and a necessary small high school, as specified. Under existing law, this provision becomes inoperative on July 1, 2002, and, as of January 1, 2003, is repealed.

This bill would extend this provision to July 1, 2004, and the date on which the provision would be repealed to January 1, 2005.

Ch. 562 (AB 1207) Longville. Small wind energy systems.

(1) Existing law prohibits the legislative body of any city or county from enacting an ordinance that prohibits or unreasonably restricts the use of solar energy systems other than for the preservation or protection of the public health and safety.

This bill would authorize until July 1, 2005, a local agency to provide, by ordinance, for the installation of small wind energy systems, as specified, and to issue a conditional use permit for this purpose. The bill would also authorize a local agency to impose conditions on the installation of these systems, as specified. This bill would also require a local agency to approve an application for a small wind energy system by right if specified conditions are met and would authorize the local agency to charge a specified fee. By increasing the duties of local agencies, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 563 (AB 1286) Rod Pacheco. Conservatorships: bonds.

Existing law permits a court in a conservatorship proceeding to dispense with the requirement of filing a bond, or permits the filing of a bond in a smaller amount than would otherwise be required, when a conservatee with sufficient capacity has waived the filing of a bond. Existing law permits a court in a guardianship or conservatorship proceeding to order separate bonds or a single bond or a combination of the 2 if the proceeding involves more than one ward or conservatee.

This bill would prohibit the court in a conservatorship proceeding from waiving the filing of a bond, without good cause, as specified. This bill would require a court in a

conservatorship proceeding to order a separate bond for each conservatee, except as specified.

Existing law requires the guardian or conservator of an estate to submit to the court that has jurisdiction over the ward or conservatee a copy of account statements with specified information.

This bill would revise and recast these provisions by requiring an institution, when a guardian or conservator pursuant to letters of guardianship or conservatorship of the estate takes possession or control of any asset of the ward or conservatee held by an institution, to file with the court a statement containing specified information. The bill would also require that certain personal information concerning the ward or conservatee be kept confidential.

This bill would require guardians and conservators to file original account statements received from institutions, as defined, including account statements of their wards or conservatees, as part of the periodic accounts filed by the guardians or conservators with the court.

This bill would incorporate additional changes in Section 7480 of the Government Code, proposed by SB 125, to be operative only if SB 125 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 564 (AB 1287) Cardenas. Higher education: University of California.

(1) An existing provision of the California Constitution establishes the University of California under the administration of the Regents of the University of California.

An existing item of the Budget Act of 2001 appropriates, among other amounts, \$44,753,000, as scheduled, for new and existing outreach programs that are aimed at improving the chances for pupils from a wide diversity of backgrounds to become eligible for the University of California.

This bill would, without changing the total amount appropriated for these purposes, adjust the amounts scheduled for these specified outreach programs, thereby making an appropriation.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 565 (AB 1307) Goldberg. Teacher credentialing.

Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the initial issuance and renewal of credentials.

This bill would require the Commission on Teacher Credentialing to adopt regulations to provide credential candidates enrolled in commission-accredited preparation programs, including internship programs, professional preparation programs, and integrated programs of professional preparation, with time of not less than 24 months to complete the programs without meeting new requirements, including, but not limited to, requirements added by statutes, regulations, or standards, after the candidates' enrollment in the programs.

The bill would provide that a credential candidate who is continuously enrolled, as defined, in an integrated program of professional preparation would be eligible for a 12-month extension to complete requirements until the repeal of this provision on January 1, 2006.

Ch. 566 (AB 1312) Nakano. The Asian Pacific Islander Anti-Hate Crimes Program.⁷

Existing law prohibits hate crimes and provides for specified programs relating to hate crimes for students and law enforcement agencies. Existing law requires each principal of a school to forward a completed report of crimes committed, including hate motivated incidents and hate crimes, on school grounds to the district superintendent or county superintendent of schools. Existing law requires those superintendents to compile the school data and submit the aggregated data to the State Department of Education. Existing law

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requires every law enforcement agency in the state to make available a brochure on hate crimes to victims of those crimes and the public.

This bill would appropriate \$250,000 from the General Fund to the Department of Justice to establish the Asian Pacific Islander (API) Anti-Hate Crimes Program, the functions of which would be to (1) create hard copy brochures and workbooks to provide to Asian Pacific Islander communities throughout the state that define what are hate crimes, how to report a hate crime, how hate crimes impact a community and community strategies on responding to hate crimes; and (2) conduct training seminars for community organizations in order to better train them to assist themselves or other Asian Pacific Islander communities in dealing with hate crimes.

The bill would require the Department of Justice to submit a report to the Legislature by March 1, 2004, describing the operation and accomplishments of the statewide API Anti-Hate Crimes Program.

The bill's provisions would remain in effect only until January 1, 2005, on which date they would be repealed.

Ch. 567 (AB 1429) Committee on Governmental Organization. Alcoholic beverages: licensees: tied-house restrictions: special on-sale general license.

(1) The Alcoholic Beverage Control Act authorizes a California winegrower's agent to perform or furnish on behalf of a winegrower services that the winegrower is authorized to perform under specified statutory provisions.

This bill would additionally authorize a California winegrower's agent to purchase advertising space or time from certain on-sale retail licensees.

(2) Under the Alcoholic Beverage Control Act, the Department of Alcoholic Beverage Control may issue a special on-sale general license to any nonprofit theater company that has been in existence for at least 10 years and meets other specified requirements. Theater companies holding a license pursuant to these provisions may only sell and serve alcoholic beverages to ticketholders during, 2 hours prior to, and one hour after, a bona fide theater performance of the company.

This bill would require that the license issued to the theater company be for a single specified premises, and would remove the requirement that the theater company have been in existence for at least 10 years.

This bill would permit a licensed manufacturer, winegrower, manufacturer's agent, California winegrower's agent, rectifier, distiller, bottler, importer, or wholesaler, or any officer, director, employee, or agent of that person, to serve on the board of trustees of a nonprofit theater company operating a theater in Napa County licensed pursuant to these provisions.

(3) Existing law requires each manufacturer, importer, and wholesaler of beer to file and thereafter maintain on file with the Department of Alcoholic Beverage Control a schedule of selling prices charged for beer sold and distributed to customers in California, as specified.

This bill would make those provisions applicable to certain sales of beer made under contract, and would define "contract beer manufacturer" and "beer manufacturer" for these purposes.

(4) Existing law provides that a provision in an agreement between a beer manufacturer and a beer wholesaler for the sale and distribution of beer in this state, which restricts venue to a forum outside this state, is void with respect to any claim arising under or relating to the agreement involving a beer wholesaler operating within this state.

This bill would define "beer manufacturer" for these purposes.

(5) The Alcoholic Beverage Control Act contains limitations on sales commonly known as "tied-house" restrictions, which generally prohibit a manufacturer, winegrower, manufacturer's agent, California winegrower's agent, rectifier, distiller, bottler, importer, or wholesaler from furnishing, giving, or lending any money or other thing of value to any

person engaged in operating, owning, or maintaining any on-sale or off-sale licensed premises.

Existing law provides that for purposes of these provisions, the listing of the names, addresses, telephone numbers or e-mail addresses, or both, or Web site addresses, of 2 or more unaffiliated off-sale retailers selling the products produced, distributed or imported by a nonretail industry member, defined as a manufacturer, winegrower, or distiller of alcoholic beverages, in response to a direct inquiry from a consumer received by telephone, by mail, by electronic Internet inquiry or in person does not constitute a thing of value or prohibited inducement to the listed off-sale retailer, if specified conditions are met.

This bill would extend these provisions to all wholesalers by including them within the definition of a nonretail industry member and would remove the specific exclusion from that definition for beer retailers and wholesalers.

(6) Existing law, for purposes of these provisions, prohibits a manufacturer, winegrower, manufacturer's agent, rectifier, California winegrower's agent, distiller, bottler, importer, and wholesaler, and any officer, director, or agent of any of those persons, from having specified relationships with an on-sale alcoholic beverage licensee, with limited exceptions. Existing law permits, as specified, any manufacturer, winegrower, rectifier, distiller, distilled spirits wholesaler, or any officer, director, agent, or representative of any of those entities to conduct market research and, in connection with that research, to purchase from licensed off-sale retailers data, regarding purchases and sales of alcoholic beverage products, at the customary rates that those retailers sell similar data for nonalcoholic beverage products.

This bill would define "beer manufacturer" for these purposes.

(7) Existing law generally prohibits a manufacturer of alcoholic beverages and a winegrower from paying, crediting, or compensating a retailer for advertising or paying or giving anything of value for the privilege of placing a sign or advertisement with a retail licensee. It authorizes, as an exception, a beer manufacturer, the holder of a winegrower's license, or a distilled spirits manufacturer or a distilled spirits manufacturer's agent to purchase advertising space and time from, or on behalf of, an on-sale retail licensee, subject to specified conditions.

This bill would define beer manufacturer for these purposes. The bill would also permit a California winegrower's agent, a distilled spirits manufacturer, or a distilled spirits manufacturer's agent to purchase the advertising space and time from, or on behalf of, an on-sale retail licensee subject to the existing conditions.

(8) Existing law makes it a misdemeanor for a licensee, subject to these provisions, to violate existing provisions relating to the purchase of that advertising space or time.

This bill would impose a state-mandated local program by expanding the licensees subject to these criminal provisions.

(9) Existing law generally prohibits a manufacturer, winegrower, manufacturer's agent, California winegrower's agent, rectifier, distiller, bottler, importer, or wholesaler from, among other things, holding the ownership, directly or indirectly, of any interest in any on-sale or off-sale license. Exempted from this restriction, however, is the issuance or transfer of any retail on-sale or off-sale license to any person with respect to premises which are an integral part of the operation of a hotel, motel, or marine park, as defined, which meets certain conditions, one of which is that the retail licensee not purchase any alcoholic beverages for sale in this state from any wholesale licensee that has any interest, directly or indirectly, in the premises, in the retail license, or in the retail licensee.

This bill would revise that requirement with respect to a marine park, and allow the purchase of beer or malt beverages from any wholesale licensee, as provided.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(11) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 568 (AB 1570) Pavley. Batterer's treatment programs.

Existing law prescribes terms of probation, including successful completion of a batterer's treatment program for a person convicted of a crime in which the victim is, among other persons, a spouse or former spouse, a cohabitant or former cohabitant, a person with whom the defendant is having or has had a dating or engagement relationship, or a person with whom the defendant has had a child. If a batterer's treatment program, as specified, is unavailable, the court may direct the defendant to participate in another appropriate counseling program.

This bill would require the defendant to attend consecutive weekly sessions, unless granted an excused absence for good cause by the program for no more than 3 individual sessions during the entire program, and to complete the program within a period of 18 months unless, after a hearing, the court finds good cause to modify these requirements. By increasing probation supervision duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 569 (AB 1611) Keeley. Higher education housing: California Educational Facilities Authority.

Existing law establishes the California Educational Facilities Authority Act, the purpose of which is to provide private institutions of higher education within the state an additional means by which to expand, enlarge, and establish dormitory, academic, and related facilities, finance those facilities, refinance existing facilities, and to provide private and public institutions of higher education within the state an additional means to assist students in financing their costs of attendance.

Existing law establishes the various segments of the public higher education system in the state. These segments include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges.

This bill would authorize the authority to enter into agreements with nonprofit entities, as defined, to finance the cost of constructing student, faculty, and staff housing, as defined, near the campuses of the University of California, the Hastings College of the Law, the California State University, the California Community Colleges, or a participating private college, as defined.

Because this bill would authorize the authority to expend funds for new purposes, it would make an appropriation.

The bill would incorporate amendments to several provisions of the bill proposed by this bill and SB 1209. These amendments would become operative if both bills are enacted and become effective on or before January 1, 2002, each bill amends these provisions, and this bill is enacted after SB 1209.

Ch. 570 (AB 1717) Zettel. School reports: defamation liability.

Existing law provides a cause of action for defamation, as specified.

This bill would provide a communication by any person to a school principal, or a communication by a student attending the school, as defined, to the student's teacher or to a school counselor or school nurse and any report of that communication to the school principal, stating that a specific student or other specified person has made a threat to commit violence or potential violence on the school grounds involving the use of a firearm or other deadly or dangerous weapon, is a communication on a matter of public concern and is subject

to liability in defamation only upon a showing by clear and convincing evidence that the communication or report was made with knowledge of its falsity or with reckless disregard for the truth or falsity of the communication.

Ch. 571 (AB 1721) Committee on Higher Education. California Postsecondary Education Commission: study.

Existing law imposes duties and responsibilities on the California Postsecondary Education Commission as the statewide postsecondary education planning and coordinating agency and adviser to the Legislature and the Governor, including the duty to review all proposals for changes in eligibility pools for admission to public institutions and segments of postsecondary education and to make recommendations to the Legislature, the Governor, and institutions of postsecondary education.

This bill would require the commission, in carrying out that requirement, to conduct a study periodically of the percentages of California public high school graduates estimated to be eligible for admission to the University of California and the California State University. This provision would be implemented only during those fiscal years for which funding is provided for it in the Budget Act or in another measure.

The bill would incorporate additional changes to this provision, proposed by SB 517, to be operative only if SB 517 and this bill are both chaptered and become effective on or before January 1, 2002, both bills amend this provision, and this bill is chaptered last.

Ch. 572 (SB 66) Kuehl. Domestic violence: protective orders: background checks.

Existing law, contained in the Domestic Violence Prevention Act, authorizes the court to issue a protective order, as defined, either ex parte or after a hearing, to restrain any person to prevent a recurrence of domestic violence.

This bill would require the court, prior to a hearing on the issuance or denial of a protective order to ensure that a search of specified records and data bases is or has been made to determine if the proposed subject of the order has any specified prior criminal convictions or outstanding warrants, is on parole or probation, or is or was the subject of other protective or restraining orders. The bill would further require the court, in determining whether to issue an order, to consider only specified information revealed by the search, and to release this information to the parties or, upon either party's request, to their attorneys. The bill would require the court to advise the parties that they may request the information, and to give the parties a specified admonition. The bill would require information obtained as a result of the search and relied upon by the court to be maintained in a confidential case file. The bill would require that this case file be disclosed to the court-appointed mediator assigned to the case and the child custody evaluator, as specified. The bill would require the court to order the clerk to notify appropriate law enforcement agencies of the issuance and contents of the protective order in specified circumstances. The bill would also require the court, if the results of the search indicate that the subject of the order is currently on parole or probation, to order the clerk to notify the appropriate parole or probation officer of the issuance and contents of the protective order. The bill would require officials so notified to take specified actions with respect to the restrained person.

Existing law makes it a crime for any person to commit specified acts of violence against his or her spouse, the person with whom he or she is cohabiting, the mother or father of his or her child, or any child.

This bill would require the district attorney or prosecuting city attorney, on any charge involving acts of domestic violence, to perform or cause to be performed a thorough investigation of the defendant's history, including the search of specified data bases, and to present this information for consideration by the court when setting bond or when releasing a defendant on his or her own recognizance at the arraignment, if the defendant is in custody, and upon consideration of any plea agreement.

Existing law authorizes the issuance of certain restraining orders in proceedings to declare a minor a dependent child of the juvenile court.

This bill would impose search requirements in these proceedings analogous to those that would be imposed by the bill pertaining to orders under the Domestic Violence Protection Act.

By imposing new duties upon court personnel and prosecuting attorneys, this bill would create a state-mandated local program.

This bill would incorporate additional changes in Section 213.5 of the Welfare and Institutions Code proposed by AB 1129 that would become operative only if AB 1129 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

The bill would require that its provisions be implemented in those courts identified by the Judicial Council as having resources currently available for those purposes. The bill would require that its provisions be implemented in other courts to the extent that funds are appropriated for the purposes of the act in the annual Budget Act.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 573 (SB 178) Costa. Education: instructional time requirements.

(1) Existing law requires the Superintendent of Public Instruction to apportion an amount pursuant to a prescribed formula to each school district or county office of education that certifies to the superintendent that it offers a minimum amount of instructional time, as specified, in certain fiscal years. Existing law also requires the superintendent to reduce the apportionment of a school district or county office of education pursuant to a prescribed formula if the school district or county office of education offers less than the required amount of instructional time.

This bill would require the superintendent to make certain reductions based on current formulas only for specified fiscal years. The bill would require the superintendent to withhold from the revenue limit apportionment for the average daily attendance of each affected grade level an amount pursuant to a prescribed formula based upon each instructional day less than that required that the school district or county office of education offered, or the percentage of the minimum offered minutes at each grade level that the school district failed to offer.

(2) Existing law requires the Superintendent of Public Instruction to reduce a school district's apportionment pursuant to a prescribed formula if the governing board of the district offers less instructional time than that fixed for the 1982-83 fiscal year. Existing law exempts the Loma Prieta Joint Union Elementary School District from these reduction provisions for certain kindergarten classes.

This bill would delete those provisions. This bill would also deem the Ducor Union Elementary School District to have complied with the instructional time requirements for the 1997-98 fiscal year.

(3) Existing law authorizes the State Board of Education to waive all or any portion of the fiscal penalties that may be levied for failing to maintain the prescribed minimum length of time for the instructional schoolday and year.

This bill would delete these provisions and implement new waiver provisions. The bill would authorize the board to waive the fiscal penalties for a school district or county office of education that fails to maintain the prescribed minimum length of time for the instructional

school year, minimum number of instructional days, or both, upon the condition that the school or schools in which the minutes, days, or both, were lost maintain minutes and days of instruction equal to those lost for twice the number of years that it failed to meet the requirements. The bill would authorize the board to grant a waiver without this condition to school districts that maintained certain kindergarten classes.

Ch. 574 (SB 273) Karnette. Education: instructional materials: apportionments.

Under existing law, a local educational agency may be required to repay an apportionment significant audit exception resulting from an audit or review, which may not be waived by the State Board of Education. Under existing law, the Pupil Textbook and Instructional Materials Incentive Program Act, the governing board of a school district is required to take certain actions in order to be eligible to receive funds under that act, including, among others, holding a public hearing or hearings at which the governing board is required to encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and to make a determination, by resolution as to whether each pupil in each school in the district has, or will have prior to the end of that fiscal year, sufficient textbooks or instructional materials, or both, as prescribed.

This bill would authorize the State Board of Education to consider and act upon requests to waive certain provisions of the Pupil Textbook and Instructional Materials Incentive Program Act, based on certain findings, to the extent that a failure to comply with those provisions would otherwise subject the school district to a repayment due to an apportionment significant audit exception, and would authorize that waiver, regardless of whether the request was received before or after the effective date of this bill.

The bill would declare that it is to take effect immediately as an urgency measure.

Ch. 575 (SB 310) Perata. Pupils: protective sun clothing.

Existing law authorizes any school district to adopt or rescind a reasonable dress code policy, as specified.

This bill would require every schoolsite to allow for outdoor use during the school day, articles of sun-protective clothing that pupils would be allowed to wear outdoors, including, but not limited to, hats, thereby imposing a state-mandated local program, and authorize schoolsites to set a policy related to that clothing.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 576 (SB 321) Alarcon. Teachers: emergency permits: training.⁸

Existing law authorizes the Commission on Teacher Credentialing to issue or renew emergency teaching or specialist permits if the applicant possesses a baccalaureate degree conferred by a regionally accredited institution of higher education, has fulfilled the subject matter requirements, and passes the state basic skills proficiency test and the commission approves the justification for the emergency permit submitted by the school district in which the applicant is to be employed. Existing law requires the holder of an emergency permit to attend an orientation to the curriculum and to techniques of instruction and classroom management, to teach only with the assistance and guidance of a teacher with 3 years of full-time teaching experience, and to participate in ongoing training, coursework, or seminars designed to prepare the individual to become a fully credentialed teacher or other educator in the subject area or areas in which he or she is assigned to teach or serve.

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This bill would, until January 1, 2007, authorize the Los Angeles Unified School District, from funds allocated to it for this purpose, to develop on a pilot project basis a 30-day training program for the teachers it hires on an emergency basis and who will be assigned to schools that have 20% or more teachers on emergency permits. The bill would require the training to be delivered before a teacher hired on an emergency basis begins teaching and would require a teacher participating in the training to spend half of the training period observing experienced fully credentialed teachers in a classroom of the same grade level as the teacher being trained.

The bill would appropriate \$2,000,000 from the General Fund to the Commission on Teacher Credentialing for allocation to the Los Angeles Unified School District for purposes of implementing this pilot program. To the extent that the funds appropriated by this bill are allocated to a school district or a community college district, those funds would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Ch. 577 (SB 442) Vasconcellos. Housing: special needs population.⁹

Existing law requires the California Statewide Housing Plan to include a housing strategy that coordinates housing assistance and activities of state and local agencies. Existing law also authorizes the State Department of Developmental Services to study and prepare a plan in cooperation with the State Council on Developmental Disabilities to consider, among other things, maximizing existing state and federal resources available to assist persons with developmental special needs to live in the least restrictive environment possible, including federal housing subsidy and assistance.

This bill would require the housing strategy in the California Statewide Housing Plan to include the provision of housing assistance for various specific population groups. For that purpose, the bill would require the Department of Housing and Community Development to consider certain information and to consult with various state departments that have information relevant to the housing needs of those population groups.

This bill would require the Director of e-Government in the office of the Governor to direct the development of, and to make operational, an interactive Internet-based information site and inventory of publicly assisted or publicly financed multiunit low-income rental housing, to be referred to as the California Affordable Housing Connection. It would require the director to designate or request a specified technology center to maintain and update the information at least biannually. It would require the director to report to the Legislature, as specified, on the development of the site.

This bill would appropriate \$150,000 from the General Fund to the Director of e-Government for the purposes of the bill, as specified.

Ch. 578 (SB 471) Sher. Proposition 65: toxic chemicals.

The existing Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) prohibits any person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without giving a specified warning, or from discharging or releasing such a chemical into any source of drinking water, except as specified.

The act imposes civil penalties upon persons who violate those prohibitions, and provides for the enforcement of those prohibitions by the Attorney General, a district attorney, or specified city attorneys or prosecutors, and by any person in the public interest, if that private action is commenced more than 60 days after the person has given notice of the violation that is the subject of the action to the Attorney General, the district attorney, any city attorney in whose jurisdiction the violation is alleged to have occurred, and to the alleged violator, and the violation is not being prosecuted, as specified. The act requires any person bringing an action in the public interest to notify the Attorney General that such an action has been filed, and requires such a person, after the action is either subject to a settlement or a judgment, to

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submit to the Attorney General a reporting form that includes the results of that settlement or judgment and the final disposition of the case.

This bill would require the court, in assessing the amount of a civil penalty for a violation of the act, to consider specified factors, including, among other things, the economic effect of the penalty on the violator, whether the violator took good-faith measures to comply with the act, the willfulness of the defendant's misconduct, and the deterrent effect that the imposition of the penalty would have on both the violator and the regulated community.

The bill would provide that if the notice to the Attorney General that is required to be made by a person bringing an action in the public interest alleges a violation of the act's warning requirement, the notice would be required to include a certificate of merit stating that the person executing the certificate has consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action, and that, based on that information, the person believes there is a reasonable and meritorious case for the private action. The bill would authorize the trial court to review the basis for the certificate, in specified circumstances, and would deem the action to be frivolous, if the court finds there is no credible factual basis for the certified belief that an exposure to a listed chemical has occurred or was threatened. The bill would authorize the Attorney General, a district attorney, or a city attorney to seek and recover attorney's fees on behalf of any person who has provided a notice and renders assistance in that action.

The bill would additionally require any person filing any action in which a violation of the act is alleged to notify the Attorney General that such an action has been filed and would require any private person filing an action in which a violation of the act is alleged, to submit a reporting form to the Attorney General that includes the results of any settlement or judgment and the final disposition of the case.

The bill would require a plaintiff, if there is a specified settlement in an action brought by a person in the public interest, to submit the settlement to the court for approval. The bill would require the court to make specified findings and would require the plaintiff to have the burden of producing evidence to support those findings.

The bill, in conformance with the requirements of Proposition 65, would make a legislative finding and declaration that these changes would further the purposes of the act.

Ch. 579 (SB 502) Ortiz. Elder abuse.¹⁰

Existing law requires specified persons to report physical injury as a result of assaultive or abusive behavior, including elder or dependent adult abuse and domestic violence, to local law enforcement. Existing law also authorizes the County of San Mateo to establish a pilot project, as specified, to create, after consultation with the Department of Justice, a standardized form for reporting violence and abuse of elder and dependent adults.

This bill would require the Office of Criminal Justice Planning to cooperate with various agencies to establish medical forensic forms fulfilling specified criteria, instructions, and examination protocol for victims of domestic violence and elder and dependent adult abuse and neglect, as specified. This bill would also require the Office of Criminal Justice Planning to determine whether it would be appropriate and forensically sound to develop separate or joint forms for medical forensic findings relating to these types of abuse.

This bill would also appropriate \$100,000 from the General Fund to the Office of Criminal Justice Planning to carry out the purposes of this act.

Ch. 580 (SB 517) Torlakson. California Postsecondary Education Commission.

Existing law establishes the California Postsecondary Education Commission as the statewide postsecondary education coordinating and planning agency.

This bill would require the commission, in consultation with the public postsecondary education segments, to consider the development of facilities to be used by more than one segment of public higher education. The bill would also require the commission to

NOTE: Superior numbers appear as a separate section at the end of the digests.

recommend to the Legislature criteria and processes for different segments to utilize bond funds for the joint-use facilities.

The bill would incorporate additional changes to this provision, proposed by AB 1721, to be operative only if AB 1721 and this bill are both chaptered and become effective on or before January 1, 2002, both bills amend this provision, and this bill is chaptered last.

Ch. 581 (SB 568) Morrow. Schoolbus seat belts.

(1) Under existing law, unless specifically prohibited by the National Highway Transportation Safety Administration, all schoolbuses manufactured on or after January 1, 2002, and purchased or leased for use in California are required to be equipped at all designated seating positions with a combination pelvic and upper torso passenger restraint system. Existing law declares the intent of the Legislature that school pupil transportation providers work to prioritize the allocation of schoolbuses purchased, leased, or contracted for after January 1, 2002, to ensure that elementary-level schoolbus passengers receive first priority for new schoolbuses whenever feasible.

This bill, instead, would require that certain schoolbuses purchased or leased for use in California be equipped at all designated seating positions with a combination pelvic and upper torso passenger restraint system, as defined, unless specifically prohibited by the National Highway Transportation Safety Administration. The bill would declare the intent of the Legislature that school pupil transportation providers work to prioritize the allocation of those schoolbuses to ensure that elementary level schoolbus passengers receive first priority for new schoolbuses whenever feasible.

Since a violation of these provisions is a crime under existing provisions of law, this bill would impose a state-mandated local program by expanding the definition of a crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 582 (SB 647) Costa. Alcoholic beverages: licensees: advertising restrictions.

Existing law generally prohibits a manufacturer of alcoholic beverages and a winegrower from paying, crediting, or compensating a retailer for advertising or pay or giving anything of value for the privilege of placing a sign or advertisement with a retail licensee. It authorizes, as an exception, the holder of a beer manufacturer's or winegrower's license, or a distilled spirits manufacturer or a distilled spirits manufacturer's agent, to purchase advertising space and time from, or on behalf of, an on-sale retail licensee, under certain conditions, if the on-sale retail licensee is the owner, manager, agent, assignee, or major tenant of a specified facility.

This bill would extend the authorized exception to a beer manufacturer, as defined, and would extend that exception to an on-sale licensee who is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or the major tenant of the owner of an outdoor stadium and a fully enclosed arena with fixed seating capacities in excess of 10,000 seats located in Fresno County or an athletic and entertainment complex, as described, in Riverside County. The bill would eliminate the application of the exception to an exposition park in Alameda County and instead would extend the exception for an exposition park in San Bernardino County. The bill would also revise and clarify the conditions that are required to be met in order for the exception to apply.

Existing law makes it a misdemeanor for a licensee, subject to the provisions of the bill, to violate existing provisions relating to the purchase of that advertising space or time.

This bill would impose a state-mandated local program by modifying these criminal provisions and by expanding the licensees subject to these criminal provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 583 (SB 658) Escutia. Insurance.

Existing law provides for regulation of insurers by the Insurance Commissioner and requires that regulations adopted by the commissioner take into consideration settlement practices by classes of insurers. Existing law establishes a standard form of fire insurance policy for this state. Existing law prohibits a person from engaging in specified unfair methods of competition and deceptive acts or practices in the business of insurance.

This bill would require an insurer to provide certain insureds with information relating to unfair methods of competition and deceptive acts or practices in the business of insurance in its initial response to a claim. The bill would modify the standard form of fire insurance policy for this state relative to the obligations of the insured and insurer and to appraisals, adjusters, and loss requirements for a policy originated or renewed on and after January 1, 2002.

The bill would also require that all conditions applicable to loss requirements, appraisals, and adjusters contained in standard form fire insurance policies apply to residential property insurance policies, policies providing coverage for loss or damage caused by earthquake, and basic residential earthquake insurance policies that are originated or renewed on and after January 1, 2002.

The bill would make other related changes.

Ch. 584 (SB 732) Ortiz. Toxic mold.

Existing law provides the State Department of Health Services with various powers to enforce its regulations, to promulgate regulations to protect the public health, and to enjoin and abate nuisances dangerous to public health. The department is vested with the power to perform studies, evaluate existing projects, disseminate information, and provide training programs to enforce regulations related to public health.

This bill would enact the Toxic Mold Protection Act of 2001. The bill would require the department to convene a task force comprised of various individuals including, but not limited to, health officers, health and medical experts, mold abatement experts, representatives of government-sponsored enterprises, representatives from school districts or county offices of education, representatives of employees and representatives of employers, and affected consumers and affected industries including, residential, commercial, and industrial tenants, proprietors, managers or landlords, insurers, and builders, to advise the department on the development of permissible exposure limits to mold, standards for assessment of molds in indoor environments as well as alternative standards for hospitals, child care facilities, and nursing homes, standards for identification, and remediation of mold.

This bill would require the department to consider the feasibility of adopting permissible exposure limits to molds in indoor environments. If it is determined to be feasible, the department would be required to adopt, in consultation with the task force, permissible exposure limits to mold for indoor environments that avoid adverse health effects. The department would be required to report its progress on developing the permissible exposure limits for molds by July 1, 2003.

This bill would require that, in the process of adopting the permissible exposure limits, the department would be required to conduct studies, consider specific delineated criteria, and consult with the task force to arrive at both permissible exposure limits to mold to avoid adverse effects on health on the general public and alternative permissible exposure limits to avoid adverse health effects for hospitals, child care facilities, and nursing homes, whose primary business is to serve members of a subgroup that is a meaningful portion of the

general population. This bill would also require the department, in consultation with the task force, to develop and adopt guidelines for the identification and the remediation of toxic molds.

This bill would require that, after the adoption of permissible exposure limits to molds, the department review and revise the exposure limits at least once every 5 years and consider any new technological or treatment techniques or new scientific evidence that indicates that molds may present a different health risk than was previously determined.

This bill would also require the department to develop and adopt standards for the assessment of the health threat posed by the presence of molds, both visible and invisible or hidden, in indoor environments. The department would be required to consider specific delineated criteria in developing the assessment standard including the balancing of the protection of public health with technological and economic feasibility. The department would also be authorized to adopt alternative assessment standards for hospitals, child care facilities, and nursing homes. The department would be required to report its progress on developing the assessment standards for molds by July 1, 2003.

After the adoption of mold assessment standards, the department would review and revise the exposure limits at least once every 5 years and consider any new technological or treatment techniques or new scientific evidence that indicates that molds may present a different health risk than was previously determined.

The bill would provide for specific protocol to allow the public to be involved in the process to determine permissible exposure limits to mold, guidelines for identification and remediation of mold, and the guidelines for the assessment of molds.

This bill would require the department to develop public education materials and resources to inform the public about the health effects of molds, methods of prevention, methods of identification and remediation of mold growth, and contact information to organizations or governmental entities to assist public concerns.

This bill would, except under specified circumstances, also require that any person who sells, transfers, or rents residential, commercial, or industrial real property or a public entity that owns, leases, or operates a building who knows, or in specified instances has reasonable cause to believe, that mold is present that affects the unit or building, and the mold exceeds the permissible exposure limits to molds, would be required to provide a written disclosure to potential buyers, prospective tenants, renters, landlords, or occupants of the mold conditions. However, this bill would not require a landlord, owner, seller, or transferor to conduct air or surface tests to determine whether the presence of molds exceeds the permissible exposure limits or for mold remediation.

These disclosure duties and requirements would not apply until the January 1 or July 1 that occurs at least 6 months after the department adopts the requisite standards, and guidelines, as provided in the bill.

This bill would authorize the enforcement of all conditions of this bill, including the disclosure provisions, by designated enforcement officers.

The implementation of this bill would depend on the extent to which the department determines funds are available for its implementation.

Ch. 585 (SB 837) Scott. Teacher credentialing: emergency permits.

Existing law authorizes the Commission on Teacher Credentialing to issue or renew emergency teaching or specialist permits in accordance with regulations adopted by the Commission on Teacher Credentialing and provided that certain conditions are met, including that the school district made a diligent search for, but is unable to recruit, a sufficient number of certificated teachers.

This bill would define the requirement that a school district make a diligent search for certificated teachers by listing specific requirements.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 586 (SB 955) Alpert. Education: charter schools.

(1) Existing law requires a charter school to offer the same number of minutes of instruction per year as do noncharter schools, maintain written attendance records, and certify that its pupils participate in the state testing programs.

This bill would make these requirements a condition of the apportionment of state funds and would require a reduction in apportionment caused by an exception to these requirements to be proportional to the magnitude of the exception that caused the reduction.

(2) Existing law requires the Superintendent of Public Instruction annually to compute a categorical block grant amount for each charter school and includes the Public School Accountability Act of 1999 in the categorical programs upon which the block grant amount is computed.

This bill would exclude that categorical program from the above computation.

(3) Existing law requires a local educational agency that sponsors a charter school annually to transfer to each of its charter schools a prescribed amount of funding in lieu of funding available through property taxes.

This bill would exempt from this requirement funding for pupils who reside in, and are otherwise eligible to attend a school in, a basic aid school district, but who attend a charter school in a nonbasic aid school district. With regard to these pupils, the bill would require the sponsoring basic aid school district to transfer to the charter school an amount of funds equivalent to the revenue limit earned through average daily attendance by the charter school for each pupil's attendance, not to exceed the average property tax share per unit of average daily attendance for pupils residing and attending in the basic aid school district.

The bill would prohibit the Superintendent of Public Instruction from apportioning funds for attendance of a pupil in a charter school of a nonbasic aid school district who resides in and is otherwise eligible to attend school in a basic aid school district unless the amount transferred by the basic aid school district to the charter school is less than the revenue limit earned by the charter school, in which case the Superintendent of Public Instruction is required to apportion the difference to the charter school from state funds.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 587 (AB 46) Washington. Enterprise zones.

The Enterprise Zone Act provides for the designation of enterprise zones by the Technology, Trade, and Commerce Agency, according to specified criteria, and pursuant to which certain entities may receive regulatory, tax, and other incentives for private investment and employment. The act authorizes the designation of not more than 39 enterprise zones by the agency upon that agency's approval of applications from local jurisdictions.

This bill would authorize the designation of an additional 3 enterprise zones by the agency.

Ch. 588 (AB 242) Thomson. Wildlife conservation: oak woodlands.

The existing Wildlife Conservation Law of 1947 establishes the Wildlife Conservation Board, and requires the board, among other things, to determine the areas in the state that are most essential and suitable for wildlife production and preservation, as prescribed.

This bill would enact the Oak Woodlands Conservation Act to provide funding for the conservation and protection of California's oak woodlands. The bill would create the Oak Woodlands Conservation Fund in the State Treasury, and would authorize the expenditure of moneys in the fund, upon appropriation by the Legislature, for purposes of the act. The bill would require the board to administer the fund, as prescribed, and would provide that moneys in the fund shall be available to local government entities, park and open-space districts, resource conservation districts, private landowners, and nonprofit organizations for implementation and administration of the act, as provided.

The bill would require each city or county planning department that receives a grant for the purposes of the act to report to the city council or board of supervisors of the county, as appropriate, on the uses of those funds within one year from the date the grant is received.

The existing Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act) provides that not less than \$5,000,000 of the proceeds of bonds issued under that act be allocated, upon appropriation by the Legislature, for the preservation of oak woodlands.

This bill would provide for the transfer of not less than \$5,000,000 and not more than \$8,000,000, as determined by the Wildlife Conservation Board, to the Oak Woodlands Conservation Fund to be used for the purposes of the bill.

Ch. 589 (AB 262) Correa. Workers' compensation.

Existing law provides for the payment of death benefits to the dependents of an injured employee who has died. Existing law provides that in the case of totally dependent children, the death benefits are payable until the youngest child attains age 18. Existing law exempts local safety members and patrol members, as defined, from a specified limitation on the payment of death benefits with respect to an employee who is an active member of the Public Employees' Retirement System.

This bill would provide for the payment of death benefits in the case of a totally dependent child of a local safety member or a patrol member, as defined, if the member was killed in the line of duty before January 1, 1990, and the child is otherwise entitled to the benefits. The bill would also provide that the exemption for local safety members and patrol members from the limitation on the payment of death benefits would apply retroactively.

Ch. 590 (AB 331) Goldberg. 2002 Recycled Water Task Force.

Under existing law, the Department of Water Resources is among the principal state agencies with primary authority over water. Existing law regulates the use of recycled water.

This bill would require the department to convene the 2002 Recycled Water Task Force with specified membership to advise the department in investigating the opportunities for using recycled water in industrial and commercial applications and in identifying impediments and constraints to increasing the industrial and commercial use of recycled water, and would require a report to the Legislature with recommendations on specified topics not later than July 1, 2003. The bill would require the department to carry out these duties only to the extent that certain funds are made available for that purpose.

Ch. 591 (AB 699) Canciamilla. Instructional materials.

Existing law provides for a program for the adoption of lists of instructional materials, makes certain requirements relating to the publishers and manufacturers of instructional materials, establishes the State Instructional Materials Fund for the purposes of providing funds for the acquisition of instructional materials, sets forth local order procedures, and sets forth other requirements relating to instructional materials. Existing law requires the Instructional Materials Program to sunset on June 30, 2001.

This bill would reactivate the Instructional Materials Program commencing January 1, 2002, and would sunset the program June 30, 2006, and would provide that funding for that program in the 2002–03, 2003–04, 2004–05, and 2005–06 fiscal years shall be contingent upon funding in the annual Budget Act. The bill would require publishers to submit standards maps to local districts prior to purchase for the purpose of allowing districts to determine the extent to which instructional materials are aligned to the content standards, as specified. The bill would require the maps to be filled out using a standard form created and approved by the State Board of Education.

Ch. 592 (AB 984) Papan. Sales and use taxes: exemptions: sales and leasebacks of public passenger transportation vehicles.

The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax, including an exemption for sales and leasebacks of passenger transportation vehicles to the Department of Transportation.

This bill would, until January 1, 2004, exempt specified sales and leasebacks of qualified equipment, as defined, used in the provision of public transportation services. This bill would also exempt purchases of leased or subleased qualified equipment purchased by a qualified person, as defined, at the end of the term of the lease or sublease.

This bill would require the Legislative Analyst, in consultation with the State Board of Equalization and the Franchise Tax Board, to conduct a study and submit a report to the Legislature on the impact of this exemption by January 1, 2003. This bill would require the report to include a recommendation as to whether the exemption should be extended beyond the January 1, 2004 sunset date.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date.

Ch. 593 (AB 1160) Florez. Farmworker housing.

(1) Existing law, operative until January 1, 2006, requires that if a landlord increases rent in excess of 10% of the amount of the rent charged to a tenant annually, as specified, the landlord shall provide an additional 30-days' notice, for a total of 60 days, prior to the effective date of the increase, except as specified.

This bill would create an exception to the provisions described above when the increase in rent is caused by a change in a tenant's income or family composition as determined by a recertification required by statute or regulation.

(2) The existing Joe Serna, Jr. Farmworker Housing Grant Program requires the Department of Housing and Community Development to make grants from the Joe Serna, Jr. Farmworker Housing Grant Fund, a continuously appropriated fund, to local public entities and nonprofit corporations for the construction or rehabilitation of housing for agricultural employees and their families. Grants may also be made for the purchase of the land in connection with the housing and for the construction and rehabilitation of related support facilities necessary to the housing. A grantee, for purposes of the program, may include, at the request of the public entity or nonprofit corporation, an individual homeowner receiving direct payment of a grant for rehabilitation who occupies the assisted housing and participates in the rehabilitation.

This bill would authorize the department to make grants or issue loans, or both, to local public entities, nonprofit corporations, and prescribed limited partnerships for the construction or rehabilitation of housing for agricultural employees and their families. It would also authorize, upon the request of a grantee, the department to issue loans at no more than 3% simple interest, whereby the principal and accumulated interest becomes due and payable upon completion of the loan term. The bill would revise the definition of a grantee, as specified. By expanding the purposes for which moneys in a continuously appropriated fund may be expended, this bill would make an appropriation.

(3) Existing law authorizes the director of the department to contract with specified public and private entities to procure or construct housing or shelter, to obtain services for migratory agricultural workers in the fields of education and sanitation, and to obtain daycare services for the children of those workers.

This bill would require all moneys appropriated to the department for purposes of the above-described provisions, as well as all moneys received by the department from the

occupants of housing or shelter provided pursuant to these provisions, to be deposited within the Joe Serna, Jr. Farmworker Housing Grant Fund for the purposes of these provisions, thereby expanding the purposes for which moneys in a continuously appropriated fund may be expended.

(4) Existing law, the Budget Act of 2001, requires grant assistance provided pursuant to the existing Emergency Housing and Assistance Program to be used to establish new emergency shelter or transitional housing programs, among other things.

This bill would authorize this grant assistance to be used for capital development grants.

(5) This bill would incorporate additional changes to Section 50517.5 of the Health and Safety Code proposed by AB 807, to be operative if AB 807 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 594 (AB 1467) Kehoe. Housing.

(1) The State Housing Law authorizes a city, county, or city and county enforcement agency to issue an order or notice to repair a building to the owner if the building is maintained in a manner that violates any provisions of this law, the building standards published in the State Building Standards Code, or any other rule or regulation promulgated pursuant to the law, and the violations are so extensive and of a nature that the health and safety of the residents or the public are substantially endangered. Under the State Housing Law, if the owner does not correct the condition that caused the violation within a reasonable time after the issuance of a notice or order to repair by a court as part of a civil or criminal judgment against the owner, or in a specified stipulation to a judgment by the owner, a court may order the appointment of a receiver for a substandard building if certain conditions are met. A court may not appoint a person as a receiver unless he or she has demonstrated a capacity to develop and supervise a viable financial and construction plan for the satisfactory rehabilitation of the property.

This bill would revise these provisions by permitting a court to order the appointment of a nonprofit organization or community development corporation as a receiver for a substandard building.

The bill would also authorize, with court approval, a lien to be assessed and recorded against the property for any moneys owed to a receiver for services.

(2) Existing law requires the enforcement agency within the City of Los Angeles, with respect to vacant single-family dwellings, to institute any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or nuisance after 30 days' notice to abate. It also requires this agency to give preference to the repair of a vacant single-family dwelling whenever it is economically feasible to do so without having to repair more than 50% of the dwelling, as determined by the agency.

This bill would extend the applicability of these provisions to the City of San Diego and would require the agency to institute any appropriate action or proceeding to prevent, restrain, correct, or abate the nuisance after 15 days' notice to abate.

(3) This bill would incorporate additional changes in Section 17980.7 of the Health and Safety Code proposed by AB 472, to be operative if AB 472 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 595 (AB 1596) Shelley. Limited liability partnerships: architecture.

Existing law provides for the formation of various types of legal entities, including limited liability partnerships and foreign limited liability partnerships. Existing law authorizes, until January 1, 2002, the formation of registered limited liability partnerships and foreign limited liability partnerships to engage in the practice of architecture.

This bill would extend until January 1, 2007, the authorization to form limited liability partnerships and foreign limited liability partnerships to engage in the practice of architecture.

Ch. 596 (AB 1618) Matthews. Engine fuels.

(1) Existing law defines, among other things, motor vehicle fuel, automotive spark-ignition engine fuel, and compression-ignition engine fuel for purposes of regulating the sale of petroleum products.

This bill additionally would provide a definition for “developmental engine fuel.”

(2) Existing law also requires the Department of Food and Agriculture to establish specifications for gasoline or automotive spark-ignition engine fuels, sets requirements for gasoline methanol blends or gasoline-motor oil blends, and prohibits sales of those regulated petroleum products unless labeled, as specified.

This bill would authorize the department to grant a variance from these specifications for developmental engine fuels under prescribed conditions. The bill also would authorize the department to withdraw a variance if the applicant does not adhere to the prescribed conditions.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 597 (AB 1706) Committee on Transportation. Transportation: corporations: state contracting.

(1) Existing law provides for public transit and streets and highways and funding for those purposes.

This bill would make technical corrections and delete obsolete provisions in existing law relating to public transit and streets and highways.

(2) Under the Moscone-Knox Professional Corporation Act, “professional services” is defined to include, among other things, services licensed, certificated, and registered under the Yacht and Ship Brokers Act.

This bill would make a needed correction in that definition.

(3) Existing law provides that a project subject to the jurisdiction of the Department of Boating and Waterways and governed by the Harbors and Navigation Code is subject to the State Contract Act.

This bill would correct a cross-reference in that provision and delete obsolete language.

(4) Existing law defines “transit” for purposes of provisions authorizing the formation of the Santa Cruz Metropolitan Transit District.

This bill would revise the definition to specifically include rapid transit.

(5) Existing law authorizes the California Transportation Commission to offer to exchange funds from the Traffic Congestion Relief Fund for regional surface transportation program and congestion mitigation and air quality program apportionments received as local assistance by regional transportation planning agencies. The Department of Transportation is required to repay to the fund all funds received as federal reimbursements for funds exchanged as they are received from the Federal Highway Administration.

This bill instead would require the department to repay from the State Highway Account in the State Transportation Fund to the Traffic Congestion Relief Fund all funds received as federal reimbursements, as they are received, for funds exchanged under the exchange program, except that the repayments are not required to be made more frequently than on a quarterly basis.

(6) Existing law requires the California Transportation Commission to relinquish to any city or county any portion of any state highway within the city or county that has been deleted from the state highway system by legislative enactment. Existing law authorizes the relinquishment to the City of Downey of the portion of Route 19 located between Gardendale Street and Telegraph Boulevard, upon terms and conditions the commission finds to be in the best interests of the state.

This bill, instead, would authorize the relinquishment to the City of Downey of the portion of Route 19 located between Century Boulevard and Telegraph Road within that city, upon terms and conditions the commission finds to be in the best interests of the state and pursuant to the terms of a cooperative agreement between the city and the Department of

Transportation. The bill would similarly authorize the relinquishment to the City of Bellflower of the portion of Route 19 located between the southerly city limit of the City of Bellflower near Rose Avenue and Foster Road within that city. Each relinquishment would become effective immediately following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

(7) The bill would require the department, in consultation with the Office of Planning and Research, to conduct a statewide rail transportation assessment, that includes both a passenger and a freight rail systems portion. The bill would require, on or before October 1, 2002, the department to submit to the Legislature a report that includes, among other things, an estimate and documentation of statewide unfunded capital and operating needs over the next 10 years for each rail transportation agency.

(8) This bill would incorporate changes to Section 182.7 of the Streets and Highways Code proposed to be made by AB 1705 that would become operative if both bills are enacted and this bill is enacted after AB 1705.

Ch. 598 (AB 1725) Reyes. School board members.

Under existing law, the governing board of any school district is authorized to initiate and carry on any program, activity, or otherwise act in any manner that is not in conflict with, or inconsistent with, or preempted by, any law, and that is not in conflict with the purposes for which school districts are established.

This bill requires a school board to give official notice at a school board meeting if a public school within the district that has elected to be accredited by the Western Association of Schools and Colleges or any other chartered accrediting agency loses its accreditation status. The bill would require the school district, if it loses its accreditation status, to notify each parent or guardian of the pupils in that school, in writing, that the school has lost its accreditation status and would prescribe related matters, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 599 (SB 4) Johannessen. Veterans' Home of California.

Existing law establishes homes for veterans in several cities and authorizes the construction of other homes in specified locations if designated conditions are met. Existing law, in effect until January 1, 2002, establishes the Governor's Commission on Veterans Homes to advise the Governor and the Legislature on the establishment of veterans homes in California, including possible sites for the homes.

This bill would extend the operation of the commission until January 1, 2003, and would specifically include Shasta County, the Central Valley, and Los Angeles County within those possible sites.

The bill would incorporate changes made by AB 494 that would become operative if both bills are enacted and this bill is enacted after AB 494.

Ch. 600 (SB 10) Soto. Highways: Safe Routes to School construction program.

(1) Existing federal law contains appropriations for a number of programs related to projects for the improvement of highway safety and the reduction of traffic congestion,

including projects for bicycles and pedestrian safety and traffic calming measures in high-hazard locations. Existing state law authorizes certain state and local entities to secure and expend the federal funds for these purposes. Existing state law provides for the repeal of these provisions on January 1, 2002.

This bill would change the January 1, 2002, repeal date to January 1, 2005, after which time the federal transportation funds would be received by the state to be spent for the purposes described above except for projects for bicycle and pedestrian safety and traffic calming measures in high-hazard locations.

(2) Existing law requires the Department of Transportation, in consultation with the Department of the California Highway Patrol, to establish and administer a "Safe Routes to School" construction program pursuant to authority granted under specified federal law and to use federal transportation funds for construction of bicycle and pedestrian safety and traffic calming projects, and requires the department to make grants available to local governmental agencies under the program based on the results of a statewide competition that requires submission of proposals for funding and rates those proposals on specified factors.

These provisions would remain in effect only until January 1, 2002, and as of that date are repealed.

This bill would change the January 1, 2002, repeal date to January 1, 2005, thereby extending the program, would require the department to undertake a study regarding the program, would require the department to report the results of that study to the Legislature on or before December 31, 2003, and would require the department to provide an annual report to the Legislature listing and describing projects funded under the above.

Ch. 601 (SB 62) Morrow. Railroad crossings: automated warning devices.

(1) Under existing law, the Public Utilities Commission determines and prescribes highway-rail crossings and is authorized on an application-by-application basis to supervise the operation of pilot highway-rail crossing projects to evaluate proposed crossing warning devices or new technology and to mitigate train horn noise without compromising the safety of the public, in at least the communities of Roseville and Lathrop.

This bill would authorize the commission to authorize additional pilot highway-rail crossing projects in the Cities of Fremont and Newark.

This bill would incorporate additional changes in Section 1202 of the Public Utilities Code proposed by AB 1249, that would become operative only if AB 1249 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

(2) Existing law authorizes the Public Utilities Commission to authorize on an application-by-application basis and supervise the operation of a pilot project to evaluate proposed crossing warning devices or new technology and authorizes automatic audible warning devices that sound automatically when an approaching train is a specified distance from the place where the railroad crosses any street, road, or highway.

This bill would authorize audible warning devices that sound automatically for a specified amount of time before the approaching train crosses a street, road, or highway.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 602 (SB 351) Ortiz. Public health: drinking water: hexavalent chromium standard.

Existing law requires the department of health services to be responsible for ensuring that all public water systems are operated in compliance with both federal and state law, and the department is directed to enforce the law for all public water systems.

Existing law requires the department to determine the levels of hexavalent chromium (chromium-6) in the drinking water which is supplied by the public water systems in specified locations. The Office of Environmental Health Hazard Assessment is also required

to assess the exposures risks to the public due to the levels of hexavalent chromium determined.

This bill would require the department to adopt a primary drinking water standard for hexavalent chromium. The standard must be adopted by January 1, 2004, and a report on the progress of developing the standard must be provided to the Legislature by January 1, 2003.

Ch. 603 (SB 353) Alpert. State real property: Department of General Services: San Diego.

(1) Existing law authorizes the Director of General Services to enter into one or more agreements to acquire, construct, purchase, lease, lease-purchase, lease-purchase finance, or lease with an option to purchase, with an initial option purchase price that exceeds \$2,000,000, for the purpose of providing approximately 350,000 net usable square feet in downtown San Diego and approximately 362,100 net usable square feet in a suburban location in the San Diego region, of office and related space and parking to consolidate the operations of state agencies in and around downtown San Diego and to consolidate the operations of state agencies in the surrounding suburban area into one suburban location pursuant to specified conditions. The authorized cost for each facility may not exceed \$45,000,000. Existing law also authorizes the State Public Works Board to issue revenue bonds, negotiable notes, or negotiable bond anticipation notes to finance the acquisition of these facilities.

This bill would delete the provisions regarding the downtown facility and the consolidation of operations, and would instead authorize the Director of General Services to enter into a joint powers agreement, as specified, with the City of San Diego in connection with the development of approximately 241,000 net usable square feet of new state-owned office space and related facilities at a designated location in the City of San Diego, and would provide that the authorized costs of facilities, as specified, may not exceed \$81,000,000.

The bill would authorize the director to enter into an agreement with the joint powers authority to sell bonds and to use and expend funds and provide for other financing in connection with the development, and would authorize the joint powers authority to obtain interim financing from, among other sources, a specified General Fund loan appropriated to the Director of Finance for these purposes and from the Pooled Money Investment Account, a continuously appropriated fund. If the bonds authorized by the project are not sold, the bill would authorize the Department of General Services to repay the loans from available funds. It would continuously appropriate funds derived from the financing or refinancing of the facilities to the joint powers authority for this purpose.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 604 (SB 463) Perata. Drinking water standards: arsenic.

Existing law, commonly referred to as the California Safe Drinking Water Act, is administered by the State Department of Health Services and, among other things, requires the department to establish recommended public health levels for contaminants in drinking water.

This bill would require the department to commence the process of revising the existing primary drinking water standard for arsenic and adopt a revised standard for arsenic no later than June 30, 2004.

This bill would require the Office of Environmental Health Hazard Assessment to place a priority on the development of a public health goal for arsenic in drinking water, sufficient to allow it to adopt the goal no later than December 31, 2002.

This bill would require the Secretary of Environmental Protection, on or before December 31, 2002, to develop language, in accordance with specified requirements, regarding the health effects associated with the ingestion of arsenic in drinking water for inclusion in consumer confidence reports, and would require this language, on and after July 1, 2003, to

be included in the consumer confidence reports mailed or delivered to customers by specified water systems.

Ch. 605 (SB 470) Sher. Hazardous waste control: management: used oil.

(1) Existing hazardous waste control laws provide for a state hazardous waste program in lieu of the federal program pursuant to specified provisions of the federal Resource Conservation and Recovery Act of 1976 (RCRA). Existing law requires the Department of Toxic Substances Control to conform its standards and regulations with the federal regulations adopted pursuant to RCRA and provides that those federal regulations shall be deemed to be regulations of the department, except as specified. The term “federal act” is defined in the hazardous waste control law to mean RCRA.

This bill would make technical changes in those provisions to utilize that definition and would make other nonsubstantive technical changes.

(2) Existing law defines the term “disclosure statement,” for purposes of the hazardous waste control law, as including, in lieu of a statement containing specified information, a copy of specified periodic reports filed with the Securities and Exchange Commission.

This bill would revise the definition of “disclosure statement” for purposes of that law regarding the information required to be included in the statement.

(3) Existing law defines the term “intermediate manufacturing process stream” for purposes of those laws. A violation of the hazardous waste control laws is a crime.

The bill would revise the definition of “intermediate manufacturing process stream” to require the person producing the material to make an additional demonstration and would specify when a material is not included in that definition.

(4) Existing law exempts debris contaminated only with petroleum from the hazardous waste control laws, if the debris meets specified conditions.

This bill would instead exempt debris contaminated with crude oil from regulation and would impose additional requirements as a condition for this exemption.

(5) Under existing law, the department is authorized to exempt, until January 1, 2002, by regulation, a hazardous waste management activity from the requirements of the hazardous waste control law.

This bill would extend that authority until January 1, 2003, but would authorize the department, on and after January 1, 2002, to exempt a hazardous waste pursuant to this authority only if the regulation governs a specified type of hazardous waste, identifies the hazardous waste as a universal waste, and amends specified existing regulations of the department.

(6) Existing law requires the Department of Toxic Substances Control to deny, suspend, or revoke the registration of any hazardous waste transporter pursuant to specified formal administrative adjudication procedures, if necessary, to prevent or mitigate an imminent and substantial danger to human health and safety or to the environment, and exempts this denial, suspension, or revocation from provisions generally authorizing the department to temporarily suspend a permit, registration, or certificate, prior to a hearing, under specified circumstances.

The bill would repeal the provision requiring the department to deny, suspend, or revoke the registration of a hazardous waste transporter pursuant to those formal adjudication procedures.

(7) Existing law exempts a person who initially collects certain hazardous waste at a remote site and transports the hazardous waste to a consolidation site from complying with the requirements concerning possession of a manifest and registration as a hazardous waste transporter, if the person complies with specified conditions, including if not more than 275 gallons or 2,500 pounds, whichever is greater, of hazardous waste is transported in any shipment, except that a generator who is a public utility or municipal utility district may transport up to 500 gallons of liquid hazardous waste in a shipment.

This bill would instead authorize a generator who is a public utility, local publicly owned utility, or municipal utility district to transport up to 1,600 gallons of hazardous wastewater from the dewatering of one or more utility vaults or up to 500 gallons of any other liquid hazardous waste in a single shipment under that exemption, and would make conforming changes.

(8) Existing law requires hazardous waste facilities to operate under hazardous waste facilities permits issued by the department. The existing Wright-Polanco-Lempert Hazardous Waste Treatment Permit Reform Act of 1992 requires the department to adopt regulations for series A, B, and C standardized permits for offsite non-RCRA hazardous waste treatment or storage facilities.

This bill would require any application to use and operate a hazardous waste facility, including an applicant for a series C standardized permit, to include a specified disclosure statement, but would exempt from those requirements a person operating pursuant to a permit-by-rule, conditional authorization, or conditional exemption.

(9) Existing law provides that facilities engaging in treating solvents or thermal destruction are not eligible for a standardized permit but excludes, for purposes of this requirement, the incidental destruction of small amounts of nonmetal constituents in a specified thermal treatment unit.

This bill would instead provide that, for purposes of eligibility for a standardized permit, treating solvents and thermal destruction do not include the destruction of nonmetal constituents in a specified thermal treatment unit, if the unit is in compliance with the applicable requirements regulating air pollution.

(10) Existing law requires used oil to be managed as a hazardous waste unless the used oil meets specified requirements. Existing law exempts a person who receives used oil from consumers or other used oil generators from the hazardous waste facilities permit requirements with regard to the location where the used oil is received, and from the hazardous waste transporter registration and manifesting requirements, if specified conditions are met, including if each shipment of used oil does not exceed 5 gallons and the contents of any single container does not exceed 5 gallons. A violation of the laws regulating used oil is a crime.

This bill would increase the amount of used oil that is subject to that exemption to 55 gallons for each shipment and would instead require that the capacity of any single container not exceed 55 gallons. The bill would additionally require a person transporting the used oil to contact the destination location regarding the acceptance of used oil and would specify that these requirements do not prevent a person who receives used oil for transport from imposing smaller volume or container size limits.

The bill would exclude, from the provisions regulating the management of used oil, and would exclude from classification as a waste under the hazardous waste control laws, oil that is being managed by an automated onboard oil management system, as defined, that is applied to a mining vehicle with a gross vehicle weight capacity in excess of 200,000 pounds or a locomotive, under specified conditions, and if the State Air Resources Board, after consultation with the department, approves the system, in accordance with specified requirements, except as specified.

(11) The bill would make conforming and related changes.

(12) Because a violation of the bill's requirements would be a crime, pursuant to other provisions of law, the bill would impose a state-mandated local program.

(13) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(14) This bill would declare that it is to take effect immediately as an urgency statute but would delay the operative date of the changes made by the act to January 1, 2002, except for the exclusion from used oil regulations for automated onboard oil management systems.

Ch. 606 (SB 609) Costa. Water Omnibus Act of 2001.

(1) The County Service Area Law authorizes the formation of a county service area to provide, among other services, miscellaneous extended services, including water service.

This bill would authorize the board of supervisors of any county to contract with any state agency to finance any improvement relating to the provision of water service within a county service area that is established to provide that service.

(2) The County Sanitation District Act authorizes a county sanitation district to acquire, construct, operate, and maintain waterworks, conduits, reservoirs, storage sites, and other waterworks and facilities for the protection, treatment, storage, and distribution of a water supply for domestic and other uses.

This bill would authorize a county sanitation district to contract with any state agency to finance any district improvement authorized by these provisions.

(3) The existing Cortese-Knox Local Government Reorganization Act of 1985 generally provides for the formation and determination of local district boundaries.

This bill, notwithstanding prescribed provisions of that act, would set forth a procedure with respect to a proposal to dissolve the Newhall County Water District.

(4) Existing law establishes the Safe Drinking Water State Revolving Fund, administered by the State Department of Health Services, and continuously appropriates the money in the fund to that department to provide grants or revolving fund loans for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law provides that planning and preliminary engineering studies, project design, and construction costs may be funded, in the case of public agencies, by grants or a combination of grants and loans. Existing law defines "public agency" for purposes of these and other provisions relating to the fund.

This bill would revise the definition of public agency for those purposes.

(5) The Resort Improvement District Law authorizes the formation of districts to acquire, construct, maintain, and operate property, works, and facilities for various purposes related to providing extended government services for residents of recreational resorts.

This bill would authorize the Grizzly Lake Resort Improvement District, the Napa-Berryessa Resort Improvement District, and the Lake Berryessa Resort Improvement District to contract with any state agency to finance any authorized district improvement related to the provision of water for human consumption.

(6) The Public Utility District Act authorizes a district formed pursuant to its provisions to acquire, construct, own, operate, control, or use, works for supplying its inhabitants with various services, including water. Under the act, the district may borrow money and incur or assume indebtedness up to 20% of the assessed valuation of all real and personal property within the district. Under the act, that amount may be exceeded where the district finances waterworks or sewage disposal facilities by means of a revenue bond issue or a general obligation bond issue and the district pledges all or any part of revenues received from the facilities over a period of time.

This bill would authorize the district to contract with any state agency to finance any authorized district improvement that is related to the provision of water for human consumption. The bill would also authorize the district to exceed the specified amount of indebtedness where the district finances waterworks or sewage disposal facilities by contracting with a state agency to finance any authorized district improvement related to the provision of water for human consumption.

(7) Existing law, for the purposes of the Corcoran Irrigation District, provides that every owner of real property in the district, or his or her legal representative, may vote at district elections. Existing law generally requires each director on the board of the district to be a voter and a landowner in the district and a resident of the division that he or she represents, as prescribed.

This bill would provide with respect to that district that any voter or voter's representative may be a member of the district board as long as the voter is a landowner in the division that

he or she represents, unless divisions have been abolished, and the voter resides within the boundaries of the district or the City of Corcoran. The bill would apply these requirements to board members who are elected, or appointed to fill a vacancy, on or after the effective date of this act.

(8) Existing law, with certain exceptions, requires the Department of Water Resources to submit proposed regulations to the California Water Commission for its approval. Existing law prescribes certain state funding requirements for specified flood control projects authorized by the Legislature on or after January 1, 2002, and small flood management projects for which the department makes findings on or after that date.

This bill would provide that provision relating to the adoption of regulations by the department does not apply to the adoption of regulations for the purpose of implementing those described funding requirements.

(9) The Irrigation District Law authorizes districts formed pursuant to its provisions to control, distribute, store, spread, sink, treat, purify, recapture, and salvage any water including sewage waters for the beneficial use or uses of the district or its inhabitants.

This bill would authorize the district to contract with any state agency to finance any authorized district improvement that is related to the provision of water for human consumption.

(10) The County Water District Law authorizes districts formed pursuant to its provisions to store, conserve, appropriate, and acquire water and water rights for any useful purpose.

This bill would authorize the district to contract with any state agency to finance any authorized district improvement that is related to the provision of water for human consumption.

(11) The Water Conservation District Law of 1931 authorizes districts formed pursuant to its provisions to cooperate and contract with one or more other districts or public corporations or agencies whenever desirable or advantageous to the district.

This bill would authorize the district to contract with any state agency to finance any authorized district improvement that is related to the provision of water for human consumption.

(12) Existing law provides that upon appropriation by the Legislature to the Department of Water Resources, \$3,000,000 in the Water and Watershed Education Subaccount of the Watershed Protection Account may be used by the department for allocation to the California State University, Fresno for purposes of establishing and furthering the purposes of the San Joaquin Valley Water Institute at that campus.

This bill would instead provide that the money may be allocated for the purposes of establishing and furthering the purposes of the California Water Institute at that campus.

(13) Under existing law, a court may impose a physical solution that allocates water among competing water users.

This bill would declare that entry into the stipulation in the City of Barstow v. Mojave Water Agency does not constitute a waiver of any water right or lawful priority to water held by any stipulating party as against any person not a party to the stipulation.

(14) The California Safe Drinking Water Bond Law of 1988 permits bond proceeds in the California Safe Drinking Water Fund to be used for a grant program with grants provided to prescribed entities, subject to specific approval of the Legislature.

This bill would make an appropriation by authorizing the Department of Water Resources to make grants from the fund to specified entities for the purposes of financing domestic water system improvement projects to meet state and federal drinking water standards.

(15) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 607 (SB 722) Figueroa. Security businesses.

The Private Security Services Act provides for the licensure and regulation by the Department of Consumer Affairs and its Bureau of Security and Investigative Services of persons engaged in the provision of private security services and requires, among other

matters, that a person entering the employ of a private security service take a 2-hour training class regarding the power to arrest. The act requires the department to make available a guidebook as a standard for teaching this course.

This bill would change the length of the power to arrest training class required by the act to 3 hours and would require that the majority of the courses be taught by verbal instruction. The bill would require a private patrol operator to provide a copy of the guidebook prepared by the department to each person he or she intends to employ or currently employs as a security guard.

Existing law provides for the payment of various fees and the assessment of fines for locksmith licensees, private investigators, private security services, private patrol operators, and alarm companies. Existing law requires private patrol operator licensees to meet various operating requirements.

This bill would increase the amounts of specified fees and fines. The bill would impose fines on private patrol operator licensees for violations of certain operating requirements. The bill would also delete specified provisions regarding agency regulation of fees and fines.

Because this bill would increase fee and fine revenue deposited into the Private Security Services Fund, a continuously appropriated fund, the bill would make an appropriation.

Ch. 608 (SB 784) Torlakson. Balancing jobs and growth.

The existing Jobs-Housing Balance Improvement Program requires the Department of Housing and Community Development to make grants to eligible local agencies from funds appropriated in the Budget Act of 2000 for assistance in attracting new business and jobs in 'housing rich' communities that lack an adequate employment base to match the amount and cost of housing in those communities, for the creation of economic development strike teams to target and coordinate outreach to employees who may choose to locate within the community, and for specified capital outlay projects designed to encourage the construction of housing in urbanized areas. Existing law requires, no later than December 31, 2005, the department to provide a final report regarding the achievements and expenditures by local government through the program.

This bill would provide that specified funds transferred and appropriated pursuant to the Budget Act of 2000 and the Budget Act of 2001, as well as funds appropriated thereafter for these purposes are to be used to award incentive grants to cities, counties, and city and counties to be used for any project, service, or other local need determined by the city, county, or city and county to be in the community's best interest. The bill would authorize the department to operate the program through at least one annual allocation. The bill would require the final report to be issued within 12 months following the final allocation of funds.

Ch. 609 (SB 882) O'Connell. Property taxation: welfare exemption.

Existing property tax law establishes, pursuant to the authorization of the California Constitution, a welfare exemption under which property is exempt from taxation if, among other things, that property is used exclusively for religious, hospital, scientific, or charitable purposes and is owned and operated by an entity, as provided, that is itself organized and operated for those purposes.

This bill would apply the welfare exemption to any otherwise taxable interest in real property that is leased for a term of 35 years or more by a charitable foundation, exempt from federal taxation, if, among other things, the real property is used exclusively by the lessee for operation as a public park of a uniquely governmental character, as specified, and the lessee foundation is, under the terms of the lease, to obtain fee ownership of the property on or before the end of the lease term.

Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

This bill would take effect immediately as a tax levy.

Ch. 610 (SB 951) Committee on Governmental Organization. State property.

(1) Existing law requires the Department of General Services to perform various functions and duties with respect to state property.

This bill would authorize the Director of General Services to sell, exchange, lease, or transfer specified parcels of state property. The bill would exempt the sale, exchange, lease, or transfer of the parcels from specified provisions of the California Environmental Quality Act. This bill would require that the net proceeds be deposited in the General Fund, as provided, and would require the reservation of mineral rights, as specified.

This bill would also rescind the authority of the director to sell other specified parcels of state property that are no longer considered surplus by the concerned state agencies. The bill would also authorize until July 1, 2004, the director to transfer a specified parcel of surplus state property to the City of Richmond.

(2) Existing law authorizes the Director of General Services, with the consent of the state agency concerned, to let for a period not to exceed 5 years any real or personal property that belongs to the state, if the director deems it to be in the best interest of the state.

This bill would, notwithstanding these provisions, require the director, with the consent of the Department of the Youth Authority, to lease a acre portion of the Lone Youth Authority Facility as designated by the Department of the Youth Authority, for a term not to exceed 30 years and at a specified rate, to the County of Amador on behalf of the Mother Lode Juvenile Facility Authority for use as a regional juvenile detention facility, subject to specified conditions.

(3) Existing law provides for the Alternative Protest Pilot Project in connection with state agency acquisition of goods and services, including the acquisition of information technology goods and services, and requires the Department of General Services to administer the project until December 31, 1999, or until the pilot project has been applied to at least 25 contracts, including at least 10 information technology contracts, whichever occurs later. Existing law also requires the department to make a report to the Legislature by July 31, 2000.

This bill would extend these provisions to December 31, 2005, and would reduce the pilot project's application from 10 information technology contracts to at least 5 major information technology acquisitions. The bill would also require that the department submit its report to the Legislature within 90 days after the termination of the pilot project.

Ch. 611 (SB 1031) Brulte. Education: California Indian Education Center Program.

(1) Existing law provides that the California Indian Education Center Program becomes inoperative on January 1, 2002.

This bill would extend the program until January 1, 2007. The bill would require each California Indian education center, as a condition of receipt of annual funding, to collect and report site evaluation data that measure prescribed items. The bill would require each center to submit an evaluation of its program to the State Department of Education on or before July 1, 2005, and would require the State Department of Education to report the consolidated results of the yearly evaluation data and self reviews, as well as recommendations for program improvement, to the Legislature on or before January 1, 2006.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 612 (SB 1054) Knight. Military base retention.

Existing law defines a single local base reuse entity for purposes of planning relating to military bases designated for closure. Under provisions known as the Military Base Reuse Authority Act, local agencies are authorized to form an authority to plan for the transition of bases from military to civilian use. Existing law also creates the California Defense Retention and Conversion Council and gives that agency and the Technology, Trade, and Commerce Agency prescribed duties relative to retaining military facilities within California.

This bill would define a single local base retention entity for purposes of retention planning relating to military bases.

Ch. 613 (SB 1184) Committee on Revenue and Taxation. Property taxation.

(1) The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, "full cash value" is defined as the assessor's valuation of real property as shown on the 1975-76 tax bill under "full cash value" or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. The California Constitution also excludes from the terms "purchased" and "change in ownership" the purchase or transfer of the principal residence of the transferor, or the purchase or transfer of the first \$1,000,000 of all other real property, in the case of a purchase or transfer between parents and their children, or grandparents and grandchildren as defined by the Legislature. Statutory law that implements this constitutional exclusion specifies various requirements and procedures.

This bill would, for purposes of those provisions, revise and recast signature and certification requirements, and clarify those requirements in the case in which the excluded requirements transfer involves multiple transferees.

(2) Existing property tax law permits persons over 55 years of age and persons who are severely and permanently disabled, as specified, to transfer, under certain conditions, the property tax base year value of their home to a replacement home in the same county, and if a county ordinance so providing has been adopted, to a replacement home in a different county.

This bill, would clarify, in the case of persons over 55 years of age and persons who are severely or permanently disabled, who are transferring the base year value of their home to a replacement home under circumstances where the original home has been substantially damaged or destroyed by a misfortune or calamity and the original home is not repaired or rebuilt, that the base year value of the original home is the full cash value as if the home were appraised immediately prior to the damage or destruction.

(3) Existing law, known as the California Land Conservation Act of 1965, or the Williamson Act, authorizes a city or county, by contract, to limit the uses of land to agricultural uses or as an agricultural preserve in exchange for reduced property taxes.

This bill would generally require an assessment of taxes, penalties or interest that accrue as a result of a compliance audit of records of a local assessor, conducted by, or on behalf of the Department of Conservation, on land values pursuant to the Williamson Act, to be made within 4 years after July 1 of the assessment year in which the property escaped taxation or was underassessed.

(4) Existing property tax law generally requires that an escape assessment be made within 4 years after July 1 of the assessment year in which the subject property escaped taxation or was underassessed, but specifies a 6-year limitations period for the making of an escape assessment that is subject to a statutory penalty for evasion or misrepresentation with respect to taxable personal property.

This bill would increase that 6-year limitations period to 8 years.

(5) Existing property tax law requires, where any tract of land is situated in 2 or more revenue districts, that the portion of the land in each district be separately assessed. Existing law also provides, as exceptions to that requirement, (a) that where the owner of 2 or more contiguous parcels comprising the multiple district tract is identical, and the full value of any

parcel is less than \$5,000, that parcel may for assessment purposes be combined with the contiguous parcel with the greatest assessed valuation, and (b) that where the multiple district tract, comprised of 2 or more contiguous parcels under common ownership, is being used for a single-family residence and constitutes 15,000 square feet or less, the smallest parcel therein may be combined with the largest contiguous parcel.

This bill would increase the thresholds for purposes of those exceptions from \$5,000 to \$25,000, and from 15,000 square feet to 45,000 square feet.

(6) Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 614 (SB 16) Figueroa. Peer review.

Existing law provides a procedure for the professional review of specified healing arts licentiates by a peer review body, defined as including, among other entities, a nonprofit hospital service plan. Under existing law, a peer review body is required to file with the agency having regulatory jurisdiction over the licentiate a report, designated as an "805" report, if the peer review body takes one of several specified actions against the licentiate. Existing law makes the failure to file this report punishable by a fine of not more than \$5,000, or if the failure is intentional, by a fine of not more than \$10,000.

This bill would delete a nonprofit hospital service plan from those entities included within the definition of a peer review body and would specify that disability insurers that contract with licentiates to provide services at alternative rates of payment are subject to the professional peer review process.

This bill would add to the specified actions that a peer review body is required to report, within a specified timeframe, in an 805 report to the relevant licensing agency the licentiate's withdrawal or abandonment of an initial or renewal application for staff privileges or membership after notice of an impending investigation or denial of the application for a medical disciplinary cause or reason. The bill would also increase the amount of the fine for the failure to file an 805 report to not more than \$50,000 per violation, except as specified, and to not more than \$100,000 if the failure is willful, as defined. The bill would specify that the willful failure to file an 805 report by a licensed healing arts practitioner may constitute unprofessional conduct and that a person who is alleged to have violated this requirement may assert any available legal defense. The bill would authorize the Medical Board of California, the Osteopathic Medical Board of California, and the Dental Board of California to audit, as specified, any peer review body to determine its compliance with its responsibilities to file 805 reports and to establish an electronic notification system of the filing of 805 reports.

This bill would additionally require the Medical Board of California to work with interested parties in the pursuit and establishment of a pilot program to provide specified health care professionals remedial training and education and would require the board to report its evaluation, findings, and recommendations regarding the implementation of this statewide program to the Legislature before April 1, 2003.

This bill would state the intent of the Legislature to provide for a comprehensive peer review study to be conducted by the Institute for Medical Quality that would, among other things, review and evaluate the existing peer review process in this state. The bill would require that the institute work with and be under the general oversight of the board's medical director in conducting the study and that the institute submit a written report regarding its findings and recommendations to the board and the Legislature by November 1, 2002.

This bill would also require the Division of Medical Quality of the Medical Board of California to report annually to the Legislature the total number of reports received pursuant to Section 805.

Ch. 615 (SB 26) Figueroa. Professions and vocations.

(1) Existing law provides for the Department of Consumer Affairs to regulate certain professional boards.

This bill would make additions, corrections, and deletions to the list of boards regulated by the department.

This bill would also revise licensing requirements relative to the practice of podiatric medicine.

(2) Existing law provides a procedure for the professional review of specified healing arts licentiates by a peer review body.

This bill would state the intent of the Legislature to provide for a comprehensive peer review study to be conducted by the Institute for Medical Quality that would, among other things, review and evaluate the existing peer review process in this state. The bill would require that the institute work with and be under the general oversight of the Medical Director of the Medical Board of California in conducting the study and that the institute submit a written report regarding its findings and recommendations to the board and the Legislature by November 1, 2002.

(3) Existing law requires an accusation filed against a licensed respiratory care practitioner to be filed within a specified time period, except under certain conditions.

This bill would provide for an extension of the time period to file the accusation if material evidence relevant to the determination of the accusation is unavailable due to a criminal investigation.

(4) Existing law requires the Department of Consumer Affairs to conduct a review of specific engineering branch titles and to report its findings and recommendations to the Legislature by September 1, 2001.

This bill would instead require the department to report to the Legislature by September 1, 2002.

(5) Existing law requiring the Contractors' State License Board to appoint a registrar of contractors becomes inoperative on July 1, 2001, and is repealed on January 1, 2002.

This bill would instead provide that the requirement becomes inoperative on July 1, 2003, and is repealed on January 1, 2004.

(6) Existing law imposes various requirements on court reporting schools, including, among other things, requiring the filing of a current school catalog with the Court Reporters Board of California.

This bill would prohibit a school from requiring more than one 10-minute qualifying examination for a student to be eligible to sit for the examination to be certified as a court reporter. The bill would require the board to submit various regulatory requirements by December 1, 2001, and in place by July 1, 2002. The bill would authorize the board to issue administrative citations or assess fines for the violation of the board's rules and regulations and would make an appropriation by increasing revenues deposited into the Court Reporters Fund which is a continuously appropriated fund.

(7) The Osteopathic Act, an initiative measure approved by the electors on June 2, 1913, provides for the regulation and licensing of osteopathic physicians and surgeons in this state by the Osteopathic Medical Board of California.

This bill would transfer, effective July 1, 2002, or earlier, as specified, the support of the board's budget, accounting, and personnel functions to the Department of Consumer Affairs.

(8) Existing law, the Dental Practice Act, establishes the Dental Board of California within the Department of Consumer Affairs for the purpose of licensing and regulating dental professionals and dental auxiliaries and authorizes the board to appoint an executive officer who exercises and performs specified powers and duties.

This bill would also require the department, in conjunction with the board and the Joint Legislative Sunset Review Committee, to review the scope of practice of dental auxiliaries and would require the department to report to the Legislature by September 1, 2002. The bill would also require the Director of Consumer Affairs to appoint a dental board enforcement program monitor by March 31, 2002, whose duties would include the monitoring and evaluation of the dental disciplinary system. The bill would require the monitor to report his or her findings to the department and to the Legislature, and would require the board to pay for the costs of the monitor.

Because the bill would result in the payment of the costs associated with the employment of the enforcement program monitor from the State Dentistry Fund, the bill would authorize the use of money from a continuously appropriated fund for a new purpose and thereby make an appropriation.

(9) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 616 (SB 852) Figueroa. Shorthand reporters.

(1) Existing law provides for the certification and regulation of shorthand reporters by the Court Reporters Board of California in the Department of Consumer Affairs, and provides for the regulation of shorthand reporting schools by the board.

This bill would authorize the board to administer the Transcript Reimbursement Fund.

(2) Existing law sets forth certain requirements for court reporting schools, including program requirements, recordkeeping requirements, disclosure requirements, and teacher qualification requirements.

This bill would make specified changes and additions to the requirements for court reporting schools. The bill also would require the Court Reporters Board to adopt regulations implementing certain requirements by September 1, 2002.

(3) Under existing law, the Court Reporters Board is authorized to grant provisional recognition to a new court reporting school, and may withdraw recognition for failure to comply with specified legal requirements. The board is required to conduct necessary inspections and investigations.

This bill would authorize the board to withdraw recognition from a school for failure to comply with any applicable law or regulation. The bill would also authorize the board to conduct unannounced site visits as part of its inspection duties.

(4) Under existing law, an applicant for a shorthand reporter certificate is required to satisfy certain requirements within the 5-year period immediately preceding the date of his or her application.

This bill would, effective January 1, 2004, change this time period to require, instead, that the applicant satisfy these requirements within the 3-year period immediately preceding the date of his or her application. The bill would also authorize the board to impose other disciplinary action in addition to the suspension or revocation of a certificate. The bill would require a certificate holder to report to the board any crime that he or she was convicted of committing.

(5) Because the bill would add to the existing reporting responsibilities of certificate holders and because a violation of any of the provisions regulating the practice of shorthand reporters is a misdemeanor, this bill would impose a state-mandated local program by creating new crimes.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(7) This bill would incorporate additional changes in Section 8027 of the Business and Professions Code, proposed by SB 26, to be operative only if SB 26 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 617 (AB 1616) Wright. Healing arts: disciplinary actions.

Existing law provides for disciplinary action to be taken against licensed health professionals, psychologists, marriage, family and child counselors, respiratory care practitioners, and clinical social workers, including revocation, suspension, limitation, or conditioning of a license, for certain conduct. A hearing to determine whether a license shall be revoked, suspended, limited, or conditioned is initiated by the filing of an accusation in an administrative adjudication action. The accusation is required to be filed within a certain time period, with specified exceptions.

This bill would establish a different time limit for an accusation alleging sexual misconduct by the licensee. The bill would also toll the limitations period (1) where material evidence necessary for prosecuting or determining whether a disciplinary action would be appropriate is unavailable to the board due to an ongoing criminal investigation and (2) in the case of an accusation against a licensed health professional, where the alleged act or omission involves a minor, until the minor reaches the age of majority.

Ch. 618 (AB 44) Wiggins. Disaster relief: earthquake.

The Personal Income Tax Law and the Bank and Corporation Tax Law provide for the carryover to specified taxable or income years of specified losses sustained as a result of various disasters occurring in California in an area determined by the President of the United States to warrant specified federal assistance, or proclaimed by the Governor to be in a state of emergency.

This bill would extend these provisions to losses sustained as a result of an earthquake occurring in September 2000, that was included in the Governor's proclamation of a state of emergency for the County of Napa.

This bill would contain legislative findings and declarations as to the statewide public purpose of this bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 619 (AB 61) Florez. Safe Drinking Water State Revolving Fund.

Existing law establishes the Safe Drinking Water State Revolving Fund, administered by the State Department of Health Services, and continuously appropriates the money in the fund to that department to provide grants or revolving fund loans for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law provides that planning and preliminary engineering studies, project design, and construction costs may be funded, in the case of public agencies, by grants or a combination of grants and loans. Existing law authorizes the department to enter into contracts with applicants for grants and loans with specified terms and conditions, including the requirement that in the case of a grant, the public agency agrees to operate and maintain the water system for 20 years.

This bill would authorize planning and preliminary engineering studies, project design, and construction costs to be funded by grants or a combination of grants and loans in the case of private not-for-profit water companies. The bill would also require a private not-for-profit water company, upon entering into a contract with the department for a grant under these provisions, to agree to operate and maintain the water system for 20 years. By making these water companies eligible for those grants, the bill would make an appropriation.

Ch. 620 (AB 139) Florez. County Superintendent of Schools: fiscal duties.

Existing law requires the superintendent of schools of each county to perform prescribed duties, including, but not limited to, visiting and examining each school in his or her county.

This bill would, in addition, require that the superintendent of schools of each county annually present a report, as prescribed, regarding fiscal solvency of any district with a disapproved budget, qualified interim certification, or negative interim certification, or that has been determined at any time to be in a position of fiscal uncertainty, as specified.

Existing law authorizes the county superintendent to audit at any time and report, as prescribed, regarding the expenditures and internal controls of a school district.

This bill would, in addition, authorize a review or audit if the county superintendent has reason to believe that fraud, misappropriation of funds, or other illegal fiscal practices may have occurred that merit examination, as prescribed. The bill would make conforming changes.

Existing law requires the county superintendent of schools, among other things, to conduct a study of the financial and budgetary conditions of the school district, as necessary, to ensure that the district meets its financial obligations.

This bill would provide that the study of the financial and budgetary condition include, but not be limited to, a review of internal controls.

By establishing these additional requirements, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 621 (AB 201) Wright. Private postsecondary education: Bureau for Private Postsecondary and Vocational Education.

(1) The existing Private Postsecondary and Vocational Education Reform Act of 1989 generally sets minimum standards of instructional quality, ethical and business practices, health and safety, and fiscal responsibility for private postsecondary and vocational educational institutions, as defined. The act establishes the Bureau for Private Postsecondary and Vocational Education, which, among other things, is required to review and investigate all institutions, programs, and courses of instruction approved under the act.

The existing act sets forth standards applicable to every audit, review, statement, or financial report that the act requires to be prepared or filed.

This bill would require that any audit or financial report required to be prepared under the act contain a statement signed by the individual who has prepared the report stating that the institution has paid or has not paid to the bureau all amounts owed to the Student Tuition Recovery Fund under a prescribed provision of the act. The bill would provide that, if the institution is a corporation that is publicly traded on a national stock exchange, the submission of the corporation's annual report shall be deemed to comply with this requirement. The bill would also require an institution that has not paid all amounts owed to the bureau under this provision to report to the bureau within 30 days on its plan to become current in these payments.

(2) The act requires each institution approved to operate under its provisions to annually report prescribed data to the bureau and to provide prescribed information to its students.

This bill would add to the data required to be included in that annual report a statement indicating that the institution is current on its payments to the Student Tuition Recovery Fund. The bill would also require institutions to provide to their students prescribed data

relating to the purposes, operation, and eligibility requirements of the Student Tuition Recovery Fund.

(3) Under a portion of the act that is known as the Maxine Waters School Reform and Student Protection Act of 1989, an institution that violates those provisions in connection with an agreement for a course of instruction is required to refund all consideration paid by or on behalf of the student. Other prescribed provisions of the Private Postsecondary and Vocational Education Reform Act of 1989 also authorize the bringing of civil actions against institutions that are alleged to violate these provisions.

This bill would require a student who brings an action or asserts any claim in an existing action for recovery on behalf of a class of persons, or on behalf of the general public, under prescribed provisions of law, to notify the bureau of the existence of the lawsuit, the court in which the action is pending, the case number of the action, and the date of the filing of the action or of the assertion of the claim, within 30 days of the filing of the action or of the first assertion of the claim, whichever is later. The bill would also require the student to notify the court that he or she has notified the bureau pursuant to this provision, and would prohibit judgment from being entered pursuant to this provision until the student has thus complied.

(4) Existing provisions of the act establish the Student Tuition Recovery Fund, and continuously appropriate the money in the fund to the bureau for the purposes of the act.

This bill would require the bureau to send to each student who applies for payment from the fund a written notice specifying the rights of a student under these provisions. The bill would require that, once the bureau has determined that a student claim is eligible for payment and intends to use the fund, in whole or in part, to satisfy the eligible claim, the bureau document its negotiations with the relevant lender, holder or guarantee agency, the United States Department of Education, or the applicable state agency, as prescribed.

The bill would make an appropriation by authorizing a new purpose for expenditures from the fund.

(5) Existing law requires the bureau to assess, for the purposes of the Student Tuition Recovery Fund as prescribed, each institution that collects any moneys in advance of rendering services.

This bill would exempt from this assessment an institution that receives all of its students' total charges, as defined, from 3rd-party payers, as defined. The bill would revise, as prescribed, the formula for calculating the amount of this assessment.

(6) Existing law requires the bureau to investigate complaints from any person claiming damage as a result of any act or practice by a postsecondary or vocational educational institution or its agent, or both, that is a violation of the act.

This bill would require the bureau to adopt regulations that specify its procedures for complaint handling and complaint disclosure. The bill would specify procedures and timelines for the processing of these complaints and responses received pursuant thereto. The bill would authorize a person who claims that an institution is operating in violation of specified provisions of the act to bring an action, in small claims court or a court of competent jurisdiction, for the recovery of actual or statutory damages, or both, in accordance with specified procedures. The bill would authorize courts to order fines and other prescribed remedies against institutions found to violate these provisions of the act.

(7) The bill would require the bureau to submit an annual report on the collection and expenditure of moneys collected as special assessments under the bill, as prescribed.

Ch. 622 (AB 207) Matthews. Health insurance: prescription drug benefits: identification cards.

Existing law provides for regulation of health care service plans by the Department of Managed Health Care, and provides for regulation of insurers by the Department of Insurance. A willful violation of the provisions governing health care service plans is a crime. Existing law contains various provisions governing health care service plans and disability insurers that offer coverage for prescription drug benefits.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would require certain health care service plans and disability insurers that offer coverage for prescription drug benefits and that issue identification cards to enrollees and insureds to issue a card containing uniform information necessary to process claims for prescription drug benefits by a specified date. The bill would require that, if a health care service plan or disability insurer delegates responsibility for issuing the card, the contract between the health care service plan or disability insurer and its contractor or agent require compliance with these provisions.

Because a willful violation of this provision with respect to health care service plans would be a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 623 (AB 238) Rod Pacheco. Income and bank and corporation taxes: net operating losses.

The Personal Income Tax Law and the Bank and Corporation Tax Law allow a deduction for specified portions of net operating losses that, in general, are allowed to be carried forward to specified years.

This bill would provide, for taxable years beginning on or after January 1, 2001, and before January 1, 2003, that the entire amount of any net operating loss for any taxable year beginning on or after the date that the area in which the taxpayer conducts a farming business that is directly affected by Pierce's disease and its vectors shall be a net operating loss carryover to each of the nine taxable years following the taxable year of loss, until used. This bill also would require the Department of Food and Agriculture to determine that Pierce's disease and its vectors caused the net operating loss for which a taxpayer seeks a net operating loss carryover.

This bill would take effect immediately as a tax levy.

Ch. 624 (AB 268) Wayne. Structured settlement payment rights.

Existing law permits a judgment awarded by a court for damages for personal injury in resolution of a tort claim to be paid in periodic payments as a structured settlement, rather than as a lump-sum payment. Existing law provides that a contract providing for a transfer of structured settlement payment rights entered into on or after January 1, 2000, is subject to certain disclosure and notice requirements and is prohibited from containing certain provisions.

This bill would revise, recast, and expand these provisions relative to those types of contracts entered into on or after January 1, 2002.

The bill would require the Attorney General to report to the Legislature not later than March 31, 2004, regarding this bill and including certain information.

Ch. 625 (AB 447) Firebaugh. Dental Board of California.

Existing law provides for a Dental Board of California consisting of 14 members and includes eight practicing dentists. Existing law defines a "practicing dentist" to include a faculty member of a dental college or dental department of a medical college located in the state.

This bill would require that the board's membership include a faculty member of a California dental college and a dentist who practices in a nonprofit community clinic. The bill would also provide that a new board, vested with the same powers as the previous board, would be created on January 1, 2002, if SB 134 is enacted and becomes effective on or before January 1, 2002.

Ch. 626 (AB 661) Correa. Redevelopment: project area.

The Community Redevelopment Law requires redevelopment agencies to use not less than 20% of taxes allocated to the agency for low- and moderate-income housing, as specified. These funds may be used outside of the project area upon a finding by the agency and the legislative body of the community that it will benefit the project area.

This bill would expressly authorize the Orange County Development Agency to use these funds outside of a project area and within the county or any city in the county, upon a finding by the agency and the board of supervisors that this use of funds will benefit the project area. The bill would prescribe other criteria for the use of those funds.

The bill would also repeal provisions that authorized until January 1, 2000, a donor agency and a receiving community to contract for the use of low- and moderate-income housing funds outside the territorial jurisdiction of the donor community under specified conditions.

Ch. 627 (AB 671) Strom-Martin. Timber harvesting.

Existing law authorizes the State Board of Forestry and Fire Protection, upon a determination that the exemption is consistent with the purposes of the Z'berg-Nejedly Forest Practice Act of 1973, to exempt from the provisions of that act, among other things, any person engaged in forest management whose activities are limited to the one-time conversion of less than 3 acres to a nontimber use.

This bill would prohibit a person, whether acting as an individual or as a member of a partnership or as an officer or employee of a corporation or other legal entity, from obtaining more than one exemption in a 5-year period. The bill would authorize the board to adopt regulations for a waiver of the 5-year limitation, as specified, including a process for appeal of a denial of a waiver. The bill would require the board to adopt regulations requiring documentation of a bona fide intent to complete the conversion and requiring the exemption to expire upon a change in timberland ownership.

Ch. 628 (AB 1444) Maddox. Nutritional advice.

Existing law does not prohibit a person from providing nutritional advice. Existing law contains provisions governing the practice of registered dietitians and allows a registered dietitian with a referral by an appropriate health care provider to provide nutritional and dietary counseling, assessments, and treatment. Existing law requires that the referral be accompanied by a written prescription containing specified information and signed by the health care provider.

This bill would subject other nutritional professionals to certain provisions governing registered dietitians. The bill would create an exception to the written prescription requirement where a referring physician and surgeon has established or approved a written protocol governing the patient's treatment. The bill would also authorize registered dietitians and other nutritional professionals who are not specified licensed health care providers to order, when authorized to do so by a written protocol prepared or approved by the referring physician and surgeon, medical laboratory tests related to nutritional therapeutic treatments and to accept or transmit verbal orders consistent with the established protocol or electronically transmitted orders from a health care provider in order to implement medical nutrition therapy. The bill would designate the services described above that registered dietitians and other nutritional professionals are authorized to perform as "medical nutrition therapy." The bill would authorize a dietetic technician, registered, meeting certain qualifications, to assist a registered dietitian with certain services. The bill would make conforming changes to the Insurance Code.

Existing law requires a person representing himself or herself as a dietitian to meet certain requirements, including satisfactory completion of a program of supervised clinical experience of not less than 6 months.

This bill would instead require that the person satisfactorily complete a program of supervised practice for a minimum of 900 hours.

Existing law does not impose requirements on a person representing himself or herself as a dietetic technician, registered.

This bill would require a person representing himself or herself as a dietetic technician, registered to be 18 years of age or older and to have satisfactorily completed specified education, experience, and examination requirements.

Existing law provides that it is a misdemeanor for a registered dietitian to practice in violation of certain provisions.

Because this bill would extend this provision to other nutritional professionals, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 629 (AB 1539) Pavley. Pupils: transfer of preschool information.

Existing law sets forth provisions controlling the maintenance and disclosure of pupil records, and establishes the California School Information Services system in part to build the capacity of local education agencies to implement and maintain effective pupil information systems.

This bill would require a state-funded preschool or infant and toddler program to provide a child's records to a public school when the child transfers, would require the superintendent to advise local education agencies regarding related federal Head Start requirements, and would make conforming changes.

Ch. 630 (SB 80) Speier. Insurance: Conservation and Liquidation Office.

Existing law authorizes the Insurance Commissioner to appoint personnel, including the Chief Executive Officer of the Conservation and Liquidation Office (CLO). Existing law also makes employees of the state, as specified, subject to various conflict-of-interest provisions and financial disclosure requirements, the violation of which is punishable as a criminal offense.

This bill would make the officers and employees of CLO subject to the same conflict-of-interest and financial disclosure requirements that would apply if they were employees of the Department of Insurance and would require the department prior to February 1, 2002, to adopt a Conflict of Interest Code, as specified, with respect to those officers and employees. The bill would also subject a person contracting with CLO to conflict-of-interest requirements, as specified, that would apply to the same extent as would apply to a person with a similar contractual relationship with the department. The bill would require the department to ensure compliance with its provisions.

Because this bill would add categories of persons subject to these conflict-of-interest provisions, the violation of which is punishable as a criminal offense, it would expand the scope of an existing crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 631 (SB 340) Speier. Pharmacies.

(1) Existing law, the Pharmacy Law, authorizes a pharmacist filling a prescription order for a drug product prescribed by the trade or brand name to substitute a generic drug product, subject to specified requirements.

This bill would also authorize a pharmacist to substitute a drug product with a different form of medication having the same active chemical ingredients of equivalent strength and duration of therapy as the prescribed drug product, when the change would improve the

ability of the patient to comply with the prescribed drug therapy. The bill would require that the patient be notified of the substitution, would not permit a substitution if the prescriber indicates that no substitution may be made, and would not permit a substitution between long-acting and short-acting forms of a medication with the same chemical ingredients or between one drug product and 2 or more drug products with the same chemical ingredients.

(2) The Pharmacy Law authorizes specified nonprofit and free clinics licensed by the California State Board of Pharmacy to purchase drugs at wholesale for administration or dispensing to patients registered for care at the clinic.

This bill would authorize specified entities, as defined by federal law, to contract with a pharmacy to provide pharmacy related services to patients of the entity. The bill would authorize a pharmacy to dispense preferentially priced drugs obtained pursuant to federal law, would require that those drugs be segregated from the pharmacy's other drug stock, and would require excess drug stock to be returned to the distributor. The bill would also require pharmacy records of acquisition and disposition of the drugs to be separate from other records. This bill would exclude covered entities and pharmacies from the requirement that they obtain a wholesaler's license for actions necessary to participate in the drug purchase program.

(3) The Pharmacy Law requires the board to take disciplinary action against any person licensed under the Pharmacy Law who is guilty of unprofessional conduct.

This bill would provide that it is unprofessional conduct for any person licensed under the Pharmacy Law to sell, trade, transfer, or furnish drugs obtained pursuant to federal law to any person a licensee knows or reasonably should know is not a patient of a covered entity, as defined by federal law.

(4) Because a knowing violation of the Pharmacy Law is a misdemeanor, this bill would expand the scope of that crime and thus would impose a state-mandated local program.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 632 (SB 350) Alpert. Metropolitan water districts.

(1) The Metropolitan Water District Act grants to a metropolitan water district formed under the act various powers, including the authority to invest surplus funds in accordance with prescribed requirements.

This bill would require, on or before June 30, 2002, the board of directors of a district to adopt a resolution establishing guidelines, as specified, governing the intended use of unreserved fund balances. The requirements imposed by this bill on a district with regard to the development of guidelines governing unreserved fund balances would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 633 (SB 389) Alpert. Sea urchins.

(1) Existing law, until March 1, 2001, required an additional landing tax to be paid for each pound, or fraction thereof, of sea urchins landed in this state for commercial purposes and requires the revenue from that landing tax to be used for the Sea Urchin Resources

Enhancement Program and for research and management activities to monitor and maintain the sea urchin resource.

This bill would refer to the landing tax as a landing fee and would require the revenue to be used for research, enhancement, and other projects contributing to sustainable fishery management practices. Because existing provisions of law would require the revenue from the fees to be deposited in the Fish and Game Preservation Fund, which is continuously appropriated to the Department of Fish and Game to carry out the Fish and Game Code, the bill would make an appropriation.

The bill would authorize the revenue from the fees to be used to conduct a referendum to form a sea urchin marketing council or commission, if one is authorized by law.

The bill would authorize a nonprofit organization to be responsible for the duties of the department.

(2) Existing law, until January 1, 2002, provides for a 12-person Director's Sea Urchin Advisory Committee to annually submit to the Department of Fish and Game proposed projects and a budget for the existing program for incorporation in its submittal to the Governor's Budget.

This bill would create, until January 1, 2007, a 10-member Sea Urchin Fishery Advisory Committee. The bill would provide for the selection of the members, the chair of the committee, an industry representative to work with the department's coordinator, and other duties of the committee, including submitting proposed projects and a budget to the department.

Because the bill would impose new duties on the department and require funds from the landing fee to be used for different purposes, the bill would make an appropriation.

Ch. 634 (SB 446) Vasconcellos. Health care coverage: AIDS vaccine.

Existing law authorizes the Board of Administration of the Public Employees' Retirement System to contract with carriers for health benefits plans and to approve health benefits plans offered by employee organizations in order to provide health benefits coverage to specified public employees.

This bill would require a plan or contract to provide coverage for an approved AIDS vaccine.

Existing law provides for the regulation and licensing of health care service plans by the Director of the Department of Managed Health Care and for the regulation of disability insurers by the Insurance Commissioner. Existing law provides that a willful violation of provisions governing health care service plans is a crime.

This bill would provide that health care service plans and disability insurers that provide coverage for hospital, medical, or surgery expenses shall also provide coverage for an approved AIDS vaccine, as specified. The bill would not apply to specified types of disability insurance policies. Because a willful violation of the bill's requirements with respect to health care service plans would be a crime, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 635 (SB 456) Speier. Health Insurance Portability and Accountability Act of 2001: compliance activities.

(1) Existing federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), establishes certain requirements relating to the provision of health insurance.

This bill would enact the Health Insurance Portability and Accountability Implementation Act of 2001. The bill would require the Office of HIPAA Implementation, established by the Governor's office within the California Health and Human Services Agency, to perform

specified activities required for compliance with this federal act. The bill would require state entities subject to HIPAA to complete an assessment prior to January 1, 2002, to determine its impact on their operations and would require state entities to cooperate with the office in achieving compliance with HIPAA. The bill would require the Department of Finance to develop guidelines relating to obtaining HIPAA funding and to report to the Legislature regarding expenditures related to HIPAA implementation activities. The bill would provide that its provisions remain in effect only until January 1, 2008, and would be repealed on that date.

(2) Existing law requires the Office of Statewide Health Planning and Development to develop a plan, to prepare a progress report, and to contract for consulting services leading to recommendations related to a health data interchange between and among health facilities, health care service plans, insurers, providers, emergency medical services providers, local emergency medical services agencies, and relevant state agencies.

This bill would delete these provisions.

(3) The Budget Act of 2001 makes various appropriations for the support of state government for the 2001–02 fiscal year.

This bill would make appropriations in augmentation of that act to support the state's implementation of HIPAA.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 636 (SB 539) Committee on Local Government. Local agency assessments.

Existing statutory law provides notice, protest, and hearing procedures for the levying of new or increased assessments by local government agencies pursuant to Articles XIII C and XIII D of the California Constitution. These procedures specifically require that at the conclusion of the public hearing on a proposed assessment, the agency shall have the assessment ballots tabulated by a designated impartial person who may be the clerk of the agency. These statutory procedures supersede other statutory provisions applicable to the levying of these assessments.

This bill would provide instead that in a city, the impartial person may include, but is not limited to, the clerk of the agency. The bill would also conform a provision of the Parking District Law of 1951 to the statutory procedures for levying assessments pursuant to Articles XIII C and XIII D of the California Constitution.

Ch. 637 (SB 699) Battin. Flood control.

(1) Existing law provides for state cooperation with the federal government in the construction of specified flood control projects.

This bill, subject to appropriation of funds in the annual Budget Act, would authorize the project for flood control on the Whitewater River in Riverside County in accordance with a prescribed final report, and as authorized by a prescribed federal act, at an estimated cost to the state of the sum that may be appropriated for state cooperation by statute, upon the recommendation and advice of the Department of Water Resources. The bill would require the Coachella Valley Water District, in conjunction with the Department of the Army, to carry out the project, to give specified assurance to the Secretary of the Army, and to enter into an agreement with the department pursuant to which the district agrees to indemnify and hold and save the state harmless from any liability for damages arising out of the project, as specified. By imposing requirements on the district in connection with the project, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 638 (SB 896) Poochigian. Telecommunications services.

The United States Congress enacted the Mobile Telecommunications Sourcing Act for the purpose of establishing uniform nationwide sourcing rules for state and local taxation of mobile telecommunications services. In order to create a single, uniform sourcing rule, the federal act preempts, in part, state and local law.

Existing state law imposes taxes, surcharges, and fees on mobile telecommunications charges, including an emergency telephone surcharge.

This bill would amend the existing laws that impose taxes, surcharges, and fees, on mobile telecommunications services, including emergency telephone services, to reflect the changes made by the federal act.

This bill, in accordance with federal law, applies to customer bills issued on or after August 1, 2002.

Ch. 639 (SB 909) Chesbro. Timber harvest plans.

Existing law allows the Director of Forestry and Fire Protection 15 days from the date that the initial inspection of the submitted timber harvest plan is completed to review the plan and take public comments. Existing law allows the director 10 days after the initial review and public comment period to review the public input, consider recommendations and mitigation measures of other agencies, respond in writing to the issues raised, and determine if the plan is in conformance with law.

This bill would extend the amount of time the director has to review the plan and take public comments to 30 days, instead of 15 days, from the completion of the initial inspection of the timber harvest plan. This time period would include 10 days of public comment after the date of final interagency review. This bill would authorize the director to review the plan and public input for up to 15 days, instead of 10 days, after the final review and public comment period.

This bill would incorporate additional changes in Section 4582.7 of the Public Resources Code proposed by SB 540, that would become operative only if SB 540 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 640 (SB 1174) Polanco. Clinical laboratory technology: performance of blood glucose tests by certified emergency medical technicians and licensed paramedics.

Existing law provides for the regulation by the State Department of Health Services of clinical laboratories and of persons performing clinical laboratory tests or examinations or engaging in clinical laboratory practice, subject to designated exceptions.

This bill would exempt, as specified, from this regulation certified medical technicians and licensed paramedics providing basic life support services or advanced support services who perform blood glucose tests.

This bill would also incorporate changes to Section 1206.5 of the Business and Professions Code proposed by AB 586 if both bills are chaptered and this bill is chaptered last.

Ch. 641 (SB 1226) Committee on Health and Human Services. Environmental specialists: food safety.

Existing law, the Sherman Food, Drug, and Cosmetic Law, contains various provisions regarding the packaging, labeling, and advertising of food, drugs, and cosmetics. Violation of any of these provisions is a crime.

Existing law defines “food” for purposes of these provisions to include, among other things, any article defined as food pursuant to the Federal Food, Drug, and Cosmetic Act.

This bill would delete from this definition of “food” any article defined as food pursuant to the Federal Food, Drug, and Cosmetic Act.

Existing law defines “infant formula” and “medical food” as those terms are defined in that federal act.

This bill would require the State Department of Health Services to review all changes to the federal definition of these terms and submit a specified report to designated committees of the Legislature before the changes are incorporated by reference according to this provision. The bill would incorporate the changes one year after the effective date of the federal change unless a law specifically prohibits that incorporation.

Since this bill would change the definition of a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 642 (SB 221) Kuehl. Land use: water supplies.

(1) Under the Subdivision Map Act, a legislative body of a city or county is required to deny approval of a tentative map, or a parcel map for which a tentative map is not required, if it makes any of a number of specified findings. Under the Planning and Zoning Law, a city, county, or city and county may not approve a development agreement unless the legislative body finds that the agreement is consistent with the general plan and any applicable specific plan.

This bill would prohibit approval of a tentative map, or a parcel map for which a tentative map was not required, or a development agreement for a subdivision of property of more than 500 dwelling units, except as specified, including the design of the subdivision or the type of improvement, unless the legislative body of a city or county or the designated advisory agency provides written verification from the applicable public water system that a sufficient water supply is available or, in addition, a specified finding is made by the local agency that sufficient water supplies are, or will be, available prior to completion of the project.

By increasing the duties of local legislative bodies and local planning agencies and commissions, the bill would impose a state-mandated local program.

(2) Existing law requires any person who intends to offer subdivided lands within California for sale or lease to file with the Department of Real Estate an application for a public report consisting of a notice of intention and a completed questionnaire that includes, among other things, a true statement of the provisions, if any, that have been made for public utilities in the proposed subdivision, including water, electricity, gas, telephone, and sewerage facilities.

This bill would provide that for proposed subdivisions subject to specified requirements of the Subdivision Map Act, the true statement of the provisions that have been made for water is satisfied by submitting a copy of the written verification of the availability of a sufficient water supply, obtained pursuant to specified requirements as described in (1) above.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 643 (SB 610) Costa. Water supply planning.

(1) Existing law requires every urban water supplier to identify, as part of its urban water management plan, the existing and planned sources of water available to the supplier over a prescribed 5-year period. Existing law prohibits an urban water supplier that fails to prepare or submit its urban water management plan to the Department of Water Resources from receiving drought assistance from the state until the plan is submitted.

This bill would require additional information to be included as part of an urban water management plan if groundwater is identified as a source of water available to the supplier. The bill would require an urban water supplier to include in the plan a description of all water

supply projects and programs that may be undertaken to meet total projected water use. The bill would prohibit an urban water supplier that fails to prepare or submit the plan to the department from receiving funding made available from specified bond acts until the plan is submitted. The bill, until January 1, 2006, would require the department to take into consideration whether the urban water supplier has submitted an updated plan, as specified, in determining eligibility for funds made available pursuant to any program administered by the department.

(2) Existing law, under certain circumstances, requires a city or county that determines an environmental impact report is required in connection with a project, as defined, to request each public water system that may supply water for the project to assess, among other things, whether its total projected water supplies will meet the projected water demand associated with the proposed project. Existing law requires the public water system to submit the assessment to the city or county not later than 30 days from the date on which the request was received and, in the absence of the submittal of an assessment, provides that it shall be assumed that the public water system has no information to submit. Existing law makes legislative findings and declarations concerning "Proposition C," a measure approved by the voters of San Diego County relating to regional growth management, and provides that the procedures established by a specified review board established in connection with that measure are deemed to comply with the requirements described above relating to water supply planning by a city or county.

This bill would revise those provisions. The bill, instead, would require a city or county that determines a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment, except as otherwise specified. The bill would require the assessment to include, among other information, an identification of existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project and water received in prior years pursuant to those entitlements, rights, and contracts. The bill would require the city or county, if it is not able to identify any public water system that may supply water for the project, to prepare the water supply assessment after a prescribed consultation. The bill would revise the definition of "project," for the purposes of these provisions, and make related changes.

The bill would prescribe a timeframe within which a public water system is required to submit the assessment to the city or county and would authorize the city or county to seek a writ of mandamus to compel the public water system to comply with requirements relating to the submission of the assessment.

The bill would require the public water system, or the city or county, as applicable, if that entity concludes that water supplies are, or will be, insufficient, to submit the plans for acquiring additional water supplies.

The bill would require the city or county to include the water supply assessment and certain other information in any environmental document prepared for the project pursuant to the act. By establishing duties for counties and cities, the bill would impose a state-mandated local program.

The bill would provide that the County of San Diego is deemed to comply with these water supply planning requirements if the Office of Planning and Research determines that certain requirements have been met in connection with the implementation of "Proposition C."

(3) The bill would incorporate additional changes in Section 10631 of the Water Code proposed by AB 901, to be operative only if this bill and AB 901 are enacted and become effective on or before January 1, 2002, each bill amends Section 10631 of the Water Code, and this bill is enacted last.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 644 (AB 901) Daucher. Water supply planning.

(1) The Urban Water Management Planning Act requires urban water suppliers to prepare and adopt urban water management plans for submission to the Department of Water Resources. The act requires those plans to include specified information. The act makes findings and declarations relating to urban water management planning.

This bill would require a plan to include information, to the extent practicable, relating to the quality of existing sources of water available to an urban water supplier over given time periods, and the manner in which water quality affects water management strategies and supply reliability. The bill would require a plan to describe plans to supplement a water source that may not be available at a consistent level of use, to the extent practicable. The bill would make additional findings and declarations relating to water quality.

(2) This bill would incorporate additional changes in Section 10631 of the Water Code proposed by SB 610, to be operative only if this bill and SB 610 are enacted and become effective on or before January 1, 2002, each bill amends Section 10631 of the Water Code, and this bill is enacted last.

Ch. 645 (AB 494) Cardoza. Veterans homes.

Existing law establishes, until January 1, 2002, a Governor's Commission on Veterans Homes, consisting of 12 appointed and ex officio members, to advise the Governor and the Legislature on the establishment of veterans homes in California.

This bill would extend the operation of those provisions until January 1, 2003. The bill would also eliminate an obsolete statutory reference.

Existing law authorizes state agencies to provide staff assistance to the Governor's Commission on Veterans Homes upon its request.

This bill would instead require state agencies to provide that assistance.

The bill would incorporate changes made by SB 4 that would become operative if both bills are enacted and this bill is enacted after SB 4.

Ch. 646 (AB 79) Havice. School safety.

Existing law provides that each school district and county office of education is responsible for the overall development of comprehensive school safety plans for its schools operating kindergarten and any of grades 1 to 12, inclusive. Under existing law, a comprehensive school safety plan is required to identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including the development of, among other things, child abuse reporting procedures and disaster procedures.

This bill would require the State Department of Education to develop model policies on the prevention of bullying and on conflict resolution and to make the model policies available to school districts. The bill would authorize a school district to adopt one or both of the policies for incorporation into its school safety plan.

Ch. 647 (AB 401) Cardenas. School facilities.

Existing law, the Leroy F. Greene School Facilities Act of 1998 (Greene Act), makes funding available to eligible school districts for various purposes related to school facilities, including construction and modernization. Under existing law, the State Allocation Board is required to determine the eligibility of school districts to receive apportionments under the Greene Act and to apportion funds only upon the completion of certain requirements by the applicant school district.

Existing law authorizes the board to provide additional funding for assistance in site development and acquisition if the amount of the site acquisition and development assistance does not exceed 50% of the cost of site development to the school district, plus the lesser of 50% of the site cost to the school district or 50% of the appraised value of the site at the time the complete application is submitted.

This bill would alter the calculation involving the appraised value of the site for the purposes of calculating this assistance and would authorize the board to provide funding for this assistance to a school district that uses land previously acquired by the school district in an amount equal to 50% of the cost of site development to the school district, plus 50% of the site's appraised value if certain conditions are met.

Ch. 648 (AB 495) Diaz. Health care coverage.

Existing law provides for health care coverage for children in low-income households through the Healthy Families Program and for the provision of health benefits to qualifying individuals through Medi-Cal. Existing law also provides for services for handicapped persons under 21 years of age pursuant to the California Children's Services Program. Under existing law, a county may organize a prepaid health plan, which is designated as a local initiative, to provide health care to eligible Medi-Cal beneficiaries.

This bill would create the Children's Health Initiative Matching Fund in the State Treasury, which would be administered by the Managed Risk Medical Insurance Board, in collaboration with the State Department of Health Services, for the purpose of providing matching state funds and local funds received by the fund through intergovernmental transfers to a county agency, a local initiative, or a county organized health system to provide health insurance coverage to certain children in low-income households who do not qualify for health care benefits through the Healthy Families Program or Medi-Cal. The bill would also provide for the referral of eligible children to the California Children's Services Program, as specified.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 649 (AB 574) Salinas. Medi-Cal: overpayment forgiveness.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services.

Under existing law, the department audits providers to determine whether any overpayments have been made for Medi-Cal services and, subject to an appeals process, the department is empowered to collect overpayments determined to have been made pursuant to these audits.

This bill would provide that whenever, pursuant to an audit conducted by the department, it has been determined that an overpayment for Medi-Cal services has been made to certain categories of hospitals for services rendered from January 1, 1992, to December 31, 1997, the department may forgive a hospital the debt arising from the overpayment and interest.

Ch. 650 (AB 866) Diaz. Personal income and business and corporation taxes: credits: child care.

The existing Personal Income Tax and Bank and Corporation Tax Law provide tax credits for startup expenses for child care programs or constructing a child care facility, costs for child care information and referral services, and costs paid or incurred for contributions to a qualified care plan. Under existing law these credits are only available for certain taxable years beginning before January 1, 2003.

This bill would apply the credits to taxable years beginning before January 1, 2007.

This bill would take effect immediately as a tax levy.

Ch. 651 (AB 891) Goldberg. Child support: disabled noncustodial parents.

Existing law governs child support, and sets forth guidelines for determining the annual net disposable income of each parent for these purposes. Amounts attributable to certain items must be deducted from the annual gross income of each parent in determining the annual net disposable income. Existing law also provides that if a court has ordered a noncustodial parent to pay child support, payments for the support of the child made by the federal government pursuant to the Social Security Act or the Railroad Retirement Act

because of the retirement or disability of the noncustodial parent and transmitted to the custodial parent or other child support obligee each month are credited toward the amount ordered by the court to be paid for that month by the noncustodial parent for support of the child, unless those payments were taken into consideration by the court in determining the amount of the support to be paid. Existing law requires local child support agencies to monitor child support cases and seek modifications when needed.

This bill would revise the above described provision relating to federal payments to include benefits paid by the Department of Veterans Affairs. The bill would require a custodial parent who has been notified that the noncustodial parent is receiving any of the federal benefits described above, as specified, to contact the appropriate federal agency within 30 days of receiving that notification to verify the eligibility of the child to receive payments from the federal government on the basis of the noncustodial parent's disability. The bill would require local child support agencies to prepare and file a motion to modify a support obligation within 30 days of receiving verification from a noncustodial parent or other source of the receipt of specified benefits. By imposing additional duties on local child support agencies, the bill would create a state-mandated local program. The bill would make related changes.

Existing law provides that the Franchise Tax Board has the responsibility for accounts receivable management of child support delinquencies. The Franchise Tax Board is responsible for actions taken on any child support delinquency account transferred to that agency as necessary for recovering delinquent child support payments. Among other duties, the Franchise Tax Board is responsible for issuing and modifying earnings assignment orders on behalf of the local child support agency in order to take collection actions to recover delinquent child support payments.

Existing law establishes a state supplementary income program which provides a monthly income based on need, as specified, to aged, blind, or disabled persons.

This bill would provide that a child support delinquency may not be referred to the Franchise Tax Board and if already referred, must be withdrawn, rescinded, or otherwise recalled, if the obligor is receiving payments under the state supplementary income program for aged, blind, and disabled persons, or but for certain excess income, would be eligible for those payments, as specified. The bill would prohibit an order/notice to withhold income issued by a local child support agency in the case of a disabled obligor, as specified, from exceeding a specified amount.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 652 (AB 1692) Committee on Human Services. CalWORKs eligibility: work activities.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the CalWORKs program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families.

Existing law requires certain participants in the CalWORKs program to participate in certain welfare-to-work activities, including community service activities.

Existing law also contains certain maximum time limits upon the receipt of CalWORKs benefits, except that individuals engaging in community service activities are exempt from these time limits.

This bill would add to the list of qualifying work activities, and for which an exemption from these time limits is provided, United States Department of Labor welfare-to-work grant program community service or work experience activities.

Because each county is required to pay for a share of the cost of aid grants and the administration of the CalWORKs program, by expanding eligibility through the addition of work activities that qualify a recipient for the receipt of aid, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 653 (AB 1695) Committee on Human Services. Foster care.

Existing law sets forth the California Community Care Facilities Act which regulates, among other things, residential care facilities for children, except as specified.

This bill would exempt from that act the homes of relatives and nonrelative extended family members when children are placed by the juvenile court, as specified. The bill would also revise the requirements for licensure of foster family homes, and exempt foster family homes from provisions for the temporary licensure of community care facilities, as specified.

Existing law authorizes the Department of Justice to provide subsequent arrest notification to certain public agencies for specified purposes.

This bill would add to those purposes the approval of relative caregivers and nonrelative extended family members, as defined, and would make related changes.

Existing law sets forth various placement options for children who have been adjudged dependent children of the juvenile court and removed from their homes on the basis of neglect or abuse. Existing law also specifies various placement options for children who have been declared wards of the juvenile court. Existing law establishes a preference for placement in the home of a relative.

Existing law generally requires a court to make a determination on the record at the initial petition hearing as to whether reasonable efforts were made to prevent or eliminate the need to remove a dependent child from the home. If the first contact with the family has occurred during an emergency situation in which the child could not safely remain at home, even if reasonable services were provided, the court must make a finding that the lack of preplacement preventive services was reasonable.

This bill would provide that the standards used to evaluate and grant or deny approval of the home of a relative or the home of a nonrelative extended family member for the placement of a child shall be the same standards as set forth in specified regulations for licensing foster family homes, as specified. The bill would also provide for conditional approval pending criminal history information, would delete certain status review criteria regarding the substantial probability a dependent child in foster care will return to his or her parents' safe home within 6 months, and would revise the safety requirements regarding placement in a relative's home in specified instances. The bill would impose a state-mandated local program by increasing the level of service required of county employees under an existing program.

The bill would also delete the provision requiring the court to make a finding that the lack of preplacement preventive services was reasonable if the first contact with the family of a dependent child has occurred during an emergency situation as described above. The bill

would revise the list of homes into which a dependent child who is under the care, custody, and control of a social worker, or a ward of the juvenile court who is under the care, custody, and control of a probation officer, may be placed to specifically include the home of a nonrelative extended family member, as defined. The bill would make other related changes. The bill would require the State Department of Social Services to adopt regulations to implement these provisions by July 1, 2002. The bill would also include a statement of legislative intent.

Existing law specifies the circumstances in which reunification services need not be provided to a parent or guardian from whose custody a child has been removed by the juvenile court.

This bill would revise those circumstances, as specified.

Existing law provides for Aid to Families with Dependent Children-Foster Care (AFDC-FC) for children who have been removed from their homes in certain instances.

This bill would delete specified requirements for AFDC-FC where a child was removed from his or her home during an emergency situation and there is a judicial determination that the lack of preplacement preventive efforts was reasonable, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 654 (AB 1723) Committee on Utilities and Commerce. State Library: telephonic reading systems.

Existing law authorizes the State Librarian to provide toll-free telephone services for registered patrons of the federally designated regional libraries for the blind and physically handicapped in order to enable those persons to have direct patron access to library services.

This bill would authorize the State Librarian to provide toll-free telephone access to telephonic reading systems for individuals with print disabilities who are registered patrons of the federally designated regional libraries for the blind and physically handicapped. The bill would authorize the State Librarian to operate a telephonic reading system, as defined, or fund the operation of telephonic reading systems operated by qualifying entities, as defined. The bill would appropriate \$830,000 from the California Teleconnect Fund Administrative Committee Fund to the California State Library to fund the 7 existing telephonic reading centers in specified cities, until July 1, 2002. The bill would require that any funds appropriated to the California State Library under the bill, which are not encumbered on or before July 1, 2002, revert to the fund.

The bill would make related findings and declarations.

Ch. 655 (SB 231) Ortiz. Medi-Cal: local education agency services.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services. The Medi-Cal program is partially governed and funded as part of the federal medicaid program.

Under existing law, one method by which services may be provided is through the provision of services on schoolsites. Local education agencies are permitted to bill the Medi-Cal program for these services.

This bill would require the department to amend this state's medicaid plan to accomplish various goals aimed at enhancing Medi-Cal services provided on schoolsites, and access by

students to these services. It would require the department to consult with specified entities to assist in formulating these state plan amendments.

The bill would also, until January 1, 2006, require the department to compare annually school-based medicaid systems in comparable states and related activities, and to file an annual report with the Legislature on medicaid reimbursements for services for students. The bill, until January 1, 2006, would require money collected as a result of reduction in federal Medi-Cal payments allocable to local educational agencies to be deposited in the Local Agency Medi-Cal Recovery Account, which the bill would create, and used for the support of the department.

Ch. 656 (SB 633) Sher. Hazardous and solid waste: mercury.

(1) Existing law prohibits the management of hazardous waste, except in accordance with the hazardous waste laws, including laws governing the removal of hazardous waste from a major appliance, as defined. A violation of the hazardous waste control laws is a crime.

This bill would enact the California Mercury Reduction Act of 2001.

The bill would require any mercury-containing vehicle light switch, as defined, that is removed from a vehicle to be subject to the regulations adopted by the Department of Toxic Substances Control regarding the management of universal waste and other applicable regulations, and would require the department to take specified actions with regard to the safe removal and disposal of those switches. Since a violation of these requirements would be a crime, the bill would impose a state-mandated local program. The department would be required to submit a specified report, by January 1, 2004, to the Legislature regarding these requirements.

(2) Existing law, the Dry Cell Battery Management Act, regulates the sale of specified batteries and, among other things, prohibits the sale of dry cell batteries containing specified amounts of mercury.

The bill would prohibit any person, except as specified, on and after July 1, 2002, from selling at retail or supplying a mercury fever thermometer, as defined, to a consumer or patient in the state, except by a prescription. The act would also prohibit any person, on and after January 1, 2003, from manufacturing, offering for sale or use, or distributing for promotional purposes in this state a mercury-added novelty, as defined. The act would also prohibit any school from purchasing, for use in the classroom, specified devices and materials containing mercury, except measuring devices for use in school laboratories. The bill would prohibit the sale of a vehicle, after January 1, 2005, containing a mercury-containing vehicle light switch.

The bill would provide that a violation regarding mercury-added novelties is a misdemeanor, thereby imposing a state-mandated local program.

(3) Under existing law, the California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, materials that require special handling are defined to include, among other things, mercury found in switches and temperature control devices in major appliances. These materials are required to be removed from major appliances and from vehicles in which they are contained prior to crushing for transport or transferring to a baler or shredder for recycling. Existing law requires any hazardous material that becomes a hazardous waste when released or removed from a major appliance to be managed pursuant to specified hazardous waste control requirements regarding discarded appliances.

This bill would additionally require any mercury-containing motor vehicle light switch that becomes a hazardous waste when released or removed from a vehicle to be managed pursuant to the requirement regarding mercury-containing vehicle light switches that would be added by this bill. The bill would also provide that a failure to comply with those removal provisions is a violation of the hazardous waste control laws, thereby imposing a state-mandated local program by creating new crimes. The bill would require the department and specified local agencies to enforce these removal requirements.

(4) Existing law requires the board to develop and submit to the Legislature, on or before January 1, 1993, a management plan for the removal of materials that require special handling from major appliances and vehicles.

This bill would repeal the above provision.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 657 (SB 1035) Perata. Alcoholic beverage control: licensees: returns.

Existing law allows a wholesaler or manufacturer to accept the return of beer following the revocation or voluntary surrender of, or failure to renew, an alcoholic beverage license to sell beer, and credit the retailer, as provided.

This bill would also allow a person in possession of a stock of lawfully acquired alcoholic beverages following the revocation or voluntary surrender of, or failure to renew, an alcoholic beverage license to sell that stock to licensees, as authorized by the Department of Alcoholic Beverage Control.

Ch. 658 (AB 67) Firebaugh. Vehicles: driver's license: length limitation.

(1) Existing law establishes the Department of the California Highway Patrol in the Business, Transportation and Housing Agency under the control of the Commissioner of the California Highway Patrol.

This bill would require the commissioner to establish a committee for the purpose of developing a public awareness and outreach campaign to educate manufacturers, sellers, and owners of house cars, as described, regarding locations where those vehicles may be legally operated within the state.

This bill would require the commissioner to report to the Legislature not later than February 1, 2003, and February 1, 2004, regarding the number of house cars that are involved in traffic collisions during the calendar year prior to the reporting date.

(2) Under existing law, an applicant for a driver's license is required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires to drive. A class C driver's license includes authorization to operate a house car.

This bill would provide that the authority to operate a house car over 40 feet in length, excluding safety devices and safety bumpers, is conditioned on receiving an endorsement issued by the Department of Motor Vehicles on a noncommercial class B driver's license, passing a written and skills examination, submitting a specified medical form, and payment of a specified fee.

(3) Under existing law, with specified exceptions, a 40-foot limitation is imposed on the length of vehicles that may be operated on the highways.

This bill would additionally except house cars of a length of up to 45 feet from that limitation when operated on certain highways.

(4) This bill would prohibit any person from operating a house car, as defined, unless the person has in his or her possession a valid driver's license and a specified endorsement to permit operation of the house car. Because under other provisions of existing law, a violation of this prohibition would be an infraction, the bill would impose a state-mandated local program by creating a new crime.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(6) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 659 (AB 368) Cedillo. Breed Street Shul.

Under existing law, the annual Budget Act provides various items of appropriation of funds for local public capital facilities.

This bill would make findings and declarations regarding the need for renovations and improvements at the Breed Street Shul in Los Angeles.

Ch. 660 (AB 392) Maddox. Escrow agents.

Existing law subjects the escrow industry to various laws and regulations under the oversight of the Real Estate Commissioner, the Commissioner of Corporations, or the Insurance Commissioner.

This bill would require the commissioners to notify each other when taking enforcement or disciplinary action related to certain escrow services. The bill would require the Department of Real Estate, the Department of Corporations, and the Department of Insurance to each maintain a Web site that displays a database of individuals who have been subject to disciplinary action related to the escrow industry.

Ch. 661 (AB 491) Frommer. Rental vehicles: passenger vehicles.

Existing law, scheduled to become operative on January 1, 2002, establishes definitions and restrictions governing the terms of rental agreements for passenger vehicles.

This bill would revise provisions governing a renter's liability for loss due to theft, a rental company's loss of use, or damage or loss to a rental vehicle, a renter's credit card liability, the submission of insurance claims, damage waivers and damage waiver fees, and notice to a renter regarding financial responsibility and optional damage waivers; and would add provisions thereto regulating the imposition of customer facility charges, as defined, and the disclosure of those charges in advertisements, quotations, or reservations, as specified.

Ch. 662 (AB 544) Maldonado. Escrow agents.

Existing law, the Escrow Law, provides for licensing and regulation by the Commissioner of Corporations of persons engaged in business as escrow agents, unless specifically exempted. Existing law requires persons licensed as escrow agents to be members of the Escrow Agents' Fidelity Corporation, which is established as a nonprofit corporation to indemnify its members against loss, subject in certain cases to a deductible, and which is funded by fees and assessments on its members. Existing law requires employees of escrow agents and various other persons to obtain a certificate from the corporation as a condition of employment or compensation.

This bill would provide that the protection provided by the Escrow Agents' Fidelity Corporation does not extend to any transaction involving a branch or business location of a member outside of California. The bill would also increase to 100% the amount of the deductible applicable to a member who suffers a loss of trust obligations caused by a person who is required to have a certificate from the corporation but has failed to obtain one or has had a certificate denied, suspended, or revoked. The bill would make other related changes.

Ch. 663 (AB 711) Committee on Environmental Safety and Toxic Materials. Administrative orders.

(1) Under existing law, the Department of Toxic Substances Control, a unified program agency, or a designated local public officer, as prescribed, is authorized to issue an order specifying a schedule for compliance or correction and imposing an administrative penalty if there is a violation of the hazardous waste control laws, laws regulating hazardous substances, or radioactive waste, or any permit, rule, regulation, standard, or requirement issued or adopted pursuant to those laws, or if the department, agency, or officer determines there has been a release of hazardous waste or constituents from a hazardous waste facility.

Existing law specifies procedures for the conduct of a hearing, upon the request of a person served with a corrective action order, and requires the hearing to be conducted within 90 days

after receipt of the notice of defense by an administrative law judge of the Office of Administrative Hearings.

This bill would delete the authority of a local health officer or public officer to issue such an order. The bill would instead authorize the department or unified program agency to issue an order requiring the violation be corrected, in the event of a violation, and to impose an administrative civil penalty, or to issue a corrective action order, when the department or unified program agency determines there has been a release. The bill would limit the authority of a unified program agency to issue an order or impose penalties to specified violations or releases. The bill would authorize a person served with an order to request, if the order is issued by the department, that a hearing be conducted by the department pursuant to specified provisions of the Administrative Procedure Act or, if the order is issued by the unified program agency, pursuant to 1 of 2 specified hearing procedures, except under certain conditions. The bill would require, if the unified program agency conducts the hearing, that a decision be issued by the unified program agency within 60 days after the hearing is conducted by the unified program agency. The bill would provide that an order issued by the unified program agency setting a penalty pursuant to the hearing by the unified program agency is final upon issuance. The bill would make conforming changes.

The bill would impose a state-mandated local program by imposing new duties upon local agencies with regard to the enforcement of the hazardous waste control laws.

(2) Existing law requires that $\frac{1}{2}$ of the penalties collected from actions brought by unified program agencies or designated local public officers pursuant to an order for corrective action be paid to the city or county whose agency or officer imposed the penalty, if the Director of Toxic Substances Control determines that the local agency enforcement is fair and reasonable. Existing law requires that $\frac{1}{2}$ of those penalties collected from actions brought by those agencies or public officers be paid to the department and deposited in the Hazardous Waste Control Account. Existing law, which is part of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), provides for the apportionment of civil and criminal penalties collected pursuant to the hazardous waste control laws in a specified manner.

This bill would instead require that all of the penalties collected from actions brought by unified program agencies pursuant to an order specified in (1) above, be paid to the city or county, and would delete the requirement that the director make a determination regarding the enforcement action. The bill would specify that the bill does not apply to any penalty subject to apportionment by Proposition 65.

(3) Existing law establishes the Rural CUPA Reimbursement Account in the General Fund, and requires the Secretary for Environmental Protection to allocate funds to eligible counties in amounts not to exceed designated percentages of the costs incurred by a CUPA in implementing a unified program.

This bill would instead provide that these allocations be made in amounts not to exceed designated percentages of budgeted costs as approved by the local governing body for implementation of the unified program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 664 (AB 729) Kehoe. Replacement Pier and Dredging Project: waste discharge permit fee waiver.

The Porter-Cologne Water Quality Control Act requires specified persons discharging waste, or proposing to discharge waste that could affect the quality of the waters of the state, to submit reports to regional water quality control boards with respect to that discharge, accompanied by specified fees. Existing law requires waste discharge permit fees to be

deposited in the Waste Discharge Permit Fund, which is used, upon appropriation, for purposes of carrying out the act.

This bill would prohibit the State Water Resources Control Board and any regional water quality control board from imposing a fee in connection with prescribing waste discharge requirements for the Replacement Pier and Dredging Project, United States Naval Station, San Diego, Milcon Project P-326.

Ch. 665 (AB 793) Cox. Municipal utility districts: purchases.

The Municipal Utility District Act generally requires the purchase of supplies and materials by a municipal utility district to be let by contract to the lowest responsible bidder when the expenditure is in excess of \$25,000, or, in any district with a population of 250,000 or more, in excess of \$50,000, with annual adjustments to those dollar limits.

If the purchase of supplies and materials by a district exceeds \$50,000, and the district determines that ratepayers reasonably can expect a net benefit in the cost of district services, this bill would authorize the board of the district to provide for the purchase of the supplies and materials by contract let in accordance with best value at the lowest cost acquisition policies adopted by the district's board. The bill would require a district that elects to purchase supplies and materials by contract let in accordance with those policies to submit a specified report to the Legislative Analyst on or before January 1, 2006, and would require the Legislative Analyst to report to the Legislature on or before April 1, 2006.

The bill would require a district to ensure that all businesses have a fair and equitable opportunity to compete for, and participate in, district contracts awarded pursuant to its provisions and would prohibit discrimination in the award and performance of those contracts.

The provisions of the bill would be repealed on January 1, 2007.

Ch. 666 (AB 941) Florez. Disabled veteran business enterprises.

Under existing law, state agencies and all other state entities contracting for materials, supplies, equipment, alteration, repair, or improvement are required to have at least 3% participation goals for disabled veteran business enterprises.

The bill would require the Department of Veterans Affairs and the awarding departments to appoint disabled veteran business enterprise advocates to assist in meeting the participation goals.

The bill would also make clarifying changes.

Ch. 667 (AB 948) Kelley. Local agency formation.

(1) Existing law prescribes generally the powers and duties of the local agency formation commission in each county with respect to the review approval or disapproval of proposals for changes of organization or reorganization of cities and special districts within that county. Existing law requires that a city or special district request and receive written approval from the commission in the affected county before providing new or extended services outside its jurisdictional boundaries.

This bill would enact provisions to govern commission proceedings to consider the exercise of new or different functions or services by special districts.

(2) Existing law authorizes the commission itself to initiate certain changes of organization when consistent with a recommendation or conclusion of a specified study.

This bill would cross-reference the requirement that the commission make certain determinations concerning the likely effects of the change of organization or reorganization.

(3) Under existing law, the commission is required, with respect to the incorporation of a new city or the formation of a new district, to determine the number of voters residing within the proposed city or special district.

This bill would require the commission, with respect to the formation of a landowner-voter special district, to determine the number of owners of land within the proposed district and

the assessed value of land in the proposed district, thereby imposing a state-mandated local program.

(4) Under existing law, the commission is required to develop and determine the sphere of influence of each local governmental agency within the county. For any sphere of influence or a sphere of influence that includes a special district, the commission is required to perform certain duties, including determining that no new or different function or class of service shall be provided by any existing district, except upon approval by the commission.

This bill would repeal that requirement.

(5) Existing law authorizes the commission to undertake proceedings for the adoption, amendment, or repeal of regulations affecting the functions and services of special districts on its own initiative or in response to the initiative of the special districts and authorizes the commission to adopt, amend, or repeal those regulations. The commission may condition the approval of the application for formation of a special district upon the adoption, amendment, or repeal of regulations concerning the functions and services proposed to be provided by the district.

This bill would limit this authority to the repeal of those regulations.

(6) Existing law requires the commission to approve or conditionally approve a proposal for the consolidation or reorganization of districts into a single local agency if a majority of the members of 2 or more legislative bodies adopt substantially similar resolutions of application proposing the consolidation or reorganization.

This bill would prohibit the commission from making a material change in such a consolidation or reorganization proposal that would add or delete districts without the written consent of the applicant local agencies.

(7) Existing law authorizes the commission to order certain changes of organization without an election but requires an election in each affected city or district if the written protests meet specified requirements.

This bill would provide that when a change of organization or reorganization includes the annexation of inhabited territory to a district and the assessed value of the land or the number of registered voters in the subject territory exceeds $\frac{1}{2}$ of that in the existing district, the commission may require a confirmation by the voters in the subject territory.

(8) Under existing law, within 35 days after the conclusion of a hearing on an original and an alternative proposal to form a subsidiary district, the commission is required to adopt its resolution of determination that (a) denies both proposals, (b) approves both proposals, or (c) approves one proposal and denies the other.

This bill would delete the option of the commission to approve both the original proposal and the alternative proposal.

(9) Existing law authorizes the commission to make any change of organization or reorganization subject to various terms and conditions, including the fixing and establishment of priorities of use, or right of use, of water, or capacity rights in any public improvements or facilities or any other property.

This bill would provide that these specific terms and conditions shall not modify priorities of use, or right of use, to water, or capacity rights in any public improvements or facilities that have been fixed and established by a court or an order of the State Water Resources Control Board.

(10) This bill would incorporate additional changes in Section 57114 of the Government Code proposed by AB 720, to be operative if AB 720 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(11) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 668 (SB 73) Dunn. Taxation: low-income housing.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Existing insurance tax law and the Personal Income Tax Law and the Bank and Corporation Tax Law authorize, for so long as corresponding provisions of federal law are in effect, a credit against the taxes imposed by those state laws for certain amounts with respect to the provision of specified low-income housing. Those laws generally provide, subject to the addition of certain other amounts, that the maximum aggregate dollar amount of the credits allowed in each calendar year may not exceed \$50,000,000 for the 1999 calendar year and each year thereafter.

This bill would, for purposes of existing low-income housing tax credits, provide a \$70,000,000 maximum aggregate dollar amount for the 2001 calendar year and each calendar year thereafter. In addition, this bill would for the 2002 calendar year, and, each calendar year thereafter, provide an adjustment for inflation measured by an increase in the Consumer Price Index. This bill would require the California Tax Credit Allocation Committee to review and evaluate the geographic apportionment methodology of the low-income housing tax credit program, as provided, and to report back to the Legislature no later than June 30, 2002.

This bill would take effect immediately as a tax levy.

Ch. 669 (SB 366) Haynes. Taxation: levy and lien: innocent investor.

The Katz-Harris Taxpayers' Bill of Rights Act provides various protections and rights to taxpayers for purposes of the Personal Income Tax Law and the Bank and Corporation Tax Law.

This bill would provide that no levy for an underpayment for any taxable year beginning on or before December 31, 2000, attributable to an abusive tax shelter, shall be made on the principal residence or proceeds from a transaction involving the principal residence of an innocent investor, as defined, and would provide that a lien on that property, or the proceeds of the sale of that property, shall be released, as provided.

Ch. 670 (SB 445) Burton. Taxation: taxpayers' bill of rights.

(1) The Bagley-Keene Open Meeting Act generally requires that the meetings of state bodies, as defined, be conducted openly. Existing law requires that public writings, pertaining to a matter subject to discussion or consideration at a public meeting, that are distributed to a majority of the members of the state body shall be made available for public inspection.

This bill would provide that, in the case of the Franchise Tax Board, prior to that state body taking final action on any item, writings pertaining to that item that are public records under the act that are distributed to members of the state body by board staff or individual members prior to or during a meeting, shall be made available for public inspection at that meeting, distributed to all persons who request notice in writing, and made available on the Internet.

(2) Under existing law, there are taxpayers' bills of rights that apply to both the State Board of Equalization and the Franchise Tax Board to ensure that these taxing agencies conduct their operations of tax assessment and tax collection in a manner that ensures the privacy and property rights of California's taxpayers. In adopting the respective taxpayers' bill of rights, the Legislature made specific findings and declarations of intent regarding the expectations and responsibilities of taxpayers and the taxing agencies.

This bill would add the Legislature's finding that the purpose of any proceeding between a taxing agency and a taxpayer is the determination of the taxpayer's correct amount of tax liability, and would set forth the Legislature's intent that, in furtherance of this purpose, the taxing agency may inquire into, and should allow the taxpayer every opportunity to present, all relevant information pertaining to the taxpayer's liability.

Ch. 671 (SB 520) Chesbro. Planning and zoning.

(1) The Planning and Zoning Law prohibits governmental action or discrimination pursuant to that law because of specified reasons.

This bill would additionally prohibit governmental action or discrimination under that law because of familial status or disability.

(2) The Planning and Zoning Law requires the housing element of a local general plan to make adequate provision for the housing needs of all economic segments of the community, to include, among other things, an analysis of the special housing needs of the handicapped, and a program to address, remove constraints to, and promote housing, as specified.

This bill would recast those provisions to refer to persons with disabilities instead of the handicapped in the requirement for that analysis and to include references to persons with special housing needs within the provisions that require that housing program.

Ch. 672 (SB 809) Ortiz. State public works: Sacramento: Capitol area.

Existing law establishes the Capitol Area Plan for the orderly development of the state's facilities in the greater metropolitan Sacramento area. The Department of General Services is required to be continuously responsible for necessary revisions to the plan and for formulating and carrying out long-range development plans. Resolution Chapter 193 of the Statutes of 1996 directs the department to undertake and complete a comprehensive environmental impact report governing the development of state offices and associated facilities on priority state-owned sites in the Capitol area, as defined.

This bill would authorize the Director of General Services to purchase, exchange, or otherwise acquire real property and construct facilities within the jurisdiction of the Capitol Area Plan for a project consisting of approximately 1,400,000 gross square feet of office space on state-owned land in the Capitol area located on blocks 204 and 203, and onsite parking and a parking garage located on block 266. The bill would authorize the department to contract for the lease, lease-purchase, lease with an option to purchase, acquisition, design, design-build, construction, construction management, and other services related to the design and construction of the office and parking facilities. The bill would authorize the State Public Works Board to issue revenue bonds, negotiable notes, or negotiable bond anticipation notes to finance these costs. The bill would also provide that the project cost shall include the cost of rehabilitating, and may include the cost of relocating the Heilbron House.

Ch. 673 (SB 1122) Poochigian. Real estate: disclosures of transfer.

Existing law requires certain disclosures to be made upon the transfer of real estate and prescribes the manner and form of the disclosures. In the case of the transfer of real property subject to a continuing lien securing the levy of special taxes pursuant to the Mello-Roos Community Facilities Act, the seller is required to make a good faith effort to notify the prospective purchaser of the lien in the manner and time provided in a prescribed disclosure form. Existing law, the Proposition 218 Omnibus Implementation Act, imposes prior notice, protest, and hearing requirements when a local government levies a new or increased assessment upon real property.

This bill would require the legislative body of a local government collecting assessment installments to secure bonds issued pursuant to the Improvement Bond Act of 1915, to designate an office to perform certain duties relating to the assessment, including furnishing to any requester or the owner of any property subject to the assessment a notice of assessment containing specified information in a prescribed form. The bill would require the seller to make a good faith effort to obtain and deliver to the prospective purchaser a disclosure notice concerning the assessment installment. The bill would require this notice to be combined with notices relating to the collection of those special taxes, to the extent feasible.

Ch. 674 (SB 1193) Polanco. Small business financial development.

Existing law requires the Technology, Trade, and Commerce Agency to establish new small business financial development corporations in San Jose, Santa Ana, the San Fernando Valley, and Ontario.

This bill would additionally require that the Secretary of the Technology, Trade and Commerce Agency establish a new small business financial development corporation in southeast Los Angeles upon an appropriation in the annual Budget Act for this purpose.

Ch. 675 (AB 333) Wright. Foster care.

Existing law requires all foster children placed in group homes by county welfare departments or county probation departments to be visited at least monthly by a county social worker or probation officer.

This bill would require each of those visits to include a private discussion between the foster child and the county social worker or probation officer. The bill would prohibit the contents of the discussion from being disclosed to the group home staff, except under specified circumstances. The bill would extend similar provisions to visits by county social workers or probation officers to foster children in licensed, certified, or approved foster homes.

Ch. 676 (AB 370) Wright. Vehicles: residence addresses.

(1) Existing law requires the Department of Motor Vehicles, until January 1, 2002, to implement a pilot program to provide residence address information to an independent institution of higher education that operates pursuant to a memorandum of understanding that permits a security officer of that institution to have arrest powers, if the institution requests the address solely for the purposes of enforcing parking restrictions. Under the pilot program, a participating institution is required to enter into a contractual agreement with the department requiring the institution to establish and maintain procedures for persons to contest parking violation notices issued by the institution and to remit fees to cover the department's costs of providing each address to the institution. Existing law requires the department to submit a report to the Legislature containing its evaluation of the pilot program on or before January 1, 2001.

This bill would extend the January 1, 2002, repeal date of this program until January 1, 2004. The bill would restrict the program to an accredited degree-granting nonprofit independent institution of higher education incorporated in the state. The bill would further require that the independent institution, under penalty of perjury, request and use the information solely for the purpose of enforcing parking restrictions, thereby creating a crime and imposing a state-mandated local program. The bill would further require the contract with the department to provide that access to confidential residence address information will only be provided through an approved commercial requester account. The bill would require the department to submit a report to the Legislature containing its evaluation of the pilot program on or before January 1, 2003.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 677 (AB 590) Vargas. Mental health: adults and older adults.

The Adult and Older Adults Mental Health System of Care Act authorizes each county to implement a mental health system of care for adults and older adults. Under the act, the State Department of Mental Health is responsible for overseeing the development and implementation of these county systems, including providing training, consultation, and technical assistance to participating counties. Existing law requires that the act be implemented only to the extent that funds are appropriated in the annual Budget Act.

This bill would encourage the department to provide a mental health care provider with training and experience in geriatrics to oversee, monitor, and provide advice to participating counties regarding services for older adults under the act.

Ch. 678 (AB 636) Steinberg. Child welfare services.

Under existing law, the State Department of Social Services oversees the administration of county public social services, including child welfare services.

This bill would enact the Child Welfare System Improvement and Accountability Act of 2001. This bill would require the department to establish, by April 1, 2003, the California Child and Family Service Review System, in order to review, commencing January 1, 2004, all county child welfare systems.

This bill would, by October 1, 2002, require the California Health and Human Services Agency to convene a workgroup comprised of representatives of specified entities and organizations, to establish a work plan by which the child and family service reviews shall be conducted. It would require the department to take various measures to assist counties in ensuring that these outcomes are met.

This bill would appropriate \$100,000 from the General Fund to the agency to convene the workgroup required under the bill.

Ch. 679 (AB 685) Wayne. Family day care homes: reporting requirements: unannounced visits.

Existing law requires family day care homes to be licensed by the State Department of Social Services.

This bill would require licensees of family day care homes to report to parents any act of violence against a child or any injury to a child, and to the department any injury to a child that requires medical treatment, the death of any child, or any unusual incident or child absence that threatens the physical or emotional health or safety of any child. This bill would also permit the department to develop the report forms to be used for reporting purposes pursuant to this bill and would require the department to maintain the reports filed pursuant to this bill in a manner that allows the department to report the data to the Legislature.

This bill would permit the department, either directly or by contract and to the extent that funds are available, to conduct an evaluation of the effectiveness of unannounced visits to licensed family day care homes.

Ch. 680 (AB 828) Cohn. Long-term care facilities.

Existing law requires the State Department of Health Services to administer provisions relating to the licensing of long-term health care facilities.

This bill would require the department to establish a centralized consumer response unit in the Licensing and Certification Division of the department.

The bill would require the unit to provide certain consumer education and information about licensing and federal certification standards, resident rights, availability of facilities, referral to other entities as appropriate, and facility compliance history; to participate in telephone conference calls to resolve disputes within the authority of the department; and to initiate onsite investigations in response to oral or written complaints, concerns, or inquiries if the unit determines that there is a reasonable basis to believe that the allegations in the complaints describe one or more violations of state law by a long-term health care facility.

Ch. 681 (AB 829) Cohn. Health care.

Existing law provides for the implementation of adult day health care center oversight by the State Department of Health Services, and authorizes that department to enter into an interagency agreement with the California Department of Aging for the administration of that program.

Existing law establishes standards for certification as an adult day health care provider and adult day health care center licensing, and certification requirements.

This bill would add to licensing and certification requirements of an adult day health care center by requiring that certain disclosures be made to the State Department of Health Services concerning ownership or control interest in, and the officers of, a center, and that evidence of sufficient financial resources be provided and that those resources be maintained.

The bill would revise and add provisions regulating the denial, renewal, suspension, and revocation of a license for an adult day health care center. The bill would require a provider or applicant to submit to the California Department of Aging a facility program plan for providing adult day health care services that includes certain elements.

This bill would also recast and make technical, clarifying changes to those provisions with respect to the administration of the program.

Existing law establishes the Mello-Granlund Older Californians Act which is administered by the California Department of Aging.

Existing law authorizes the development of Alzheimer's day care resource centers under which funding is provided to a direct services contractor who provides a program of specialized day care for participants with dementia. Direct services contractors authorized to provide services under these provisions who are not licensed are exempt from various licensure requirements under the act.

This bill would revise this exemption and provide instead that direct services contractors that are not licensed as an adult day care center, adult day support center, or adult day health care center shall be exempt from various licensure requirements under the act for purposes of operating an Alzheimer's day care resource center. The bill would specify circumstances under which the exemption shall not apply. The bill would provide that the direct service contractor's Alzheimer's day care resource center license terminates if the license as an adult day care center, adult day support center, or adult day health care center is surrendered or terminated for noncompliance with applicable standards.

Ch. 682 (AB 830) Cohn. Senior legal services.¹¹

Existing law provides for the Mello-Granlund Older Californians Act, administered by the California Department of Aging, to provide specified services to frail elderly individuals 60 years of age and older.

This bill would require the department to establish a task force of specified members to study and make recommendations to the Legislature on issues relating to legal services to seniors.

This bill would appropriate \$100,000 to the department to establish the task force.

Ch. 683 (AB 899) Liu. Rights of foster children.

Existing law establishes procedures for the placement of certain children in foster care.

Existing law provides for licensing of facilities that provide foster care for children.

Existing law requires the State Department of Social Services to license defined community care facilities, including facilities that provide foster care services for children, and to adopt regulations for this purpose. Under existing law, violation of the community care licensing provisions or related regulations adopted by the department is a misdemeanor.

This bill would require those facilities that provide foster care services for children to make certain information regarding the rights of children in foster care available to those children. By changing the definition of a crime, this bill would result in a state-mandated local program.

This bill would set forth the policy of the state that children placed in foster care have certain rights, and would require social workers and facilities providing social services for children in foster care to provide those children with information regarding those rights.

To the extent this bill would increase the responsibilities of counties in the administration of the provision of foster care benefits for children, this bill would result in a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 684 (AB 1075) Shelley. Skilled nursing facilities: staffing ratios.

Existing law provides for the licensure and regulation of health facilities, including skilled nursing facilities, by the State Department of Health Services. Existing law specifies various minimum staff-to-patient ratio requirements in skilled nursing facilities. A violation of these provisions by health facilities is subject to criminal sanction.

This bill would require the department to develop regulations that become effective August 1, 2003, that establish staff-to-patient ratios with regard to direct caregivers, as defined, working in a skilled nursing facility.

The bill would require a skilled nursing facility to post information about staffing levels. The bill would make a violation of the regulations subject to citation and fine. The bill would make the implementation of the staffing ratio requirements set forth in the bill contingent on an appropriation in the annual Budget Act or another statute.

Because the bill would change the definition of a crime with regard to health facilities, it would impose a state-mandated local program.

The bill would require the department, no later than January 1, 2006, and every 5 years thereafter, to consult with designated entities to determine the sufficiency of the staffing standards, and would authorize the department to adopt regulations to increase the minimum staffing ratios to adequate levels.

Existing law requires the department to perform a specified review of the current Medi-Cal reimbursement system and submit a report.

This bill would, instead, require the department to implement a facility-specific rate-setting system by August 1, 2004, subject to federal approval, and to submit status reports on this implementation.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 685 (AB 1212) Shelley. Health facilities.

Existing law provides for the licensure and regulation of health facilities by the State Department of Health Services. A violation of these provisions is subject to criminal sanction.

Existing law authorizes and regulates the formation and operation of limited liability companies to engage in any lawful business activity.

This bill would provide that any requirement placed upon, or reference to, a corporation in the provisions regulating health facilities shall also apply to a limited liability company.

Existing law requires applicants for licensure as a health facility, for approval as a special service, or for approval to manage a health facility currently licensed as a skilled nursing or intermediate care facility to file an application containing certain information, including evidence satisfactory to the department that the applicant possesses financial resources sufficient to operate the facility for at least 45 days.

This bill would exempt a management company from the requirement to provide this information.

Existing law requires an applicant for a license to operate a skilled nursing or intermediate care facility to disclose to the state department certain information regarding general partners, corporate directors and officers, and beneficial ownership interests upon initial application for licensure and thereafter within 30 calendar days of a change in the information.

Existing law requires that this information be made available to the public upon request, and included in the public file of the facility and the department's automated certification licensing administration information management system.

This bill would provide that the latter requirement to include the information in the department's automated system shall commence July 1, 2002.

Existing law requires that, commencing January 1, 2000, there be a minimum of 3.2 actual nursing hours per patient in skilled nursing facilities.

This bill would prescribe a minimum level of nursing hours and staffing requirements for various types of facilities, or facilities treating patients with specified diagnoses.

Existing law specifies procedures for the appointment of a temporary manager to operate a long-term health care facility.

This bill would recast the above procedures and would revise the powers and duties of the temporary manager during his or her appointment. The bill would authorize the department to use funds from the existing Health Facilities Citation Penalties Account to operate the facility after all other facility revenues are exhausted.

Existing law specifies procedures for the appointment of a court appointed receiver to manage a long-term health care facility. Existing law prohibits the management of a long-term health care facility operated by a receiver from being returned to the licensee and designated persons.

This bill would allow the facility to be returned to the licensee and the designated persons if certain conditions are met.

Under existing law, if a long-term health care facility does not agree to the appointment of a temporary manager, and the department successfully obtains a court-appointed receiver, management of the facility may be returned only if certain conditions are met.

This bill would delete this provision.

Existing law requires the department to prepare and maintain a list of approved training programs for nurse assistant certification, and requires a skilled nursing and intermediate care facility to adopt an approved precertification training program. Existing law requires that these training programs consist of a specified number of hours of classroom training and supervised on-the-job training clinical practice. Existing law requires that 4 hours of the supervised, on-the-job training clinical practice address the special needs of persons with specified developmental and mental disorders.

This bill would require that 2 hours of the classroom training address the special needs of persons with specified developmental and mental disorders. The bill would revise the supervision requirements for the supervised and on-the-job training clinical practice.

Existing law requires a long-term health care facility to post a notice of remedies imposed for violation of specified state or federal requirements.

This bill would specify the form of the above notice, which the bill would designate the "Notice of Violation Remedies."

Existing law requires the department to promote quality of care and life in long-term health care facility services through specific activities.

This bill would revise these activities.

Existing law requires the department, within 10 working days of the completion of a complaint investigation regarding a long-term health care facility, to notify the complainant in writing of the department's determination.

This bill would extend this notification requirement of the department to the licensee of the facility.

Existing law provides for the Skilled Nursing Facility Financial Solvency Advisory Board, which consists of the director and 7 members appointed by the director who are required to have training and experience in various areas or fields.

This bill would revise the training and experience requirements.

Existing law requires the department to implement a consumer information service system regarding long-term care facilities.

This bill would revise the information the system is required to contain.

Existing law authorizes the department to rescind the permanent license of designated nursing facilities, under specified circumstances, and issue a provisional license.

This bill would revise these provisions by changing references to the facilities' permanent license to refer instead to a regular license.

Existing law requires the department to provide a copy of certain citations imposed against long-term care facilities to the affected residents mentioned in the violation and to the affected residents' family or designated legal representative.

This bill would revise the list of recipients of the required notice.

Existing law requires the department to provide, on or before October 1 of each year, to the Legislature a summary of federal enforcement actions taken against nursing facilities during the previous fiscal year.

Existing law requires the department to review the effectiveness of the enforcement system in maintaining the quality of care provided by long-term health care facilities and submit a specified report to the Legislature on or before December 1, 2001, and annually thereafter.

This bill would require that the summary be provided instead on or before December 1 of each year, and would require that it also include state enforcement actions as specified under the bill. The bill would require that the summary of federal and state enforcement actions be combined with the report on the effectiveness of the enforcement system into a single report.

Existing law prohibits a licensee of a long-term care facility from discriminating or retaliating in any manner against any patient or employee in its facility based on the presentation of a grievance or complaint or activities related to a specified investigation or proceeding at the facility.

This bill would extend this prohibition to apply to discriminating or retaliating against any complainant, as defined under the bill. Because the bill would extend this prohibition applicable to long-term care facilities, it would change the definition of a crime thereby imposing a state-mandated local program.

Existing law requires the director to adopt regulations increasing the minimum number of equivalent nursing hours per patient required in specified types of nursing and care facilities.

This bill would prescribe the minimum number of nursing hours per patient day required in skilled nursing facilities except in certain types of facilities or facilities treating patients with specified diagnoses.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 686 (AB 1261) Migden. Independent Living Program.

Existing federal law provides for federal financial participation with states providing foster care and transitional independent living programs for eligible children.

Existing law provides for the administration of county transitional housing placement programs that provide transitional housing services for eligible children who are in out-of-home placement under the supervision of the county department of social services or the county probation department, and who are participating in an independent living program.

Existing law permits a child declared a ward or dependent child of the juvenile court, who is age 16 years or older and who is a participant in the Independent Living Program pursuant to federal law, to retain cash savings, not to exceed \$5,000, as a resource exemption, pursuant to the child's Independent Living Program Case Plan which money shall be for the child's use for purposes directly related to emancipation.

This bill would increase to \$10,000 the amount of this accumulated savings exemption.

This bill would also revise the requirements for retention of the cash savings to require that a child who is declared a ward of the court or dependent child of the juvenile court may retain

the cash savings pursuant to federal law regarding the foster care maintenance payments program and pursuant to the child's transitional independent living plan.

By increasing amounts of resources that will not be considered in determining eligibility to receive transitional assistance, the bill would increase the class of persons eligible to receive transitional aid assistance, and so would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 687 (AB 1409) Chan. Nursing home administrators.

Existing law, the Nursing Home Administrator's License law, which is contained in the Business and Professions Code, provides for the licensing and regulation of nursing home administrators by the State Board of Nursing Home Administrators of the State of California and specifies the duties of the board.

This bill would repeal these provisions. The bill, instead, would enact provisions in the Health and Safety Code, designated as the Nursing Home Administrators' Act, that would establish in the State Department of Health Services a Nursing Home Administrator Program (NHAP) that would license and regulate nursing home administrators. In this regard, the bill would specify the duties and authority of the program, define various terms, specify licensing requirements, including application procedures, qualifications for and content of licensing examinations, and application and examination fee requirements, provide procedures for out-of-state nursing home administrator licensees to obtain a one-year provisional license, and require the department to develop a specified administrator-in-training program and establish a designated citation and administrative fine assessment system.

This bill would also require a nursing home administrator to notify, in writing, the department's office for licensing and certification upon the occurrence of specified acts affecting the administration of the nursing home.

The bill would make it a misdemeanor to engage in certain subversive activities related to the implementation of the nursing administrator licensing examination. Because the bill would create a new crime, it would impose a state-mandated local program.

Existing law provides for the Nursing Home Administrator's State License Examining Board Fund, a continuously appropriated fund, in the Professions and Vocations Fund in the State Treasury.

Existing law specifies a schedule of fees that are charged for the application and examination of applicants for licensure as nursing home administrators and requires those fees to be deposited in the Nursing Home Administrator's State License Examining Board Fund.

This bill would rename the fund the Nursing Home Administrator's State License Examining Fund and continue the fund in existence in the State Treasury. The bill would revise the fee schedule. The bill would also require that fines collected under the citation and administrative fine assessment system required under this bill be deposited in the Nursing Home Administrator's State License Examining Fund.

Because the bill would increase the amount deposited into the Nursing Home Administrator's State License Examining Fund, as renamed by this bill, which is a continuously appropriated fund, it would make an appropriation.

This bill would incorporate additional changes in Section 101 of the Business and Professions Code proposed by SB 26 that would become operative only if SB 26 and this

bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 688 (SB 104) Scott. Adoption.

Existing law provides that, after a consent to an adoption is signed by the birth parent or parents, the birth parent or parents have a 90-day period in which to either sign and deliver to the department or delegated county adoption agency a written statement revoking the consent and requesting the child to be returned to the birth parent or parents, or to sign a waiver of the right to revoke consent on a form prescribed by the department in the presence of a representative of the department or delegated county adoption agency. Existing law also provides that the consent may not be revoked after a waiver of the right to revoke consent has been signed or after the 90-day period, as specified.

This bill would revise the above provisions by instead providing that the birth parent or parents have a 30-day period in which to sign and deliver to the department or delegated county adoption agency a written notarized statement revoking the consent and requesting the child to be returned to the birth parent or parents or to sign the waiver of the right to revoke consent on a form prescribed by the department in the presence of a representative of the department or delegated county adoption agency. The bill would provide that, after revoking consent, the birth parent or parents may reinstate the original consent by signing and delivering a written notarized statement to that effect to the department or delegated county adoption agency, in which case the revocation of consent would be void and a new 30-day period would commence. The bill would also make conforming changes.

Ch. 689 (SB 370) Ortiz. Seniors: Wellness and injury prevention programs.

Existing law requires the California Department of Aging, among other things, to administer the Mello-Granlund Older Californians Act that establishes various programs that serve older individuals, including aging informational and educational programs.

This bill would establish within the department the StayWell Program, for the provision of educational information to seniors, families, caregivers, and other entities on a healthy lifestyle and the resources and services available for seniors, and to promote education and training for professionals and caregivers who work directly with seniors in order to maximize wellness.

This bill would establish the Program for Injury Prevention in the Home Environment, under which the department, through the Senior Housing and Information Support Center in the department, would be required to award grants to eligible local level entities for injury prevention information and educational programs and services.

Ch. 690 (SB 511) Alpert. Children with disabilities.

Existing law requires the Superintendent of Public Instruction, in connection with diagnostic centers established for the purpose of the diagnosis of disabled children to provide counseling services for parents, guardians, and families of disabled children.

This bill would require the State Department of Education to award grants for the establishment of Family Empowerment Centers on Disability in each of the 32 regions in the state established under the Early Start Family Resource Centers that are operated by the State Department of Developmental Services for the purpose of extending services to communities not receiving services, as specified. The bill would require the department to issue requests for proposals, select grantees, and award grants, as specified. The bill would require the centers to be staffed primarily by parents and guardians of children and young people with disabilities, as specified. The bill would require centers receiving funding and

servicing the parents and guardians of children and young adults from age 3 years to age 18 years and those young adults from age 19 years to age 22 years who had an individualized education plan prior to their 18th birthday to provide specified services to parents and guardians of children and young adults with disabilities. The bill would require that funding for centers be allocated based upon a specified formula. The bill would require the establishment of a statewide Family Empowerment and Disability Council to provide assistance to Family Empowerment Centers on Disability, as specified.

The bill would appropriate \$2,372,000 to the State Department of Education, as specified, from federal funds received by the state from the federal Department of Education for special education capacity building, for purposes of Family Empowerment Centers on Disability.

Ch. 691 (SB 587) Soto. Health facilities: critically or terminally ill patients: transfers.

Existing law provides for the licensure and regulation of health facilities by the State Department of Health Services. A violation of these provisions is subject to criminal sanction.

This bill would require each hospital to have in effect a discharge planning policy that requires appropriate arrangements for posthospital care and a process that requires that each patient shall be informed of his or her continuing health care requirements, and would specify the implementation of certain patient discharge procedures, including a requirement that a transfer summary be provided when a patient is being transferred to a long-term health care facility.

The bill would require a hospital to advise a patient of certain rights prior to discharging the patient.

The bill would require hospitals to establish and implement a written policy to ensure that each patient receives information regarding each medication given at the time of his or her discharge.

Under existing law, one of the types of long-term health care facilities is a skilled nursing facility.

This bill would require that a skilled nursing facility shall admit a patient only upon a physician's order and only if the facility is able to provide necessary care for the patient. It would also impose other preadmission requirements upon skilled nursing facilities.

The Knox-Keene Health Care Service Plan Act of 1975 provides for the regulation and licensing of health care service plans by the Department of Managed Health Care and makes the willful violation of any of its provisions a crime. Existing law also provides for the regulation of policies of disability insurance and long-term care policies and certificates by the Insurance Commissioner.

This bill would prohibit any health care service plan contract, certain disability insurer contracts, and any long-term care policies or certificates that are issued, amended, renewed, or delivered on and after January 1, 2002, from containing a provision that prohibits or restricts any health facilities' compliance with the requirements of the bill.

Because the bill would impose additional requirements on health care service plans and health facilities, violations of which constitute a criminal offense, it would expand the scope of an existing crime, thereby creating a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 692 (SB 639) Ortiz. Alzheimer's disease and related disorders: demonstration projects.¹²

Existing law establishes a number of mental health programs administered by various state or local entities.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill, until January 1, 2003, would require the California Health and Human Services Agency to develop a strategic plan for improving access to mental health services for people with Alzheimer's disease or related dementia and to complete the plan and submit a report to the Governor and the Legislature no later than January 1, 2003.

This bill would also appropriate, without regard to fiscal years, \$85,000 from the General Fund to the agency for the purpose of implementing the bill.

Ch. 693 (SB 696) Speier. Pharmacies: prescription benefits: Medicare beneficiaries.

Existing law requires the State Department of Health Services to conduct a study of the adequacy of Medi-Cal pharmacy reimbursement rates.

This bill would require the department to report the results of the study to the Legislature by July 1, 2002.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services, including prescription benefits. Under existing law, the department pays participating pharmacists a discounted price for drugs on a Medi-Cal list of contract drugs, and obtains best price rebates from drug manufacturers.

Existing law, operative until January 1, 2003, requires Medicare beneficiaries, upon showing their Medicare card and prescription, be charged a price not to exceed the Medi-Cal reimbursement rate for prescription medicines, and an amount to cover electronic transmission charges, as a condition of a pharmacy's participation in the Medi-Cal program.

This bill would enact the Golden Bear State Pharmacy Assistance Program, participation in which would be voluntary for Medicare beneficiaries, pharmacies, and drug manufacturers.

The bill would require participating pharmacies to charge prices based on specified components, including rebates to be negotiated with drug manufacturers, and would require the department to pay pharmacies an amount based on these rebates. It would further require rebate amounts paid by the department with respect to a manufacturer's drug to also be paid by the manufacturer to the department.

The bill would require moneys received from drug manufacturers pursuant to the bill to be deposited into the Golden Bear State Pharmacy Assistance Program Rebate Fund, which would be created by the bill. The fund would be continuously appropriated to the department without regard to fiscal years for implementation of the bill.

This bill would only be implemented upon the receipt of all necessary federal approvals and if the department is able to negotiate a sufficient number of rebate agreements.

The bill would appropriate \$1,000,000 from the General Fund to the department, in the form of a loan, for startup costs for implementation of the bill.

Ch. 694 (SB 841) Alpert. Foster care: Early Start to Emancipation programs.

Existing law makes provision for the placement of certain children in foster care, and provides for child welfare services, which are public social services directed toward, among other purposes, protecting and promoting the welfare of all children, including those in foster care placement.

This bill would require the State Department of Social Services to provide technical assistance and training to help counties that elect to establish Early Start to Emancipation programs similar to a program established in the County of Los Angeles that provides services to foster youth as they transition from middle school to high school.

This bill would appropriate to the department the sum of \$125,000 for the purposes of the bill, to be allocated as prescribed.

Ch. 695 (SB 771) Figueroa. Unsolicited and unwanted telephone solicitations.

Existing law prohibits certain unfair business practices, including certain advertising practices.

This bill would require the Attorney General, not later than January 1, 2003, to maintain a "do not call" list, containing the telephone numbers and ZIP Codes of residential or wireless telephone subscribers who do not wish to receive unsolicited and unwanted telephone calls from telephone solicitors. It would prohibit, subject to certain exceptions, a telephone solicitor from calling any telephone number, beginning on or after the 31st day after the then current "do not call" list becomes available, to, among other things, seek to offer a prize, to rent, sell, exchange, promote, gift, or lease any goods or services, to offer or solicit credit, to seek certain marketing information, or to seek to sell or promote any investment, insurance, or financial services. It would also prohibit persons who sell, lease, exchange, or rent telephone solicitation lists, except for directory assistance and telephone directories sold by telephone companies, from including in their lists telephone numbers that appear on the then current "do not call" list. Fees paid in connection with the "do not call list" by subscribers and solicitors would be deposited in the Special Telephone Solicitors Fund created by the bill.

Existing law makes it a crime to violate any of the provisions governing advertising. By adding these new prohibitions to those provisions, this bill would expand the scope of an existing crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 696 (AB 870) Wesson. Public utilities: automatic calling equipment.

(1) Existing law authorizes the Public Utilities Commission to control and regulate the use of automatic dialing-announcing devices and specifies the hours during which the devices may not be operated.

This bill would prohibit, on and after July 1, 2002, any person operating specified automatic calling equipment from making a telephone connection for which no person, acting as an agent or telemarketer, is available for the person called, as prescribed. The bill would require the commission to establish, before July 1, 2002, an acceptable error rate for telephone connections made in violation of that prohibition. Because a violation of a requirement of the commission is a crime, this bill, by requiring the commission to establish the error rate, would change the definition of a crime, thereby imposing a state-mandated local program. The bill would authorize the commission to require any person operating that specified equipment to maintain prescribed records for submission to the commission.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 697 (AB 75) Steinberg. Principal Training Program.

Existing law prohibits a person from being employed as principal of a school of 6 or more certificated employees unless he or she holds a valid school administration credential and a teaching credential or a services credential with a specialization in pupil personnel, health, clinical or rehabilitative, or librarian services. Existing law includes among the minimum requirements for a preliminary services credential with specialization in administrative services completion of an entry level program of specialized and professional preparation in administrative services and current employment in an administrative position after completion of the professional preparation. Existing law includes among the minimum requirements for a professional services credential with specialization in administrative services a minimum of 2 years of successful experience in a full-time administrative position

in a public school or private school of equivalent status while holding a preliminary administrative services credential and completion of a program of advanced preparation.

This bill would establish, until July 1, 2006, the Principal Training Program to provide incentive funding to provide schoolsite administrators with instruction and training. The bill would require the State Board of Education, in consultation with the Commission on Teacher Credentialing or any other entity with specified expertise, to develop criteria for the approval of state-qualified training providers. The bill would require the State Department of Education to develop, and the State Board of Education to review and approve, interim and final reports containing prescribed information on the status of the program.

Ch. 698 (AB 160) Bates. Domestic violence: protective orders.

Existing law provides that if a defendant is charged with a domestic violence crime, the court with jurisdiction over that matter may, upon a good cause belief that harm, intimidation, or dissuasion of a victim or witness has occurred or is reasonably likely to occur, issue specified orders, including restraining or protective orders against the defendant. Existing law further provides that a restraining or protective order issued in a domestic violence criminal case has precedence over any other court order against the defendant.

This bill would state the Legislature's findings and declarations with respect to the relationship between civil and criminal restraining or protective orders. This bill would specify that the criminal restraining order or protective order has precedence in enforcement over any civil court order that pertains to the same persons. The bill would direct the Judicial Council of California to promulgate a protocol, for adoption by local courts, to provide for coordination of all orders regarding the same persons. This bill would require that the protocol include mechanisms for communication and information sharing, as specified, and permit family or juvenile court orders to coexist with criminal court orders as long as the orders protect the safety of the parties, as specified.

Existing law requires the Department of Justice to maintain a Domestic Violence Restraining Order System containing information regarding various protective and restraining orders and injunctions, including orders to protect victims of violent crime from specified types of contact with the defendant. Under existing law, when a court issues an order to protect a victim of violent crime from contact with the defendant, the court or its designee must transmit that order to law enforcement personnel within one business day. Existing law further provides that specified information regarding the order must be transmitted to the Department of Justice for inclusion in the Domestic Violence Restraining Order System.

This bill would require a court that modifies, extends, or terminates an order protecting a victim of violent crime from contact with the defendant to transmit that modification, extension, or termination to the law enforcement agency that entered the protective order into the Domestic Violence Restraining Order System. This bill would also require modifications, extensions, and terminations of orders protecting victims of violent crime from contact with the defendant to be issued on forms adopted by the Judicial Council of California and approved by the Department of Justice.

This bill would provide that its provisions shall be implemented on January 1, 2003.

This bill would incorporate additional amendments to Section 6380 of the Family Code contingent upon the prior enactment of AB 731.

By imposing new reporting duties on local law enforcement agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 699 (AB 232) John Campbell. Administration of estates and trusts.

Existing law provides that the grant or refusal to grant certain orders regarding a decedent's estate is appealable, including orders adjudicating the merits of a claim regarding the transfer or conveyance of real property of a decedent.

This bill would make that provision applicable to any final order relating to the proration of estate taxes or generation-skipping transfer taxes, as specified. The bill would also revise that provision to make it inapplicable to the orders described above.

Existing law authorizes a personal representative of an estate, and the attorney for the personal representative of the estate, to be compensated for ordinary services based on the value of the estate accounted for by the personal representative at a rate of 4% on the first \$15,000, 3% on the next \$85,000, and 2% on the next \$900,000, and as further specified.

This bill would change those specific rates to 4% on the first \$100,000, 3% on the next \$100,000, and 2% on the next \$800,000.

Existing law also specifies that regardless of the provisions in a decedent's will, a personal representative who is an attorney may receive the personal representative's compensation but cannot receive compensation for services as the attorney for the personal representative unless the court approves the right to compensation.

This bill would instead provide that a personal representative who is an attorney shall be entitled to receive the personal representative's compensation, as specified.

Ch. 700 (AB 358) Kelley. Water quality: Cathedral City.

The Porter-Cologne Water Quality Control Act authorizes a California regional water quality control board, in a water quality control plan, to specify certain areas where the discharge of waste, or certain types of waste, will not be permitted. The act authorizes a regional board, under certain circumstances, to make a determination that the discharge of waste from existing or new individual disposal systems that utilize subsurface disposal should not be permitted.

This bill would require the appropriate regional board, on and after January 1, 2012, to prohibit the discharge of wastewater into the ground through the use of individual subsurface disposal systems in the Cove area of Cathedral City in Riverside County for the purposes of protecting the health and safety of the residents consuming the groundwater of the Upper Coachella Valley Groundwater Basin. The bill would authorize the appropriate regional board, prior to January 1, 2012, to implement this prohibition. The bill would require the regional board to revise its water quality control plan to reflect this prohibition. The bill would make related findings and declarations.

Ch. 701 (AB 436) Chan. Resources and environmental protection: California Environmental Quality Act: focused environmental impact reports.

(1) The existing California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. The act authorizes the utilization of a focused environmental impact report on any subsequent project identified in a master environmental impact report, if the lead agency finds that the analysis in the master environmental impact report of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment is adequate for the subsequent project. The act also requires the lead agency to prepare a focused environmental impact report notwithstanding that the project was not mentioned in a master environmental impact report, where a project consists of not

more than 100 units or a residential and commercial or retail mixed-use development of not more than 100,000 square feet, if the project meets specified requirements.

This bill would, until January 1, 2005, authorize a focused environmental impact report to be prepared for a project in the City of Oakland that consists of multiple-family residential development, or a residential and commercial or retail mixed-use development with not more than 25% of the total floor area of the project utilized as retail space, if certain conditions are met, including a condition that the Oakland City Council vote to authorize the implementation of the bill by voting to approve the practice of preparing focused environmental impact reports in specified central business target housing areas. The bill would also exclude that vote and a related determination by the council from the definition of "project" for the purposes of CEQA. By imposing a duty on the City of Oakland to make additional determinations, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The bill would declare that, due to unique circumstances relating to the City of Oakland, a general statute cannot be made applicable.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 702 (AB 539) Maddox. Marital: liability: spousal debts.

Existing law provides that a married person is personally liable for debts incurred by the person's spouse for necessities of life, as specified, and provides that the married person's separate property may be applied to the satisfaction of these debts.

Existing law sets forth various statutes of limitations for the commencement of civil actions.

This bill would specify that an action based upon the marital liability of a deceased spouse must be commenced within a one-year period, except as specified.

Ch. 703 (AB 583) Jackson. Dissolution of marriage: community property.

Existing law requires a full and accurate disclosure of all assets and liabilities in which one or both parties have or may have an interest to be made in a proceeding for dissolution of marriage or legal separation of the parties, regardless of the characterization as community or separate, together with a disclosure of all income and expenses of the parties. Existing law provides that each party has a continuing duty to update and augment that disclosure to the extent there have been any material changes, as specified.

This bill would modify the provision regarding each party's continuing duty to update and augment his or her disclosure by providing that each party shall do so immediately, fully, and accurately upon material change. The bill would also make related, conforming changes.

Existing law requires each party, from the date of separation to the date of the distribution of the community property, to provide the other party with an accurate and complete written disclosure of any investment opportunity that presents itself after the date of separation, but that results from any investment of either spouse from the date of marriage to the date of separation, inclusive. Existing law requires that written disclosure be made in sufficient time for the other spouse to make an informed decision as to whether he or she desires to participate in the investment opportunity.

This bill would additionally require the disclosure to contain any investment opportunity, business opportunity, or income-producing opportunity that presents itself after the date of separation, but that results from any investment, business activity, or other income-producing opportunity of either spouse from the date of marriage to the date of separation, inclusive. The bill would require that the written disclosure be made in time for the other spouse to make an informed decision as to whether he or she desires to participate in the business or other potential income-producing opportunity, and for the court to resolve

any dispute regarding the right of the other spouse to participate in the opportunity. The bill would also provide that specified standards apply to all activities that affect the assets or liabilities of the other spouse, and the income or expenses of the party.

Existing law requires each party to a proceeding for dissolution or nullity of marriage or legal separation of the parties to serve on the other party, under specified circumstances, a final declaration of disclosure to be executed under penalty of perjury on a form prescribed by the Judicial Council.

This bill would revise provisions authorizing a stipulation of a mutual waiver of the requirement governing a final declaration of disclosure. The bill would require a court to set aside a judgment upon failure to comply with all disclosure requirements, and would revise the sanctions for violation of the requirements governing a preliminary or final declaration of disclosure. The bill would also make related, conforming changes. By revising the elements of perjury, this bill would alter the definition of a crime and thus impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 704 (AB 585) Nation. Public accountants.

(1) Existing law provides for the licensing and regulation of the practice of accountancy by the State Board of Accountancy in the Department of Consumer Affairs. Pursuant to existing law, the board may adopt rules and regulations to carry out and facilitate its duties. Existing law requires that an applicant for the certified public accountants' examination meet specified educational requirements and that an applicant for licensure as a certified public accountant meet certain educational and experience requirements.

This bill would revise these provisions relating to educational and experience requirements.

(2) Under existing law, a certified public accountant license candidate is required to pass a written examination. Existing law provides that a candidate who passes 2 or more subjects but fails the examination has the right to be reexamined in only the remaining subjects.

This bill would repeal this requirement on January 1, 2006, when new examination requirements, as specified, would apply.

(3) Existing law requires that an applicant for a certified public accountant license be over 18 years of age, and prohibits the board from giving a license to an applicant with a certified public accountant license from another state who is not over 18 years of age.

This bill would delete this age requirement.

(4) Existing law requires an applicant for licensure as a certified public accountant to demonstrate experience in the attest function.

This bill would require a firm to meet specified peer review requirements in order to provide attest services and would require an individual applicant to meet specified criteria to sign reports on attest engagements. The bill would require the board to adopt regulations implementing and interpreting new application, examination, education, and licensure process requirements.

(5) Existing law provides that a person holding a valid and unrevoked license from any state may practice public accountancy after submitting an application for licensure and showing proof of qualifying continuing education.

This bill would also authorize a qualified applicant to perform attest services.

This bill would make other related changes.

(6) The bill would provide that it would become operative only if SB 133 is enacted and becomes effective on or before January 1, 2002.

Ch. 705 (AB 620) Wayne. Education: high-tech high schools.

Existing law establishes various programs for enhancement of technology skills of pupils, including, but not limited to, the California Summer Science and Technology Academy, the Education Technology Grant Program Act of 1996, the Archie-Hudson and Cunneen School Technology Revenue Bond Act, the Education Technology Staff Development Program, the California Technology Assistance Project, and the Digital High School Education Technology Grant Act of 1997.

This bill would, until January 1, 2003, establish the High-Tech Schools Grant Program to provide grants to eligible school districts or charter schools for the purpose of establishing new high-tech high schools. The grant program would be administered by the Superintendent of Public Instruction, with the approval of the State Board of Education and with the assistance of an advisory board, who would be required to award grants under the program on a competitive basis. The amount of a grant under the program would be \$2,000,000 and would require a local match that is at least equal to the amount of the grant. The bill would require that all funds awarded under the program be used to establish high-tech high schools, as defined. The bill would state that funding for the purposes of the grant program would be contingent on an appropriation made in the annual Budget Act, other legislation, or both.

Ch. 706 (AB 646) Horton. Sales and use taxes: exemptions: medical supplies purchased by surgical clinics.

The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax, including an exemption for specified medical supplies purchased through a doctor's prescription, or furnished by a doctor, dentist, or podiatrist in the treatment of a patient, or furnished by a health facility for treatment prescribed by a doctor, dentist or podiatrist.

This bill would include specified clinics in the definition of a health facility described in this exemption.

This bill would incorporate changes made by AB 249 that would become operative if both bills are enacted and this bill is enacted after AB 249.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date.

Ch. 707 (AB 664) Dutra. Domestic violence programs.

Existing law provides that the Office of Criminal Justice Planning may expend funds for local domestic violence programs, subject to the availability of funds therefor.

This bill would appropriate \$2,000,000 to the Office of Criminal Justice Planning to fund programs that have previously received funds, but were not selected for funding in 2001. The bill would set forth findings.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 708 (AB 677) Steinberg. Persons with disabilities.

(1) Existing law provides that no person in the state shall be unlawfully denied the benefits of, or unlawfully subjected to discrimination under, any program or activity that is funded

directly by the state or receives any financial assistance from the state, on the basis of ethnic group identification, religion, age, sex, color, or disability, and defines the term “disability” for these purposes.

This bill instead would provide that no person in the state shall, on any of those bases, be unlawfully denied full and equal access to the benefits of, or unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state. It would also revise the definition of “disability” for these purposes.

Existing law also specifies a hearing procedure for determining violations of the above provisions, requires curtailing state funding for any contractor, grantee, or local agency found to be in violation, and makes these provisions and regulations adopted thereunder enforceable by a civil action for equitable relief.

This bill would provide that any civil action for equitable relief shall be independent of any other rights and remedies.

(2) Existing law authorizes a disabled person, any temporarily disabled person, and any disabled veteran, including those temporarily traveling in the state, to apply to the Department of Motor Vehicles for the issuance of a distinguishing placard for specified parking purposes. The placard is required to be the size and color determined by the department and to have a fixed expiration date of June 30 every 2 years. The fee for an original application, a renewal application, or the issuance of a new or substitute placard is fixed at \$6.

This bill would provide that the placard shall also be in the shape determined by the department, and would require that a portion of the placard be printed in a contrasting color that shall be changed every 2 years. It would also repeal the fees, except for a temporary placard for a person who is temporarily disabled.

Ch. 709 (AB 717) Wiggins. Information Technology Career Academy Grant Initiative.

Existing law, the Digital High School Education Technology Grant Act of 1997, establishes a program to provide high school pupils with basic computer skills including, but not limited to, Internet search and retrieval tools, so as to, among other things, improve pupil achievement in all academic subjects.

This bill would, until January 1, 2003, establish the California Information Technology Career Academy Grant Initiative to establish a partnership between the state and the National Academy Foundation and would provide grants to create up to 100 information technology career academies in public high schools.

Ch. 710 (AB 770) Nakano. Cellular telephones: vehicles: study.

(1) Existing law requires the Department of the California Highway Patrol to prepare and, on request, supply to police departments, coroners, sheriffs, and other suitable agencies or individuals, forms for accident reports required under the Vehicle Code that call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing, and the persons and vehicles involved.

This bill would require any traffic collision report prepared by a member of the Department of the California Highway Patrol or any other peace officer, to include information as to whether a cellular telephone or other driver distraction or inattention, as defined, is a known or suspected associated factor to the cause of the collision.

The bill would require this information to be collected and transmitted to the department by July 1, 2002.

The bill would require the department to study and make recommendations concerning the issue of driver distractions and inattention as they relate to associated factors to the cause of traffic collisions. The bill would require the department to develop recommendations for legislative or regulatory action to address these issues, to review and analyze a sample of

existing studies and statistics relating to the issue of driver distractions and inattention as associated factors to the cause of traffic collisions, and to report to the Legislature and Governor by December 31, 2002.

Because the bill would increase the level of services imposed on local law enforcement agencies, the bill would create a state-mandated local program.

(2) The bill would remain in effect only until January 1, 2003, and as of that date, would be repealed unless a later enacted statute deletes or extends that date.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 711 (AB 865) Hertzberg. Credit cards.

Existing law regulates credit card issuers, as specified.

This bill, operative July 1, 2002, except as otherwise specified, and applicable as specified, would require a credit card issuer to provide to the cardholder in each billing statement various statements regarding the length of time it will take, at various payment rates, to pay off the balance due on an open-end credit card account, as well as related information, and a certain table to be developed by the Department of Financial Institutions, as specified.

Ch. 712 (AB 1017) Jackson. Victims of crime.

(1) Existing law provides for the indemnification of victims and derivative victims of specified types of crimes, for certain expenses for which the victim or derivative victim has not been and will not be reimbursed from any other source. A "derivative victim" is defined for these purposes as a resident of the state who meets additional criteria, and may include parent, sibling, spouse, or child of the victim. Indemnification is made under these provisions from the Restitution Fund, which is continuously appropriated to the California Victim Compensation and Government Claims Board for these purposes.

This bill would include the grandparent or grandchild of the victim within the definition of "derivative victim" for these purposes, and would authorize, until January 1, 2007, reimbursement for outpatient mental health services to a nonresident of the United States who otherwise meets the criteria for reimbursement, as a derivative victim under these provisions. The bill would provide for the reimbursement of specified individuals for expenses incurred in an amount not to exceed \$1,000 for cleaning the scene of a crime in a residence when the victim has died as a result of the crime.

(2) Existing law authorizes the prescribed period for filing an application for crime victim assistance with the board to be extended for a period not to exceed 3 years after the date of the crime or 3 years after the victim attains 18 years of age, whichever is later, except that the board may grant an additional extension under certain circumstances, some of which apply only until January 1, 2003.

This bill would provide that the period of time prescribed for filing by or on behalf of a derivative victim shall be tolled when the board accepts the application filed by a victim of the same qualifying crime. It would extend the application of certain circumstances for extension of the filing period to January 1, 2004.

(3) Existing law provides that no reimbursement shall be made for any expense that is submitted more than 3 years after it is incurred by a victim or derivative victim.

This bill would provide that reimbursement may be made for an expense submitted more than 3 years after the date it is incurred if the victim or derivative victim has affirmed the debt

and is liable for the debt at the time the expense is submitted for reimbursement, or has paid the expense as a direct result of a crime for which a timely application has been submitted.

(4) Existing law, until January 1, 2003, includes the primary caretaker of a minor victim who was not the primary caretaker at the time of the crime within the definition of "derivative victim" for purposes of indemnification, defines "injury" to include emotional injury when sustained as a result of a crime committed in violation of specified provisions of law under certain circumstances, defines "crime" to include injury or death caused by a person in violation of specified provisions of law, and authorizes reimbursement for services provided by a person who qualifies as a psychology intern according to specified criteria. Among the criteria is a requirement that the intern is under the supervision of a licensed mental health professional, described as a psychiatrist, psychologist, or social worker.

This bill would extend the operation of these provisions until January 1, 2004, except that it would extend indefinitely the provisions authorizing reimbursement for services provided by a person who qualifies as a psychology intern. The bill would expand the description of a licensed mental health professional for purposes of intern supervision to include a marriage and family therapist. It would additionally provide for reimbursement for services provided by a person licensed as a registered nurse according to specified criteria.

(5) Existing law, until January 1, 2003, requires the board to consider certain factors with respect to a victim's age, physical condition, and psychological state, as well as any compelling health and safety concerns, in determining eligibility for indemnification as a victim of crime, and provides certain exceptions for prohibitions on indemnification.

This bill would extend the operation of these provisions until January 1, 2004.

(6) Existing law, until January 1, 2003, provides for specified conditions on the reimbursement for mental health counseling for certain derivative victims of crime.

This bill would extend the operation of these provisions to January 1, 2004.

(7) Existing law allows certain victims to apply for reimbursement for, among other things, up to \$2,000 for specified relocation expenses, including first and last month's rent, in the case of an adult victim of domestic violence, and \$5,000 or more when justified, to make a residence accessible or vehicle operational in the case of a victim disabled as a result of the crime.

This bill would provide that the victim need not be an adult to qualify for those relocation expenses, and would include a security deposit within the reimbursable expenses. The bill would delete any limit on reimbursement to make a residence or vehicle accessible or a vehicle operational for a disabled victim.

(8) This bill would make other technical, nonsubstantive changes.

(9) By providing for an expanded pool of recipients of, an extended period of time for expending, and a new use for, moneys from a continuously appropriated fund, this bill would make an appropriation.

(10) This bill would incorporate additional changes in Section 13961.01 of the Government Code proposed by AB 409, to be operative if this bill and AB 409 are both enacted and become effective on or before January 1, 2002, and this bill is enacted last. It would also incorporate additional changes in Section 13965 of the Government Code proposed by AB 1019, to be operative if this bill and AB 1019 are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 713 (AB 1129) Liu. Juvenile court proceedings.

Existing law authorizes the juvenile court to issue ex parte orders enjoining a parent, guardian, or current or former member of a dependent child's household from striking, assaulting, battering, or engaging in other specified violent behavior against the child or excluding that person from the dwelling of the person who has care, custody, and control of the child. A willful and knowing violation of an order issued pursuant to this provision is a misdemeanor.

This bill would expand that provision to enjoin any person from engaging in that behavior or exclude any person from the household. The bill would also revise that provision to authorize a juvenile court to simultaneously issue an ex parte order enjoining any person from engaging in similar behavior against the parent, guardian, or current caretaker of a dependent child regardless of whether the child resides with that parent. Because a willful and knowing violation of the order would be a misdemeanor, the bill would create a new crime, thereby imposing a state-mandated local program.

This bill would incorporate additional changes in Section 213.5 of the Welfare and Institutions Code proposed by SB 66 that would become operative only if SB 66 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 714 (AB 1241) Robert Pacheco. Community colleges: teacher preparation programs.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state.

This bill would require the Chancellor of the California Community Colleges, in consultation with the Chancellor of the California State University, the President of the University of California, the Association of Independent California Colleges and Universities, and with representatives of accredited colleges and universities in other states, to submit, on or before January 1, 2003, a written report to the Legislature on the feasibility of the development of a model teacher preparation curriculum that would be available to qualified students in each community college district, the establishment of financial incentives for community college students who wish to become teachers, the offering of community college teacher preparation courses that would provide academic credits that are fully transferable to the California State University, and the guaranteeing of the transfer of students who successfully complete the community college teacher preparation curriculum to appropriate status in teacher preparation programs of the California State University. The bill would require the Chancellor of the California Community Colleges to report on the fiscal implication of implementing any or all of the recommendations of the feasibility study, as prescribed.

Ch. 715 (AB 1277) Cardenas. Funeral directors.

Existing law, the Funeral Directors and Embalmers Law, provides for regulation of funeral directors and other licensees by the Cemetery and Funeral Bureau of the Department of Consumer Affairs. Existing law requires specified information to be included in a funeral establishment's price list, requires a consumer guide to be provided in certain situations, and prescribes penalties for violations of these and various other provisions.

This bill would require that a statement be included on a funeral establishment's price list providing that the survivor of the deceased or the responsible party is entitled to receive a copy of any preneed funeral arrangement contract paid for by or on behalf of the deceased. The bill would require the Cemetery and Funeral Bureau to develop a form containing certain information that would be required to be provided to consumers by a funeral establishment prior to the drafting of a contract for funeral services. The bill would require this form to be signed and dated by the consumer and a representative of the funeral establishment. The bill would also require a funeral establishment to provide the consumer

with a consumer guide for funeral and cemetery purchases prior to the drafting of a contract for funeral services. Because the bill would add additional requirements concerning preneed funeral arrangement contracts, the violation of which is a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 716 (AB 1609) Calderon. High school exit examination.

Existing law requires that the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop a high school exit examination in language arts and mathematics in accordance with the statewide academically rigorous content standards.

Existing law requires, commencing with the 2003–04 school year, each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school. Under existing law, a pupil may take the high school exit examination in grade 9 beginning in the 2000–01 school year.

This bill would, instead, limit pupils in grade 9 to taking the high school exit examination in the 2000–01 school year. The bill would require the State Department of Education to contract for an independent study regarding the requirement of passing the high school exit examination as a condition of receiving a diploma of graduation and a condition of graduation from high school, subject to approval by the State Board of Education regarding the scope of work and the final contract for the independent study. The bill would require that a final report based on the study be delivered to the Governor, Legislature, State Board of Education, and Superintendent of Public Instruction on or before May 1, 2003.

The bill would authorize the State Board of Education to delay, on or before August 1, 2003, the date upon which each pupil completing grade 12 is required to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.

Ch. 717 (AB 1718) Committee on Higher Education. Public postsecondary education: California State University: Governor's Teacher Scholars Program.

(1) Existing law establishes the California State University under the administration of the Trustees of the California State University. Existing law, to be repealed as of January 1, 2002, sets forth a procedure for the adoption of regulations by the trustees, and requires the trustees to follow that procedure rather than the procedure set forth in the Administrative Procedure Act.

This bill would delay the repeal of this provision until January 1, 2003.

(2) Existing provisions of the California Constitution establish the University of California as a public trust under the administration of the Regents of the University of California.

Existing law requests the Regents of the University of California to develop a teacher preparation program, known as the Governor's Teacher Scholars Program, that will include a rigorous teacher preparation program that prepares teachers to work in schools with high percentages of low-income or English language learners. Existing law requires, among other things, that a participant in this program make a commitment to teach for at least 4 years in a California public elementary or secondary school that is eligible to be designated, under a prescribed statute relating to the Assumption Program of Loans for Education, as a school that serves a large population of students from low-income families.

Existing law establishes an Assumption Program of Loans for Education, under which an applicant enrolled in a participating institution of postsecondary education, or an applicant who agrees to participate in a teacher trainee or teacher internship program, and who further

agrees to obtain a teaching credential in a subject area that is designated as a current or projected shortage area or to provide classroom instruction in a school that serves a large population of pupils from low-income families, has a high percentage of teachers holding emergency permits, or is a low-performing school, is eligible to enter into an agreement for loan assumption, to be redeemed upon becoming employed as a teacher.

This bill would require a participant in the Governor's Teacher Scholars Program to comply with the teaching requirements for participants in the Assumption Program of Loans for Education set forth in a prescribed statute.

Ch. 718 (SB 133) Figueroa. Accountants.

(1) Existing law provides for the licensing and regulation of accountants by the State Board of Accountancy in the Department of Consumer Affairs. The provisions creating the board and authorizing the board to appoint an executive officer will become inoperative on July 1, 2002, and will be repealed on January 1, 2003.

This bill would extend these dates, making the provisions inoperative on July 1, 2006, and repealing them on January 1, 2007. The bill would increase the total membership of the board and would also alter the composition of the board.

(2) Existing law authorizes the board to conduct investigations or hearings relating to any matter involving the conduct of licensees. Existing law authorizes the board to appoint an administrative committee for the purpose of obtaining technical expertise.

This bill would provide that the executive officer would determine when to engage in these activities. The bill would also revise the required composition of the administrative committee.

(3) Existing law requires that an applicant for the certified public accountants' examination meet specified educational requirements and that an applicant for licensure as a certified public accountant meet certain educational and experience requirements.

This bill would revise these provisions relating to educational and experience requirements.

(4) Under existing law, a certified public accountant license candidate is required to pass a written examination. Existing law provides that a candidate who passes 2 or more subjects but fails the examination has the right to be reexamined in only the remaining subjects.

This bill would revise the provisions relating to the examination process and examination requirements.

(5) Existing law requires that an applicant for a certified public accountant license be over 18 years of age, and prohibits the board from giving a license to an applicant with a certified public accountant license from another state who is not over 18 years of age.

This bill would delete this age requirement.

(6) Existing law requires an applicant for licensure as a certified public accountant to demonstrate experience in the attest function.

This bill would require a firm, other than a sole proprietor or a small firm, to meet specified peer review requirements in order to provide attest services and would require an individual applicant to meet specified criteria to sign reports on attest engagements. The bill would require the board to adopt regulations implementing, interpreting, and making specific these new application, examination, education, and licensure requirements.

(7) Existing law provides that a person holding a valid and unrevoked license from any state may practice public accountancy after submitting an application for licensure and showing proof of qualifying continuing education.

This bill would authorize a qualified applicant to also perform attest services.

(8) Existing law sets specified fees to be charged by the board and requires that the board maintain a reserve balance in its contingent fund equal to approximately 3 months of annual authorized expenditures.

This bill would revise the fees to be charged by the board and would require that the board maintain a reserve balance equal to approximately 6 months of annual authorized expenditures.

This bill would make other related changes.

(9) Because this bill would increase fees deposited in the Accounting Fund, a continuously appropriated fund, it would make an appropriation.

(10) The bill shall only become operative if AB 585 is enacted and becomes effective on or before January 1, 2002.

Ch. 719 (SB 158) Haynes. Attorney's fees: Riverside County.

Under law effective until January 1, 2001, in the Counties of Riverside and San Bernardino, a party to a civil action that made a settlement offer was entitled to an award of attorney's fees at the court's discretion, for services rendered after the offer was made, if the offer was rejected and the party to whom it was made failed to obtain a more favorable judgment.

This bill would reenact those provisions as to Riverside County only, to remain in effect until January 1, 2005. The bill would also require the Judicial Council and the Superior Court of Riverside County, jointly, to make specified findings of fact to assess whether the act increases the early settlement of cases, as specified, and to report their findings to the Legislature by March 1, 2004, as specified.

The bill would also declare the intent of the Legislature in this regard.

Ch. 720 (SB 168) Bowen. Personal information: confidentiality: identity theft.

(1) The Consumer Credit Reporting Agencies Act and the federal Fair Credit Reporting Act provide for the regulation of consumer credit reporting agencies, commonly known as credit bureaus, which collect credit-related information on consumers and report this information to subscribers. The Consumer Credit Reporting Agencies Act requires certain notices and disclosures to be provided to consumers with a mailing address in California, including a requirement for providing a copy of a consumer's credit file to the consumer for a reasonable fee not exceeding \$8, and a requirement to provide a toll-free telephone number for certain purposes, including the opportunity for a consumer to elect to have his or her name removed from lists supplied to creditors that are used to make firm offers of credit, as defined, that were not initiated by the consumer.

This bill would require, beginning July 1, 2002, consumer credit reporting agencies to also accept security alerts, as defined, by written request or via a toll-free telephone number, from consumers, and would allow a consumer to request a consumer credit reporting agency to impose a security freeze on release of any information from his or her file. The bill would require a consumer credit reporting agency to place a security alert in a consumer credit report within 5 business days of receiving a request to do so and to notify persons using consumer credit reports of the existence of a security alert. The bill would require that the security alert remain in effect for at least 90 days and would allow a consumer to renew it.

The bill would also require, beginning January 1, 2003, a consumer credit reporting agency to place a security freeze, as defined, on a consumer credit report within 5 business days of receiving a request to do so in writing by certified mail, and would prohibit the release of information from a consumer credit report while the freeze is in place, except as provided. Among other things, the bill would also require a consumer credit reporting agency to provide a consumer an identification number to be used for temporarily lifting a freeze upon a consumer credit report or authorizing the subsequent release of information from a consumer credit report that is subject to a security freeze. The bill would also provide that a security freeze shall remain in place until either the consumer requests to have the security freeze removed, or upon discovery by the consumer credit reporting agency that the consumer's credit report was frozen due to a material misrepresentation by the consumer. The bill would provide that it does not prevent a consumer credit reporting agency from charging

a reasonable fee to freeze, remove a freeze, or temporarily lift a freeze regarding access to a consumer credit report.

The bill would further require, beginning January 1, 2003, that, if a security freeze is in place, a consumer credit reporting agency must provide a consumer with written confirmation within 30 days after making specified changes to information in a consumer's credit report.

This bill would also exempt specified information services companies from the requirements of placing a security alert or a security freeze. The bill would additionally exempt from its requirements certain consumer credit reporting agencies that act only as resellers of consumer credit information and that do not maintain permanent consumer credit data bases from which new credit reports are produced, but would require these consumer credit reporting agencies to honor any security freeze placed on a credit report by any other consumer credit reporting agency.

The bill would also revise the written summary of rights that a consumer credit reporting agency is required to provide to a consumer to include information about security alerts and security freezes and their consequences.

(2) Existing law provides for the use of social security numbers as a means of identification in numerous applications.

This bill would prohibit any person or entity, not including a state or local agency, as of July 1, 2002, from using an individual's social security number in certain ways, including posting it publicly or requiring it for access to products or services. This bill would provide an exception to the above-described provisions for a person or entity that meets specified conditions, but would provide that an individual may prohibit the use of his or her social security number in these circumstances by making a written request and that there may be no charge for implementing this request. This bill would also provide that its provisions do not prevent the collection, use, or retention of social security numbers as required by state or federal law, or the use of social security numbers for internal verification or administrative purposes. The bill would exempt from its requirements certain records required to be open to the public pursuant to specified state laws. The bill would also provide that the prohibition on the use of social security numbers shall apply to providers of health care, health care service plans, licensed health care professionals, contractors, as defined, pursuant to delayed operative provisions.

(3) This bill would enact other related provisions.

Ch. 721 (SB 223) Burton. Drug testing.¹³

Existing law added by initiative statute provides that effective July 1, 2001, except as specified, a person convicted of a nonviolent drug possession offense shall receive probation with completion of a drug treatment program as a condition of probation. That initiative statute also provides that effective July 1, 2001, except as specified, a person's parole may not be suspended or revoked for commission of a nonviolent drug possession offense or for violating a drug-related condition of parole, but that an additional condition of parole for those offenses or violations shall be completion of a drug treatment program. Existing law creates a state fund to award counties money to implement the drug treatment requirements of the initiative statute, but prohibits money in that fund from being used to pay for the cost of drug testing.

Existing law provides that if a person who is placed on probation for a nonviolent drug possession offense or who is on parole violates a drug-related condition of probation or parole, then, for the first drug-related violation, the person's probation or parole may be revoked if the state proves that the person is a danger to the safety of others. Existing law further provides that for the 2nd drug-related violation of probation, the person's probation may be revoked if the state proves either that the person poses a danger to the safety of others or is unamenable to drug treatment. Existing law also allows for revocation of a person's probation or parole if the probation department or parole authority moves for revocation on

NOTE: Superior numbers appear as a separate section at the end of the digests.

the ground that the person is unamenable to all forms of drug treatment, and the person fails to prove that there is a drug treatment program to which he or she is amenable.

This bill would appropriate \$9,600,000 from the General Fund to be used by the State Department of Drug and Alcohol Programs to award counties grants to pay for drug testing if the counties have on file with the department an approved plan for implementing the above-mentioned initiative statute that includes a description of the process to be used for substance abuse treatment and testing consistent with specified sections of existing law. This bill would also appropriate \$8,400,000 from the Federal Substance Abuse Prevention and Treatment Block Grant to be used by the State Department of Drug and Alcohol Programs for drug testing and other purposes. This bill further states that where drug treatment is a condition of a person's probation or parole, drug testing shall be used as a drug treatment tool, and the results of any drug testing shall not be given greater weight than other aspects of the person's treatment program. This bill would also specify that for the purposes of the initiative, drug treatment must be provided by a program that is licensed or certified by the state, or by a drug treatment program operated under the direction of the Veterans Health Administration of the Department of Veterans Affairs or a program provided in a specified provision of law.

This bill would specify that the term "drug-related condition" of probation or parole include the drug treatment regimen, employment, vocational training, educational programs, and counseling. This bill would also expand the types of activities that constitute drug-related probation and parole violations in connection with revocation of probation and parole. In addition, this bill would require proof that a person is unamenable to all forms of drug treatment, and would eliminate the requirement that the person prove there is a drug treatment program to which he or she is amenable, before probation or parole can be revoked on the ground that the person is unamenable to all forms of drug treatment.

Since this bill would add provisions that supplement provisions of the above-mentioned initiative, it would amend that initiative statute and, in accordance with the requirements of that initiative statute, would require a $\frac{2}{3}$ vote for enactment by the Legislature.

This bill would provide that if it becomes effective before July 1, 2001, it will become operative on July 1, 2001.

This bill would declare that it is to take effect immediately as an urgency statute, and would authorize the Director of Alcohol and Drug Programs to (1) implement specified provisions by means of a letter to county lead agencies; and (2) adopt emergency regulations to implement those provisions, as specified.

Ch. 722 (SB 233) Alpert. Pupil testing.

(1) Existing law repeals the provisions of the Leroy Greene California Assessment of Academic Achievement Act which consists in part of the Standardized Testing and Reporting (STAR) Program on January 1, 2002.

This bill would extend the repeal date to January 1, 2005. The bill would delete obsolete provisions regarding the assessment of applied academic skills that is no longer a part of the Leroy Greene California Assessment of Academic Achievement Act.

(2) Existing law, the Standardized Testing and Reporting Program, requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, a designated achievement test and a standards-based achievement test. Existing law requires the State Board of Education to ensure that the achievement test for grades 9 to 11, inclusive, contain core curriculum areas consisting of reading, writing, mathematics, history/social science, and science.

This bill would instead require the achievement test to contain English and language arts, mathematics, and science and would also make other conforming changes. The bill would require the board to minimize the amount of testing time for content areas for which there already exists a standards-based examination, as specified.

(3) Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to provide for the development of an assessment instrument that measures the degree to which pupils are achieving the academically rigorous content standards and performance standards, to the extent standards have been adopted by the State Board of Education. Existing law requires the standards-based achievement test to include, at a minimum, a direct writing assessment once in elementary school and once in middle or junior high school and other items of applied academic skills if deemed valid and reliable.

This bill would name the standards-based achievement test the California Standards Tests and would require them to also include an assessment in history/social science in at least one elementary or middle school grade level selected by the State Board of Education and in science in at least one elementary or middle school grade level selected by the State Board of Education.

(4) Existing law requires the Superintendent of Public Instruction to prepare and submit to the Legislature, the State Board of Education, and each school district in the state an annual report containing an analysis, on a school-by-school basis, of the results and test scores of the assessment of applied academic skills and the achievement test.

This bill would delete the requirements that the report be submitted to each school district in the state and that the analysis be prepared on a school-by-school basis.

(5) Existing law established the Golden State Examination Program to administer the Golden State Examination to measure pupil achievement under statewide standards of competency in academic subjects.

This bill would instead require the examination to measure advanced pupil achievement on the academically rigorous content standards adopted by the State Board of Education and would require the examination to be administered in augmentation of standards-based achievement tests, as specified. The bill would require the State Department of Education, with approval of the State Board of Education, to contract for a study of the Golden State Examination to be completed by December 15, 2003, as specified. The bill would require a Golden State Examination to consist of some portion of the California Standards Test and additional Golden State Examination items in order to reduce testing time and in subjects for which a California Standards Test and a Golden State Examination exist.

(6) Existing law authorizes a school district to receive reimbursement for the costs of the STAR Program tests, as specified, for the 1997–98 fiscal year.

This bill would repeal this provision.

(7) This bill would, subject to the availability of funds in the annual Budget Act for this purpose, require the Superintendent of Public Instruction, upon approval of the State Board of Education, to contract for the development and distribution of a workbook to be distributed to all pupils in the 10th grade that would contain information on the proficiency levels that must be demonstrated by pupils on the high school exit examination, and separate workbooks for each of grades 2 to 11, inclusive, for each pupil in grades 2 to 11, inclusive, who is required to take the STAR Program achievement tests.

(8) Existing law requires test publishers to agree to meet certain requirements in order to be eligible for consideration to contract with the state with regard to the statewide achievement test and the standards-based achievement test. Existing law requires the costs associated with test item development to be provided as a separate amount in the written contract between test publishers and the State Department of Education and prohibits the amortization of those costs across the number of tests to be administered.

This bill would delete the provisions regarding the costs of test item development. The bill would authorize the State Department of Education, with the approval of the State Board of Education, to enter into a separate contract for the administration of any test that is part of the Leroy Greene California Assessment of Academic Achievement Act, including coordination of tests, assemblage of tests or test items, scoring, or reporting.

Ch. 723 (SB 348) Kuehl. Claims against the state: appropriation.

NOTE: Superior numbers appear as a separate section at the end of the digests.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Existing statute establishes procedures for making that reimbursement and authorizes the Legislature to suspend a mandated program by not funding it in the annual Budget Act for any fiscal year.

Existing law also requires the Controller, in the event that there are insufficient revenues to fund all of the state-mandated claims approved by the Controller, to report immediately this deficiency to the Legislature for additional appropriation, and requires that any additional appropriation include an amount necessary to reimburse any interest due to eligible claimants.

This bill would appropriate \$89,042,000 from the General Fund and the State Transportation Fund, as specified, to the Controller for the payment of claims from school districts and local agencies for reimbursement for specified state-mandated local costs.

This bill would require the Controller to allocate funds provided pursuant to a specified item of the Budget Act of 2001 according to a specified schedule.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 724 (SB 374) O'Connell. Education: categorical programs: consolidated applications.

Under existing law, school districts that participate in certain school improvement programs are required to develop and annually update a district master plan and submit that plan to the governing board of a school district for approval, in accordance with prescribed procedures. Existing law prohibits any school from participation in school-based coordinated categorical programs unless a school plan has been approved for the school. Under existing law, school districts that participate in those programs are required to ensure that for each school in a district operating categorical programs subject to those provisions, school plans and onsite program reviews are conducted at least once every 3 years, commencing in the 1984–85 school year, by independent persons not employed by the school district. Existing law requires the Superintendent of Public Instruction to adopt regulations establishing criteria for these reviews and to develop a process for State Department of Education training and validation concerning those reviews.

This bill would delete those provisions that require school districts to ensure that for each school in a district operating categorical programs, school plans and onsite program reviews are conducted at least once every 3 years by persons not employed by the school district. The bill would also delete obsolete provisions from those provisions. The bill would require the Superintendent of Public Instruction to establish the content, process, and frequency for conducting reviews of district achievement related to categorical programs. The bill would instead require that, notwithstanding any other provision of law, as a condition of receiving funding for specified categorical programs, school districts ensure that each school in a district operating those categorical programs consolidates any plans that are required by those programs into a single plan, to be known as the Single Plan for Pupil Achievement. The bill would revise and expand the list of school-based categorical programs covered by those provisions. The bill would also require that this plan be aligned with school goals for improving pupil achievement, and would prescribe related matters. The bill would require the plan to be annually reviewed and updated, as specified, by the schoolsite council, or, if the school does not have such a council, by schoolwide advisory groups that meet certain requirements. The bill would require the governing board of a participating school district to review and approve the school plan and subsequent revisions.

Ch. 725 (SB 575) O'Connell. School facilities: automatic fire detection alarm and sprinklers.

Existing law, the Leroy F. Greene School Facilities Act of 1998 (the Greene Act of 1998), requires the State Allocation Board to administer the allocation of school facilities funds for public education.

Existing law, relating to the construction of school buildings, requires the Department of General Services to pass upon and approve or reject all plans for the construction of, or if the estimated cost exceeds \$25,000, the alteration of, any school building.

This bill would, with certain exceptions relating to portable buildings, require new construction projects under the Greene Act of 1998, which require approval of the Department of General Services, to comply with prescribed automatic fire detection, alarm, and sprinkler system requirements, would require modernization projects having an estimated total cost in excess of \$200,000 to comply with the automatic fire detection and alarm system requirements, and would require inclusion of amounts necessary to cover the costs of the system. The bill would require the State Allocation Board to review the adequacy of the per pupil eligibility amounts for new construction grants and modernization funding and make any adjustments determined to be necessary by July 1, 2003.

Existing law requires every public, private, or parochial school building to be provided with a dependable and operative fire warning system and requires every person and public officer managing, controlling, or in charge of the school to sound the fire alarm signal upon the discovery of fire.

This bill would exempt these persons from this requirement if the public, private, or parochial school building is equipped with an automatic fire detection and alarm system, which for this purpose may or may not include a sprinkler system, and would repeal related provisions regarding the California uniform fire code signal.

Existing law requires the alarm to be sounded at least once every calendar month at the elementary and intermediate levels and at least twice a year at the secondary level. Existing law requires fire drills to be held at the secondary level at least twice every school year.

This bill would, instead, require that the alarm be sounded at least once every month, and would require that fire drills be conducted at the elementary level at least once every calendar month and at the intermediate and secondary level at least twice every school year.

Ch. 726 (SB 593) Alarcon. California State University: real property exchange.

Existing law establishes the California State University and provides for its administration by the Trustees of the California State University. Existing law designates 25 institutions of higher education as components of the California State University, and authorizes these institutions to provide various academic programs.

This bill would authorize the trustees to exchange a parcel of land of approximately 5 acres, known as Zelzah Court, which is part of the California State University, Northridge property, for the approximately 8.5-acre Prairie Street schoolsite, which is owned by the Los Angeles Unified School District for land, or for a combination of land and money, in accordance with prescribed criteria. The bill would provide that any funds received from the transaction authorized by the bill would be appropriated to the trustees for expenditure, without regard to fiscal year, for construction and capital development of projects that are eligible for state support, following review and approval by the Department of Finance. The bill would require that the expenditure of funds received under the bill be consistent with the master plan of the campus for which the project is proposed. The bill would also require that any funds received under the bill that are not encumbered prior to January 1, 2007, revert to the General Fund.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 727 (SB 708) Speier. Insurance.

(1) Existing law provides for regulation of the business of insurance by the Insurance Commissioner.

Existing law requires the Department of Insurance to establish a program for the mediation of disputes between insureds and insurers arising out of the 1994 Northridge earthquake. This program is authorized to continue through January 1, 2005.

This bill would extend the operation of the program until January 1, 2006, and would expand it to include disputes arising out of an event for any insured peril that involves lines of insurance for residential and automobile coverage and any other insured loss the commissioner determines would be best served by the mediation process. The bill would make other changes to the mediation program.

(2) Existing law requires the commissioner to receive, investigate, and respond to complaints and inquiries relative to the handling of insurance claims by insurers.

This bill would provide that the commissioner may not decline to investigate complaints on various grounds, including that the insured is represented by an attorney or is involved in a civil action against an insurer, or that the complaint is from an attorney.

(3) Existing law sets forth various other duties and responsibilities of the commissioner and the department.

This bill would require the department to make public a letter or legal opinion signed by the commissioner or the department's chief counsel that was prepared in response to an inquiry from an insured or other person or entity and that discusses the application of the Insurance Code or regulations promulgated by the commissioner. The bill would define the term "extraordinary circumstances" for the purpose of the department determining noncompliance with the insurance laws and regulations and determining appropriate penalties. The bill would impose limitations on the authority of the department to enter into settlement agreements referencing the existence of extraordinary circumstances for a period of more than 6 months. The bill would also require the department to adopt regulations relative to the training and accreditation of insurance adjusters in the evaluation of earthquake damage.

Ch. 728 (SB 724) Committee on Business and Professions. Businesses.

(1) Existing law requires that specified information relating to claims against a physician and surgeon for acts of professional negligence or for the unauthorized rendering of professional services be reported to the Medical Board of California.

This bill would require these reports to include the name and license number of the physician and surgeon against whom the claim was made.

(2) Existing law, the Dental Practice Act, establishes an examining committee within the Dental Board of California and makes it responsible, among other matters, for assisting the board in the examination of applicants for licensure by the board.

This bill would delete these provisions and would require the board to use persons who are licensed under the act and who meet other specified criteria in the administration of its licensure examination.

(3) Existing law provides, generally, for the licensure of chiropractors and other health care practitioners.

This bill would extend to chiropractors provisions applicable to other health care practitioners authorizing a regulatory board to request an administrative law judge who finds a licentiate found to have violated the licensing act to pay a sum not to exceed the costs of investigation and enforcement of the case and would extend to chiropractors provisions making it a misdemeanor to offer or accept a rebate, commission, discount, or other consideration for the referral of patients, thereby imposing a state-mandated local program by expanding the definition of a crime. The bill would also extend to chiropractors and certain other health care practitioners provisions authorizing the establishment, by regulation, of a system for the issuance of citations to licentiates containing an order of abatement or payment of an administrative fine.

(4) The Dental Practice Act and the Medical Practice Act include certain provisions operative until January 1, 2002, relating to the administration of general anesthesia by a physician and surgeon to patients in the office of a dentist licensed by the board.

This bill would extend the inoperative date with respect to these provisions to January 1, 2007.

(5) The Medical Practice Act prohibits a physician and surgeon from practicing without a certificate issued by the Medical Board of California and establishes criteria for the issuance of this certificate, including evidence of the completion of specified preprofessional education courses. The act exempts, under specified conditions, a graduate of an approved medical school and a graduate of a foreign medical school from this certificate requirement while participating in postgraduate training.

This bill would delete the postsecondary education criteria as a requirement for issuance of a certificate and would terminate the exemption afforded a graduate during postgraduate training if his or her application for a certificate is denied by the board's Division of Licensing.

(6) Existing law, which provides for biennial renewal fees for certificates to practice podiatric medicine, expires January 1, 2002.

This bill would extend that expiration date to January 1, 2004.

(7) Existing law, the Occupational Therapy Practice Act, sets forth the requirements for licensure as an occupational therapist and for certification by the Hand Therapy Certification Commission of a therapist providing hand therapy services.

This bill would delay until January 1, 2003, the ability of an occupational therapist to satisfy the experience requirement for this certification by performing hand therapy services under the supervision of an occupational or physical therapist who is certified by the commission.

(8) Existing law specifies the course requirements for continuing education of speech-language pathologists and audiologists.

This bill would revise those course requirements.

(9) Existing law, the Speech-Language Pathologists and Audiologists Licensure Act, creates, until July 1, 2002, the Speech-Language Pathology and Audiology Board.

This bill would extend this board to July 1, 2004.

(10) Existing law provides for the licensure of vocational nurses and psychiatric technicians by the Board of Vocational Nursing and Psychiatric Technicians of the State of California and authorizes the board to reinstate, under specified conditions, a license that it has suspended or revoked.

This bill would specify the time when a petition for reinstatement is required to be filed and would provide certain processes for the conduct of these proceedings.

(11) The Pharmacy Law provides for the regulation and licensing of pharmacists and various other persons and entities by the California State Board of Pharmacy and makes it a misdemeanor for a wholesaler or any other person to permit the dispensing of prescriptions except by a pharmacist or exemptee.

This bill would authorize a pharmacy to repackage, at the patient's request, a drug that was previously dispensed to the patient and would revise, for purposes of the Pharmacy Law, the definition of "manufacturer;" and the board's authority to issue a temporary permit to conduct a pharmacy. This bill would also provide that it is a misdemeanor for a wholesaler or any other person to permit the furnishing of dangerous drugs or dangerous devices except by a pharmacist or exemptee. In that regard, the bill would change the definition of a crime, thereby imposing a state-mandated local program. The bill would also make other clarifying changes.

(12) Existing law makes it a misdemeanor for any person other than a pharmacist to compound or dispense any dangerous drug or device, or to compound or dispense a prescription, with certain exceptions.

This bill would revise the latter exemption with respect to veterinary food-animal drugs, would limit the insurance or renewal of licenses for veterinary food-animal drug retailers and wholesalers of dangerous drugs or devices, would revise provisions for the issuance of a retired license to a pharmacist, and would expand the investigative authority of the California State Board of Pharmacy regarding unprofessional conduct. The bill would impose a state-mandated local program by expanding the definition of a crime. The bill would also

incorporate changes to Section 4115 of the Business and Professions Code proposed by AB 536 contingent upon its prior enactment.

(13) Existing law requires persons engaged in the practice of marriage, family, and child counseling to be licensed by the Board of Behavioral Sciences. Under existing law, an applicant for this licensure is required to achieve a passing score on an examination and to possess a doctoral or master's degree in one of several designated subjects, including social work. Existing law requires an intern, defined as a person who has earned a master's or doctoral degree but is not yet licensed, to register with the board and renew this registration annually. Under existing law, the board is authorized to assess various fees in connection with its licensure activities that are deposited into the Behavioral Sciences Fund, which is continuously appropriated.

This bill would delete social work from the type of degrees that satisfy this particular educational requirement for licensure and would limit eligibility for oral examination. The bill would also require an intern to pay a fee of \$75 upon his or her registration renewal. Because the bill would increase the amount of revenue paid into a continuously appropriated fund, it would make an appropriation.

(14) Existing law provides for the renewal of registration as an unlicensed marriage, family, and child counselor.

This bill would revise the requirements for renewal of registration, including the payment of a renewal fee; and would prohibit renewal or reinstatement after 6 years from initial issuance.

(15) Existing law precludes licensure as a licensed educational psychologist for persons convicted or registered for specified sex crimes.

This bill would revise that limitation, and further limit eligibility for licensure based upon oral examination.

(16) Existing law provides for the licensure and registration by the Board of Behavioral Sciences of persons engaged in the practice of clinical social work. Under existing law, an applicant for this license is required to meet specified professional experience and educational requirements and to achieve a passing score on a professional licensure examination. Existing law also authorizes the board to take disciplinary action against a licensee for unprofessional conduct and makes the violation of any provision regulating the licensure or practice of a clinical social worker a crime.

This bill would limit eligibility for oral examination and would require an applicant for licensure to furnish evidence that he or she has completed training or coursework in the subjects of human sexuality and child abuse assessment and reporting. The bill would also specify the professional experience requirements for licensure with respect to persons registered with the board on and after January 1, 2002. The bill would additionally make sexual relations between the licensee and a former client, unprofessional conduct, subject to disciplinary action by the board and would prohibit the board from issuing a license to an applicant subject to criminal registration laws. Because the bill would specify additional acts as unprofessional conduct, the commission of which would be a criminal offense, it would expand the scope of an existing crime, thereby imposing a state-mandated local program.

(17) Existing law, the Architects Practice Act, provides that architects may plan the sites and designs of buildings and structures, and that professional services include the compliance with applicable codes and regulations, the governmental review process and contract administration.

This bill would provide that the use of the words "certify" or "certification" by a licensed architect would constitute a professional opinion regarding the facts that are the subject of the certification and would not be considered a warranty or guarantee.

(18) Existing law, the Contractors' State License Law, authorizes the Contractors' State License Board to conduct all functions and duties relating to the licensing, regulation, and discipline of licensees and makes certain acts a crime, including using an incorrect contractor's license number with the intent to defraud. The registrar is the executive officer

who carries out the board's administrative duties and tasks delegated by the board and is authorized to issue a citation for a violation of specified provisions that may result in the assessment of a civil penalty. Existing law specifies when the board will conduct its meetings, what activities contractors may perform, and the criminal penalties that exist if a licensed or unlicensed person intentionally uses a contractor's license number that does not belong to him or her. Existing law provides how much time the registrar has to collect civil penalties from nonlicensee citations, provides licensing requirements for fictitious name usage, provides timeframes for filing claims against a licensee's cash deposit, sets requirements regarding the licensing examination process, and addresses misrepresentation and fraud concerning license application and renewal. Existing law requires that these civil penalties and other fees that are collected be deposited in the Contractors' License Fund which is continuously appropriated for purposes of the Contractors' State License Law.

This bill would authorize the board to meet once each quarter, allow contractors to deal with underground storage tanks, allow the registrar to issue citations to unlicensed individuals and unregistered salespersons the registrar believes violated the Contractors' State License Law and to persons who use an incorrect contractor's license number to defraud others, and would also authorize the registrar to use collection agencies to collect civil penalties. The civil penalties assessed and collected pursuant to this bill would be deposited in the Contractor's License Fund which is continuously appropriated. Therefore, the bill would make an appropriation.

This bill would also provide that a licensee could only conduct business under one name per license, extend the time in which a claim could be made against a licensee's cash deposit to 3 years after the expiration of the license, revise the licensing examination procedures, and expand the grounds for disciplinary action during the license application and renewal process concerning misrepresentations or omissions made on the application or renewal form.

(19) Existing law does not allow the use of a fictitious business name that includes the words or abbreviations "Company," "Limited," "Co.," or "Ltd." if a business is not a limited liability company.

This bill would allow the use of a fictitious business name that includes the words or abbreviations "Company," "Limited," "Co.," or "Ltd." if that use does not imply that the business is a limited liability company.

Existing law requires that a fictitious business name statement contain the name or names of the person or persons doing business, the name of the business, and when the business began operating under the fictitious name. The form must be signed by the applicant or applicants and filed with the county clerk where the business is located.

This bill would require the applicant or applicants to declare that the information in the fictitious business name statement is true and correct. Since the filing of a false statement would constitute a crime, the bill would impose a state-mandated local program.

Existing law requires the publication of a refiled fictitious business name statement when the prior statement has expired unless there are no changes in the information in the statement.

This bill would provide that the exception from republication of a fictitious business name statement applies only if the statement is refiled within 40 days of the expiration date of the previous statement. The bill would also eliminate an exception from publication of a statement of withdrawal from a partnership operating under a fictitious business name.

(20) Existing law requires that county clerks issue permanent identification cards with a photograph to each process server and register professional photocopyers.

This bill would require each county clerk to issue temporary identification cards, valid for 120 days, to applicants while waiting for background checks from the Federal Bureau of Investigation and the Department of Justice. By requiring county clerks to issue temporary identification cards, the bill would impose a state-mandated local program. The bill would correct an erroneous section reference in a provision regulating the fee payable in connection

with the filing of an application with a county clerk for registration as a professional photocopier.

(21) Existing law requires that a provider of tax preparer education meet standards and procedures approved by the California Tax Education Council or the Bureau for Private Postsecondary and Vocational Education.

This bill would delete the bureau from these provisions and would require the council to include 2 tax preparers in its membership.

(22) Existing law regulates the retail sale of home medical devices.

This bill would revise the definition of home medical devices, the retail sale of which requires licensure by the State Department of Health Services, would revise the application of licensure for warehouses owned by retail facilities, would expand the list of home medical devices that may be sold by pharmacies and pharmacists, and would revise the requirements applicable to the storage of home medical devices by retail facilities.

(23) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 729 (SB 985) Kuehl. Real property.

(1) Existing law provides for the renewal and termination of a hiring of real property for an unspecified term.

This bill would set forth separate provisions governing the renewal and termination of a hiring of residential real property in the Cities of Los Angeles, Santa Monica, and West Hollywood, effective until January 1, 2005, as specified.

(2) Existing law sets forth the Costa-Hawkins Rental Housing Act, as specified, authorizing owners of residential real property to establish the initial and all subsequent rental rates for certain dwellings or units.

This bill would exempt specified condominium units from these provisions.

(3) Existing law requires any owner of a dwelling structure containing one or more units offered to the public for rent or residential lease to disclose the name and street address at which personal service may be effected of each manager and each owner of the premises.

This bill would additionally require the disclosure of the telephone number of those persons, the name, telephone number, and address of the person or entity to whom rent payments shall be made, and the form or forms in which rent payments are to be made. The bill would require the owner to provide a copy of the rental agreement or lease to the tenant within 15 days of its execution by the tenant and, once each calendar year thereafter, within 15 days of a request by the tenant.

The bill would also provide that if the address provided by the owner does not allow for personal delivery, then it shall be conclusively presumed that upon the mailing of any rent or notice to the owner by the tenant to the name and address provided, the notice or rent is deemed received by the owner on the date posted, if the tenant can show proof of mailing to the name and address provided by the owner.

(4) Existing law defines unlawful detainer to include circumstances in which a tenant continues in possession of the property without permission of the landlord after default in the payment of rent and 3 days' written notice requiring payment or possession of the property has been served on the tenant. The notice must state the amount that is due.

This bill would also require that notice to include the name, telephone number, and address of the person to whom the rent shall be made, or other specified information; and would also provide that if the address provided by the owner does not allow for personal delivery, then it shall be conclusively presumed that upon the mailing of any rent or notice to the owner by the tenant to the name and address provided, the notice or rent is deemed received by the owner on the date posted, if the tenant can show proof of mailing to the name and address provided by the owner.

The bill would also specifically refer to the payment of rent by an electronic funds transfer procedure.

Ch. 730 (SB 1080) Bowen. Medical care providers: gynecological cancers.

Existing law requires medical care providers, as defined, to give to each patient during an annual gynecological examination a standardized written summary describing symptoms and appropriate methods of diagnoses of gynecological cancers.

This bill would require that the standardized summary be in layperson's language, explaining the symptoms and appropriate methods of diagnoses for gynecological cancers in a language understood by the patient. The bill would make a physician and surgeon subject to citation and an administrative fine upon the 2nd and subsequent complaints of his or her failure to provide the patient with this summary. The bill would require that these fines be credited to the Contingent Fund of the Medical Board of California to be used to provide information to women about gynecological cancers, but would specify that the expenditure of these funds is contingent upon an appropriation by the Legislature.

Ch. 731 (SB 1090) Bowen. Privacy: video providers.

Existing law prohibits, with prescribed exceptions, a person who owns, controls, operates, or manages a cable television corporation or leases channels on a cable system from using electronic devices to observe, listen to, record, or monitor events or conversations inside a subscriber's residence, workplace, or place of business without the subscriber's written consent. Existing law also prohibits that person from providing any other person with individually identifiable information, as specified, regarding any subscriber.

This bill would make the above provisions applicable to a person who owns, controls, operates, or manages a satellite television corporation or leases channels on a satellite system. The bill would also provide exceptions to the meaning of the term "individually identifiable information." Since a violation of these provisions is, among other things, a crime, the bill would impose a state-mandated local program by expanding the definition of a crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 732 (AB 489) Migden. Loans secured by real property.

Existing law provides for regulation of banks and savings associations by the Department of Financial Institutions. Existing law provides for regulation of real estate brokers by the Department of Real Estate. Existing law provides for regulation of finance lenders and residential mortgage lenders by the Department of Corporations. Existing law provides that willful violations of provisions governing savings associations, real estate brokers, and residential mortgage lenders are crimes.

This bill would impose various requirements on consumer loans secured by specified real property, defined as "covered loans." The bill would prohibit various acts in making covered loans, including the following: failing to consider the financial ability of a borrower to repay the loan, financing specified types of credit insurance into a consumer loan transaction, recommending or encouraging a consumer to default on an existing consumer loan in order to solicit or make a covered loan that refinances the consumer loan, and making a covered

loan without providing the consumer a specified disclosure. The bill would provide that a violation of its provisions would be subject to a civil penalty.

Ch. 733 (AB 344) Migden. Loans secured by real property.

Existing law provides for regulation of banks and savings associations by the Department of Financial Institutions. Existing law provides for regulation of real estate brokers by the Department of Real Estate. Existing law provides for regulation of finance lenders and residential mortgage lenders by the Department of Corporations. Existing law provides that willful violations of provisions governing savings associations, real estate brokers, and residential mortgage lenders are crimes.

AB 489 of the 2001–02 Regular Session would impose various requirements on consumer loans secured by specified real property, defined as “covered loans.” This bill would make various changes to the provisions of AB 489 that apply to a covered loan for which an application is made on or after July 1, 2002.

Ch. 734 (AB 804) Committee on Education. Education.

(1) Existing law establishes the Child Care Facilities Revolving Fund in the State Treasury to provide funding for the renovation, repair, or improvement of an existing building to make the building suitable for licensure for child care and development services and for the purchase of new relocatable child care facilities for lease to school districts and contracting agencies who provide child care and development services. Existing law requires the Superintendent of Public Instruction to submit a plan to the Office of the Secretary for Education, the Department of Finance, and the Legislative Analyst specifying the application procedures to request funding, allowable uses of the funds, and the form of agreement to be used.

This bill would recast provisions authorizing use of this funding for renovation, repair, or improvement of an existing building, and would specify that school districts and county offices of education that operate a California School Age Families Education Program are eligible to apply for and receive funding from the fund. The bill would delete the requirement that the Superintendent of Public Instruction submit a plan.

(2) Under existing law, the Child Care and Employment Act establishes a child care fund in each local service delivery area to provide child care services for the children of parents in the service delivery area’s job training and placement programs.

This bill would repeal the act.

(3) Existing law establishes a 3-year pilot project on infant home care for the purposes of developing and evaluating a model program for the recruitment, training, and monitoring of a network of infant care providers.

This bill would repeal the pilot project.

(4) Existing law authorizes local educational agencies to submit proposals to the Superintendent of Public Instruction to fund activities that will increase the percentage of pupils at qualifying high schools that meet the requirements for admission to the California State University or the University of California. Existing law requires the Superintendent of Public Instruction to recommend, and the State Board of Education to approve, a plan for the comprehensive evaluation of programs authorized pursuant to the grant program. Existing law requires the superintendent to complete the evaluation and submit it to the board by July 1, 2003, and the board to submit the final evaluation and report to the Legislature by December 31, 2003. Existing law requires the act to become inoperative on July 1, 2004, and repealed as of January 1, 2005.

This bill would extend the dates of submission for those reports for one year and extend the inoperative and repeal dates of the act for one year.

(5) Existing law requires a school district applying for funding under the Leroy F. Greene School Facilities Act of 1998 to establish a restricted account within the school district’s general fund for the exclusive purpose of providing funds for ongoing and major

maintenance of school buildings and requires that a school district deposit into the account in each fiscal year for 20 years after receiving funds under the act, a minimum amount equal to 3% of the district's general fund budget for that fiscal year.

This bill would require the minimum amount to be equal to 3% of the applicant of the district's total general fund expenditures, including other financing uses, for the fiscal year and would allow a school district that serves as the administrative unit for a special education local plan area exclude from its total general fund expenditures, for purposes of calculating the minimum amount to deposit in the restricted account, the distribution of revenues that are passed through to participating members of the special education local plan area.

(6) Existing law requires the State Allocation Board to apportion funds from the State School Deferred Maintenance Fund to school districts based on local one-to-one match up to a maximum amount based in part on the district's total expenditures and certain ending fund balances, excluding amounts expended for capital outlay or debt service.

This bill would allow a school district that serves as the administrative unit for a special education local plan area to also exclude revenues that are passed through to participating members of the special education local plan area from its total expenditures for purposes of calculating the maximum amount of funds that may be apportioned to it from the State School Deferred Maintenance Fund.

(7) Existing law requires the State Teachers Retirement Board to offer a midcareer retirement information program for the benefit of all members.

This bill would require the board to provide active and retired members with notice pertaining to time constraints and requirements for passing the state basic skills proficiency tests if an individual wants to return to the classroom after 39 months.

(8) Under existing law, the Carl Washington School Safety and Violence Prevention Act states 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. Existing law requires the Superintendent of Public Instruction to provide funds to school districts serving the specified pupils.

This bill would make the act applicable to public schools and school districts serving pupils in any of grades 8 to 12, inclusive.

(9) Existing law creates the Cesar Chavez Day of Service and Learning program and authorizes the California Commission on Improving Life Through Service to make grants to local and state operated Americorps or Conservation Corps programs that submit proposals to engage pupils through their schools and school districts in community service that qualifies as instructional time on Cesar Chavez Day and that honors the life and work of Cesar Chavez.

This bill would authorize the grants to be made based on proposals selected through a competitive process and would include National Senior Service Corps and Learn and Serve with the Americorps and Conservation Corps as programs that may submit proposals for grants.

(10) Existing law requires the Superintendent of Public Instruction to determine the statewide average percentage of school district expenditures that are allocated to the salaries of administrative personnel, teachers, and district superintendents and to submit a copy of this information annually to the Legislature, the Governor, the Department of Finance, and the office of the Legislative Analyst.

This bill would delete the requirement regarding submission of the information to the Legislature, the Governor, the Department of Finance, and the office of the Legislative Analyst.

(11) Existing law establishes a program to award grants to school districts and teachers as incentives for teachers who are assigned to teach to attain certification from the National Board for Professional Teaching Standards.

This bill would define "assigned to teach" for this purpose.

(12) Existing law sets forth a method for calculating the average daily attendance of school districts that sponsor charter schools to take into account the attendance of charter school pupils.

This bill would allow for an increase in a school district's average daily attendance when a school within the district becomes a charter school for one year and then returns to being a noncharter school the following year.

(13) Existing law requires the State Department of Education to develop an evaluation design for the high-risk youth education and public safety program that will assess the effectiveness of program implementation and operation and to report to the Legislature by March 1, 2002.

This bill would require an interim report by March 1, 2002, and a final report by May 1, 2004.

(14) Existing law subjects a minor who is a truant to certain sanctions including being classified as a habitual truant upon the minor's 4th truancy within the same school year.

This bill would also authorize a minor who is a truant to be required to attend make up classes conducted on one day of a weekend and would classify the minor as a habitual truant upon his or her 3rd, rather than 4th, truancy within the same school year.

(15) Existing law requires the adopted course of study for grades 7 to 12, inclusive, to include algebra as part of the mathematics area of study. Existing law requires, commencing with the 2003–04 school year, the mathematics requirement for graduation to be met by a course or courses that meet or exceed the State Board of Education adopted content standards for Algebra I. Existing law deems the mathematics requirement for graduation to be satisfied if at any time in any of grades 7 to 12, inclusive, a pupil completes coursework that meets or exceeds adopted content standards for Algebra I in less than 2 courses. Existing law states the intent of the Legislature that any modification of coursework required by these provisions be incorporated into the other coursework that the governing board of a school district may by rule specify as required for high school graduation.

This bill would apply towards satisfaction of the mathematics requirement for graduation coursework a pupil completes at any time in any of grades 7 to 12, inclusive, that meets or exceeds adopted content standards for Algebra I. The bill would state the intent of the Legislature that any modification of coursework required by these provisions be incorporated instead into the 2 courses of mathematics required for graduation.

(16) Existing law requires the State Department of Education to establish the California Technology Assistance Project to administer a regionalized network of technical assistance to schools and school districts on the implementation of education technology. Existing law repeals this and related provisions on January 1, 2004.

This bill would extend the repeal date to January 1, 2005.

(17) Existing law establishes the American Indian Early Childhood Education Program and requires the State Department of Education to prepare a request for proposal to contract for an independent evaluation for the program to be performed on or before December 31, 2000, and repeal these provisions on December 31, 2001.

This bill would instead require the evaluation to be performed on or before December 31, 2001, and would extend the repeal date to January 1, 2004.

(18) Existing law establishes the California School Age Families Education program (Cal-SAFE) to provide state funding and assistance to school districts or county superintendents of schools for the purpose of establishing comprehensive, continuous, community linked, school-based programs that focus on youth development, and dropout prevention for pregnant and parenting pupils and child care and development services for their children, if prescribed conditions are met.

This bill would permit applicant agencies that are not in full compliance to submit a timeline and corrective action and be granted, on a case-by-case basis, for an extension until no later than June 30, 2002, of waivers from implementation of prescribed requirements.

(19) Existing law defines “referral for assessment” for the purposes of special education and related services to be a request for assessment made by a parent, teacher, or other service provider.

This bill would include within that definition a request by a foster parent, and would set forth the rights of a foster parent in that regard.

(20) Existing law establishes the Intensive Algebra Instruction Academies Program.

This bill would renumber the provisions governing that program.

(21) Existing law provides for the development of a master contract with alternative nonpublic, nonsectarian schools or agencies that provide alternative special education services to districts, special education local plan areas, county offices, and parents. Existing law requires the nonpublic, nonsectarian schools or agencies to file an application for certification with the Superintendent of Public Instruction between January 1 and June 30.

This bill would allow applications to be filed all year.

(22) Existing law requires the governing board of a school district maintaining one or more high schools to adopt textbooks for use in the high schools and authorizes only textbooks of publishers who comply with certain requirements to be adopted.

This bill would require the adoption of instructional materials, defined to include textbooks and other materials that are designed for use by pupils and their teachers as a learning resource, and would authorize only the instructional materials of publishers who comply with certain requirements to be adopted.

(23) Existing law authorizes the governing board of any school district to establish a retiree benefit fund for specified purposes.

This bill would instead authorize the board to establish a pension plan and other employee benefits fund for those same purposes.

(24) Existing law requires a publisher or manufacturer of instructional materials to comply with specified requirements for materials offered for adoption or sale in the state, including the right of the state to transcribe, reproduce, and distribute the material for deaf pupils and pupils with visual disabilities.

This bill would also require a publisher or manufacturer to provide the state with the right to modify the materials for pupils with other disabilities that prevent the use of standard instructional materials. The bill would also require a publisher or manufacturer to provide computer files or other electronic versions of the materials to the state within 30 days of adoption and require the state to request those materials as needed for specified purposes.

(25) Existing law establishes the State Instructional Materials Fund in the State Treasury as a means of annually funding the acquisition of instructional materials. Existing law requires the State Board of Education to encumber part of the fund to pay for accessible instructional materials to accommodate pupils with visual disabilities.

This bill would instead require the state board to encumber the fund to pay for those materials to accommodate pupils who are visually impaired or who have disabilities and are unable to access the general curriculum.

(26) Existing law requires the Superintendent of Public Instruction to maintain a central clearinghouse-depository and duplication center for accessible versions of instructional materials and assistive devices and materials for visually impaired pupils.

This bill would also require that the depository and duplication center maintain accessible versions of instructional materials for pupils with other disabilities. The bill would also require that assistive devices in the depository to consist of items designed for use by pupils with visual impairments.

(27) Existing law establishes the Governor’s Scholars Program under which a pupil may receive a scholarship for attaining a score on the reading and mathematics portions of the nationally normed statewide achievement test that places the pupil in the top 5% of test takers in his or her grade level statewide or in the top 10% of test takers in his or her grade level in the comprehensive public high school attended by the pupil. In order for a pupil to be eligible for a scholarship under the Governor’s Scholars Program, the pupil is required, among other

things, to attend a California public school for at least one continuous year prior to the administration of the statewide achievement test upon which the award is based.

This bill would instead require the pupil to have been enrolled at a California public school for at least 12 consecutive months immediately preceding the administration of that test, would provide that a pupil attending any California public school is eligible for the 5% award, would include the California Schools for the Deaf and the California School for the Blind as "comprehensive high schools," and would require that pupils attending these state schools who met the criteria for an award for tests taken in 2000 be given an award.

(28) Existing law establishes the Governor's Distinguished Mathematics and Science Scholars Program, under which a pupil may receive a scholarship for demonstrating specified high academic achievement in mathematics and the sciences, and requires that a pupil, among other things, earn an award under the Governor's Scholars Program to be eligible.

This bill would provide that test scores that are required to be attained for the award of a scholarship under the Governor's Distinguished Mathematics and Science Program, but that are attained before the award of a scholarship under the Governor's Scholars Program, may be used to satisfy the requirements of the Governor's Distinguished Mathematics and Science Program even if the scores were earned before January 1, 2000, but would prohibit a pupil from claiming an award under the Governor's Distinguished Mathematics and Science Program until the pupil has earned an award under the Governor's Scholars Program.

(29) Existing law requires a school district that has a qualified or negative certification regarding its ability to meet its financial obligations to allow the county office of education at least 6 working days to review and comment on any proposed agreement made between the exclusive representative of the employees of the school district and the public school employer.

This bill would impose a similar requirement on a county office of education that has a qualified or negative certification except that the Superintendent of Public Instruction would review and comment on the proposed agreement.

(30) Existing law prohibits a state or local government agency, in connection with competitive bidding for a public building or construction contract, from requiring a bidder to obtain a surety bond or insurance in connection with the project from a particular surety or insurance company, agent, or broker, and authorizes use of owner-controlled or wrap-up insurance on a construction or renovation program for which the total cost exceeds \$50,000,000 if the agency meets certain conditions and certifies that it has made certain determinations. Existing law exempts a construction or renovation project undertaken by a school district from these provisions.

This bill would also exempt a community college district.

(31) Existing law authorizes a joint powers authority to issue bonds 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. Existing law authorizes school districts, among others, to sell, assign, pledge, or otherwise transfer to a joint powers authority 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.

Under existing law, a school district that participates in a joint powers authority using this financing mechanism is required to report an amount equal to 100% of the school district's allocable share of the taxes levied for the fiscal year on its behalf and requires 100% of the school district's allocable share of the delinquent taxes levied for the fiscal year, whether or not the delinquent taxes are ever collected, to be paid by the joint powers authority to the

county auditor and distributed to the school district by the county auditor in the same time and manner otherwise specified for the distribution of tax revenues generally to school districts pursuant to current law.

This bill would adjust the amounts to be reported by school districts participating in a joint powers authority and the amounts to be paid by the joint powers authority to the county auditor for distribution to school districts.

(32) Existing law authorizes the California Debt Limitation Allocation Committee to establish the Extra Credit Teacher Home Purchase Program to provide federal mortgage credit certificates and reduced interest rate loans to eligible teachers, principals, vice principals, and assistant principals who agree to teach or provide administration in a low-performing school and defines a low-performing school.

This bill would revise the definition of low-performing schools.

(33) Existing law requires that certain funds appropriated in the Budget Act of 2001 be used solely for the purposes of activities associated with ensuring that the High School Exit Examination and standards-based achievement test are aligned to the state-adopted academic standards.

This bill would allow those funds to also be used for the purpose of additional psychometric and contracting support for those tests thereby making an appropriation.

(34) Existing law makes available certain funds for the purpose of matching Workforce Investment Act funds and requires the Superintendent of Public Instruction to allocate those funds according to specified priorities.

This bill would instead make those funds available for allocation to support CalWORKs participants who are eligible for youth services in the federal Workforce Investment Act thereby making an appropriation.

(35) Existing law appropriates certain funds for allocation to school districts, county offices of education, and charter schools on the basis of average daily attendance and average daily enrollment in preschool and child care programs operated on schoolsites and requires the average daily enrollment of children served in preschool and child care development programs to be determined by dividing an agency's total number of child days of enrollment in these programs by 180 days.

This bill would instead require an agency's total number of child days of enrollment to be divided by 175 for a preschool program, 246 days for a general or migrant child care program, or 160 days for a schoolage community child care program. The bill would also define schoolsite for these purposes.

(36) Existing law appropriates the sum of \$15,761,000 from the General Fund to the Superintendent of Public Instruction in accordance with a specified schedule, including \$62,000 to the Hilmar Unified School District for street access at Hilmar High School.

The bill would reappropriate the funds for the purposes of street access at Hilmar Middle School to the extent that funding remains available.

(37) Existing law established the Class Size Reduction Program and provides for state apportionments to implement a class size reduction program for kindergarten and grades 1 to 3, inclusive.

This bill would, notwithstanding other provisions of law, set the total apportionment for class size reduction for the Compton Unified School District at \$9,695,028 for the 1999–2000 fiscal year.

(38) Existing law appropriated \$350,000,000 for allocation on a one-time basis to school districts, county offices of education, and charter schools for the Academic Performance Index Schoolsite Employees Performance Bonus with 50% of the funds to be used to provide one-time bonuses, to employees and the other 50% to be used at the discretion of the schoolsite for any one-time purpose.

This bill would require that school agency administrative costs and salary-driven benefit costs to be paid from funds appropriated for the schoolsite portion of the funds.

(39) Existing law defines the arts, for purposes of the Summer School for the Arts, as including drama and includes drama as an instructional related activity in the California State University system. Existing law includes references in various provisions to music, drama, art, and the fine arts.

This bill would refer to theatre instead of drama and to the visual and performing arts and would include dance, music, theatre, and visual arts in the visual and performing arts.

(40) This bill would make technical and clarifying changes and update cross-references in other provisions of the Education Code.

(41) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 735 (AB 819) Jackson. School safety.

Existing law establishes the School Safety and Violence Prevention Act (Act), a statewide program administered by the Superintendent of Public Instruction, pursuant to which funds are allocated to school districts for purposes that include, but are not limited to, providing conflict resolution personnel, providing on-campus communication devices, establishing staff training programs, and establishing cooperative arrangements with law enforcement agencies.

This bill would state the intent of the Legislature that schoolsites receiving funds pursuant to the Act provide age-appropriate instruction in domestic violence prevention, dating violence prevention, and interpersonal violence prevention.

This bill would incorporate additional changes in Section 32228 of the Education Code, proposed by AB 804, to be operative only if AB 804 and this bill are both chaptered and become effective on or before January 1, 2001, and this bill is chaptered last.

Ch. 736 (AB 306) Frommer. Special education.¹⁴

(1) Existing law requires braille instruction to be provided by a teacher credentialed to teach pupils who are functionally blind. Existing related regulations authorize holders of certain credentials to teach children with disabilities in a special day class in which the primary disability is visual impairment including blindness.

This bill would authorize a school district, special education local plan area, or county office of education to reinforce braille instruction using a braille instructional aide who meets certain criteria and is under the supervision of a teacher who holds an appropriate credential, as determined by the Commission on Teacher Credentialing, to teach pupils who are functionally blind or visually impaired.

(2) Existing law provides for the adoption and selection of quality instructional materials for use in elementary and secondary schools, and imposes requirements upon publishers and manufacturers, including, but not limited to, the requirement that they provide to the state, at no cost, the right to transcribe, reproduce, and distribute the material in braille, large print, recordings, or other accessible media for use by pupils with visual disabilities, including computer diskette versions of print materials if made available to any other state, and those corrections and revisions as may be necessary.

This bill would delete the provision that requires a publisher or manufacturer to provide computer diskette versions of print material if made available to any other state, and instead, would require computer files or electronic versions of each state-adopted literary title to be provided within 30 days of request by the state, and computer files or other electronic versions of nonliterary titles, including science and math, to be provided when technology is available to convert those materials.

This bill would appropriate \$227,000 for allocation to at least 15 community college districts throughout the state to enable each district to offer at least one additional course to train individuals in braille instruction. The funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Ch. 737 (AB 466) Strom-Martin. Mathematics and Reading Professional Development Program. ¹⁵

Existing law requests the Regents of the University of California to jointly develop with the Trustees of the California State University and the independent colleges and universities, the California Professional Development Institutes that provide training to teachers in various subject matters taught in the elementary and secondary schools.

This bill would require the instruction provided through the professional development institutes to acquaint teachers with the value in the diagnostic nature of standardized tests. The bill would require that priority for the selection of teachers to participate in the professional development institutes be accorded first to teachers who have not participated in a professional development institute in reading or mathematics; second priority would be accorded to teachers who have participated in a professional development institute in reading or mathematics but who have not yet received supplemental training in the specified areas; and third priority would be accorded to teachers who have participated in a professional development institute in reading or mathematics and have received supplemental training in the specified areas.

This bill would establish, until July 1, 2005, the Mathematics and Reading Professional Development Program, to be administered by the Superintendent of Public Instruction with the approval of the State Board of Education under which a local education agency, as defined, would receive incentive funding to provide training in mathematics and reading to teachers and also to provide training to instructional aides and paraprofessionals, as defined, who directly assist with classroom instruction in mathematics and reading, through professional development programs conducted by institutions of higher education or an approved provider of training. The bill would authorize a school or county office of education that participates in the program to claim staff development funding, as prescribed. The bill would authorize, subject to the concurrence of the State Board of Education, the University of California to serve teachers in prekindergarten through grade 12 in participating school districts with programs in reading or mathematics, as specified. This bill would appropriate \$1,200,000 from the General Fund to the State Department of Education for purposes of the Mathematics and Reading Professional Development Program with half the funds available for expenditure in each of the 2001–02 and 2002–03 fiscal years.

Ch. 738 (AB 637) Lowenthal. Redevelopment.

(1) The existing Community Redevelopment Law requires redevelopment agencies to use not less than 20% of taxes allocated to the agency for low- and moderate-income housing, as specified. That law prescribes how these funds may be used. New or substantially rehabilitated housing units developed or otherwise assisted with moneys from the existing Low and Moderate Income Housing Fund are required to remain available for prescribed periods of time.

This bill would require this housing to be occupied by persons and families of very low, low, or moderate income. The bill would also extend the time periods for the housing units to be available to and occupied by persons and families of low or moderate income and very low income households. The bill would prohibit funds from the Low and Moderate Income Housing Fund from being used to the extent that other reasonable means of private or commercial financing the new or substantially rehabilitated units at the same level of affordability and quantity are reasonably available to the agency or to the owner of the units.

(2) Existing law contains findings and declarations that it is the policy of each redevelopment agency to expend over the duration of the redevelopment plan, the moneys in the Low and Moderate Income Housing Fund to assist housing for persons of low and very low income.

This bill would require these moneys to be expended over the duration of the redevelopment implementation plan, as prescribed. The bill would also require, whenever all or a portion of a redevelopment project is developed with very low, low-, or

moderate-income housing units developed with agency assistance or pursuant to the requirements described in (3) below, that the redevelopment agency require that this housing be made available for rent or purchase by low- or moderate-income persons or families displaced by the housing project. The bill would require the implementation plan to contain additional information, as prescribed, relating to the expenditure of Low and Moderate Income Housing Fund.

(3) The Community Redevelopment Law, until January 1, 2002, requires that when dwelling units housing persons and families of low or moderate income are destroyed or removed from the housing market as part of a redevelopment project, an equal number of replacement units shall be rehabilitated, developed, or constructed, as specified. That law sets forth numerous duties of the redevelopment agency with respect to these replacement units, including the responsibilities of the agency regarding long-term affordability standards, and contains alternate provisions, to become effective on January 1, 2002, relating to low- and moderate-income replacement units that do not expressly provide for certain options available under the provisions in effect until January 1, 2002, including acquiring housing outside the project area under certain conditions, aggregating new or substantially rehabilitated dwelling units in one or more project areas, acquiring certain long-term affordability covenants, and permitting certain sales of owner-occupied low- and moderate-income units.

This bill would, among other things, incorporate within those provisions that are to become operative on January 1, 2002, the provisions that are to be repealed on January 1, 2002. It would also revise the definition of substantially rehabilitated dwelling units and the provisions relating to affordability covenants for purposes of these provisions, effective January 1, 2002, and would further revise those provisions on January 1, 2006, as specified.

(4) This bill would incorporate additional changes in Section 33334.2 of the Health and Safety Code proposed by AB 637, AB 661, and SB 459, to be operative if this bill and one or more of the other bills are enacted and become effective on or before January 1, 2002, and this bill is enacted last.

This bill also would incorporate additional changes in Section 33413 of the Health and Safety Code proposed by SB 211, to be operative if SB 211 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 739 (AB 1707) Committee on Transportation. Transportation.

(1) Existing law provides that state highway routes embracing portions of certain designated state highway routes are known and designated as "El Camino Real."

This bill would revise the designated portions of state highway routes included in the description of "El Camino Real."

(2) Existing law requires a course provider of a mature driver improvement course to report certain information concerning course participants to the Department of Motor Vehicles.

This bill would delete that requirement and make other related changes.

(3) Existing law requires every owner of a traffic violator school to keep a record at the school's primary business location showing certain information, including the name and address of each person given instruction.

This bill would require the record of the address of each person given instruction to only be used by the school for administrative purposes and would make a technical change in this provision and in a related provision. Because a violation of the Vehicle Code is a crime under existing law, the bill would create a state-mandated local program by creating a new crime.

(4) Existing law authorizes a manufacturer, remanufacturer, distributor, or dealer owning or lawfully possessing any vehicle of a type otherwise required to be registered to operate or move the vehicle on the highways without registering the vehicle on the condition that the vehicle displays one of certain specialized license plates.

This bill would also authorize operation or movement of the vehicle under similar circumstances for a period not to exceed 7 days by a person test-driving the vehicle in conjunction with a sale or lease from a dealer.

(5) Existing law requires a person involved in a motor vehicle accident to report the accident to the Department of Motor Vehicles within 10 days of the accident. The department is required to suspend the driver's license of a person who does not report an accident as required.

This bill would provide that the department is not required to file an accident report if none of the parties involved in an accident has reported the accident within one year of its occurrence. The bill would also provide that the license suspension provisions do not apply under these circumstances.

(6) Existing law provides that a towed vehicle may be equipped with an exterior mounted pilot lamp meeting certain requirements.

This bill would instead refer to an exterior mounted indicator lamp and would revise the applicable requirements.

(7) Existing law prohibits a vehicle from being equipped with any lamp or illuminating device that is not required or permitted by the provisions of existing law that pertain to lighting equipment on vehicles.

This bill would authorize a motor vehicle to be equipped with one or 2 rear-facing auxiliary lamps, subject to specified mounting and operation requirements.

(8) Existing law declares the Legislature's intent, commencing July 1, 1991, to allocate \$10,000,000 annually for 10 years to the Environmental Enhancement and Mitigation Demonstration Program Fund to be used for making grants to local, state, and federal agencies and nonprofit entities that undertake projects to mitigate transportation facilities. Existing law requires the Department of Transportation to extend the completion date to June 30, 2002, for specified Environmental Enhancement and Mitigation (EEM) projects.

This bill would require the department to extend the completion date to June 30, 2004, for a specified EEM project for the Tahoe City Public Utility District.

(9) This bill would make other clarifying changes and correct obsolete cross-references.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(11) This bill provides that any section of any act enacted by the Legislature during the 2001 calendar year that takes effect on or before January 1, 2002, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, added, or repealed by this bill, shall prevail over this bill, whether that act is enacted prior to, or subsequent to, the enactment of this bill.

Ch. 740 (SB 108) Speier. Organ and tissue donor registry.

Existing law contains provisions known as the Uniform Anatomical Gift Act and related provisions that require the Department of Motor Vehicles to provide forms and other information relating to the act.

This bill would enact the Organ and Tissue Donor Registry Act of 2001, which would establish under the Uniform Anatomical Gift Act an Organ and Tissue Donor Registry in the California Health and Human Services Agency, and would instead require the Department of Motor Vehicles to provide information and a standardized form containing specified information, to be completed by driver's license and identification card applicants who desire to be organ donors.

This bill would also authorize the department to receive voluntary contributions to be deposited in the Organ and Tissue Donor Registry Fund created by the bill. This bill would make the fund subject to appropriation by the Legislature.

Implementation of certain provisions of this bill are contingent on the Director of Finance determining that sufficient moneys are available for that implementation.

Ch. 741 (SB 211) Torlakson. Redevelopment: indebtedness.

The existing Community Redevelopment Law authorizes the legislative body of a community to adopt an ordinance declaring that there is no further need for a redevelopment agency under prescribed conditions. It also prohibits a redevelopment agency from acting pursuant to a redevelopment plan after a specified time limit on the effectiveness of the plan, except to pay previously incurred indebtedness.

This bill would prohibit the adoption of an ordinance declaring that there is no further need for an agency if the agency has excess surplus funds or has not completed specified obligations. It would authorize a redevelopment agency that adopted a redevelopment plan on or before December 31, 1993, to amend that plan in accordance with specified procedures to extend its effectiveness to pay indebtedness and receive tax increment revenues with respect to the plan for not more than 10 years if specified requirements are met, including the issuance of a letter by the Department of Housing and Community Development confirming that the agency has not accumulated an excess surplus in its Low and Moderate Income Housing Fund. The bill would authorize an affected taxing entity, the Department of Finance, or the Department of Housing and Community Development to request the Attorney General to participate in the amendment process. It also would authorize the Attorney General to bring a civil action to determine the validity of an adopted amendment.

This bill would, on or after January 1, 2002, allow those redevelopment plans to be amended by adoption of an ordinance to eliminate the time limit on the establishment of loans, advances, and indebtedness required prior to January 1, 2002, without being required to comply with any other provision of law relating to the amendment of redevelopment plans.

This bill, among other things, would prescribe additional requirements that a redevelopment agency would have to meet prior to the time limit on the effectiveness of a redevelopment plan, including requiring a percentage of new and substantially rehabilitated dwelling units to be available at affordable housing cost to persons and families of low or moderate income prior to the time limit on the effectiveness of the plan, as specified.

The bill would prohibit the Redevelopment Agency of the City of Oakland from receiving specified property tax revenue upon the extension of a specified plan amendment.

The bill would incorporate additional changes in Section 33413 of the Health and Safety Code proposed by AB 637, to be operative if AB 637 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 742 (SB 613) Alarcon. Medi-Cal: notifications to managed care plans.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services.

This bill would require the department to notify a Medi-Cal managed care plan of the date of the annual redetermination of a Medi-Cal beneficiary, who is in a disabled aid category and whose redetermination is the responsibility of the department.

Ch. 743 (SB 891) Escutia. New Economics for Women.¹⁶

Existing law establishes the Multifamily Housing Program, administered by the Department of Housing and Community Development, to provide assistance in the form of deferred payment loans for, among other things, the costs of developing dwelling units, transitional housing, and child care, and after school care and social service facilities integrally linked to assisted dwelling units that are affordable to lower income households.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would appropriate \$250,000 from the General Fund to the Department of Parks and Recreation for allocation as a grant to the governing board of New Economics for Women to provide for the capital outlay needs of the La Posada Housing Project.

Ch. 744 (SB 1182) Committee on Revenue and Taxation. Property taxation.

Existing property tax law provides for supplemental and escape assessments to be made on property outside the regular assessment period, provides for certain notices of those assessments to be given to assesses, and specifies that applications for reduction of those assessments are required to be filed within certain time periods.

This bill would, among other things, specifically apply to the County of Los Angeles notice requirements regarding supplemental and escape assessments that currently apply to counties that have opted to require the filing of an application for reduction in an assessment, made outside the normal assessment period, within 60 days of the date of the relevant tax bill. This bill would also revise and recast provisions specifying the time periods for the filing of an application for reduction in an assessment, to specify separate requirements for (1) the County of Los Angeles and opting counties, and (2) other counties in the state. By imposing new notice duties upon local officials in the County of Los Angeles, this bill would impose a state-mandated local program.

This bill would also make clarifying, or technical, nonsubstantive changes to other provisions of property tax law.

Existing law provides that the annual vehicle license fee is 2% of the market value. Existing law also provides for a substitute methodology for computing the annual vehicle license fee that would only become operative if either of 2 specified contingencies occurred. Neither of these 2 contingencies occurred.

This bill would repeal these inoperative provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 745 (SB 1191) Speier. State and local reporting requirements.

Existing law requires or requests various state and local agencies to prepare and submit reports to the Governor, the Legislature, or other state entities.

This bill would revise or delete certain reporting requirements for state and local agencies, and delete obsolete references.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 746 (AB 31) Reyes. Central Valley Infrastructure Grant Program.¹⁷

Existing law sets forth the duties of the Department of Housing and Community Development with respect to various community development programs in the state.

This bill would establish until January 1, 2007, the Central Valley Infrastructure Grant Program in the Department of Housing and Community Development for the purpose of providing grants, beginning September 1, 2001, for qualifying projects to rural small cities in the Counties of Fresno, Kings, Kern, Tulare, Madera, Merced, Stanislaus, and San Joaquin.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 747 (AB 705) Steinberg. Dependent children: siblings.

(1) Existing law authorizes a social worker to take a minor into custody in various specified situations, including where there is reasonable cause for believing that the minor is a person who may come within the jurisdiction of the juvenile court on the basis of abuse or neglect. A child who is within the jurisdiction of the juvenile court may be adjudged a dependent child of the court.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Under certain conditions, a dependent child of the court may be placed for adoption. If a dependent child of the court is ordered placed for adoption, the court may include in the final adoption order provisions for the adoptive parent or parents to facilitate postadoptive sibling contact.

This bill would require a social worker who takes a minor into custody, to the extent that it is practical and appropriate, to place the minor together with any siblings or half-siblings who are also detained, or include in a specified report prepared for the initial petition hearing a statement of the social worker's continuing efforts to place the siblings together or why those efforts are not appropriate. By placing additional duties on local employees, the bill would impose a state-mandated local program.

(2) Existing law provides for status review hearings for minors who have been adjudged dependent children of the juvenile court. At least 10 days prior to the hearing, the social worker is required to file a supplemental report and his or her recommendation regarding disposition and to provide the parent or legal guardian with a copy of the report, including the recommendation. If the child is removed from the physical custody of his or her parent or legal guardian, the social worker is required to provide a summary of his or her recommendations for disposition to the counsel for the child.

This bill would revise those provisions to require the social worker to provide the child's counsel with a copy of the report, including the recommendations at least 10 days prior to the hearing.

By imposing additional duties on local employees, the bill would impose a state-mandated local program.

(3) Existing law authorizes a court to terminate parental rights under certain conditions unless the court finds a compelling reason for determining that termination would be detrimental to the child due to one of certain, enumerated circumstances.

This bill would revise the list of circumstances to include substantial interference with a sibling relationship.

(4) Existing law authorizes a court, in the adoption proceedings of a dependent child, to include provisions for postadoptive sibling contact in the final adoption order. Under existing law, if a juvenile court orders a permanent plan of adoption, the court retains jurisdiction over the child until the child is adopted.

This bill would provide that upon granting the adoption petition and issuing the adoption order, the court's jurisdiction over the child with respect to dependency proceedings would terminate, however the court would maintain jurisdiction over the child for purposes of enforcing the postadoption contact agreement.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 748 (AB 715) Wayne. Oil spill prevention and response: ballast water.

(1) The existing Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup, and to represent the state in any coordinated response efforts with the federal government. Existing law sets forth the duties of the administrator, including the implementation of periodic announced and unannounced drills to test response and cleanup operations, equipment, contingency plans, and procedures. Existing law requires state and local entities, operators of marine facilities, and

the operators of all vessels located in marine waters to cooperate with the administrator in carrying out these drills.

Existing law requires the administrator to adopt and implement regulations and guidelines governing the adequacy of oil spill contingency plans, and requires each operator of a vessel or a marine facility to prepare and implement an oil spill contingency plan applicable to the vessel or marine facility.

Existing law provides for interim marine facility and vessel oil spill contingency plans, which are required to be prepared on or before July 31, 1991.

The act also prohibits the operation of a nontank vessel, as defined, of 300 gross registered tons or greater in the marine waters of the state unless the owner or operator prepares and submits an oil spill contingency plan to the administrator for oil spill response.

This bill would generally revise and recast those provisions and would define the terms "environmentally sensitive area," "nontank vessel," "oil spill response organization" (OSRO), "dedicated response resources," "reasonable worst case spill," "tank barge," and "tank ship." The bill would also revise other definitions for purposes of the act. The bill would require the administrator to establish performance standards, by June 30, 2002, that each operator and rated OSRO are required to meet during unannounced drills carried out by the administrator and would require the operator to be responsible for the costs that it incurs while carrying out those drills.

The bill would repeal the provisions requiring interim contingency plans and would revise the requirements for preparing and implementing oil spill contingency plans, including requiring the plan to identify at least one OSRO rated by the administrator to implement the plan.

The bill would specify procedures and requirements for the rating of an OSRO by the administrator, including requirements for specified equipment and unannounced drills to test the resources and response of the OSRO. The bill would also require the administrator to adopt regulations to implement the OSRO rating provisions and would require the administrator to review each rating every 3 years, as specified. The bill would authorize the administrator to charge a fee to process an OSRO rating application or renewal. The bill would require an owner or operator to comply with the applicable oil spill contingency plan approved by the administrator if there is an oil spill.

(2) Existing law requires the administrator to establish harbor safety committees for specified harbors.

The bill would authorize a harbor safety committee to petition the administrator for the appointment of additional members.

(3) Existing law specifies certain ballast water management practices and imposes administrative civil penalties upon persons who violate those requirements. The administrator is authorized to impose administrative civil penalties for such a violation.

The bill would authorize the administrator, after the time for review of a violation of the oil spill prevention and response act or the provisions regulating ballast water control has expired, to apply to the clerk of the appropriate court for a judgment to collect the administrative civil liability pursuant to a specified procedure.

(4) Existing law imposes specified criminal fines and penalties, including imprisonment in the county jail for not more than one year, upon any person convicted of continuing operations for which a contingency plan is required or knowingly failing to follow the material provisions of the applicable contingency plan.

Because a violation of the contingency plan requirements is a crime under existing law, the bill would impose a state-mandated local program.

(5) Existing law establishes the State Interagency Oil Spill Committee and specifies its membership. Existing law also provides for a review subcommittee in that committee.

The bill would include the Chairperson of the San Francisco Bay Conservation and Development Commission as a member of the committee, with specified limited voting and decisionmaking authority, and would include the executive director of that commission as

a member of the review subcommittee, with specified limited voting and decisionmaking authority.

(6) The bill would also make conforming changes and delete obsolete provisions.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 749 (AB 961) Steinberg. Low-performing schools. ¹⁸

(1) Existing law requires the governing board of a school district to develop jointly with parents and guardians, and to adopt, a policy that outlines how parents or guardians of pupils, school staff, and pupils may share the responsibility for continuing the intellectual, physical, emotional, and social development and well-being of pupils at each schoolsite.

This bill would, consistent with federal law, require a school that participates in the High Priority Schools Grant Program for Low Performing Schools established by this bill and that maintains kindergarten or any of grades 1 to 5, inclusive, to jointly develop with parents or guardians for all children enrolled at that schoolsite a school-parent compact.

(2) Existing law establishes various programs designed to improve the academic achievement of pupils, including, among others, the Public Schools Accountability Act of 1999 which contains the Immediate Intervention/Underperforming Schools Program (IIUSP) and requires the Superintendent of Public Instruction to develop an Academic Performance Index (API) to measure the performance of schools. Existing law requires a school district that participates in the IIUSP to contract with an external evaluator to assist the school in the development of its school action plan.

This bill would add to the duties of the external evaluator the provision of technical assistance to the participating school and would, as an alternative to contracting with the external evaluator, allow a school district to contract with entities with proven expertise specific to the challenges inherent in low-performing schools. The bill would authorize a school selected on or after September 2001 to participate in the IIUSP to use an existing plan instead of the required action plan, as specified.

The bill would provide an alternative to the existing sanctions to which a school is subject if it does not meet its API growth target and fails to show significant growth.

This bill would establish the High Priority Schools Grant Program for Low Performing Schools within the Public Schools Accountability Act of 1999. The bill would require the Superintendent of Public Instruction to invite schools ranked in the 5 lowest deciles of the API to participate in the IIUSP and the High Priority Schools Grant Program for Low Performing Schools. Priority for participation would be given to schools ranked in the lowest deciles, as specified. Participation in the IIUSP would be required in order to receive funding under the program established by the bill. The bill would require a school to develop and submit an action plan containing specified components. The bill would require a school district to report certain information annually to the Superintendent of Public Instruction regarding a participating school's progress toward achieving specified goals.

The bill would, 24 months after receipt of funding, subject a participating school that has not met its growth targets each year to review by the State Board of Education. After a specified number of months of plan implementation, schools that do not meet their API growth targets and that fail to show significant growth would be subject to the sanctions existing under the IIUSP and the alternative sanctions established by this bill. A school participating in the High Priority Schools Grant Program for Low Performing Schools that meets or exceeds its API growth target would continue to receive funding under this program for a 4th year, as specified.

This bill would appropriate \$3,000,000 from the General Fund to the State Department of Education to provide training, as specified, and for costs associated with the administration and oversight of the High Priority Schools Grant Program for Low

NOTE: Superior numbers appear as a separate section at the end of the digests.

Performing Schools and would authorize those funds to be expended to fund up to 18 positions in the department. The bill would reduce by \$3,000,000 the appropriation made in the Budget Act of 2001 for purposes of low-performing schools.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 750 (AB 1107) Leach. State Department of Education: reports.

(1) Existing law requires a school district to submit, on or before June 1, 1998, a written report to the Legislature or the State Board of Education on the amount of state funds that the school district has expended or diverted, as of January 1, 1996, from bilingual education programs for the purpose of recognition of, or instruction in, any dialect, idiom, or language derived from English and requires a school district to restore those funds to its bilingual program before January 1, 1999.

This bill would delete these requirements.

(2) Existing law requires the State Department of Education and the Board of Governors of the California Community Colleges to submit to the Legislature an annual descriptive report containing information on career technical education and technical training programs, including regional occupational centers and programs, an annual individual program evaluation derived from a representative sample of participating districts and schools containing information on program effectiveness, and a copy of the annual state plan for career technical education.

This bill would make specified changes to the information required to be included in the report and program evaluation.

(3) Existing law requires that each state preschool program contracting agency report annually to the Superintendent of Public Instruction the numbers of 3- and 4-year old children enrolled in its state preschool programs and requires the superintendent to annually transmit this information to the Legislature and the Governor.

This bill would delete these requirements.

(4) Existing law requires the Superintendent of Public Instruction, on or before November 30, 2000, to submit a plan to the Office of the Secretary for Education, the Department of Finance, and the Legislative Analyst's Office specifying the application procedures to request funding from the Child Care Facilities Revolving Fund for the renovation, repair, or improvement of an existing building, as specified.

This bill would delete this provision.

(5) Existing law requires the Superintendent of Public Instruction, on December 15, 1980, and every 3rd year thereafter, to submit to the Joint Legislative Budget Committee a report documenting the performance of child care and development programs and containing prescribed information.

This bill would delete this provision.

(6) Existing law requires county welfare departments and alternative payment programs to provide to the State Department of Education or the State Department of Social Services, whichever is appropriate, and the local child care planning council, on a monthly basis, data about child care usage and demand in each of the 3 stages of child care provided under the CalWORKs program.

This bill would additionally require each county welfare department to provide to the State Department of Social Services, on a monthly basis, data regarding child care usage and demand in stage 1 of child care services under the CalWORKs program.

(7) Existing law requires the State Department of Education to collect data from participants in the Local Arts Education Partnership Program and to submit a written report on the program's progress to the Joint Committee on the Arts no later than December 31, 1996.

This bill would delete these requirements.

(8) Existing law requires the State Department of Education to monitor the performance of the Department of Toxic Substances Control in meeting specified timeframes relating to

the environmental assessment of proposed schoolsites and to report its findings to the Department of General Services and the Department of Finance on a quarterly basis. Existing law requires the State Department of Education also to report, to the Department of General Services and the Department of Finance every 6 months for a period of 2 years, the amount of fees or other charges of any state agency review paid by school districts pursuant to provisions governing the acquisition and disposal of schoolsites and any concerns about those fees or charges.

This bill would delete these requirements.

(9) Existing law requires the Superintendent of Public Instruction to contract for an ongoing independent evaluation of the effectiveness of school violence reduction programs funded by grants pursuant to the Carl Washington School Safety and Violence Prevention Act and to submit on or before June 1, 1998, to the Legislature an interim progress report and on or before October 1, 1999, a final evaluation report.

This bill would delete these requirements.

(10) Existing law requires the State Department of Education to report, on June 30, 1979, and each year thereafter, to the Joint Legislative Audit Committee on the actions taken by the department to eliminate audit exceptions and comply with management improvement recommendations.

This bill would make that annual report due on October 1.

(11) Existing law requires the Superintendent of Public Instruction to prepare an annual report on ratios of administrative school district employees to other school district employees and to transmit a copy of this report to the Legislature and to any agency or individual who requests it.

This bill would delete these requirements.

(12) Existing law authorizes a school district or school, individually or jointly with another school district or school, to provide a comprehensive program in first aid or cardiopulmonary resuscitation (CPR) training, or both, to pupils and employees and requires each school district or school that develops a program to report to the Assembly Education Committee on or before January 1, 1997, as to the success of the program and any concerns raised in the program and containing information regarding how many school staff and pupils have participated in this training as well as the ratio of cardiopulmonary resuscitation or first aid trained staff to the total pupil enrollment on a per school basis.

This bill would delete the reporting requirement.

(13) Existing law requires the State Department of Education to prepare and distribute to school districts and county offices of education guidelines for incorporating in-service training in gang violence and drug and alcohol abuse prevention for teachers, counselors, athletic directors, school board members, and other educational personnel into the staff development plans of all school districts and county offices of education. Existing law requires the department to report annually to the Legislative Analyst and the fiscal, education, and appropriate select committees of each house of the Legislature, on the status of gang violence and drug and alcohol abuse prevention in-service training programs provided by school districts and county offices of education.

This bill would delete the reporting requirement.

(14) Existing law requires the Superintendent of Public Instruction to monitor the implementation of impacted language programs and to submit an annual report to the Legislature on the number of pupils served by each impacted language group and grade level.

This bill would delete those provisions.

(15) Existing law requires the Superintendent of Public Instruction to develop for submission to the Legislature and the Governor an annual evaluation of bilingual needs and programs within the state.

This bill would delete this requirement.

(16) Existing law requires the Superintendent of Public Instruction to report to the Governor and the respective fiscal policy committees of the Assembly and the Senate on the implementation of the immigrant workforce preparation program.

This bill would delete this requirement.

(17) Existing law requires the Superintendent of Public Instruction to contract for a 4-year independent review of the effectiveness of the newly funded California Partnership Academies and requires preliminary results to be reported after the 1994–95 fiscal year and a final evaluation to be performed after the 1996–97 fiscal year. Existing law requires these reports to be made to the Legislature by January 1 following their completion.

This bill would delete those requirements.

(18) Existing law requires the governing board of a school district receiving a grant pursuant to the single gender academies pilot program to provide a detailed report of the relative success of the single gender academy to the Superintendent of Public Instruction, Department of Finance, office of the Legislative Analyst, Joint Legislative Budget Committee, Senate Committee on Education, and to the Assembly Committee on Education on or before January 1, 2000.

This bill would delete the reporting requirement.

(19) Existing law requires the State Department of Education to create an evaluation design for the Student Academic Partnership Program and requires school districts that receive grants under that program to use this evaluation design to assess the effectiveness of their programs. Existing law requires these school districts to transmit their assessments to the department and requires the department to develop a report to be submitted to the Legislature on or before March 1, 1999.

This bill would delete these requirements.

(20) Existing law requires certain persons convicted of offenses relating to controlled substances to pay a drug program fee that is deposited into the drug program fund maintained by the county treasurer. Existing law requires that a minimum of 33% of the moneys in the fund be allocated to primary prevention programs in the schools and community and requires that county superintendents of schools use 5% of those funds to conduct an annual evaluation that is submitted to the State Department of Education which in turn writes and submits a report to the Legislature and the Governor.

This bill would delete the evaluation requirement.

(21) Existing law requires the State Department of Education to award and administer grants for projects directed at the prevention of tobacco use among schoolage children and to report to the Legislature on local school district expenditures and services statewide.

This bill would delete the reporting requirement.

(22) Existing law, the Budget Acts of 1991 and 1992, require the State Department of Education to pay a minimum of \$500,000 to contract for a longitudinal evaluation to assess the effectiveness of local drug and alcohol abuse education prevention programs, state the intent of the Legislature that the evaluation be conducted for a minimum of 3 years, and require the department to annually submit findings of the evaluation to the Legislature.

This bill would delete the requirement that the department use those funds to contract for the evaluation, the statement of legislative intent, and the requirement regarding annual submission of the findings of the evaluation.

(23) Existing law requires the State Department of Education to review the adult education program commencing in 2002 and every 5 years thereafter and to submit a report of its findings to the chairs of the appropriate policy and fiscal committees of the Legislature, the Director of Finance, and the Legislative Analyst.

This bill would delete these requirements.

Ch. 751 (AB 1205) Ashburn. Valley fever.

Existing law establishes the Valley Fever Vaccine Project, administered by the State Department of Health Services, and provides for state support and funding of efforts by the project to conduct valley fever vaccine research.

This bill would appropriate \$500,000 from the General Fund to the department for the 2001–02 fiscal year, for purposes of extending the project.

Existing law authorizes the department to contract on a sole source basis with a nonprofit organization that has provided funding for vaccine research on valley fever and requires the organization to distribute research grants to support research efforts that are likely to advance the effort to develop a vaccine.

This bill would exempt these contracts from review by the Department of General Services.

This bill would incorporate additional changes in Section 120480 of the Health and Safety Code proposed by SB 1191, that would become operative only if SB 1191 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 752 (AB 1382) Liu. Space industry development.

Existing law provides for the California Space and Technology Alliance and the California Space Flight Competitive Grant Program administered by the alliance, and the Highway to Space Competitive Grant Program administered by the Western Commercial Space Center under the Highway to Space Program. Applications for grants under these programs are evaluated according to specified criteria by an impartial review panel established by the respective entity, and grants are awarded based on these evaluations by the Secretary of Technology, Trade, and Commerce. Both the alliance and the center may establish an advisory committee to provide input and recommendations on the respective programs and other space-flight related issues.

This bill would delete these provisions and instead, subject to the availability of funds appropriated for that purpose, require the Technology, Trade, and Commerce Agency to implement a space industry development program. The agency would be required to contract with a nonprofit corporation to assist in its administration of these activities, according to specified criteria. The corporation would be required to issue solicitations for the California Space Industry Competitive Grant Program established by the bill, and evaluate grant proposals with the assistance of an impartial review panel to be established by the corporation, according to specified criteria. The Secretary of the Technology, Trade, and Commerce Agency would be required to award grants based upon these criteria.

This bill would establish the California Space Industry Advisory Committee within the agency, to be composed of a specified membership, to provide input and recommendations on the competitive grant program established by the bill, and to provide recommendations on space industry issues.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 753 (AB 1673) Committee on Water, Parks and Wildlife. Fish: wildlife: marine life master plan: abalone: triploid grass carp: striped bass: salmon: landing fees: sea cucumbers: sablefish: permits.

(1) Existing law requires the Department of Fish and Game to prepare and submit periodic reports to the Governor and the Legislature on the status of selected freshwater fisheries and the status of selected ocean fisheries.

This bill would repeal that requirement.

(1.5) Existing law authorizes the department to exchange or release to any appropriate federal, state, or local agency or agencies in other states, for purposes of law enforcement, any information collected or maintained by the department under specified law.

This bill, with specified exceptions, would designate as confidential and not public records, the names and addresses contained in records submitted and retained by the department for the purpose of obtaining recreational fishing and hunting licenses.

(2) Existing law prohibits any person from obtaining more than one fishing license, permit, reservation, or entitlement of the same class, except under specified conditions.

This bill would additionally exempt certain licenses issued through the Automated License Data System.

(3) Existing law requires the department to submit to the Fish and Game Commission a draft of a master plan under the Marine Life Protection Act on or before January 1, 2002, a proposed final master plan on or before April 1, 2002, and a final master plan on or before July 1, 2002.

This bill would require the department to submit to the commission a draft of a master plan under the Marine Life Protection Act on or before January 1, 2003, a proposed final master plan on or before April 1, 2003, and a final master plan with regulations on or before December 1, 2003.

(4) Existing law requires the commission, annually, until the master plan is adopted, and thereafter at least every 3 years, to receive, consider, and promptly act upon petitions from the department or any other interested party, to add, delete, or modify marine protected areas.

This bill would delete the requirement that the commission promptly act upon a petition from the department.

(5) Existing law prohibits any person from taking abalone for commercial purposes in specified districts. Existing law establishes a rebuttable presumption, affecting the burden of producing evidence, that a person who is required to obtain a license to take a fish, reptile, or amphibia, and who takes or possesses more than 12 individual abalone possess the abalone for commercial purposes.

This bill would additionally establish that rebuttable presumption if a person who is required to obtain a license takes abalone in excess of the annual bag limit.

(6) Existing law, until January 1, 2002, provides for the issuance of a sport fishing license, to a resident or nonresident, over the age of 16 years, for 2 consecutive designated days, upon the payment of a base fee. On and after January 1, 2002, existing law authorizes a license for one designated day.

This bill would extend the operative date of the current law authorizing a license for 2 consecutive days and repeal the section that would become operative on January 1, 2002, authorizing a license for one designated day.

(7) Existing law authorizes the department to adopt regulations that provide for the control of aquatic plant pests using artificially introduced triploid grass carp under a permit issued by the department and requires the department to impose conditions in the permit, including issuing a permit only for the Counties of Imperial, Riverside, and San Bernardino.

This bill would delete the limitation authorizing the department to issue those permits for the use of triploid grass carp for aquatic plant pest control only for those 3 counties.

(8) Existing law requires the department to report to the Legislature annually a summary of the use of triploid grass carp use for aquatic plant pest control compiled from information submitted to the department from permittees.

This bill would delete that provision.

(8.5) Existing law establishes a procedure for a person holding a valid sport fishing license to obtain a second-rod sport fishing stamp from the department.

This bill would authorize any person who has a valid second-rod sport fishing license stamp attached to a valid sport fishing license to fish with 2 rods in the Colorado River district in any sport fishery in which the regulations of the commission provide for the taking of fish by angling.

(9) Existing law requires fees received by the department for a striped bass stamp to be deposited in a separate account in the Fish and Game Preservation Fund, to be used solely to produce striped bass, increase the number of striped bass, and to help restore aquatic

habitat for striped bass, and to fund any other recommendation made by the Striped Bass Stamp Fund Advisory Committee, except that 15% of the funds are required to be used for projects that benefit salmon.

This bill would require the department to spend the funds in that account solely to increase the abundance of striped bass, consistent with state and federal Endangered Species Act requirements, and consistent with the striped bass policy goals established by the commission, and to fund any other recommendations made by the advisory committee. The bill would delete the requirement that 15% of the funds be used for projects that benefit salmon.

(10) Existing law requires the Director of Fish and Game to appoint the advisory committee. Existing law requires the advisory committee to annually recommend to the department projects and budgets for the expenditure of revenue.

This bill would require the department to notify the committee prior to placing funding provisions in the budget.

(11) Existing law, until January 1, 2002, requires a person taking striped bass to have a striped bass stamp affixed to his or her sport fishing license. Under existing law, the stamp is issued by the department for a fee of \$3.50. The revenue from the fees is required to be used for specified purposes relating to striped bass, as recommended by the advisory committee appointed by the director. Existing law requires that the revenues from the stamp fees be deposited in the Fish and Game Preservation Fund, a continuously appropriated fund used to carry out the Fish and Game Code.

This bill would extend those provisions until January 1, 2004. Since a violation of these provisions would be a misdemeanor under existing law, the bill would impose a state-mandated local program by extending a crime that otherwise would be repealed.

(12) Existing law requires the department to issue a commercial fishing salmon stamp to a person who is 16 years of age or more but less than 18 years of age for $\frac{1}{2}$ of a specified fee.

This bill would delete that provision.

(13) Existing law generally prohibits anyone who is between 16 and 70 years of age from taking salmon for commercial purposes or being on board a vessel on which salmon are taken for commercial purposes while salmon are being taken or transported unless that person has a commercial fishing stamp affixed to his or her commercial fishing license. Existing law also prohibits the operator of a vessel on which salmon are taken for commercial purposes from permitting those persons on board while salmon are being taken or transported.

This bill would apply those prohibitions, instead, to persons between 18 and 70 years of age.

(14) Under existing law, no person may take, possess aboard a boat, or land sea cucumbers for commercial purposes except under a sea cucumber permit. That existing law provides for the department to issue and renew sea cucumber permits for specified fees. This existing law will become inoperative on April 1, 2002, and will be repealed on January 1, 2003.

This bill would continue the operation of that law until April 1, 2005, and would repeal it on January 1, 2006.

Other provisions of existing law make a violation of the laws relating to taking, possessing, and landing sea cucumbers for commercial purposes a crime.

This bill would impose a state-mandated local program by extending the period for the operation of that law.

(15) Existing law requires every person who owns or operates a vessel in public waters in connection with fishing operations for profit in this state, or who brings fish into this state, or who, for profit, permits persons to fish therefrom, to submit an application for commercial boat registration and to be issued a registration number upon payment of specified fees.

This bill would specify that the above provisions do not apply to any person required to be licensed as a guide.

(16) Existing law requires landing taxes to be paid monthly to the department within 60 days after the close of each month.

This bill would require landing taxes to be paid quarterly to the department within 30 days of the close of each quarter.

(17) Existing law prohibits finfish, other than hagfish, from being taken with traps for commercial purposes in ocean waters between Port Arguello and the United States-Mexico international boundary, except under a valid finfish trap permit issued to that person that has not been suspended or revoked.

This bill would exempt sablefish from that prohibition. The bill would impose conditions on general traps used to take sablefish for commercial purposes in that area. Since a violation of these conditions would be a misdemeanor under existing law, the bill would impose a state-mandated local program by extending a crime that otherwise would be repealed.

(18) Under existing law, finfish trap permits are issued to persons who meet certain requirements, including the requirement that the person landed at least 50 pounds of finfish, other than hagfish, taken in finfish traps as reported on one or more fish landing receipts during the immediately preceding permit year.

This bill would additionally exclude sablefish from qualifying for that 50-pound requirement.

(19) Existing law, until April 1, 2002, authorizes finfish to be taken with finfish traps subject to prescribed conditions.

This bill would make that provision inoperative on April 1, 2005, and would repeal it on January 1, 2006. Since a violation of this provision would be a misdemeanor under existing law, the bill would impose a state-mandated local program by extending a crime that otherwise would be repealed.

(20) This bill would make various technical, nonsubstantive changes. The bill would designate the department offices in Belmont and Los Alamitos, among others, instead of Menlo Park and Long Beach, among others, as the contact office for when a person is unable to recover a set net.

(21) Existing law requires a court to order the department to permanently revoke and the department to permanently revoke the commercial fishing license and any commercial fishing permits of any person convicted of either removing abalone from the shell or possessing abalone illegally removed from the shell or taking or possessing abalone that are less than the minimum size if the person possessed more than 24 abalone at the time of the offense.

This bill would change the above requirement to 12 abalone at the time of the offense. Since a violation of this provision would be a misdemeanor under existing law, the bill would impose a state-mandated local program by creating a new crime.

(22) Existing law imposes specified punishment if a person is convicted of a violation of specified law in an area closed to the taking of abalone for commercial purposes, and the person takes or possesses more than 12 abalone at one time or more than 100 abalone during a calendar year.

This bill would impose the punishment for a violation of specified law in an area closed to the taking of abalone for commercial purposes if the person takes or possesses more than 12 abalone at one time or takes abalone in excess of the annual bag limit.

(23) Existing law continuously appropriates the money in the Fish and Game Preservation Fund to the department and the Fish and Game Commission to carry out the Fish and Game Code. Because this bill would extend existing duties imposed on the department and would extend the period of time in which fees would be deposited into the Fish and Game Preservation Fund, the bill would make an appropriation.

(24) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 754 (AB 1697) Committee on Judiciary. Judicial proceedings: juveniles: manner of holding property.

Existing law requires each social study or evaluation made by a social worker or child advocate appointed by the court, required to be received in evidence, as specified, to include a factual discussion of specified factors including, but not limited to, whether the county welfare department has considered child protective services, and what plan, if any, exists for the return of the child to his or her parents, among others.

This bill would additionally require the social worker or child advocate to consider whether the child has any siblings under the court's jurisdiction and information related thereto, as specified.

Existing law provides that the juvenile case file of a minor may only be inspected by certain persons, as specified.

This bill would authorize a commissioner or other hearing officer assigned to a family law case with issues concerning custody or visitation to inspect the case file, and, if actively participating in such a family law case, would authorize counsel appointed for the minor in the family law case to inspect the case file. It also would limit the authority given under existing law for inspection by family court mediators and child custody evaluators to those such persons who are actively participating in such a family law case.

Because this bill would increase the duties of local officials, it would create a state-mandated local program.

Existing law provides for the manner of holding property by husband and wife.

This bill would specify that husband and wife may hold property as community property with a right of survivorship.

Existing law authorizes an appellate court to appoint counsel for an indigent appellant upon appeal from a judgment freeing a child who is a dependent child of the juvenile court from parental custody and control. Existing law provides that those costs are a charge against the state.

This bill would instead provide that those costs are a charge against the court.

Existing law, the Child Abuse and Neglect Reporting Act, provides for the protection of children suspected to be subject to child abuse or neglect. Existing law further requires specified "mandated reporters" to report suspected child abuse or neglect to police departments, sheriff's departments, county probation departments, or county welfare departments.

This bill would additionally classify employees or volunteers of a Court Appointed Special Advocate program as "mandated reporters."

Since a failure to make a required report is a misdemeanor, the bill would impose a state-mandated local program by expanding the scope of a crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 755 (SB 943) Committee on Judiciary. Child support.

Existing law requires, in a case where a parent is enrolled in health insurance coverage but fails to apply to obtain coverage of a child as required by a court or administrative order, that the employer or insurer enroll the child under the health coverage upon presentation of the court order or request by the district attorney, the other parent or person having custody of

the child, or the Medi-Cal program. Existing law also requires, in any case in which health insurance is provided to a child pursuant to a court order or administrative order, for the insurer to provide certain information, as specified, to the district attorney. In addition, an employer or other person providing health insurance must provide evidence of coverage and any information necessary for a child to obtain benefits through the coverage to the district attorney when requested by the district attorney. Existing law also requires specified child support obligations to be paid either to child support obligees or the district attorney.

This bill would change all references from the district attorney to the local child support agency and make other technical and related administrative changes.

Existing law requires each local child support agency to maintain a complaint resolution process and to provide a written resolution of a complaint within 30 days of receiving the complaint.

This bill would authorize the director of a local child support agency to extend that period for resolution of a complaint an additional 30 days.

Existing law requires a local child support agency, in a dispute regarding the amount to be withheld for arrearages pursuant to a withholding order for support of a child, to provide an administrative review within 15 days after receipt of a request from a support obligor. In addition, existing law allows an obligor in receipt of a statement of support arrears to have this determination reviewed by administrative procedures.

Existing law also requires a local child support agency to maintain a list of persons who are not in compliance with support orders or judgments and to inform an applicant that has challenged the inclusion of his or her name on this list within 75 days of receipt of a written request. In addition, existing law establishes procedures by which a person claiming that child support enforcement actions have erroneously been taken against him or her, may file a claim of mistaken identity with the child support agency.

This bill would require that administrative reviews by the local child support agency in these situations occur within 30 days of receipt of the request, and be conducted in the same manner as provided for resolution of a child support complaint. The bill would also make related, administrative changes.

Existing law requires county child support agencies participating in state child support incentive programs to provide certain data regarding the number of child support cases to the Department of Child Support Services. Under existing law, this information must be provided on a quarterly basis, no later than 30 days after the end of each quarter.

This bill would instead require that this data be provided no later than 15 days after the end of each quarter.

Existing law provides that a county board of supervisors may designate a county financial evaluation officer to make financial evaluations of parental liability for certain reimbursable costs, including, among other things, the costs for keeping a minor in custody in a law enforcement facility or institution.

This bill would also allow a county financial officer to make a financial evaluation of parental liability for voluntarily placing a minor in 24-hour out-of-home care.

Existing law requires a local child support agency to enter into an annual automation cooperation agreement (AACA) with the state department designated as responsible for operating the child support enforcement program, for the purpose of allowing the department to pass through automation funding to that county. Existing law requires this agreement to be entered into by December 1, as specified.

This bill would require the AACA to be incorporated into a specified cooperative agreement between the department and the county, and would delete the above date requirement. The bill would also require the department to establish an appeals process for counties that have had state or federal funds withheld pursuant to these provisions.

By increasing the administrative obligations placed on local child support agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 756 (AB 92) Chavez. Liability: flood control and water conservation facilities.

Existing law provides that, until January 1, 2002, neither a public agency that operates flood control and water conservation facilities nor its employees shall be liable for injuries caused by the condition or use of unlined flood control channels or adjacent groundwater recharge spreading grounds under prescribed conditions.

This bill would extend the operative date of the above provision to January 1, 2007.

Existing law requires, until January 1, 2002, that the County of Los Angeles Department of Public Works maintain a record of injuries, and the results of any civil actions ensuing therefrom, that are incurred by the public in the unlined flood control channels or adjacent groundwater recharge spreading grounds during groundwater recharge activities, and annually file a copy of that record with the Judicial Council. Existing law requires the Judicial Council to submit a report on these matters to the Legislature on or before January 31, 2001.

This bill would extend that annual county reporting requirement until January 1, 2007, and would require the Judicial Council to submit another report on these matters to the Legislature by January 31, 2006. By extending the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 757 (AB 635) Bates. Highways: relinquishment: State Highway Routes 1 and 126.

Existing law requires the California Transportation Commission to relinquish to any city or county any portion of any state highway within the city or county that has been deleted from the state highway system by legislative enactment. These relinquishments become effective upon the first day of the next calendar or fiscal year, whichever first occurs after the effective date of the legislative enactment.

This bill would authorize the commission to relinquish to the City of Dana Point a specified portion of State Highway Route 1 that is located within the city limits of that city upon terms and conditions the commission finds to be in the best interests of the state, if the commission and the city enter into an agreement providing for that relinquishment.

The bill would authorize the commission to relinquish to the City of Santa Clarita the portion of State Highway Route 126 that is between State Highway Route 5 and State Highway Route 14, pursuant to the terms of a cooperative agreement between the City of Santa Clarita and the Department of Transportation.

Ch. 758 (AB 1070) Pavley. County scenic highway.

Existing law authorizes the Department of Transportation when the department, with the advice of the Departmental Transportation Advisory Committee, determines that a county highway meets the minimum standards prescribed by the department for official scenic

highways, including certain standards described in statute, to authorize the county in which the highway is located to designate the highway as an official county scenic highway.

This bill would require the department to designate a portion of the Malibu Canyon-Las Virgenes Highway a county scenic highway, upon the County of Los Angeles applying, as specified, for the designation and the department determining that the County of Los Angeles is in compliance with the statutory standards.

Ch. 759 (AB 1220) Pavley. Park and ride facilities.

Existing law authorizes the Department of Transportation to establish ridesharing programs in metropolitan areas for private and public employees with funds made available for that purpose from any source, and provides that ridesharing programs may be established and maintained entirely by the department or in cooperation with public or private parties pursuant to contract. Existing law provides that the Department of Transportation may construct and maintain fringe and transportation corridor parking facilities along the state highway system.

This bill would require the Director of Transportation, without supplanting any other program or redirecting funds allocated to other programs, to restart program efforts in District 7 of the department to develop and implement additional shared use agreements for public use of private parking lots as park and ride facilities to complement and facilitate ridership on existing and planned transit routes.

Ch. 760 (AB 1324) Negrete McLeod. California Conservation Corps.

Existing law establishes the California Conservation Corps in the Resources Agency as a service organization providing employment and training for young men and women.

Existing law provides that fire prevention, fire suppression, and disaster relief are to be a major emphasis of the corps.

This bill would specify that disaster relief includes, but is not limited to, flood, earthquake, pest infestation assistance measures, and search and rescue efforts.

Existing law requires state agencies to use the corps' services to the maximum extent feasible to carry out projects that promote the corps' mission.

This bill would require state agencies considering the use of contracted labor, to give priority to the corps, subject to the availability of assistance from the corps, when the mission of the corps and the nature of the state agency's project are substantially consistent, and to notify the corps of any potential contracts for services that would fit within the parameters of the legislative intent set forth in a specified statute. This bill would further provide that the use of corps members shall be given strong consideration over the use of other contracted labor.

Ch. 761 (SB 124) Johnson. Department of Transportation: property transfer: Department of Parks and Recreation: City of Newport Beach.

(1) The California Constitution authorizes the Legislature, by statute, with respect to state surplus property located in the coastal zone and acquired by the expenditure of certain tax revenues, to transfer the 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.

This bill would require the Department of Transportation to transfer a certain parcel of land in the City of Newport Beach to the Department of Parks and Recreation, for use as a park upon payment of consideration of \$1,356,485 by the City of Newport Beach. The bill would require the funds to be deposited in the State Highway Account. The bill would make the transfer of the property contingent on the execution of an agreement between the Department of Parks and Recreation and the City of Newport Beach that requires the city to perform all of the responsibilities related to, and to assume the liability for, the construction, operation, and maintenance of the park and its improvements.

(2) The bill would declare that, due to the special circumstances concerning the Department of Transportation property in the City of Newport Beach, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.

(3) To the extent that the bill would impose new duties on the City of Newport Beach, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 762 (AB 1553) Keeley. Environmental justice: guidelines.

Existing law defines the term "environmental justice," provides that the Office of Planning and Research shall be the coordinating agency in state government for environmental justice programs, and requires that the Director of Planning and Research take actions with respect to the implementation, coordination, and review of environmental justice programs in the state. Existing law requires the office to adopt guidelines for the preparation and content of the mandatory elements required in city and county general plans.

This bill would require the office, when it adopts the next general plan guidelines, but in no case later than July 1, 2003, to adopt guidelines, as specified, for addressing environmental justice matters in city and county general plans, and to hold at least one public hearing prior to the release of any draft guidelines, and at least one public hearing after the release of the draft guidelines. The bill would authorize the hearings to be held at the regular meetings of the Planning Advisory and Assistance Council.

Ch. 763 (AB 1390) Firebaugh. Air pollution.

(1) Existing law grants primary authority for the control of air pollution from vehicular sources to the State Air Resources Board. Existing law also authorizes the state board to adopt and implement motor vehicle emission standards and motor vehicle specifications. Existing law also provides for the existence of various clean air programs, including the Carl Moyer Air Quality Standards Attainment Program.

This bill, notwithstanding a specified provision of the Budget Act of 2001, would require any air quality management district or air pollution control district with a population of one million residents or greater, in consultation with the state board, to expend not less than 50% of the moneys appropriated until January 1, 2007, for the Carl Moyer program, programs to fund the purchase of reduced emission schoolbuses, and diesel mitigation programs, in a manner that directly reduces air contaminants or the public health risks associated with air contaminants, in communities with the most significant exposure to air contaminants or localized air contaminants, or both, including communities of minority populations or low-income populations, or both. The bill would make those provisions inapplicable to those districts with fewer than one million residents, but would, notwithstanding a specified provision in the Budget Act of 2001, encourage those districts to apply similar funding approaches to the extent each district determines feasible. By imposing additional duties on districts, this bill would impose a state-mandated local program.

(2) Existing law requires the state board, in conjunction with the State Energy Resources Conservation and Development Commission, to develop and administer a program to provide grants to individuals, local governments, state agencies, nonprofit organizations, and private businesses, to encourage the purchase or lease of a new zero-emission vehicle.

This bill would expand those potential grant recipients to include public agencies, and would permit the state board to reserve, allocate, and reallocate funds to any of those grant recipients. The bill would require the state board to periodically review grant applications and the award of grants to ensure utilization of grant funds, and would authorize the state

board to reduce or eliminate grants if that recipient received a grant for the purchase or lease of a zero-emission vehicle in the Budget Act of 2001.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 764 (SB 32) Escutia. Contaminated property: restoration.

Existing law generally authorizes the Department of Toxic Substances Control and California regional water quality control boards to regulate corrective actions to releases of hazardous materials.

The existing Polanco Redevelopment Act authorizes a redevelopment agency, until January 1, 2004, to take any action that the redevelopment agency determines is necessary, consistent with other state and federal laws, to remedy or remove a release of hazardous substances on, under, or from a project area. Existing law immunizes a redevelopment agency that remedies or removes a hazardous substance release, pursuant to that act, from liability under specified state laws, and additionally immunizes a redevelopment agency that causes another person to undertake and complete that action.

This bill would enact the California Land Environmental Restoration and Reuse Act and would require the legislative body of a city or county that elects to implement the act to adopt an ordinance to implement the act, including designating a local agency to administer the act.

This bill would require the California Environmental Protection Agency to establish guidelines, by April 1, 2002, regarding the selection of an oversight agency and would specify a procedure for the selection of an oversight agency for a property subject to a phase I environmental assessment by representatives of the department and the State Water Resources Control Board.

The bill would authorize a local agency to issue a notice to the owner or operator of a property requiring the owner or operator to provide the local agency with specified information regarding whether a hazardous materials release may be present on the property. If the local agency determines, based on that information, that the property may be affected by a hazardous materials release or the threat of a release, the local agency would be authorized to make a finding that the property is, or may be, affected by the release or the threat of a release. A local agency would be authorized to issue a notice requiring the owner or operator to conduct a phase I environmental assessment of the property, in response to the release or the threat of a release and to protect human health and the environment, as specified.

The bill would require a local agency to enter into an agreement with the oversight agency prior to, or concurrent with, the oversight agency's review of the phase I environmental assessment which would provide for, among other things, cost reimbursement. The bill would continuously appropriate the funds received by the oversight agency for expenditure for the purposes specified in the agreement, thereby making an appropriation.

If the phase I environmental assessment recommends that a preliminary endangerment assessment be prepared, or if the oversight agency makes a specified finding, the bill would authorize the local agency to require the owner or operator to prepare a preliminary endangerment assessment.

The bill would authorize a local agency or oversight agency to issue a notice to the owner or operator requiring a site investigation and remedial action, if the preliminary endangerment assessment contains a specified finding. The bill would prescribe procedures for the conduct of a site investigation and remedial action by the owner or operator pursuant

to a remediation plan approved by the oversight agency. The bill would authorize a local agency to initiate a remedial action, pursuant to an approved remediation plan, if the governing body of the local agency, by resolution, makes one of specified findings, and to initiate a site investigation, under specified conditions.

The bill would require a local agency proposing to carry out a remedial action to provide information to the public and to take specified actions to enable community participation. The bill would make the owner or operator of the property that is the subject of a site investigation or remedial action under the act liable for the costs incurred by the local agency pursuant to the act. The bill would immunize a local agency that undertakes and completes a property investigation and remedial action pursuant to the act and receives a written determination of completion issued by the oversight agency from liability under specified state and local laws with regard to the release identified and addressed in accordance with the approved remediation plan. The bill would require the Director of the Department of Toxic Substances Control or the executive director of the regional water quality control board, as appropriate, to acknowledge in writing the applicability of this immunity and issue that determination.

The bill would require the California Environmental Protection Agency to initiate a scientific peer review of specified screening levels and to complete the process by December 31, 2004. The agency would be required to publish, by March 1, 2004, a list of screening numbers determined for specified contaminants, and to conduct public workshops in establishing and revising those levels.

The bill would require the agency to publish a guidance document that explains how these screening numbers may be used with regard to remediating contaminated properties, facilitating the restoration and revitalization of contaminated property, and making specified decisions.

The bill would require the agency to conduct a study to evaluate the usefulness of pilot screening numbers, as defined, in encouraging the remediation of contaminated property in the study areas of the Los Angeles, Santa Ana, and San Diego regions of the California regional water quality control boards, as specified, and would require the agency to carry out the study from March 1, 2002, until March 1, 2004. The bill would require the agency to evaluate the information developed by the study in establishing and reviewing pilot screening numbers.

The bill would also require the agency, by January 1, 2003, to publish an informational document to assist citizen groups, community-based organizations, interested laypersons, property owners, local government officials, developers, environmental organizations, and environmental consultants to understand the factors that are taken into account, and the procedures that are followed, in making site investigation and remediation decisions under the Carpenter-Presley-Tanner Hazardous Substances Account Act ("State Superfund") and the Porter-Cologne Water Quality Control Act.

The bill would make a statement of legislative intent regarding the funding to be provided the agency to determine and publish screening numbers and conduct the pilot screening number study, and would require the agency to expend existing funds, appropriated for those purposes, for the scientific peer review of the screening numbers and for publishing the informational document.

Ch. 765 (SB 828) Alarcon. Environmental justice.

Existing law requires the Secretary for Environmental Protection, on or before January 15, 2002, to convene a Working Group on Environmental Justice, composed of various representatives, as specified, to assist the California Environmental Protection Agency (Cal-EPA) in developing an interagency environmental justice strategy. Existing law defines "environmental justice" to mean the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws and policies. Existing law requires the working group to examine

existing data and studies on environmental justice, make recommendations to various entities and hold public meetings, among other things.

This bill would require the secretary to convene the working group on or before January 1, 2002. The bill would require the working group to assist Cal-EPA in developing that agencywide strategy by July 1, 2002, and to examine data, make recommendations, and hold public meetings, among other things, on or before April 1, 2002. The bill would require each board, department, and office within Cal-EPA to review its programs and identify gaps that may impede achievement of environmental justice by December 31, 2003. The bill would renumber various provisions of the Public Resources Code.

Ch. 766 (SB 47) Bowen. Electrical restructuring: Oversight Board: Independent System Operator.

The existing restructuring of the electrical services industry provides for the authorization of direct transactions between electricity suppliers and end use customers and for the establishment of an Independent System Operator and a Power Exchange. An Electricity Oversight Board is also established to oversee the Independent System Operator and the Power Exchange. Under existing law, the Oversight Board has the exclusive right to decline to confirm the appointments of members of the governing board of the Independent System Operator. Under existing law, the existing Independent System Operator governing board is required to be replaced, within a specified period of time, by a 5-member independent governing board of directors appointed by the Governor for one-year terms. Existing law requires that a member of the independent governing board of the Independent System Operator not be affiliated with any actual or potential market participant administered by the Independent System Operator.

This bill would authorize the Electricity Oversight Board to investigate any matter related to the wholesale market for electricity. This bill would delete the Electricity Oversight Board's exclusive right to decline to confirm the appointments of members of the governing board of the Independent System Operator. This bill would require the Independent System Operator governing board appointed by the Governor to be confirmed by the Senate. The bill would require these appointments to be for 3-year terms, with initial appointments of one member for a one-year term, 2 members for a 2-year term, and 2 members for a 3-year term.

The bill would make a conforming change in existing law.

Ch. 767 (SB 195) Chesbro. Counties and districts.

(1) Existing law authorizes a county pursuant to a resolution adopted by its board of supervisors to lend any of its available funds to designated types of special districts located wholly within the county or partly within the county, subject to certain conditions.

This bill would add resort improvement districts to those districts eligible for these loans from a county.

(2) Under existing law, in counties that have a county counsel, the county counsel is required to discharge specified duties statutorily vested in the district attorney, including defending and prosecuting all civil actions and defending actions brought against county officers, employees, or servants.

This bill would expressly authorize the County Counsel of Solano County to bring a civil action when the county has a cause of action to abate a public nuisance, and would require the county counsel to do so when directed by the county board of supervisors. The bill would provide that the County Counsel and the District Attorney of Solano County have the concurrent right to bring this action.

(3) Under existing law, the duties pertaining to elections are performed by the county elections official. However, in specified counties, the board of supervisors is authorized to appoint a registrar of voters to discharge all duties vested by law in the county clerk that relate to, and are part of, the election procedure.

This bill would extend this appointment authority to Lake County. It also would make other technical, nonsubstantive changes in these provisions.

(4) Existing law establishes procedures for the destruction of records in the files of special districts.

This bill would make the San Joaquin Valley Air Pollution Control District subject to these procedures.

(5) Existing law specifies that deposits to the Merced County Courthouse Construction Fund shall continue through and include the 25th year after the initial year in which the surcharge is collected or the 25th year after any borrowings are made for any construction.

This bill would extend the required deposits period from 25 years to 30 years and would make the provision applicable to deposits made to the Criminal Justice Facilities Construction Fund in Merced County.

Ch. 768 (SB 480) Johannessen. California Military Museum.¹⁹

Existing law provides for the establishment of the California Military Museum, located in the Old Sacramento State Historic Park.

This bill would appropriate the sum of \$100,000 from the General Fund to the Department of Parks and Recreation for a local assistance grant to the California Military Museum.

This bill would state the intent of the Legislature in enacting these provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 769 (SB 527) Sher. Air pollution.

(1) Existing law prescribes various civil penalties that may be imposed by the State Air Resources Board for a violation of specified state board regulations relating to vehicular and nonvehicular air pollution control. Existing law also authorizes any city attorney, with the consent of the district attorney, upon the complaint of the state board, to bring an action for unfair trade practices.

This bill would authorize the state board to impose administrative penalties as an alternative to seeking civil penalties for certain violations. The bill would authorize the state board to impose an administrative penalty up to the maximum amount the state board is authorized to impose as a civil penalty for that violation. The bill would also limit the state board's authority to impose an administrative penalty to a maximum of \$10,000 per day in which there is a violation not to exceed \$100,000 per penalty assessment proceeding for any violation arising from the same conduct. The bill would also provide for administrative review under existing state board administrative hearing procedure regulations, except that this bill would require that the hearings be conducted by an administrative law judge appointed by the Office of Administrative Hearings. The bill would also provide for judicial review of an administrative hearing in conformance with existing law. The bill would also prohibit the state board from causing an action to be brought by any city attorney against any person upon whom the state board has imposed an administrative penalty.

(2) Existing law requires the Secretary of the Resources Agency to establish the California Climate Action Registry as a public benefit nonprofit corporation, governed by a prescribed board of directors, that is required to record and register voluntary greenhouse gas emission reductions made by California entities after 1990.

This bill would define the terms, "annual emissions results," "baseline," "certification," "de minimis emissions," "emissions," "emissions inventory," and "material" for purposes of those provisions governing the registry.

Existing law also requires the registry to perform various functions, including, among other things, adopting standards for verifying emissions reductions, adopting a list of approved auditors that would verify emissions reductions, establishing emissions reductions goals, designing and implementing efficiency improvement plans, maintaining a record of all emissions baselines and reductions, and recognizing, publicizing, and promoting entities that participate in the registry.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would revise the functions and duties of the registry, as prescribed, and would require the registry, in coordination with the State Energy Resources Conservation and Development Commission, to adopt industry-specific reporting metrics at one or more public meetings.

Existing law requires participants in the registry to report emissions baselines and annual emissions results expressed by a fraction in terms of emissions efficiency rates, as prescribed, and to adopt guidelines encouraging participants to report emissions in relation to the annual average business as usual rate of improvement in the energy efficiency of the state economy, as determined by the commission.

This bill would delete those requirements, and would require participants to report direct or indirect emissions separately, and would authorize the registry, on or after January 1, 2004, in coordination with the commission, to revise the scope of indirect emission source types that participants may be required to report, after a public workshop and review process, if the commission approves that revision at a public hearing, and makes specified determinations. The bill would specify that participants shall not be required to report emissions of any greenhouse gas that is de minimis, as defined, in quantity, when summed across all applicable sources of the participating entity.

The bill would prescribe certain requirements for the registration and certification of a participant in the registry.

Existing law requires the registry, not later than July 1, 2003, and periodically thereafter, to report to the Governor and the Legislature on the number of organizations participating in the registry, the percentage of the state's emissions represented by the participants in the registry, and the reductions in greenhouse gas emissions achieved by those participants.

This bill would additionally require the registry to report to the Governor and the Legislature on ways to make the registry more workable for participants that are consistent with the goals and intent of the registry. The bill would make various other changes with respect to the functions and obligations of the registry, as prescribed.

(3) Existing law also prescribes criminal penalties for a violation of a federally enforceable operating permit issued pursuant to specified provisions of the federal Clean Air Act or for a violation of specified laws under that act relating to stationary sources. Under existing law, the recovery of civil penalties for a violation of specified state laws relating to nonvehicular emission limitations precludes criminal prosecution for the violations under the act. Other existing law, as of January 1, 2003, makes a person who transports, or who provides a vehicle to transport, motor vehicle fuel for a motor vehicle fuel distributor who is not in compliance with specified laws, liable for a civil penalty.

This bill would correct erroneous cross-references and delete an obsolete cross-reference in those provisions.

Ch. 770 (AB 1) Aanestad. Electrical restructuring: energy efficiency programs.

Under the Public Utilities Act, the Public Utilities Commission, until January 1, 2012, requires electrical corporations to identify a separate rate component to collect a system benefits charge to fund energy efficiency, renewable energy, and research, development, and demonstration programs.

This bill would establish a dispute resolution process for the Large Nonresidential Standard Performance Contract Program funded under these provisions.

A violation of the act is a crime. Because a violation of the provisions of this bill would be a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 771 (AB 1233) Pescetti. Public utilities: transportation charges.

(1) Existing law authorizes the Public Utilities Commission to establish rates for public utilities, including gas corporations. Under existing law, the commission requires every gas corporation to revise its transportation tariffs and conditions of service to eliminate all components that assess shippers of gas produced in the state for the costs of interstate transmission of gas produced outside the state. Existing law requires the Public Utilities Commission to allow a gas corporation to fully recover all reasonable and prudent costs associated with ownership and operation of the gas plant used for transportation.

This bill would require the commission to investigate, as part of the rate proceeding for any gas corporation, impediments to the in-state production and storage of natural gas. The bill would authorize the commission to adopt a tariff that encourages in-state production or storage of natural gas, including reducing local transmission rates applicable to in-state gas blends, unless the commission finds that adopting the tariff will likely result in consequences adverse to the interests of gas customers. The bill would state related legislative findings and declarations. Since a violation of an order by the commission is a crime under existing provisions of law, the bill would create a state-mandated local program by expanding the definition of a crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 772 (AB 1457) Keeley. Property taxation: mobilehomes.

Existing property tax law requires the reassessment at fair market value of real property upon a change in ownership, and specifies those transfers of real property that constitute a change in ownership. Existing law excludes from classification as a change in ownership, subject to certain conditions, any transfer made, on or after January 1, 1985, of a mobilehome park to a nonprofit corporation, stock cooperative corporation, limited equity stock cooperative, or other entity formed by the tenants of the park for the purpose of purchasing the park. Existing law classifies as a change in ownership any subsequent transfer of any portion of that same mobilehome park, on and after January 1, 1989, that is not for the purpose of converting ownership of the park in a specified manner.

This bill would prohibit any escape or supplemental assessment from being levied, and would cancel any outstanding taxes that were levied between January 1, 2000, and January 1, 2002, for a pro rata change in ownership in a mobilehome park occurring between January 1, 1989, and January 1, 2002, if the assessor failed to timely discover a subsequent pro rata change in ownership after the initial exclusion, but would, commencing with the January 1, 2002, lien date, require the assessor to correct the base year value of the subject portion of the park to properly reflect the changes in ownership. The bill would also require certain mobilehome park owners to report to the county assessor each year certain information regarding ownership interests in that park. By requiring local tax officials to perform additional duties with respect to these reports, this bill would impose a state-mandated local program.

Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 773 (AB 1574) Lowenthal. Energy conservation: building standards: inspections.

(1) Existing law defines terms related to paid home inspections, establishes a standard of care for home inspectors, and prohibits certain inspections in which the inspector or the inspector's employer, as specified, has a financial interest.

This bill would include within the definition of home inspection for those purposes an inspection of energy efficiency. The bill would specify energy efficiency items to be inspected.

(2) Existing law requires the State Energy Resources Conservation and Development Commission to adopt regulations concerning energy conservation standards for lighting, insulation, climate control systems, and other building design and construction standards for new residential and new nonresidential buildings.

This bill would authorize the commission to develop and disseminate measures that would enhance energy efficiency in single-family residential dwellings that were built prior to the development of the current energy efficiency standards.

The bill would require a home inspector, as defined, to provide specified energy efficiency information if, at the time a single-family residential dwelling is sold, a buyer or seller requests the information.

Ch. 774 (AB 1724) Pavley. Public utilities: Reliable Electric Service Investments Act.

Under the Reliable Electric Service Investments Act, the State Energy Resources Conservation and Development Commission (Energy Commission) is required to create an investment plan, in accordance with specified objectives, to govern the allocation of funds in order to ensure a fully competitive and self-sustaining California renewable energy supply. Existing law requires the Energy Commission, in preparing these investment plans, to recommend specified allocations, including customer credits for renewable energy not under contract with a utility. Existing law specifies that commencing on January 1, 2002, public entities are not eligible to receive customer credits for renewables.

This bill would delete the provision that prohibits, commencing January 1, 2002, public entities from receiving customer credits for renewables and, instead, would require the Energy Commission to establish a cap on the aggregate amount that may be awarded to public entities under the program, to assure adequate funding of credits for residential and small commercial customers.

Ch. 775 (AB 215) Cohn. Health care benefits: survivors of firefighters and peace officers.

Under the Public Employees' Medical and Hospital Care Act specified employees and annuitants and their eligible family members, as defined, may enroll in an approved health benefits plan and continue that enrollment after retirement or after the death of the employee, as specified. Under that act, an appropriation is made monthly from the General Fund to pay the state's share, as specified, of the cost of that enrollment for specified employees and all annuitants.

This bill would provide that, upon the death of specified firefighters and peace officers from injury or disease relating to their official duties, their uninsured surviving spouses, as defined, and uninsured family members shall be entitled to enroll in those health benefits plans, as specified, and a portion, as established annually according to a specified formula, of the cost of that enrollment shall be paid by the state from the General Fund, thus making an appropriation. The bill would require the Worker's Compensation Appeals Board to

resolve any disputes regarding whether the cause of the firefighter's or peace officer's death was related to his or her official duties, as specified. The bill would require the employer of a deceased firefighter or peace officer, as described above, whose spouse or family member may be eligible for health benefits under its provisions, to notify the Board of Administration of the Public Employees' Retirement System, which would then be required to promptly determine eligibility and forward specified materials to the eligible spouse or family member.

Ch. 776 (AB 286) Cedillo. Athletic events: boxers' pensions.

Existing law, the Boxing Act, provides for the regulation by the State Athletic Commission of specified contests, matches, and exhibitions and authorizes the commission to assess and collect various fees in connection with this responsibility, which are deposited into the General Fund. The act also requires the commission to establish a pension plan for professional boxers in this state that is funded by contributions from promoters, managers, and boxers and by certain of the fees collected by the commission, and for this purpose creates the Boxers' Pension Account, specifying that the moneys within this account are deposited into the General Fund and continuously appropriated for purposes of the pension plan.

This bill would change the name of the Boxers' Pension Account to the Boxers' Pension Fund and would establish that fund in the State Treasury. The bill would prohibit the deposit or transfer of any money within this fund to the General Fund and would specify that the commission has exclusive control over the moneys in the fund which are continuously appropriated for the purposes and administration of the pension plan.

Ch. 777 (AB 351) La Suer. Local recreational areas: personnel: prior criminal convictions.

(1) Existing law prohibits a county or city or city and county or special district, in connection with the operation of a park, playground, recreational center, or beach used for recreational purposes, from hiring for employment or as a volunteer any person in a position having supervisory or disciplinary authority over any minor, if the person has been convicted of specified crimes, and authorizes a county, city, city and county, or special district to screen, in accordance with specified law, any such prospective employee or volunteer for their criminal background.

This bill would require a county or city or city and county or special district to require that each such prospective employee or volunteer complete an application that inquires as to whether or not that individual has been convicted of any of those specified crimes, and would require, instead of authorize, each of those entities to screen any such prospective employee or volunteer, having supervisory or disciplinary authority over any minor, for that person's criminal background. The bill would also make a technical, correcting change. By imposing a new duty on local agencies implementing its provisions, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 778 (AB 399) Havice. County employees' retirement: Los Angeles County.

The County Employees Retirement Law of 1937 defines "final compensation" for purposes of calculating benefits under that law.

This bill would provide a new definition of “final compensation” that would be applicable to certain employees who retire on or after July 1, 2001, under specified retirement plans sponsored by the retirement system in Los Angeles County.

The County Employees Retirement Law of 1937 defines “compensation earnable” for purposes of calculating benefits under that law.

This bill would provide a new definition of “compensation earnable” for purposes of calculating retirement benefits in Los Angeles County, to become operative upon the adoption of a specified resolution by the board of supervisors.

Existing Law establishes a retirement plan, known as Retirement Plan E, that is applicable in the retirement system in Los Angeles County and prescribes procedures for members of other plans within the county system to transfer to that plan. Under that plan, the county board of retirement is authorized to adjust specified factors for calculating early retirement benefits. Also under that plan, specified reductions and adjustments are made to a member’s pension amount based upon the member’s primary insurance amount under specified provisions of the federal Social Security Act.

This bill would, upon adoption of the bill’s provisions by the county board of supervisors, (1) modify the procedures for members to transfer to Retirement Plan E and establish procedures for members in Retirement Plan E to transfer to another plan within the system, (2) modify the early retirement factors and eliminate the county board of retirement’s authority to adjust those factors, (3) provide that the pension adjustment provisions relating to member’s primary insurance amount shall be applicable when the member retires after attaining the age of 62 years, as specified, and (4) prescribe automatic and elective cost-of-living adjustments applicable to retirement or death allowances payable under Retirement Plan E.

The County Employees Retirement Law of 1937 provides for various survivors’ allowances that are equal to 50% or 60% of the deceased member’s retirement allowance, as specified.

This bill would authorize Los Angeles County, by a resolution adopted by a majority vote of the county board of supervisors, to increase each of those allowances to an amount equal to 55% or 65% of the deceased member’s retirement allowance, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 779 (AB 464) Frommer. State Board of Fire Services.

Existing law creates in the office of the State Fire Marshal, a State Board of Fire Services which consists of 18 members who are specified representatives of government and private industry. A quorum of the board consists of not less than 10 members.

This bill would reduce the voting membership of the board to 17 members and a quorum to 9 members, and revise the selection process for the volunteer firefighter, the fire chiefs, and the fire service labor representatives on the board.

Ch. 780 (AB 492) Oropeza. State employees: precinct board members.

Existing law permits a voter, including a public employee, to take no more than 2 hours off from work for voting, without loss of pay, if a voter does not have sufficient time outside of working hours to vote at a statewide election. Existing law does not permit a state employee to take time off from work, without loss of pay, to serve as a member of a precinct board.

This bill would provide that pursuant to regulations adopted by the Department of Personnel Administration, and subject to the collective bargaining agreement between the state and the employee’s exclusive representative, a state employee, as defined, who has been appointed as a member of a precinct board and takes time off from state employment to serve as a member of that precinct board on election day shall receive payment of his or her regular wages or salary for that election day, without forfeiting any compensation received for his or her service as a precinct board member. The eligibility of a state employee to receive time

off for these purposes would be subject to the approval of the employee's manager or supervisor and pursuant to the terms of the collective bargaining agreement. The bill would require the department to adopt regulations to implement these provisions.

Ch. 781 (AB 510) Matthews. Public employees' retirement: retiree health accounts.

Existing law, the Public Employees' Retirement Law, provides that contracting agencies that have excess assets, as determined by the chief actuary, may request that the Board of Administration of the Public Employees' Retirement System transfer employer assets to member-accumulated contribution accounts to satisfy all member contributions, as specified.

This bill would authorize a contracting agency to request that the board transfer excess assets from the contracting agency's employer account to a retiree health account established by the board, in its discretion, in the contracting agency's employer account, if the transfer qualifies under federal Internal Revenue Code provisions. The bill would authorize the board, in its discretion, to transfer those excess assets to be used solely for the payment of current retiree health liabilities, subject to certain conditions.

Ch. 782 (AB 616) Calderon. Local government employees' retirement: benefits.

Under existing law, contracting agencies of the Public Employees' Retirement System may elect to provide service retirement benefits for local miscellaneous members, as defined, based on either a 2% at age 60 formula or a 2% at age 55 formula, as specified. Under existing law, the contribution rate for those members is 7% of compensation. Member contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated special fund.

This bill would authorize contracting agencies to provide service retirement benefits to local miscellaneous members based on a 3% at age 60 formula, a 2.5% at age 55 formula, or a 2.7% at age 55 formula, as specified, and to increase member contributions under those benefit formulae to 8% of compensation, thereby making an appropriation.

Existing law, the County Employees Retirement Law of 1937, authorizes adoption of various formulae for calculation of service retirement allowances and adoption of various corresponding contribution rates or a single rate of contributions, as specified.

This bill would authorize counties or districts, subject to approval by the county board of supervisors, to provide service retirement allowances for general members based on a 3% at age 60 formula, a 2.5% at age 55 formula, or a 2.7% at age 55 formula, as specified, and to adopt corresponding contribution rates or to apply the single rate of contributions, as specified. The bill also would make a related technical change.

The bill would incorporate additional changes to Section 20677 of the Government Code proposed by AB 118, to take effect if this bill and that bill are enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 783 (AB 856) Wesson. Horse racing.

Provisions adopted in the 2001 portion of the 2001-02 Regular Session, which becomes effective January 1, 2002, direct the California Horse Racing Board to oversee the conduct of a union and multiemployer collective bargaining agent recognition procedure for backstretch employees. They also provide that within 120 days of the effective date of those sections the board shall also adopt emergency regulations to establish standards governing the employee housing provided to backstretch personnel at licensed racetracks. No license shall be issued to a racing association to conduct a horse race meeting unless the board has inspected the housing conditions that exist on the racetrack's backstretch and determined the living conditions to be in compliance with the standards established by the board.

This bill would amend these provisions by deleting a provision that authorizes the board to contract with the Agricultural Labor Relations Board and by adding specifics concerning

the authority of arbitrators used to resolve disputes between parties to the collective bargaining agreements created under these provisions. This bill would also amend provisions relating to inspection of the living conditions of backstretch workers by providing that the board may be assisted by a local building department or other local entity designated by the jurisdiction in which the racetrack is located in conducting these annual inspections to ensure compliance with the standards it has established.

Ch. 784 (AB 867) Cardoza. County employees: law enforcement: retirement.

(1) Existing law annually appropriates \$18,500,000 from the General Fund to the Controller to allocate \$500,000 each to specified county sheriffs' departments to enhance law enforcement efforts.

This bill would require those funds, until July 1, 2002, to be used to supplement rather than supplant existing law enforcement resources.

(2) The County Employees Retirement Law of 1937 contains various alternative benefits provisions that may be selected by counties.

This bill would authorize Stanislaus County to elect retirement benefits provisions, as specified.

(3) Existing law provides that, for counties adopting a specified county employee retirement plan, the rate of contribution to the plan will be, as specified.

This bill would allow Stanislaus County to contribute twice the amount specified.

(4) Existing law provides that the legislative body of a local agency may establish a pension trust for the benefit of its officers and employees.

This bill would allow a county that has created a pension trust for its officers and employees to contract with the courts or other local agencies within the county to participate in any plan under the county's pension trust. This bill would also provide that the contracting court or local agency located within the county has the authority to make participation in the plan optional or compulsory for its officers and employees.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 785 (AB 895) Wiggins. Public Employees' Retirement System: state peace officer/firefighter members.

The Public Employees' Retirement Law prescribes various retirement formulas based on a member's position and years of service, including a 2% at age 50 retirement formula for certain state and local safety members and a 3% at age 50 retirement formula for state peace officer/firefighter members and specified local members, subject to maximum limits based on the specified percentages of final compensation and other limitations.

This bill would prescribe a 3% at age 50 retirement formula for specified members of the California State University police department, and would modify the maximum pension limitations for those members to 90% of final compensation, if authorized by and in accordance with a memorandum of understanding between the Trustees of the California State University and the recognized employee organization or if authorized by the approval by the trustees of an application by members in management positions, subject to specified conditions and limitations.

Under the Public Employees' Retirement Law, the normal contribution rate for state peace officer/firefighter members is 8% of the member's compensation in excess of \$238 per month, as specified.

The bill would provide that the normal rate of contribution for specified members of the California State University police department is also 8% of compensation, subject to specified limitations.

Ch. 786 (AB 1038) Hertzberg. Vehicles: Department of the California Highway Patrol: Department of Personnel Administration.

Under existing law, the Department of Personnel Administration administers and enforces laws pertaining to the state's personnel system.

This bill would authorize the Department of Personnel Administration, when determining compensation for communications operators in the Department of the California Highway Patrol, to consider the total compensation for communications operators in comparable positions in the police departments of the Cities of Los Angeles, Oakland, San Diego, and San Jose, and the City and County of San Francisco.

Ch. 787 (AB 1082) Nation. Public employees' retirement: local safety members.

Under the Public Employees' Retirement Law, employees of contracting agencies classified as local safety members are entitled to generally higher benefits, and subject to higher contribution rates, than those employees classified as local miscellaneous members. County peace officers, as defined, are included within the local safety member classification. Existing law authorizes Monterey and Santa Clara Counties to designate specified park rangers as county peace officers for these purposes. Member contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund.

This bill would authorize contracting agencies to include specified park rangers within the local safety member classification and would expand to all county contracting agencies the authorization to designate specified employees in the Park Ranger class series as county peace officers for these purposes. The bill would make an appropriation by increasing the amount of employee contributions to the Public Employees' Retirement Fund.

Ch. 788 (AB 1184) Oropeza. Local public employees.

The existing Meyers-Millias-Brown Act, which governs local public employer-employee relations, establishes the right of local public employees to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations.

This bill would expressly prohibit punitive action, denial of promotion, and threats of this treatment against a local public employee for the exercise of any lawful action as an elected, appointed, or recognized representative of any employee bargaining unit.

Ch. 789 (AB 1262) Migden. Motor carriers: drivers.

Existing law requires the Department of the California Highway Patrol to regulate the safe operation of, among others, motor carriers in accordance with statutes and regulations.

This bill would require every motor carrier regularly employing, as defined, more than 20 full-time, as defined, drivers to report to the department whenever it replaces more than half of its drivers, except as specified, within a 30-day period. The bill would require the department, within 21 days of receiving the report, to inspect the motor carrier to ensure that the motor carrier is complying with all safety of operations requirements.

Because, under existing law, a violation of the safety statutes and regulations is a crime, this bill would change the definition of a crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 790 (AB 1281) Cedillo. Public employees: representation.

Under the Meyers-Millias-Brown Act governing local public agency employment relations, bargaining unit determinations and representation elections are determined and processed in accordance with rules adopted by the public agency in accordance with the act.

This bill would require the public agency to grant exclusive or majority recognition to an employee organization after a review and verification by a neutral 3rd party agreed to by the employee organization and the public agency of a signed petition, authorization cards, or

union membership cards showing that a majority of the employees in an appropriate bargaining unit desire the representation, unless another labor organization has previously been lawfully recognized as exclusive or majority representative of all or part of the same unit. The bill would require the Division of Conciliation of the Department of Industrial Relations to be the neutral 3rd party and to verify the exclusive or majority status of the employee organization in the event the public agency and the employee organization cannot agree on a neutral 3rd party. The bill would establish criteria pursuant to which an election to establish majority status would be ordered.

Ch. 791 (AB 1374) Wiggins. Public employee benefits: workers' compensation: leave of absence for disability.

Existing law provides that certain peace officers, firefighters, and other specified state and local public employees are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment. The leave of absence is in lieu of temporary disability payments or maintenance allowance payments otherwise payable under the workers' compensation system. Existing law, in the case of certain peace officers, provides that the leave of absence shall not be deemed to constitute family care and medical leave or to reduce the time authorized for family care and medical leave.

This bill would provide that the provisions relative to family care and medical leave also apply to city, county, and district firefighters.

Ch. 792 (AB 1681) Canciamilla. Workers' compensation: individually identifiable information.

Existing law provides that a person or public or private entity who is not a party to a claim for workers' compensation benefits may not obtain individually identifiable information, as defined, that is obtained or maintained by the Division of Workers' Compensation of the Department of Industrial Relations on that claim, except that, among other things, individually identifiable information may be used by the Division of Workers' Compensation, the Division of Occupational Safety and Health, and the Division of Labor Statistics and Research, as necessary to carry out their duties.

This bill would add the Commission on Health and Safety and Workers' Compensation to the list of entities that may use the individually identifiable information as necessary to carry out the commission's research. The bill would require the administrative director of the Division of Workers' Compensation to adopt regulations, as specified, regarding the uses and disclosure of this information.

Ch. 793 (AB 1683) Committee on Public Employees, Retirement and Social Security. Public employee benefits.

(1) The Public Employees' Retirement Law provides that certain benefits provisions shall be applicable to contracting agencies only if the agency's contract with the system, as originally executed or as amended, makes the provision applicable.

This bill would provide that some of those provisions shall be applicable to a contracting agency only if its contract so provided on or before December 31, 2001.

(2) Under existing law, when a local agency contracts with the Public Employees' Retirement System, members of the local agency's retirement system included in the contract become members of the Public Employees' Retirement System and payments being made to retirees, survivors, and beneficiaries of the local system on the effective date of the contract are continued and paid by the Public Employees' Retirement System at the existing rates, unless the contract or a subsequent amendment thereto otherwise provides, as specified.

This bill would revise that provision to provide that payments being made to retirees, survivors, and beneficiaries of the local system on the effective date of the contract be continued and paid, as specified, unless the contract or a subsequent amendment thereto otherwise provides as to persons retired under the local system, as specified.

(3) Existing law authorizes members of the Public Employees' Retirement System employed by a contracting agency to withdraw their contributions to the system upon the termination of the agency's contract with the system.

This bill would make that authorization applicable to those members only if they are not employed in a position subject to coverage by the system at the time of the election to withdraw.

(4) Existing law establishes the local sheriff and the local firefighter membership classifications within the Public Employees' Retirement System. Members subject to the local sheriff classification were formerly classified as county peace officers.

This bill would specify conditions for the conversion of county peace officer service to local sheriff service and would make technical changes with respect to the local firefighter classification.

(5) Under the Public Employees' Retirement Law, contracting agencies may authorize their members to elect to receive service credit for time during which the member served in the military, provided, among other things, that service was continuous, and time during which the member was on war relocation leave.

This bill would eliminate the requirement that the military service be continuous and would repeal the provision relating to war relocation leave.

(6) The Public Employees' Retirement Law provides that the monthly allowance paid to, among others, a local member who retired prior to January 1, 2000, may be increased, at the election of the contracting agency, according to a specified schedule.

This bill would provide that those increases shall be made notwithstanding the purchase power protection increase that is also provided under existing law for those retirees.

(7) Existing law authorizes a member of the Public Employees' Retirement System to elect, upon service retirement, to have the actuarial equivalent of his or her unmodified service retirement allowance paid as a temporary annuity and life income, as specified.

This bill would establish an alternative temporary annuity election that would be available to persons who first became members of the system on or after January 1, 2002.

(8) Existing law establishes a replacement benefits program for members of the Public Employees' Retirement System.

This bill would designate that program as a benefits replacement plan and would clarify that the plan is applicable to school employers and members of the system.

(9) The Public Employees' Retirement Law and Public Employees' Medical and Hospital Care Act prescribe retirement, death, and health benefits for specified public employees and their survivors.

This bill would make technical and clarifying changes to provisions of that law and act.

(10) Existing law prescribes procedures to transfer membership from the Public Employees' Retirement System to a county retirement system subject to the County Retirement Law of 1937 for certain public safety members who were employed by a contracting agency and who are subsequently employed by a county, fire authority, or district within any of 2 or 3 specified counties as a result of the transfer of firefighting or law enforcement functions, as specified.

This bill would clarify that those procedures are also applicable to those public safety members who were employed by the state and who are subsequently employed by a county, fire authority, or district within all 3 counties as a result of such a transfer. The bill would also make related technical changes.

(11) Under existing law, the Board of Administration of the Public Employee's Retirement System administers an agreement with the federal Department of Health and Human Services for the social security coverage of employees of the state and various public agencies that contract for coverage. The existing law excludes from that coverage agreement policemen and firemen, as defined.

This bill would expand the definition of “fireman” for those purposes to include certain employees of the City of Long Beach who perform life saving and peace keeping duties, as specified.

(12) Existing law, the Public Employees’ Medical and Hospital Care Act, provides that an annuitant, as defined, who meets specified criteria and who was enrolled in a specified health benefits plan at the time of becoming an annuitant may continue his or her enrollment, as specified. The act also authorizes contracting agencies to allow eligible family members of a deceased employee of the contracting agency to enroll in a specified health benefits plan following the employee’s death, as specified.

This bill would specify that this authorization is applicable to eligible family members who are not enrolled on the employee’s date of death.

Ch. 794 (SB 6) O’Connell. School finance.

Existing law requires the county superintendent of schools to adjust the total revenue limit for each school district in the jurisdiction of the county superintendent of schools by the amount of increased or decreased employer contributions to the Public Employees’ Retirement System (PERS), and sets forth a method for calculating that amount for the 1995–96 fiscal year and each fiscal year thereafter. Existing law, the Budget Act of 2001, appropriated \$35,000,000 for the purpose of limiting the PERS offset to K-12 revenue limit apportionments.

This bill would provide that the amount appropriated in the Budget Act of 2001 is for the purpose of limiting reductions to revenue limits, as described. The bill would also set forth parameters for apportionment reductions in the 2002–03 fiscal year.

The bill would declare that it would take effect immediately as an urgency statute.

Ch. 795 (SB 20) Alarcon. Displaced janitors.

Existing law provides for a system of labor standards enforcement administered by the Labor Commissioner.

This bill would enact the Displaced Janitor Opportunity Act, which would require contractors and subcontractors, as defined, that are awarded contracts or subcontracts to provide janitorial or building maintenance services at a particular job site or sites, to retain, for a period of 60 days, certain employees who were employed at that site by the previous contractor or subcontractor. This bill would require that employees retained under the bill’s provisions for that 60-day period be offered continued employment if their performance during that 60-day period is satisfactory. This bill would only apply to contracts entered into on or after January 1, 2002.

This bill would authorize an employee who was not retained in accordance with the bill’s provisions, or his or her agent, to bring an enforcement action in a court of competent jurisdiction, as specified.

This bill would authorize local government agencies to enact ordinances imposing stricter standards or additional enforcement provisions.

Ch. 796 (SB 90) Dunn. Public employees’ retirement: local safety member benefits.

Under the Public Employees’ Retirement Law, service retirement benefits for local safety members shall not exceed 75% or, in some cases, 85% of final compensation.

This bill would increase this benefit to 90% of final compensation for local safety members who retire on or after January 1, 2002.

Ch. 797 (SB 181) Dunn. State employees: state peace officers and firefighters.

Existing law makes legislative findings and declarations that a minimum supervisory compensation differential is necessary to compensate state peace officer/firefighter members who are supervisors within the departments and boards of the Youth and Adult Correctional Agency.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would revise these legislative findings and declarations to include state peace officer/firefighter members who are correctional supervisors within the State Department of Mental Health.

Existing law, the Public Employees' Retirement System, specifies that the rate of contribution for state peace officer/firefighter members is generally 8% of the compensation in excess of \$238 per month paid to those members. However, the rate of contribution for those members who are supervisors within the boards and departments of the Youth and Adult Correctional Agency is 8% of compensation in excess of \$863 per month paid to those members.

This bill would make the latter provision applicable to state peace officer/firefighter members who are correctional supervisors within the State Department of Mental Health.

Ch. 798 (SB 202) Soto. Public employee postretirement health benefits: employer contributions.

The Public Employees' Medical and Hospital Care Act requires contracting agencies, as defined, to pay employer contributions for postretirement health benefits for employees who retire for service and who are first employed after the date of the contract amendment or January 1, 1999, subject to specified conditions. In those circumstances, for employees with 20 or more years of credited service, the contracting agency is required to pay 100% of the required health premium.

This bill would recast those provisions and, upon approval by the governing body of a contracting agency, would authorize the contracting agency to give employees hired prior to the contract amendment the right to elect to be subject to those provisions, and would require the contracting agency also to pay 100% of the required health premium for annuitants who retired for disability and annuitants who retired with 20 or more years of service credit with the contracting agency and who meet specified criteria.

Ch. 799 (SB 235) Vasconcellos. Community colleges: classified staff representatives.

(1) Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. Existing law also establishes a procedure for the selection of an exclusive representative of employees of a community college district to meet and negotiate with an employer on matters within the scope of representation.

This bill would require that, notwithstanding any other provision of law, when a classified staff representative is to serve on a college or district task force, committee, or other governance group, the exclusive representative of the classified employees of that college or district appoint the representative for the respective bargaining unit members. The bill would authorize a local governing board to consult with other organizations of classified employees on shared governance issues, as specified. The bill would require the governing board of the community college district to determine a process for the selection of a classified staff representative in a situation where no exclusive representative exists. The imposition of this requirement on the governing boards of community college districts would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 800 (SB 334) Ortiz. Teachers' retirement benefits: retirement following reinstatement.

Existing law prescribes service retirement benefits for members of the Defined Benefit Program of the State Teachers' Retirement Plan who retire for service following reinstatement from a prior retirement.

This bill would prescribe different service retirement benefits for those members who retire for service with at least 2 years of creditable service, as specified, following reinstatement from a prior retirement.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 801 (SB 379) Alarcon. Public safety officers: civilian employees.

(1) Existing law establishes the Public Safety Officers Procedural Bill of Rights, which permits public safety officers to engage in political activity, as specified, and which provides specified procedures and conditions for the investigation and interrogation of a public safety officer that could lead to punitive action.

This bill would extend similar rights to civilian employees of the police department of any city. By extending these rights to a new group of local public employees, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 802 (SB 499) Soto. State Teachers' Retirement System.

The Teachers' Retirement Law provides that, prior to January 1, 2002, dependent, unmarried children of members of the Defined Benefit Program of the State Teachers' Retirement Plan are eligible for disability and family benefits if they are under 22 years of age on the date of the member's disability or death; however, on and after January 1, 2002, dependent, unmarried children of those members are eligible for those benefits only if they are under 18 years of age or under 22 years of age and full-time students, as defined, on the date of the member's disability or death.

This bill would instead provide that, on and after January 1, 2002, dependent, unmarried children of those members shall continue to be eligible for disability and family benefits if they are under 22 years of age on the date of the member's disability or death. The bill would also make technical changes to that provision.

Existing law, known as the Dave Elder State Teachers' Retirement System Home Loan Program Act, establishes a member home loan financing program and specifies that the maximum amount of any loan under that program shall not exceed \$350,000.

This bill would provide, instead, that the maximum amount of any loan under the program may not exceed 200% of the conforming loan limit set by either the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, as specified.

Under the existing Teachers' Retirement Law, members of the Defined Benefit Program of the State Teachers' Retirement Plan may elect to receive service credit for time spent in certain types of service or activities that would not otherwise be creditable.

This bill would authorize those members to elect to receive service credit for time spent in a position subject to coverage by the Cash Balance Benefit Program of the State Teachers' Retirement Plan, subject to specified conditions.

The bill would appropriate \$1,000,000 from the Teachers' Retirement Fund to the Teachers' Retirement Board for the administrative costs of implementing benefit changes, as specified.

Ch. 803 (SB 501) Committee on Public Employment and Retirement. State teachers' retirement.

(1) The Teachers' Retirement Law defines "creditable compensation," "full-time equivalent," and "overtime" for purposes of calculating benefits under that law.

This bill would make technical changes to those definitions.

(2) The Teachers' Retirement Law provides an optional, alternative method for calculating the final compensation, for purposes of benefits under that law, applicable to a member whose salary was reduced due to a reduction in school funds.

This bill would repeal that provision.

(3) Existing law requires the Teachers' Retirement Board to provide a specified annual report to, among others, the Joint Public Pension Fund Investments Committee.

This bill would delete the reference to that committee.

(4) Existing law prescribes service and disability benefits for members of the Defined Benefit Program of the State Teachers' Retirement Plan, which benefits are calculated, in part, based upon the member's credited service; however, with respect to certain benefit calculations, specified types of credited service, such as credit for unused sick leave, are excluded.

This bill would additionally exclude from those benefit calculations service credited for an unused leave of absence for education, as specified.

(5) The Teachers' Retirement Law prescribes contribution rates, service and disability retirement benefits, survivor benefits, and benefits for former spouses of members, and establishes a replacement benefits program for members of the Defined Benefit Program and the Cash Balance Benefit Program of the State Teachers' Retirement Plan.

This bill would make technical and clarifying changes to those provisions.

(6) Existing law authorizes members of the Defined Benefit Program of the State Teachers' Retirement Plan to elect to receive service credit for various types of nonqualified service, subject to the payment of certain contributions, or to elect to redeposit previously refunded contributions, as specified.

This bill would authorize the member to pay or redeposit those contributions by transferring funds from eligible retirement plans, subject to applicable federal and state laws.

(7) The Teachers' Retirement Law prescribes specified benefit increases applicable to retirement, disability, and other allowances, and to annuities payable under the Defined Benefit Supplement Program.

This bill would make those increases inapplicable to those annuities.

(8) Existing law authorizes members and participants of the Defined Benefit Supplement Program and the Cash Balance Benefit Program of the State Teachers' Retirement Plan to elect from among several forms of annuity payments. Existing law provides that, upon election of an annuity under the Cash Balance Benefit Program, the credits in the participant's employee and employer accounts are transferred to the Annuitant Reserve.

This bill would authorize members of the Defined Benefit Supplement Program to receive a lump-sum payment instead of annuity payments in specified circumstances. The bill would provide, with respect to certain annuity payment options under of the Cash Balance Benefit Program, an increased payment if the participant's designated beneficiary predeceases the member and provide that upon reemployment of a participant receiving a disability annuity, his or her employee and employer's accounts shall be credited, and the Annuitant Reserve

reduced, by the actuarial equivalent of the participant's annuity. The bill would also make technical and clarifying changes to those provisions.

(9) Existing law requires the State Teachers' Retirement System to pay the premiums associated with Medicare Part A for members of the Defined Benefit Program who retired prior to January 1, 2001, and meet specified criteria. Existing law also authorizes the Teachers' Retirement Board to pay those premiums for certain members who retire on or after January 1, 2001, subject to certain findings by the board.

This bill would make technical and clarifying changes to those provisions.

(10) Existing law provides that certain permanent or regular employees of a school or agency shall be subject to the Public Employees' Retirement System, provided they are not members of the State Teachers' Retirement System.

This bill would clarify that those employees shall be subject to the Public Employees' Retirement System if they are neither members nor participants of the State Teachers' Retirement Plan.

(11) This bill would declare that if any other bill affects any code section contained in this bill, the provisions of that other bill shall prevail as to that code section, regardless of the date of enactment.

Ch. 804 (SB 588) Burton. Prevailing wages: payroll records.

Existing law generally requires contractors engaged in public works to pay employees the prevailing wage, as determined by the Director of Industrial Relations, and to comply with requirements relating to recordkeeping and employee work schedules.

This bill would authorize a joint labor-management committee established pursuant to a specified provision of federal law to bring an action against any employer who fails to pay prevailing wages as required by state law.

Existing law requires each contractor and subcontractor on a public works project to keep accurate payroll records containing information about employees, including name, address, social security number, and work history. Existing law requires, if these records are provided to the public or any public agency, that the names, addresses, and social security numbers of the employees be obliterated.

This bill would prohibit the obliteration of any information on employee payroll records except the employee's name and social security number, for any records supplied to a joint labor-management committee established pursuant to federal law.

Ch. 805 (SB 614) Burton. School employees: labor relations.

Existing law provides that public school employees who are in a unit for which an exclusive representative has been selected, are required, as a condition of continued employment, either to join the recognized employee organization or to pay the organization a fair share service fee. Existing law further provides that upon notification to the employer by the exclusive representative, the amount of the fee is required to be deducted by the employer from the wages or salary of the employee and paid to the employee organization, and prescribes related matters.

This bill would instead require that, notwithstanding any other provision of law, upon receiving notice from the exclusive representative of a public school employee who is in a unit for which an exclusive representative has been selected, the employer would be required to deduct the amount of a fair share service fee from the wages and salary of the employee and pay that amount to the employee organization. The bill would also provide that the employee would, thereafter, be required, as a condition of employment, either to join the recognized employee organization or pay that fair share service fee, would prescribe related matters, and would make conforming changes in related provisions.

The bill would require the employer of a public school employee to provide the exclusive representative of a public employee with the home address of each member of a bargaining unit, regardless of when that employee commences employment, in order to satisfy specified

notification requirements. By imposing new duties on school districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 806 (SB 730) O'Connell. Workers' compensation: death benefits.

Existing law provides for the payment of a state scholarship to dependents of specified peace officers, correctional officers or employees, and firefighters if the peace officer, correctional officer or employee, or firefighter is killed in the performance of his or her duty or if death or permanent disability is suffered by the peace officer, correctional officer or employee, or firefighter as a result of specified accidents or injuries incurred in the performance of his or her duty. Eligibility for the state scholarship is limited to dependents who demonstrate financial need to the Student Aid Commission.

This bill would prohibit proceeds of death benefits received by a dependent from being included when determining financial need for eligibility for the scholarship.

Ch. 807 (SB 1207) Romero. Occupational safety and health: volunteer firefighters.

Existing provisions of the California Occupational Safety and Health Act of 1973 define the terms "employee" and "employment." The definition of "employment" in existing law limits "employment" to work for hire.

This bill would impose a state-mandated local program by including within these definitions, and thereby making the act applicable to, volunteer firefighters when covered by workers' compensation pursuant to provisions applicable to volunteer firefighters of specified volunteer fire departments that are wholly or partially supported by a county, city, or public district.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 808 (SB 1212) Romero. Higher education labor relations: memorandum of understanding.

(1) Existing law establishes the California State University under the administration of the Trustees of the California State University. An existing provision relating to the university requires the trustees to establish grievance and disciplinary action procedures for all academic employees, as prescribed.

This bill would provide that this provision does not apply to a grievance relating to merit pay if a memorandum of understanding is agreed to and it provides for merit pay for academic employees of the university.

(2) Existing law relating to higher education labor relations provides that, in the case where various specified statutes conflict with a memorandum of understanding, the memorandum of understanding shall be controlling.

This bill would, instead, provide that, with respect to a memorandum of understanding entered into on or after January 1, 2002, the provision described in (1) above, with the exception of a specified portion of that provision, provides a minimum level of benefits or rights and shall be superseded by a memorandum of understanding only if the relevant terms of the memorandum of understanding provide more than the minimum level of benefits or rights provided by that statute.

Ch. 809 (AB 84) Hertzberg. Department of Motor Vehicles: records: confidentiality: psychiatric social workers and trial court employees.

(1) Existing law prohibits the disclosure of the home addresses of certain public employees and officials that appear in any records of the Department of Motor Vehicles, except to a court, a law enforcement agency, and certain other official entities.

Existing law makes a violation of the prohibition specified above a crime if the disclosure is of the home address of the public officials and employees, or the spouses or children of these officials or employees.

This bill, in addition, would require the home addresses of employees of a trial court, psychiatric social workers employed by counties, and the spouses and children of these employees and workers to be withheld from public inspection. The bill would also authorize the disclosure of the home addresses of certain public employees and officials to an attorney in a civil or criminal action who demonstrates to a court the need for the information, if the disclosure is made pursuant to a subpoena.

By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

(2) This bill would incorporate additional changes in Section 1804.4 of the Vehicle Code, proposed by AB 1029, to be operative only if AB 1029 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 810 (AB 152) Calderon. San Gabriel Water Quality Authority: board members.

(1) The San Gabriel Water Quality Authority Act requires the board of the San Gabriel Water Quality Authority to be composed of 7 members, 3 of whom are water district members, 2 of whom are city members, and 2 of whom are producer members. The act requires city members and their alternates to be elected and to be city council members. The act requires water district members and their alternates to be appointed and to be members of the board of a water district. The act defines a producer member to mean a member who, pursuant to a specified court judgment, is a designee of a producer other than a water district or a city that is a holder of at least 5% of the prescriptive pumping rights in the Main San Gabriel Basin.

The act generally requires all actions of the board to be approved by an affirmative vote of a majority of all of the board members and, in addition, for certain actions, including the adoption of the authority's budget, requires that that vote include at least one city member, one producer member, and one water district member.

Existing law prohibits the board members of a district, as defined, from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members.

This bill would authorize the authority to contract with any producer, defined to include a producer under the specified court judgment and a business entity that is a majority owner or corporate affiliate of that producer if no producer member, or his or her alternate, votes on the contract.

The bill would provide that the financial interest of any producer member in a contract between a producer and the authority, or the fact that a producer member may have an ownership interest in, or hold the position of, a shareholder, director, officer, agent, or employee of that producer, does not constitute a violation of the above-described conflict-of-interest provision, if specified requirements are met.

The bill would require a contract with a producer, or a successor in interest to a producer, to be approved by the affirmative vote of a majority of all of the board members, other than producer members. The bill would delete the requirement that the adoption of the authority's budget be approved by at least one city member, one producer member, and one water district member.

The bill would provide that if a city member or alternate city member ceases to be a city council member, the office occupied by that member on the board of the authority shall be deemed vacant. The bill would provide that if a water district member or alternate water district member ceases to be a member of a water district, the office occupied by that member on the board of the authority shall be deemed vacant.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 811 (AB 173) Chavez. Solid waste: fees.

The existing California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, establishes an integrated waste management program. The act requires each operator of a disposal facility in the state to pay a quarterly fee to the State Board of Equalization, as specified, for all waste disposed of at each disposal site. The fees are deposited in the Integrated Waste Management Account, which may be expended by the board, upon appropriation by the Legislature, for specified purposes regarding the regulation of solid waste. Existing law requires that recycled materials and inert waste removed from the waste stream, and not disposed of in a solid waste landfill, not be included, for the purpose of assessing specified fees. Existing law defines the term "inert waste" for the purposes of this provision, until January 1, 2002, as including the use, disposal, or placement of solely inert waste on property where surface mining operations are being conducted, or have been conducted previously, if the use, disposal, or placement is for purposes of reclamation. Existing law also defines the term "inert waste," until January 1, 2002, as including only rock, concrete, brick, sand, soil, and cured asphalt.

This bill would delete the repeal of that definition of inert waste, thereby continuing the operation of the provisions pertaining to that definition until the board adopts the regulations specified below.

The bill would require the board, by January 1, 2004, to adopt and file with the Secretary of State, regulations that establish an appropriate level of oversight of the management of construction and demolition waste, and the management of inert waste at mine reclamation sites. The bill would make the fee exemption for recycled materials and inert materials that defines the term "inert waste" inoperative on the operative date of those regulations, and would repeal the fee exemption that contains those definitions on January 1 following the operative date of those regulations.

This bill would reenact the exemption for recycled materials and inert waste that does not include those definitions of "inert waste" on the operative date of those regulations.

Ch. 812 (AB 223) Frommer. Evidence: depositions: forms: discovery.

Existing law sets forth the required contents of a civil complaint or cross-complaint, the right of a defendant to request a statement of the nature and amount of damages sought, and the required amount of an undertaking to obtain a release of an attachment or a protective order, or to protect the rights of a 3rd-party creditor, with regard to a writ of execution on a debtor's property.

This bill would make technical changes in these provisions and increase the required amount of those undertakings, as specified.

Existing law authorizes the clerk of a court to enter in the Register of Actions a writ of execution on a money judgment as wholly satisfied when no more than \$10 interest deficit exists in a limited civil case, as specified.

This bill would extend that authorization to all civil cases involving money judgments.

Existing law provides that a party may obtain discovery by taking an oral deposition in another state of the United States, or in a territory or an insular possession subject to its jurisdiction. The deposition must be conducted under the supervision of a person authorized to administer oaths by the laws of the United States or before a person appointed by the court.

This bill would authorize the clerk of the court to issue a commission authorizing the deposition in another state or place. The commission would be issued to any party in any action pending in its venue without a noticed motion or court order. The commission would contain such terms as are required by the foreign jurisdiction to initiate the process. If a court order is required by the foreign jurisdiction, an order for a commission would be authorized to be obtained by an ex parte application. The bill would also permit a person to take, or attend, a deposition by telephone or other electronic means, would permit a nonparty deponent to appear at his or her deposition by telephone, as specified, and would authorize the use of electronic technology in conducting discovery, as specified.

Existing law provides that certified shorthand reporters have the power to administer oaths or affirmations to those being deposed.

This bill would make that power applicable when the deposition is taken by telephone or other remote electronic means, as specified.

Existing law requires the Judicial Council to develop and approve official form interrogatories and requests for admission of the genuineness of any relevant documents or of the truth of any relevant matters of fact in any civil action in a state court based on personal injury, property damage, wrongful death, unlawful detainer, breach of contract, family law, or fraud.

This bill would further require the Judicial Council to develop and approve official form interrogatories and requests for admission for use in any other civil action in a state court as the Judicial Council deems appropriate.

Existing law generally provides that attorney work product is not discoverable unless the court determines the denial of discovery will unfairly prejudice the party seeking discovery, as specified. However, existing law also provides that any writing reflecting an attorney's impressions, conclusions, opinions, or legal research or theories is not discoverable under any circumstances. Existing law relating to the assertion of privilege provides that the presiding officer may not require disclosure of information claimed to be privileged in order to rule on the claim. However, if a court is unable to rule on the validity of the assertion of certain specified privileges without requiring disclosure, the court may require the disclosure of the information in chambers out of the presence and hearing of all persons except the person authorized to claim the protection and such other persons as the person authorized to claim the protection is willing to have present.

This bill would specify that a presiding officer may not require disclosure of attorney work product coming within the absolute prohibition in order to rule on a claim of privilege and would provide that other attorney work product may be disclosed pursuant to the above procedure in order to rule on such a claim.

Existing law requires each trial court to report to the Judicial Council on progress towards achieving specified cost reduction goals.

This bill would repeal that requirement.

Existing law specifies the total fee for filing a first paper in a limited civil case. Existing law authorizes the board of supervisors of each county to exclude a specified portion of the total fee relating to dispute resolution.

This bill would revise the total fee for filing a first paper in a limited civil case, as specified. The bill would delete the authority of a board of supervisors to exclude a portion of the total

fee and instead permit the Judicial Council to authorize any trial court to exclude that portion of the fee.

Existing law provides that the Judicial Council shall establish by rule the Trial Court Budget Commission and may delegate certain budgetary activities and recommending authority to the Trial Court Budget Commission. Existing law also provides specific standards for the allocation of moneys to individual courts proposed by the commission for approval by the Judicial Council. Existing law requires that each trial court send a copy of its budget request to the board of supervisors, and provides that the board of supervisors may comment on the budget to the Trial Court Budget Commission.

This bill would remove the statutory authorization for the Trial Court Budget Commission, make corresponding changes, and delete the provision requiring the sending of a copy of a trial court budget request to the board of supervisors. This bill would also provide that the Judicial Council may seek input regarding budgetary activities as it deems appropriate, and expressly permit the consideration of other issues when making allocation determinations. This bill would repeal the statute requiring that each trial court send a copy of its budget request to the board of supervisors, and authorizing the board of supervisors to comment on the budget to the Trial Court Budget Commission.

Existing law provides generally for the state funding of trial courts. These provisions require the establishment of a decentralized system of trial court management, define court operations for funding purposes, require the board of supervisors in each county to establish a Trial Court Operations Fund in the county treasury, provide for an annual appropriation to the Judicial Council for general operations of trial courts, require the Judicial Council to adopt appropriate rules for budget submission and management and the reporting of revenues and expenditures by each trial court, and require the continuation by counties of certain services to the courts.

This bill would revise the requirements for decentralized trial court management systems, revise the procedures for the audit and review of a Trial Court Operations Fund, revise the budget request procedures for the annual appropriation for trial court funding, and make corresponding changes in the definition of trial court operations.

Existing law provides that, with the prior approval of the county auditor, a municipal court may deposit into a bank account moneys that are deposited with the court as bail.

This bill would extend this provision to all trial courts, require prior approval of the administrative director of the courts rather than the county auditor, and provide for regulation of these accounts by the Judicial Council, as specified.

This bill would authorize the Judicial Council to restrict or prohibit a trial court from transferring money from one program to another, to audit the trial courts, to establish and control separate funds, and to regulate, control, and manage all moneys collected by the trial courts.

Existing law governs trial court employee benefits.

This bill would provide that, if a county administers benefits to trial court employees, the employee is eligible for benefits as regulations specify and the employee has the right to receive, and is similarly subject to the modifications of, the same level of benefits as county employees in similar classifications.

Existing law requires the Judicial Council to prepare a form, containing specific required information disclosures, by which litigants to an action may claim financial hardship and be excused from paying certain fees.

This bill would remove from the form the disclosure of the litigant's date of birth.

This bill would also require that any specified costs, charged to the courts by the counties, be expressly stated and contain only items of court operations.

This bill would require courts and counties to establish procedures to share budgetary information, as specified.

This bill would also require the Judicial Council to provide to the Legislature, on December 1, 2001, and yearly thereafter, court budget expenditure data, as specified.

Existing law provides for a confession of judgment without an action, upon the payment of a specified fee and the filing of specified documents, that becomes the judgment roll.

This bill would increase the filing fee for a confession of judgment in limited civil cases, and revise the list of required documents that become the judgment roll.

Existing law provides that a settling party in certain actions may give notice of settlement to all parties and the court and that, within 25 days of the mailing of that notice, a nonsettling party may file a notice of motion to contest the good faith of the settlement.

This bill would shorten the time limitation for the nonsettling party to file a motion contesting the good faith of the settlement to 20 days, if the original notice of settlement was personally served.

Existing law provides that service by mail is completed at the time of deposit and that the period of notice and any required response to the service, or any right or duty based thereon, is extended 5 days if mailed to a destination within California, 10 days if the destination is within the United States but outside California, and 20 days if the destination is outside the United States.

This bill would specify that the applicable days for this period of notice are calendar days, and that these time extensions shall be determined based upon either the destination or the place of mailing, or both, as specified.

This bill would incorporate additional changes in Section 2025 of the Code of Civil Procedure, proposed by SB 805, to be operative only if SB 805 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

This bill would incorporate additional changes in Section 77003 of the Government Code, proposed by AB 1700, to be operative only if AB 1700 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

This bill would incorporate additional changes in Section 77009 of the Government Code, proposed by SB 1191, to be operative only if SB 1191 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 813 (AB 276) Migden. Discrimination: remedies.

Existing law specifies that all persons have the right to be free of violence or intimidation by threat of violence against their persons or property because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute or because another person perceives them to have one or more of these characteristics. Under existing law, these provisions do not apply to statements concerning positions in a labor dispute that are made during lawful labor picketing.

Existing law makes violation of these provisions subject to an award of damages up to \$150,000 in an administrative proceeding brought under the Fair Employment and Housing Act. Existing law specifies that the director of the Department of Fair Employment and Housing must issue an accusation in those administrative proceedings within one year after the complaint is filed with the department, except for complaints treated by the director as group or class complaints, with respect to which the accusation must be issued within two years of the filing of the complaint.

This bill would extend to 2 years the period within which an accusation may be issued by the director upon a complaint alleging a violation of the above-described right to be free of violence or intimidation or threats of violence.

Ch. 814 (AB 540) Firebaugh. Public postsecondary education: exemption from nonresident tuition.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college

campuses throughout the state. Existing law authorizes community college districts to admit, and charge a tuition fee for, nonresident students in accordance with specified criteria.

Existing law establishes the California State University, and authorizes the operation of its various campuses under the administration of the Trustees of the California State University. Existing law authorizes the trustees, on the basis of demonstrated financial need and scholastic achievement, to waive entirely, or reduce below the minimum rate, the tuition fee of a nonresident student, as defined.

Existing law prescribes residency requirements for students at public institutions of postsecondary education, including, among others, the campuses of the California Community Colleges and the California State University. With respect to alien students, existing law specifies that an alien, including an unmarried minor alien, may establish his or her residence unless precluded by the federal Immigration and Nationality Act from establishing domicile in the United States. These provisions are applicable to the University of California only if the Regents of the University of California act to make them applicable.

This bill would require that a person, other than a nonimmigrant alien as defined, who has attended high school in California for 3 or more years, who has graduated from a California high school or attained the equivalent thereof, who has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001-02 academic year, and who, if he or she is an alien without lawful immigration status, has filed an affidavit as specified, be exempted from paying nonresident tuition at the California Community Colleges and the California State University.

The bill would authorize a student exempt from nonresident tuition under the bill to be reported by a community college district as a full-time student for apportionment purposes. The bill would require student information obtained in the implementation of the bill to be confidential.

Ch. 815 (AB 608) Dickerson. Transportation funding.

(1) Under existing law, each regional transportation planning agency and each county transportation commission, after consulting with the Department of Transportation, is required to adopt and submit to the California Transportation Commission and the Department of Transportation, not later than December 15, 2001, and December 15 of each odd-numbered year thereafter, a 5-year regional transportation improvement program in conformance with the state transportation improvement program. Those local transportation entities may request and receive an amount not to exceed $\frac{1}{2}$ of one percent of their regional improvement fund expenditures for the purposes of project planning, programming, and monitoring, except that those local transportation entities that are not receiving federal metropolitan planning funds may request and receive an amount not to exceed 2% of their regional improvement fund expenditures for those purposes.

This bill would increase the maximum amount that may be requested and received by those entities for the above described purposes to 1% and 5%, respectively.

(2) Existing law requires state transportation funds available for regional improvement projects to be programmed by the California Transportation Commission in the 5-year state transportation improvement program (STIP) in accordance with certain formulas, including the north-south split and county minimums. Existing law requires the programmed project amount in the STIP to be adjusted in certain cases.

This bill would also authorize the adjustment by the commission of a programmed project amount in the STIP if the construction contract award amount for a project is less than 80% of the engineer's final estimate, excluding construction engineering.

Ch. 816 (AB 731) Wayne. Domestic violence.

Existing law provides for the issuance and enforcement of protective orders in cases involving domestic violence. Existing law provides that a protective or restraining order related to domestic or family violence and issued by a court of another state, a tribe, or a

military tribunal shall be deemed valid if the issuing court had jurisdiction over the parties and the matter.

This bill would delete the latter provision and would enact the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act, which would authorize the enforcement of a valid foreign protection order in a tribunal of this state under certain conditions. It would prescribe the criteria for a determination of validity and would specify that registration or filing of an order in this state is not required for the enforcement of a valid order. It also would require a law enforcement officer of this state to enforce a foreign protection order upon determining that there is probable cause to believe that a valid foreign protection order exists and has been violated. The bill would also recast the provisions of existing law that authorize any individual to register a foreign protection order and that require a court in this state to register the order and would make related technical changes.

This bill would incorporate additional amendments to Section 6380 of the Family Code made by AB 160 to take effect if both bills are enacted and this bill is enacted last.

By imposing new duties on local law enforcement officers, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 817 (AB 938) Cohn. Health care service plans: contracting providers: lists.

Under existing law, the Knox-Keene Health Care Service Plan Act of 1975, health care service plans are regulated by the Director of the Department of Managed Health Care. Existing law requires each plan to utilize disclosure forms or materials containing information regarding the benefits, services, and terms of the plan contract, and requires the disclosure form to include, among other things, a description of any limitations on the patient's choice of a primary care or specialty care physician, and to include general authorization requirements for referral by a primary care physician to a specialty care physician.

This bill would require the disclosure form to include any limitations on the patient's choice of a nonphysician health care practitioner, and to include any general authorization requirements for referral by a primary care physician to a nonphysician health care practitioner.

This bill would require a health care service plan to provide to enrollees, upon request, a list of contracting providers, updated on a quarterly basis, and information concerning their medical education, board certification, and subspecialty training. The bill would require that the list indicate that it is subject to change without notice and that it provide enrollees with a telephone number whereby the enrollee can determine if the provider is accepting new patients. The bill would provide that a complete republication of a plan's provider directory is not required. The bill would require a health care service plan to permit enrollees to request this information through the plan's toll-free telephone number. The bill also would require a health care service plan to provide enrollees, upon request, information on plan providers.

A willful violation of the act is a crime. Therefore, the bill's imposition of additional or revised requirements on health care service plans would impose a state-mandated local program by creating new crimes or changing the definition of existing crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason. This bill would become operative on July 1, 2002.

Ch. 818 (AB 978) Steinberg. Native American graves protection and repatriation.

Existing law contains provisions regarding the regulation of human remains disposal and burials.

This bill, the California Native American Graves Protection and Repatriation Act of 2001, would require all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions, would provide a process for the identification and repatriation of these items to the appropriate tribes, and would authorize the imposition of civil penalties for failure to comply with the requirements of this bill. The bill would also establish the Repatriation Oversight Commission, composed of 10 members, with specified duties relating to the repatriation process.

Ch. 819 (AB 1011) Pavley. County records.

(1) Existing law prescribes the various duties of the county assessor and the county recorder with respect to the filing and maintenance of public documents and prescribes fees that may be charged by the county recorder for recording and indexing documents.

This bill would require the county recorder in each county to develop and maintain, within the existing indexing system, a comprehensive index of conservation easements on land in that county. The bill would also require the county recorder, with respect to conservation easements affecting property within the county, recorded on or after January 1, 2002, to include the conservation easement in the index, if the document is properly labeled, or if a Notice of Conservation Easement, as set forth in the bill, is also recorded. The bill would authorize specified parties to conservation easements to fill out and record a Notice of Conservation Easement for conservation easements recorded prior to January 1, 2002. The bill would specify that, with respect to recording a conservation easement document, the fee for recording and indexing documents shall include funds to cover the costs associated with indexing the document. The bill would state the intent of the Legislature that the conservation easement index be established by using existing resources. By imposing these duties on county officers, this bill would create a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 820 (AB 1015) Wright. Employment: retaliation.

Existing law prohibits an employer from discriminating against any employee because the employee has filed a claim with or instituted a proceeding before the Labor Commissioner relating to the employee's rights, because the employee testifies or will testify in such a proceeding, or because the employee exercised, on behalf of himself, herself, or others, rights afforded employees by the Labor Code. Existing law provides for reinstatement of and the payment of lost wages and work benefits to any employee who is subjected to adverse employment action because the employee filed a bona fide complaint with the Division of Industrial Relations. Existing law makes it a misdemeanor for an employer to take adverse employment action against employees who file bona fide complaints.

This bill would extend those provisions to apply to applicants for employment who are refused employment, not selected for a training program leading to employment, or discriminated against in any other manner. The bill would also expand existing prohibitions to include protection for employees and applicants who engage in conduct delineated in Chapter 4 of Division 1 and Chapter 5 of Part 3 of Division 2 of the Labor Code. The bill

would provide that its provisions relating to Chapter 4 of Division 1 and Chapter 5 of Part 3 of Division 2 do not apply to state and local law enforcement agencies, certain religious organizations or corporations, or certain members of the press.

The bill would also provide that its provisions shall not be construed to invalidate certain collective bargaining agreements and employment contracts that protect an employer against conduct that is in direct conflict with the employer's essential enterprise-related interests where breach of the agreement would materially and substantially interfere with the employer's operations or collective bargaining agreements protecting a firefighter against diseases presumed to arise as a result of his or her employment by limiting the firefighter's consumption of tobacco products. The bill would provide that its provisions do not affect existing law regarding employment discrimination related to the consumption of tobacco products.

The bill would provide that its provisions are severable and would also make technical, nonsubstantive changes to existing law.

Ch. 821 (AB 1025) Frommer. Lactation accommodation.

Existing law imposes various requirements upon employers concerning safety, working conditions, and other matters regarding the workplace, but no requirement upon private employers to accommodate employees desiring to express breast milk.

This bill would require employers to provide a reasonable amount of break time to employees desiring to express milk. The break time would be required to run concurrently, if possible, with any break time already provided. The bill would provide further that in the event it is not possible for the break time for expressing milk to run concurrently with the break time that is already provided to the employee, the break time for expressing milk shall be unpaid. Employers would also be required to provide the use of a room, or other location, other than a toilet stall, in close proximity to the employees' work area. The bill would permit the room or other location provided by employers to employees for the purpose of expressing milk to include the place where the employee normally works as long as that location meets the bill's other requirements.

This bill would exempt an employer from its requirements if the employer's operations would be seriously disrupted by providing break time to employees desiring to express milk. The bill would subject employers who violate these provisions to specified civil penalties and would authorize the Labor Commissioner to issue citations for such violations. The bill further provides procedures for issuing, contesting, and enforcing judgments for citations or civil penalties issued by the Labor Commissioner for violations of the bill's provisions and would impose a state-mandated local program by requiring, through incorporation of an existing provision, clerks of superior courts to issue judgments upon receipt of a prescribed filing by the Labor Commissioner.

Existing law provides that certain violations of the Labor Code are misdemeanors.

This bill would provide that, notwithstanding any provision of the Labor Code, violation of the bill's provisions shall not be a misdemeanor.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that no reimbursement shall be made from the State Mandates Claims Fund for costs mandated by the state pursuant to this act, but would recognize that local agencies and school districts may pursue any available remedies to seek reimbursement for these costs.

Ch. 822 (AB 1432) Corbett. Office of Emergency Services.

(1) The Natural Disaster Assistance Act authorizes the Director of Emergency Services to allocate funds appropriated for the purposes of the act for various local agency and state costs. Among the costs that may be provided for are local agency personnel costs eligible for funding or reimbursement under specified provisions of federal law, excluding normal hourly wage costs of regularly assigned emergency services and public safety personnel; costs to repair, restore, reconstruct, or replace facilities belonging to local agencies damaged as a result of natural disasters; and indirect costs as defined by a specified federal publication.

This bill would delete the reference to federal eligibility for personnel costs and instead provide that local agency personnel costs may be funded, excluding normal hourly wage costs of employees engaged in emergency work activities. The bill would also provide that specified mitigation costs may be funded and delete the reference to a specified federal publication and instead provide that indirect administrative costs may be funded.

(2) Existing law establishes the Disaster Response-Emergency Operations Account within the Special Fund for Economic Uncertainties, and continuously appropriates the moneys in the account, subject to specified limitations, for allocation by the Director of Finance to state agencies for disaster response operation costs incurred by state agencies as a result of a state of emergency proclamation by the Governor. These provisions become inoperative on July 1, 2002, and are repealed as of January 1, 2003.

This bill would extend the operation of these provisions to July 1, 2003, and would extend the date of their repeal to January 1, 2004. By extending the existence of a continuously appropriated fund, this bill would make an appropriation.

(3) Existing law requires an electrical corporation or local publicly owned electric utility to notify immediately the Commissioner of the California Highway Patrol and the sheriff and any affected chief of police of the specific area that will sustain a planned loss of power as soon as the planned loss becomes known as to when and where that power loss will occur.

This bill would require the Office of Emergency Services also to be notified.

(4) This bill would additionally make various technical corrections and delete obsolete references.

Ch. 823 (AB 1534) Longville. Contractors: works of improvement.

Existing statutory law generally governs payment provisions contained in contracts for works of improvement.

This bill would require an owner of property who contracts for a work of improvement, for construction, alteration, addition to, or repair of the property, where the value of the contract is either (1) more than \$5,000,000 where the owner's interest is a fee simple absolute interest in the property, or (2) more than \$1,000,000 where the owner's interest is less than a fee simple absolute interest in the property, to provide to the original contractor, if a lending institution is providing a construction loan, a copy of the recorded construction mortgage or deed of trust that shall disclose the amount of the construction loan. The bill would also require an owner who is not the majority owner of the original contractor to provide security for that project by a payment bond, irrevocable letter of credit, or a construction security escrow account, as specified. The bill's requirements would not apply to the construction of single-family residences, as defined, and specified associated fixed works, public works projects, or housing developments eligible for a density bonus, as specified. The bill would also exempt certain qualified publicly traded companies and qualified private companies, as defined, from the above requirements.

Ch. 824 (AB 1700) Steinberg. Courts: civil actions.

(1) Existing law provides for portable assistive listening systems for the courts; procedures for the reclassification of cases; the disposition of various fees remaining unused with the courts; the role of the county board of supervisors in setting court fees; the payment of court fees, fines, or bail by credit card; the filing by court officers and others of a sworn inventory oath; the setting of court fees; payroll dates for judicial personnel; court personnel

costs; the cost of court seals; the disposition of court fees; courthouse construction; registers of actions; court management review; court district consolidation; the naming of court districts; the selection of court officials; inspection of commitment facilities; court operations; trial court funding; court pilot projects; court-appointed special advocate grants; juvenile court infraction adjudication; liability for costs of sealing juvenile records; and parental responsibility for services for wards of the juvenile court.

This bill would revise, recast, or repeal these various provisions. The bill would impose a state-mandated local program by transferring various duties from the counties to the courts.

This bill would also incorporate additional changes in Section 77003 of the Government Code, proposed by AB 223, to be operative only if AB 223 and this bill are both chaptered and become effective January 1, 2002, and this bill is chaptered last.

(2) Existing law requires the governing association of a common interest development and the builder of the development to comply with specified conditions before the association commences an action for damages against the builder based upon a claim for defects in the design or construction of the development. Among other things, the association's notice to the builder commences a period not to exceed 90 days, unless the association and builder agree to a longer period, during which the association and builder shall either attempt to settle the dispute or attempt to agree to submit the dispute to alternative dispute resolution. That notice also tolls all statutory and contractual limitations on actions against all parties who may be responsible for the defects claimed. However, the builder may give written notice to cancel the tolling of the statute of limitations, as specified. The builder may request, within 25 days of the date the association delivers the notice, to meet and confer with the board of directors of the association and to inspect the project and conduct testing. Existing law provides that the meeting is for the purpose of discussing specified issues.

This bill would revise and recast those provisions. The bill would instead require that, before an association files a complaint for damages against a respondent, as defined, based upon a claim for defects in design, or construction, the association must serve upon the respondent, a "Notice of Commencement of Legal Proceeding," that the respondent take specified action within 60 days of receipt of that notice, and that the parties meet and confer in an effort to select a dispute resolution facilitator prior to the commencement of an action for damages. The bill would require dispute resolution, as specified. Service of the notice would commence a period not to exceed 180 days, except as specified, during which the association and respondent must attempt to resolve the dispute. The bill would also specify procedures for the filing of a complaint and the amendment of claims in regard to this litigation.

The provisions would become operative on July 1, 2002.

The bill would also provide these provisions, including the existing law, would become inoperative on July 1, 2010.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 825 (SB 290) Committee on Transportation. Transportation.

(1) The Outdoor Advertising Act regulates the placement of advertising displays adjacent to and within specified distances of highways that are part of the national system of interstate and defense highways and federal aid highways. The act, except as specified, prohibits any advertising display from being placed or maintained on property adjacent to a section of a

freeway that has been landscaped if the advertising display is designed to be viewed primarily by persons traveling on the main-traveled way of the landscaped freeway.

This bill would additionally exempt from that prohibition, and would subject an advertising display to special removal and relocation provisions, not more than 4 nonconforming advertising displays located in the Mid-City Recovery Redevelopment Project Area within the City of Los Angeles, if the displays meet prescribed conditions.

The bill would set forth facts and declare that the provisions specified above constitute necessary special legislation.

(2) Existing law requires the Department of Transportation to furnish to the Department of General Services a record of each parcel of real property, where available, or identified transportation project, which it possesses, except certain existing properties or projects. Existing law further requires certain other descriptions to be provided.

This bill would recast these provisions to instead require the department to furnish the above record of each parcel, containing revised information to the Department of General Services by July 1, 2002, and each July 1 thereafter, with respect to lands, buildings, office buildings, maintenance stations, equipment yards, and parking facilities. The bill would exclude from the report existing highways, airspace, excess lands, and property acquired for highway projects.

(3) Existing law requires the Department of Transportation to encourage research and development of technological innovation in all modes of transportation in cooperation with public agencies and the private sector.

This bill would require the State Energy Resources Conservation and Development Commission, in consultation with the department, to study the potential cost-effectiveness and energy efficiency of utilizing retroreflective sheeting materials on highway signs. The bill would require the commission, in completing the study, to review any existing studies to the extent feasible and report its finding to the Legislature on or before May 1, 2002.

(4) Existing law requires funds received by the Department of Transportation as reimbursement for any work performed by the department under contract or other agreement for any local agency or entity or for any other state agency or state entity be deposited in the Transportation Reimbursable Work Account which is a continuously appropriated account in the State Transportation Fund.

This bill would repeal those provisions.

(5) Under existing law, contracts for construction in excess of \$10,000 and contracts for the purchase of supplies, equipment, and materials in excess of \$20,000 are required to be awarded by the North San Diego County Transit Development Board to the lowest responsible bidder after competitive bidding, except in an emergency.

This bill would increase these thresholds from \$10,000 to \$50,000 and from \$20,000 to \$50,000, respectively.

(6) Under existing law, when an expected purchase contract involving the San Diego Metropolitan Transit Development Board exceeds \$1,000 and does not exceed \$50,000, that board is required to seek a minimum of 3 quotations which permit prices and other terms to be compared.

This bill would increase the above-described threshold from \$1,000 to \$2,500.

(7) Existing law requires the California Transportation Commission to relinquish to any city or county any portion of any state highway within the city or county that has been deleted from the state highway system by legislative enactment. These relinquishments become effective upon the first day of the next calendar or fiscal year, whichever first occurs after the effective date of the legislative enactment.

This bill would authorize the commission to relinquish to the City of Newport Beach a specified portion of State Highway Route 1, upon terms and conditions the commission finds to be in the best interests of the state. The relinquishment would become effective immediately following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment. The

portion of State Highway Route 1 relinquished as specified would cease to be a state highway on the effective date of the relinquishment. The bill would impose a state-mandated local program by requiring the City of Newport Beach to perform specified functions.

(8) Existing law authorizes the California Transportation Commission, upon a determination by the commission that it is in the best interests of the state to do so, to relinquish, upon terms and conditions approved by it, that portion or portions of State Highway Route 2 located within the City of West Hollywood or the City of Santa Monica, or both, to that city or cities, upon agreement by the city or cities to accept the relinquishment or relinquishments. A relinquishment under this authority is effective on the date specified in the commission's approved terms and conditions with the respective city, and, thereafter, State Highway Route 2 may not include the portion or portions so relinquished, nor may the portion or portions be considered for future adoption by the state.

This bill would authorize the commission to relinquish to the City of Los Angeles a specified portion of State Highway Route 2, upon terms and conditions the commission finds to be in the best interests of the state, and would require the City of Los Angeles to maintain within its jurisdiction certain directional signs, thereby imposing a state-mandated local program. The relinquishment would become effective immediately following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment. The portion of State Highway Route 2 relinquished as specified would cease to be a state highway on the effective date of the relinquishment.

(9) Existing law lists and describes the highway routes in the state highway system, including State Highway Route 25.

This bill would amend the description of State Highway Route 25.

(10) Existing law provides, among other things, that, upon the implementation of the permanent trailer identification plate program, all trailers shall receive an identification certificate upon conversion to the permanent trailer identification program.

This bill would exempt from this requirement cases where the registrant has elected to apply for trailer identification plates or the trailer is exempt from registration.

(11) Existing law imposes gross vehicle weight fees, in accordance with a schedule, upon the registration of commercial motor vehicles operated either singly or in combination with a declared gross vehicle weight of 10,001 pounds or more. Under existing law, pickup truck weight fees are not calculated under that schedule.

This bill would additionally not calculate electric vehicle weight fees under that schedule.

The bill would preclude the weight of any vehicle issued an identification plate pursuant to a specified provision or the weight of an implement of husbandry, as defined, from being considered when calculating the declared gross vehicle weight of a towing commercial motor vehicle that is owned and operated exclusively by a farmer or an employee of a farmer in the conduct of agricultural operations.

The bill would require tow trucks that are utilized to render assistance to the motoring public or to tow or carry impounded vehicles to pay the above described weight fees in accordance with the existing schedule, except that the fee calculation shall be based only on the gross vehicle weight rating of the towing or carrying vehicle. The bill would require, upon each initial or transfer application for registration, the registered owner or lessee or that lessee's or owner's designee, to certify to the Department of Motor Vehicles the gross vehicle weight rating of the tow truck. Because under existing law, a failure to comply with the Vehicle Code is a crime, this bill would impose a state-mandated local program, by expanding the scope of that crime.

(12) Under existing law, the driver of any vehicle involved in an accident resulting only in damage to any property, including vehicles, is allowed to move the vehicle, if possible, off the main lanes of the highway to a safe location within the immediate vicinity of the accident unless that action would create a traffic hazard or cause an injury to any person. Existing law requires that driver to undertake certain notification actions.

This bill would recast this provision to require the driver involved in the described accident to, instead, immediately stop the vehicle at the nearest location that will not impede traffic or otherwise jeopardize the safety of other motorists. The bill would also require the driver to immediately undertake the notification requirements.

Because these changes would have the effect of expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(13) Existing law exempts from vehicle weight fees one commercial vehicle weighing less than 6,001 pounds unladen which, among other things, is used primarily for the transportation of a disabled person.

This bill would increase the weight of the commercial vehicle entitled to the exemption to those weighing less than 8,001 pounds unladen, rather than less than 6,001 pounds unladen. The bill would make a correspondingly related change in a provision governing nonresident daily commuters.

(14) Under existing law, in computing any penalty relating to the registration and transfer of vessels, a fraction of a dollar is disregarded unless it exceeds 50¢.

This bill would apply the above if the fraction of a dollar equals or exceeds 50¢.

(15) Existing law provides for the issuance of an instruction permit by the Department of Motor Vehicles subject to certain requirements which permit entitles the applicant to operate a vehicle for a period not exceeding 12 months.

This bill would additionally require an applicant to qualify for and be issued an instruction permit within 12 months from the date of the application and would entitle an instruction permitholder to operate a vehicle for 24 months, rather than 12 months, from the date of the application.

(16) Existing law requires every driver and every owner of a motor vehicle to be able to establish financial responsibility, and, at all times, carry in the vehicle evidence of a form of financial responsibility, which may be obtained by a law enforcement officer from the electronic reporting system established by the Department of Motor Vehicles. Existing law provides that evidence of financial responsibility may include the number of an insurance policy. Existing law requires, upon the demand of a peace officer, that evidence of financial responsibility be provided by a person driving a motor vehicle.

This bill would provide that the electronic reporting system alternative applies when that system becomes available for use by law enforcement officers.

The bill would also provide that the name of the insurance company is required to be included, as well as the number of the insurance policy, as evidence of financial responsibility. The bill would also provide that evidence of financial responsibility be provided to a traffic collision investigator upon the demand of that investigation.

(17) Existing law sets forth in the Vehicle Code lighting and reflector requirements for vehicles operating upon the highways.

This bill would require all trailers and semitrailers having an overall width of 80 inches or more and a gross vehicle weight rating of more than 10,000 pounds, and manufactured on or after December 1, 1993, except as specified, and all truck tractors manufactured on or after July 1, 1997, to be equipped with the conspicuity system specified in a federal Motor Vehicle Safety Standard.

The bill would allow any trailer, semitrailer, or motor truck having an overall width of 80 inches or more and manufactured prior to December 1, 1993, and any truck tractor manufactured prior to July 1, 1997, to be equipped with the conspicuity system.

Because a violation of Vehicle Code equipment requirements is, under existing law, a crime, this bill would impose a state-mandated local program by creating a new crime.

(18) Existing law requires a motor carrier permit to be canceled and a \$20 fee to be assessed to the motor carrier permit applicant if the permit is paid by check and the check is dishonored by the bank.

This bill would delete the required \$20 fee assessment for dishonored checks.

(19) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(20) This bill would incorporate additional changes in Section 4000.6 of the Vehicle Code proposed by AB 1472, to be operative only if AB 1472 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

The bill would incorporate additional changes in Section 5014.1 of the Vehicle Code proposed by AB 1472, to be operative only if AB 1472 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

The bill would incorporate additional changes in Section 5017 of the Vehicle Code proposed by AB 1472, to be operative only if AB 1472 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

The bill would incorporate additional changes in Section 9400.1 of the Vehicle Code proposed by AB 1472, to be operative only if AB 1472 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 826 (AB 1472) Longville. Vehicles: commercial vehicle registration.

(1) Under existing law a trailer or semitrailer that has a valid identification plate issued by the Department of Motor Vehicles is exempt from personal property taxation under the Revenue and Taxation Code.

This bill would include logging dollies, pole or pipe dollies, and trailer buses that have been issued valid identification plates and any auxiliary dolly or tow dolly within those listed vehicles that are exempt from personal property taxation.

This bill would specify that the exemption does not apply to a logging dolly that is used exclusively off-highway.

The bill would make cross-reference changes in related provisions.

(2) Existing law exempts from the Sales and Use Tax Law, new or remanufactured trailers or semitrailers with an unladen weight of 6,000 pounds or more and, among other things, is purchased for use without this state, if the purchaser furnishes certain documents to the manufacturer, remanufacturer, or dealer, including a written evidence of an out-of-state license and registration for that vehicle.

This bill would, for purposes of the above exemption, allow the purchaser's agent to furnish the necessary documents, and allow for the purchaser's or lessee's United States Department of Transportation number or Single State Registration System filing as a substitute to the above described written evidence if the vehicle is licensed under the permanent trailer identification plate program, and is used exclusively in interstate or foreign commerce, or both.

(3) Existing law requires any commercial motor vehicle, singly or in combination, that operates with a declared gross vehicle weight that exceeds 10,000 pounds to be registered, as specified.

This bill would clarify that the declared gross vehicle weight threshold includes declared combined gross vehicle weight.

(4) Existing law provides that a temporary registration or trip permit issued to a commercial motor vehicle shall include the diesel fuel permit number issued by the State Board of Equalization.

This bill would delete that requirement.

(5) Under existing law, an application for the original registration of a commercial motor vehicle is required to include a declaration, made by the owner to the Department of Motor Vehicles upon the appropriate form furnished by the department, that the owner is aware of the applicable motor carrier safety regulations adopted by the Department of the California Highway Patrol.

This bill would delete that requirement.

(6) Existing law requires that every piece of special construction equipment, special mobile equipment, cemetery equipment, every tow dolly, trailer, semitrailer, and every logging vehicle display an identification plate, as specified.

This bill would delete an obsolete date in those provisions.

(7) Existing law provides, upon the implementation of the permanent trailer identification plate program, that specified provisions apply, including that specified trailers be assigned a permanent identification plate and be assessed a service fee in an amount sufficient to pay at least the actual costs to the Department of Motor Vehicles, but not to exceed \$20.

This bill would allow a permanent trailer identification sticker to be affixed in lieu of an identification plate, and would make conforming changes.

(8) Under existing law, an application for a transfer of registration of a commercial motor vehicle is required to include a declaration, that the owner is aware of the applicable motor carrier safety regulations adopted by the Department of the California Highway Patrol.

This bill would delete this requirement.

(9) Under the permanent trailer identification plate program, in addition to any other registration fee, scheduled fees are required to be paid to the Department of Motor Vehicles for the registration of commercial motor vehicles. Existing law requires the department to file monthly with the Controller a report of money received by the department covering all fees received by the department. The Treasurer, in turn, under existing law, is required to deposit all moneys so reported and remitted in the Motor Vehicle Account in the State Transportation Fund, into which is merged the Motor Vehicle Account in the Transportation Tax Fund.

This bill would require, of the moneys collected by the department for the registration of commercial motor vehicles, \$82 for each initial, original, and renewal registration, to be reported monthly to the Controller, and at the same time, deposited in the State Treasury to the credit of the Motor Vehicle Account in the State Transportation Fund, and the other moneys collected by the department for the registration of commercial motor vehicles to be deposited to the credit of the State Highway Account in the State Transportation Fund.

The bill would prohibit the department from assessing a Cargo Theft Interdiction Program fee upon any commercial motor vehicle that has a declared gross vehicle weight of less than 10,001 pounds.

The bill would require the department to issue refunds of, or credits for, any Cargo Theft Interdiction Program fee that is assessed upon a vehicle that does not meet specified minimum weights or is a pickup truck or an electric vehicle.

(10) Under existing law, on or before January 1, 2003, and annually thereafter, the Department of Motor Vehicles, in consultation with the Department of the California Highway Patrol, the Department of Transportation, the Board of Equalization, and the commercial vehicle industry, is required to review and report to the Legislature and make recommendations regarding the fee schedule for commercial motor vehicles.

This bill would require the above to occur on or before July 1, 2003.

(11) The bill would also make various technical, conforming, and clarifying changes to the permanent trailer identification plate program and related statutes.

(12) This bill would incorporate additional changes in Section 5014.1 of the Vehicle Code proposed by SB 290, to be operative only if SB 290 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(13) This bill would incorporate additional changes in Section 9250.7 of the Vehicle Code proposed by SB 106, to be operative only if SB 106 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(14) This bill would incorporate additional changes in Section 9400.1 of the Vehicle Code proposed by SB 290, to be operative only if SB 290 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(15) This bill would make related changes, contingent on the enactment of SB 290.

Ch. 827 (SB 293) Torlakson. Pharmacies: injectable sterile drug products.²⁰

Existing law, the Pharmacy Law, provides for the licensing and regulation of pharmacists and pharmacy corporations in this state by the California State Board of Pharmacy. Existing law regulates controlled substances, dangerous drugs, and dangerous devices.

This bill would authorize the California State Board of Pharmacy, based on reasonable belief obtained during an investigation or pharmacy inspection, to issue a cease and desist order to a pharmacy requiring the pharmacy to refrain from compounding injectable sterile drug products if that activity poses an immediate threat to the public health or safety. The bill would implement quality assurance methods regarding the compounding of injectable sterile drug products. The bill would require the board to adopt necessary regulations regarding injectable sterile drug products. The bill would require specified pharmacies to obtain a license from the board in order to prepare injectable sterile drug products. The bill would provide that the reconstitution of a sterile powder would not require a license if specified conditions are met. By charging a fee for these licenses which would be deposited into the continuously appropriated Pharmacy Board Contingent Fund, the bill would make an appropriation.

This bill would provide that a violation of the bill or regulations adopted pursuant to it would be subject to a fine of up to \$2,500. These fines would be deposited into the continuously appropriated Pharmacy Board Contingent Fund and would thereby make an appropriation. This bill would appropriate \$580,000 from the Pharmacy Board Contingent Fund for purposes of the bill.

A violation of the Pharmacy Law is a crime. By adding additional requirements to the Pharmacy Law concerning injectable sterile drug products, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 828 (SB 870) Costa. Dairies: dairy marketing study.

Existing law relating to milk pricing and pooling provides that all milk produced in the state shall be pooled and that minimum prices that handlers must pay individual producers for the share of the raw milk that they have supplied shall be set. Existing law provides that the Secretary of Agriculture, in establishing minimum prices to be paid by handlers to producers for market milk in any market area, may establish, as the applicable minimum prices, those prices applicable within the marketing area of ultimate usage of the market milk, those prices applicable within the marketing area where the plant of first receipt of the market milk is located, those prices applicable in the marketing area where the producers place of production is located, or any of the above or any combination of the above. A violation of any of the provisions relating to the stabilization and marketing of market milk is a misdemeanor.

This bill would require the Department of Food and Agriculture to complete by April 15, 2002, a study of various programs affecting the regulated milk pricing and pooling programs and to submit it to the respective chairpersons of the Senate Committee on Agriculture and Water Resources and the Assembly Committee on Agriculture.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 829 (SB 883) Escutia. Water replenishment districts.

(1) The Water Replenishment District Act requires a water replenishment district to advertise for bids before making any contract totaling \$25,000 or more within any 12-month period, but provides that in the case of an emergency, a district may enter into a contract without advertising for bids in accordance with specified provisions of law.

This bill, if a proposed expenditure described in the annual district budget for any item of supplies or services equals or exceeds \$25,000, would require that district to advertise for bids before making any contract for that item during the year to which that budget applies. The bill would authorize a district to enter into a contract without advertising for bids in the case of an emergency if the emergency relates to the repair or replacement of district facilities. The bill would exempt certain contracts from that advertising requirement. The bill would authorize the district to adopt other procurement, advertising, and bidding rules that are more restrictive than those contained in the Public Contract Code and would require those more restrictive rules to govern the procurement, advertising, and bidding practices of the district.

The bill would prohibit a board member of a water replenishment district from making, or in any way attempting to use his or her official position to influence, a decision in which the board member knows or has reason to know that any of the relatives, as defined, or cohabitants, as defined, of the board member, whose financial interests are not otherwise regulated by the Political Reform Act of 1974, has a financial interest.

By imposing requirements on a water replenishment district, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 830 (SB 940) Committee on Judiciary. Disclosure of information regarding juveniles.

(1) Existing law provides for the protection and safety of minors under the jurisdiction of the juvenile court. Existing law further requires juvenile courts and other public agencies responsible for administering the juvenile court law to consider the protection of the public, the importance of providing redress for victims, and the best interests of minors subject to these provisions.

This bill would require juvenile court judges to act in accordance with a specified standard of judicial administration recommended by the Judicial Council that encourages juvenile court judges, among other things, to play a role in the leadership of a community in developing resources for prevention, intervention, and treatment services for at-risk children and families.

(2) Existing law provides that a minor may come within the jurisdiction of the juvenile court on the ground that the minor (a) has been or will be neglected or abused, or (b) has violated a law, an ordinance, or a curfew, or is habitually disobedient or truant. Whenever a minor appears to come within the jurisdiction of the juvenile court on the ground that both (a) and (b) are applicable, the county probation department and the county welfare department are required, pursuant to a jointly developed written protocol, to initially determine which status will serve the best interests of the child and the protection of society. These recommendations are required to be presented to the juvenile court. The court is then required to determine which status is appropriate for the minor.

This bill would establish a similar procedure whenever a minor who is under the jurisdiction of the juvenile court in one county is alleged to come within the jurisdiction of the juvenile court in another county. The bill would also require that any other juvenile court having jurisdiction over the minor shall receive a specified notice from the court in which the petition is filed within 5 calendar days of the presentation of the recommendations of the departments pursuant to these provisions. By imposing additional duties on county probation and child protective services departments and local court employees, the bill would impose a state-mandated local program.

The bill would also provide that child protective services departments, rather than county welfare departments, shall carry out the duties described above.

(3) Existing law generally provides that the status of every child who has been declared a ward of the juvenile court and placed in foster care shall be reviewed at least every 6 months. These provisions also provide that there shall be a permanency planning hearing within 12 months of the date the child first entered foster care and no less often than every 12 months during the period of placement. Under certain conditions, the court may order a hearing to terminate parental rights.

This bill would require the probation department, in any case where a child has been declared a ward of the juvenile court and has been in foster care for 15 of the most recent 22 months, to follow existing procedures to terminate parental rights, unless the probation department has documented a compelling interest for determining that termination of parental rights is not in the child's best interests or that reasonable reunification efforts have not been provided, as specified. In addition, the bill would require the probation department to make efforts to identify a family for adoption at the time it sets a hearing for termination of parental rights. By imposing additional duties on local probation department employees, the bill would impose a state-mandated local program.

(4) Existing law generally restricts the disclosure of information regarding juvenile offenders. However, information contained in a case file may be inspected by a person designated by court order of a judge of the juvenile court upon filing a petition.

Existing law authorizes a law enforcement agency to disclose information regarding the taking of a minor into custody to another law enforcement agency or to any person or agency which has a legitimate need for the information, as specified. Existing law requires a law enforcement agency to disclose information regarding a minor who has escaped from a secure detention facility, as specified, to a person who has specifically requested this information.

This bill would establish additional disclosure requirements for Los Angeles County. The bill would require a law enforcement agency to release, upon request, a complete copy of a juvenile police record, as defined, and would expand the category of persons to whom a law enforcement agency is required to release this information, without notice or consent of the person who is the subject of that record.

These disclosure provisions for Los Angeles County would also require the release, upon request, of a redacted copy of the record to specified persons or entities. If that person or entity seeks a complete copy of the record, that person or entity must submit a request using a specified form to the appropriate law enforcement agency. The bill would require the law enforcement agency to take specified actions in response to that request. Among other actions, the law enforcement agency may be required to send a notice of the request to specified persons, to make reasonable efforts to obtain the address of those persons, and, under certain circumstances, to submit the request, any objections to the request, and a copy of the requested record to the juvenile court in order to obtain authorization to release the records. The bill would set forth procedures for obtaining the release of those records. The bill would require out-of-state entities to file a petition to obtain that information. The bill would also require the Judicial Council to develop forms to implement these provisions. The bill would require the juvenile court and law enforcement in Los Angeles County to conduct an evaluation of the procedures for the release of police records containing information about

minors and to report the results of that evaluation to the Legislature on or before December 31, 2006.

The bill would provide that information received pursuant to these provisions is confidential. An intentional violation of these confidentiality provisions would be a misdemeanor punishable by a fine not to exceed \$500.

By imposing additional duties on law enforcement agencies and by creating new crimes, the bill would impose a state-mandated local program.

(5) Existing law provides that a hearing may be conducted with the consent of the minor, where a minor is charged with a traffic or nontraffic offense.

This bill would exclude infraction violations from that provision and would provide that consent of the minor is not required prior to conducting a hearing upon written notice to appear in the case of an infraction violation. The bill would also authorize a minor to enter a plea at the arraignment upon a written notice to appear in the case of an infraction violation.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 831 (AB 1696) Committee on Human Services. Minors.

(1) Existing law requires a probation officer, upon delivery of a minor who has been taken into temporary custody, to immediately investigate the circumstances of the minor and the facts surrounding the minor being taken into custody and to immediately release the minor to the custody of his or her parent, legal guardian, or responsible relative unless evidence before the court demonstrates that continuance in the home is contrary to the minor's welfare, as specified.

This bill would require the probation officer, if he or she has reason to believe that the minor is at risk of entering foster care placement, to make reasonable efforts, as defined, to prevent or eliminate the need for removing the minor from the minor's home. Because this bill would impose additional duties on county probation officers, it would create a state-mandated local program.

(2) Where it appears that a minor has violated an order of the juvenile court, or escaped from a commitment of the juvenile court, or where it is a matter of immediate or urgent necessity to protect the minor or reasonably necessary to protect the person or property of another, existing law authorizes the court to order that the minor be detained in the juvenile hall or other suitable place for up to 15 days. If the first contact with the family has occurred in an emergency situation in which the family could not exercise effective care and control over the minor, even if reasonable services were provided, the court must make a finding that the lack of preplacement preventive efforts was reasonable.

This bill would revise the latter provision. The bill would require the probation officer to submit specified documentation to the court regarding whether reasonable efforts were made to prevent or eliminate the need to remove the minor from the home and whether continuance in the home is contrary to the minor's welfare. The bill would also require the court to make the determination whether continuance in the home is contrary to the minor's welfare and whether there are available services that would prevent the need for further detention of the minor. The bill would also make other changes. By imposing additional duties on probation officers, the bill would impose a state-mandated local program.

(3) Existing law requires the probation officer to prepare a specified case plan regarding a minor who has been removed from the home of his or her parent or legal guardian following a finding by the court that continuance in the home is contrary to the minor's welfare within a specified time period.

This bill would revise the contents of the case plan, as specified. The bill would revise the provisions governing the preparation and submission of the social study or case plan. By imposing additional duties on probation officers, the bill would create a state-mandated local program.

(4) Existing law provides for the filing of a petition to declare a minor a ward of the juvenile court and, under certain circumstances, for the removal of the minor from his or her home. Existing law authorizes the juvenile court to make any and all reasonable orders for the care, custody, conduct, maintenance, and support of minors who have been adjudged wards of the court. Existing law generally requires that reunification services be provided to a minor and his or her family when the minor is removed from the minor's home. Existing law also provides for periodic status review hearings and permanency planning hearings for wards of the court. Under certain conditions, parental rights may be terminated.

This bill would revise the circumstances under which reunification services need not be provided to a parent or legal guardian to specifically include circumstances where the court finds by clear and convincing evidence that the parent has been convicted of certain criminal acts, including the murder or voluntary manslaughter of another child of the parent. The bill would revise procedures for the conduct of status review hearings and permanency planning hearings for wards of the court. The bill would also require the clerk of the court to provide a copy of a specified notice to foster parents, legal guardians, or relatives providing care to the minor where the care, custody, and control of the minor is under the supervision of the probation officer for foster care placement.

The bill would require the probation department to follow procedures for the termination of parental rights where a minor has been declared a ward of the juvenile court and has been in foster care for 15 of the most recent 22 months, unless the probation department has documented in the file a compelling reason for determining that termination of parental rights would not be in the minor's best interest. The bill would also provide that when the court orders the care, custody, and control of a minor to be under the supervision of the probation officer for foster care, the decision regarding choice of placement shall be based upon selection of a safe setting that meets other specified criteria. The bill would revise and recast other, related provisions and make technical changes.

By imposing additional duties on probation officers, the bill would create a state-mandated local program.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 832 (SB 974) Torlakson. Public contracts: cities.

The Public Contract Code contains various definitions of a "public entity," all of which include a city as a public entity. Under the California Constitution, a city may, as an alternative to being entirely subject to the general law of the state, elect to operate pursuant to a charter that authorizes the enactment of ordinances and regulations superseding the general law of the state with respect to municipal affairs.

This bill would state that the Public Contract Code is the basis of contracts between most public entities and their contractors and subcontractors. This bill would further state, with

regard to charter cities, that this code applies in the absence of an express exemption or a city charter provision or ordinance that conflicts with that code.

The bill would state that these provisions are declaratory of existing law.

Ch. 833 (AB 196) Correa. Public employees: medical conditions.

The County Employees Retirement Law of 1937 provides that, for purposes of qualification for disability retirement benefits, the development of a blood-borne infectious disease by specified safety members, firefighters, and members in active law enforcement, as defined, shall be presumed to arise out of and in the course of employment if the member demonstrates that he or she was exposed to blood or blood products as a result of performance of job duties.

This bill would eliminate the requirement that the member demonstrate that exposure for purposes of that presumption.

Under existing law, a person injured in the course of employment is generally entitled to receive workers' compensation on account of that injury. Existing law provides that, in the case of certain state and local firefighting and law enforcement personnel, the term "injury" includes hernia, tuberculosis, and meningitis that develops or manifests itself during a period while the member is in the service of the governmental entity, and establishes a disputable presumption in this regard.

This bill would extend these provisions to members of the California Highway Patrol.

Existing law also defines "injury" in the case of specified state and local firefighting and law enforcement personnel and patrol members, to include hepatitis that develops or manifests itself during the period while the member is in the service of the governmental entity.

This bill would expand the scope of this provision to include any blood-borne infectious disease.

Ch. 834 (SB 424) Burton. Workers' compensation.

Under existing law, a person injured in the course of employment is generally entitled to receive workers' compensation on account of that injury. Existing law provides that, in the case of certain law enforcement personnel, the term "injury" includes various medical conditions that are developed or manifested during a period while the person is in that service, and establishes a disputable presumption in this regard.

This bill would provide that in the case of certain law enforcement personnel, the term "injury" also includes a lower back impairment that develops or manifests itself during a period while the person is in that service.

Ch. 835 (SB 1222) Romero. Workers' compensation.

Under existing law, a person injured in the course of employment is generally entitled to receive workers' compensation on account of that injury. Existing law provides that, in the case of certain law enforcement personnel, the term "injury" includes various medical conditions that are developed or manifested during a period while the person is in that service, and establishes a disputable presumption in this regard.

This bill would provide that in the case of certain peace officers of the Department of Corrections, the Department of the Youth Authority, and local agencies, the term "injury" includes heart trouble, pneumonia, tuberculosis, and meningitis that develops or manifests itself during a period while the person is in that service.

Ch. 836 (AB 43) Wesson. Public employment.

Existing law established a state civil service system and provides for a Commission on the Status of Women to enable women to make the maximum contribution to society.

This bill would require the commission to evaluate the compensation and classification plans for state civil service and related employees and the employees of the University of California, Hastings College of the Law, and the California State University and to determine

where compensation and classification inequities exist, based on comparability of the value of work. It would require the commission to report to the Legislature and the parties meeting and conferring under the Ralph C. Dills Act and the Higher Education Employer-Employee Relations Act, and would require the commission to hire staff or contract for services as required, pursuant to specified procedures.

This bill would specify that the commission would be an advisory commission only and that there would be no right or obligation to implement the findings of the commission without further legislation that specifically authorizes that the evaluations, determinations, and findings of the commission be implemented.

This bill would provide that specific provisions of the bill shall not be implemented unless or until funds are appropriated by the Legislature in the annual Budget Act or another statute.

Ch. 837 (AB 70) Wright. Firefighting equipment. ²¹

Existing law authorizes the Office of Emergency Services to acquire new or used firefighting apparatus and equipment for resale to local agencies and to provide other assistance to agencies for the acquisition of firefighting apparatus and equipment.

This bill would establish in the office the thermal imaging equipment purchasing program and require the office to acquire firefighting thermal imaging equipment on behalf of local and state agencies that provide fire suppression services and are interested in obtaining this equipment. The bill would authorize the director of the office to, among other things, purchase thermal imaging equipment at the lowest possible price from a reliable vendor that meets specified requirements. The bill would require any participating local agency to pay $\frac{1}{2}$ of the price of equipment purchased on its behalf by the state.

This bill would appropriate \$50,000 from the General Fund to the office for the thermal imaging equipment purchasing program. It would require the director to seek funding from the private sector, grant programs, and other appropriate sources.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 838 (AB 98) Zettel. Controlled substances.

(1) Existing law makes it a crime to possess for sale or to sell materials, compounds, mixtures, or preparations containing certain controlled substances, as specified, punishable by imprisonment in a county jail for a period of not more than one year or in the state prison.

This bill would, in addition, make it an infraction or a misdemeanor to possess the substances specified in that provision, except upon the prescription of a physician, a dentist, or others. The bill would make a conforming change to a related provision. By creating new crimes, this bill would impose a state-mandated local program upon local governments.

(2) This bill would incorporate additional changes in Section 11377 of the Health and Safety Code proposed by AB 258, that would become operative only if AB 258 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 839 (AB 128) Goldberg. Education: public school employees.

Under existing law, the governing board of a school district and the governing board of a community college district are required to prescribe written rules and regulations governing the personnel management of the classified service. Existing law requires that any employee designated as a permanent employee be subject to disciplinary action only for cause as prescribed by rule or regulation of the governing board, but the governing board's determination of the sufficiency of the cause for disciplinary action is required to be conclusive.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would provide that nothing in those provisions shall be construed to prohibit the governing board, pursuant to the terms of an agreement with an employee organization, under specified provisions, from delegating its authority to determine whether sufficient cause exists for disciplinary action against classified employees, excluding peace officers, as defined, to an impartial 3rd-party hearing officer, and would provide that the governing board retains authority to review the determination under the standards set forth in specified provisions.

This bill would incorporate additional changes in Sections 45113 and 88013 of the Education Code proposed by AB 365, that would become operative only if AB 365 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 840 (AB 135) Havice. State teachers' retirement: purchase power protection.

Under the Teachers' Retirement Law, quarterly supplemental payments are made to retired members, disabled members, and beneficiaries from specified accounts to restore up to 75% of the purchasing power of the initial monthly allowances provided under the Defined Benefit Program, as specified.

This bill would provide that those supplemental payments shall be made to restore up to 80% of the purchasing power of those allowances.

Ch. 841 (AB 258) La Suer. Controlled substances.

(1) Existing law categorizes controlled substances into 5 schedules and places the greatest restrictions and penalties on those contained in Schedule I including prohibiting the prescribing of any Schedule I controlled substance. Existing law places the controlled substance gamma-hydroxybutyrate or gamma-hydroxybutyric acid (GHB) into Schedule II.

Existing law also makes it a misdemeanor for any manufacturer, wholesaler, retailer, or other person in this state who sells, transfers, or otherwise furnishes any one of specified substances to any person or business entity to fail to submit specified reports to the Department of Justice regarding all those transactions or to sell or furnish those substances to a minor.

This bill would delete GHB from Schedule II, and instead, classify GHB as a Schedule I controlled substance, unless the GHB is contained in a drug product approved pursuant to federal law, as specified, in which case the substance would be classified as a Schedule III controlled substance. The bill would make conforming changes to related provisions. The bill would revise the provision described above requiring a manufacturer, wholesaler, retailer, or other person to make a report to the Department of Justice to include additional specified substances. By expanding the scope of substances to which existing crimes apply, this bill would create new crimes and impose a state-mandated local program.

(2) This bill would incorporate additional changes in Section 11377 of the Health and Safety Code proposed by AB 98, that would become operative only if AB 98 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 842 (AB 313) Goldberg. Women, infants, and children's nutrition.

Existing law, the California Special Supplemental Food Program for Women, Infants, and Children, under the administration of the State Department of Health Services, provides for the issuance of nutrition coupons, as defined, to certain recipients with nutritional need, as determined by a physician or health professional.

This bill would, commencing July 1, 2002, provide, until January 1, 2005, that the nutrition coupons issued under the program shall be redeemable by recipients at any authorized retail food vendor, and would require the department to submit a report to the appropriate committees of the Legislature regarding the implementation of the above provisions.

Under existing law, the department is required to include specified information on the nutrition coupons. The bill would require, to the extent feasible, that the specified information provided by the department on the nutrition coupons shall be provided in a form that may be read by optical scanning technology readily available to vendors. This bill would also require the department to report to the Legislature, no later than March 15, 2002, on the feasibility and costs of providing the information in this form. The bill would further require that the specified information shall be provided only to the extent that funds for that purpose are appropriated in the annual Budget Act or another statute.

Existing law authorizes the department to design, implement, and fund an electronic benefits transfer (EBT) system for the California Special Supplemental Food Program for Women, Infants, and Children.

This bill would require the department to develop a plan to determine the feasibility of implementing the EBT system by January 1, 2003, and to report its findings to the Legislature by July 1, 2003.

Ch. 843 (AB 349) La Suer. Sex offenders: registration update.

Existing law requires certain persons, including any person convicted of any specified sexual offense, for the rest of his or her life while residing or located within California, to register with specified law enforcement officials within 5 working days of coming into, or changing his or her residence or location within, any city, county, or city and county, or campus, and annually thereafter within 5 working days of his or her birthday.

Existing law additionally requires the person, at the time of the subsequent annual registration, to update his or her registration with those entities, including verifying his or her name and address and place of employment on a form as may be required by the Department of Justice.

This bill would revise this registration update provision to require the person to provide current information as required on the Department of Justice annual update form including information to parallel the requirement already established for preregistration that additionally includes the fingerprints and a current photograph of the person and the license plate of any vehicle owned by, regularly driven by, or registered in the name of, the person. The bill would make related changes.

The bill would incorporate additional changes to Section 290 of the Penal Code made by AB 4 and AB 1004 to be operative if this bill and one or both of the other bills are enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 844 (AB 365) Nation. School employees: classified service.

Existing law, which is applicable to school districts and community college districts that have not adopted the merit system, requires the governing board of each school district and community college district to prescribe written rules governing the personnel management of the classified service, whereby those employees are designated as permanent employees of the district after serving a prescribed probationary period not to exceed one year.

This bill would require a permanent employee who accepts a promotion and fails to complete the probationary period for the promotional position, to be employed in the classification from which he or she was promoted.

This bill would incorporate additional changes in Sections 45113 and 88013 of the Education Code proposed by AB 128, that would become operative only if AB 128 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 845 (AB 530) Reyes. Crime prevention.

Existing law authorizes specified counties to develop Rural Crime Prevention Programs to address the problems of agricultural and rural crime. Under existing law, this authorization will expire on January 1, 2002.

This bill would provide that authorization for the Rural Crime Prevention Programs shall not expire until July 1, 2002.

Existing law requires the Department of Justice to secure any criminal record to determine whether the person has been convicted or incarcerated within the last 10 years for a sex offense against a minor or for a violation of other specified crimes, including any felony, if an employer of the person requests the determination and submits fingerprints of the person to the department and the person is unlicensed and provides nonmedical domestic or personal care to an aged or disabled adult in the adult's own home.

This bill would also require the department to provide a subsequent arrest notification, as specified.

Ch. 846 (AB 663) Vargas. Workers' compensation: lifeguards.

Existing law provides that an injury of an employee arising out of and in the course of employment is generally compensable through the workers' compensation system. Existing law provides that, in the case of certain law enforcement officers and firefighters, the term "injury" includes heart trouble, hernia, pneumonia, and other injuries and diseases.

This bill would provide, with respect to active lifeguards employed, for more than 3 consecutive months in a calendar year, by certain local agencies and the Department of Parks and Recreation, that the term "injury" includes skin cancer that develops or manifests itself during the period of the lifeguard's employment.

This bill would further create a rebuttable presumption that the above injury arises out of and in the course of the lifeguard's employment if it develops or manifests during the period of the employment.

Ch. 847 (AB 674) Dutra. Contracts.

Existing law, the Contractors' State License Law, prohibits a licensed contractor from inserting a provision in a contract that shields the contractor from liability when that provision has been determined to be void or unenforceable.

This bill would provide that a temporary employment agency, employment referral service, labor contractor, or other similar entity supplying an employee to a licensed contractor would not be required to secure the payment of compensation for any employee for whom the contractor is required to secure the payment of compensation. The bill would provide that this provision would be operative only if AB 1679 is enacted.

Existing law prescribes bidding procedures for any improvement or unit of work not performed by the personnel of the Santa Clara Valley Water District if the district estimates the work to cost over \$25,000.

This bill would authorize the district, upon approval of the board of directors, to use prescribed bidding procedures for building construction contracts.

Ch. 848 (AB 762) Papan. Horse racing.

Existing law provides that if a track specified in a license becomes unsuitable for racing, the board may specify another track in the same area for the conduct of the licensee's horse racing meeting.

This bill would permit the California Horse Racing Board to issue a license to the San Mateo County Fair allowing it to conduct its horse racing meetings at another location, either within or outside the county, when its present site, Bay Meadows, closes. This bill would also provide that the provisions presently applicable to the San Mateo County Fair's conduct of live horse racing meetings shall apply to its conduct of races at any other location, within or outside of San Mateo County.

Ch. 849 (AB 1078) Jackson. Driving under the influence.

(1) Existing law makes it a public offense, punishable as either a misdemeanor or felony, if a person is convicted of specified driving under the influence offenses (DUI) that occur within 10 years of, among other offenses, gross vehicular manslaughter while intoxicated or felony vehicular manslaughter.

This bill would recast this provision as to the specific prior offenses described above to delete the 10-year restriction. Because this would expand the scope of an existing crime, this bill would impose a state-mandated local program.

The bill would make conforming, technical changes in existing law.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 850 (AB 1245) Alquist. Community colleges: temporary and part-time faculty.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges, and authorizes the provision of instruction by community college districts throughout the state. Existing law requires that a person employed to teach adult or community college classes for not more than 60% of the hours per week of a full-time employee having comparable duties, excluding substitute service, be classified as a temporary employee and not become a contract employee.

This bill would require the issue of earning and retaining annual reappointment rights by any person employed as temporary or part-time faculty to be a mandatory subject of negotiation with respect to the collective bargaining process relating to any new or successor contract between community college districts and temporary or part-time faculty occurring on or after January 1, 2002.

Ch. 851 (AB 1337) Cohn. Health benefits trusts: recovery of medical costs.

Existing law establishes lien rights and procedures for the recovery by health care service plans and disability insurers of medical costs paid on behalf of an enrollee or insured for injuries caused by a 3rd party when the enrollee or insured obtains a settlement, award, or judgment against the 3rd party.

This bill would establish lien rights and procedures for the recovery by specified health benefits trusts of medical costs paid on behalf of participants, as defined, for injuries caused by a 3rd party when the participant obtains a settlement, award, or judgment against the 3rd party, as specified.

Ch. 852 (AB 1549) Wiggins. Court facilities.

Existing law requires the board of supervisors of each county, during the period from July 1, 1997, to June 30, 2001, to be responsible for providing suitable and necessary facilities for judicial officers and court support staff for judicial positions created prior to July 1, 1996.

This bill would revise this requirement by extending that period of responsibility for providing suitable and necessary facilities to December 31, 2002.

Existing law requires the state, unless a court and a county otherwise mutually agree, to assume responsibility for suitable and necessary facilities for judicial officers and support staff for any judgeships authorized during the period from January 1, 1998, to June 30, 2001.

This bill would require the state, unless a court and a county otherwise mutually agree, to assume responsibility for suitable and necessary facilities for judicial officers and support staff for any judgeships authorized during the period from January 1, 1998, to December 31, 2002.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 853 (AB 1614) Washington. Crime prevention: drug endangered children.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Existing law establishes in the Office of Criminal Justice Planning (OCJP) a program of financial and technical assistance for district attorneys' offices, designated the California Major Narcotic Vendors Prosecution Law. Existing provisions of that law make various legislative findings and statements of legislative intent regarding the need to support efforts to prosecute drug producers and sellers through proven organizational and operational techniques.

This bill would establish until July 1, 2006, in OCJP, a program of financial and technical assistance for counties to provide district attorneys or county sheriffs with funds to coordinate multiagency drug endangered child response teams in cooperation with local, state, and federal law enforcement agencies, and county departments of health and children services, for the purpose of responding promptly to cases involving drug endangered children. The Executive Director of OCJP would be required to make an annual report to the Legislature on the fiscal and operational status of the program, with evaluations of specified criteria. The bill would provide that available funds may be used to support Drug Endangered Children Programs, on a competitive grant basis, considering specified factors, in 7 specified counties and, if there are remaining funds, in up to an additional 5 counties for the purpose of implementing this bill. The bill would provide that one representative of each local agency involved in implementing a county's Drug Endangered Children Program shall form an executive committee, the function of which is to distribute the grant funds awarded the county under the bill in a fair and equitable manner and for the purposes of implementing the bill.

Ch. 854 (SB 205) McPherson. Crime.

Existing law contains numerous provisions pertaining to crime and the implementation of the criminal laws of this state.

This bill would make numerous, nonsubstantive changes to clarify and update these provisions.

The bill would also make various technical revisions.

This bill would amend an initiative statute that provides its provisions may be amended by the Legislature by a $2/3$ vote of the membership of each house, and therefore requires a $2/3$ vote.

This bill would incorporate additional changes to Section 3000 of the Penal Code proposed by AB 1004, contingent upon the prior enactment of that bill.

This bill would incorporate additional changes in Section 19705 of the Revenue and Taxation Code, proposed by SB 1185, to be operative only if SB 1185 and this bill are both chaptered and become effective January 1, 2002.

Ch. 855 (SB 255) Speier. Crimes: unattended children in vehicles.

(1) Existing law makes it a crime for any person, under circumstances or conditions likely to produce great bodily harm or death, to willfully cause or permit any child to suffer, or inflict thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully cause or permit the person or health of that child to be injured, or willfully cause or permit that child to be placed in a situation where his or her person or health is endangered. This crime is required to be punished by imprisonment in a county jail not exceeding one year, or in the state prison for 2, 4, or 6 years.

This bill would additionally make it an infraction, punishable by a fine of \$100, for the parent, legal guardian, or other person responsible for a child who is 6 years of age or younger to leave that child inside a motor vehicle, without being subject to the supervision of a person who is 12 years of age or older, and where there are conditions that present a significant risk to the child's health or safety, or when the vehicle's engine is running or the vehicle's keys are in the ignition, or both. This bill would authorize the court to reduce or waive the fine if the defendant is economically disadvantaged and attends a community education program.

This bill would provide that the infraction provision and a related infraction provision do not apply if an unattended child is injured or medical services are rendered.

The bill thereby would impose a state-mandated local program by creating a new crime.

The bill would require that 70% of the revenue collected from fines imposed under these provisions be allocated by the county treasurer to the county or city health department where the violation occurred, to be used for the development and implementation of community education programs on the dangers of leaving young children unattended in motor vehicles; 15% be allocated to the county or city for the administration of the program from which will be paid the cost of the county to account for and disburse fine revenues ; and 15% be allocated to the city, to be deposited in its general fund except that, if the violation occurred in an unincorporated area, this amount would be deposited in the county's general fund. The bill would authorize county and city health departments to develop and implement the community education program or to contract for the development and implementation of that program. The bill would require each county and city health department to prepare and annually update a listing of community education programs that provide information on the dangers of leaving young children unattended in motor vehicles and ways to avoid this danger and would provide for the forwarding, availability, and distribution of the listing. Because the requirements described in this paragraph would increase the level of services required by county treasurers and city and county health departments, the bill would thereby impose a state-mandated local program.

The bill would require the department to include information concerning the dangers of leaving children unattended in motor vehicles, including the effect of solar heat on the temperature of vehicle interiors and the penalties for noncompliance with the provisions specified above, in specified materials distributed by the department.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 856 (SB 486) Speier. Public safety: working warehouses.

Existing law prescribes safety standards for various industries.

This bill would require an owner, manager, or operator of a working warehouse, as defined, to secure merchandise stored on shelves higher than 12 feet above the sales floor, as defined, by installing safety devices such as rails, fencing, netting, security doors, gates, cables, or binding materials. The bill would require that a safety zone that blocks customers from entering areas where merchandise could fall be temporarily established when heavy machinery is used to remove items from a shelf. The bill would require all working warehouses to comply with these provisions by no later than July 1, 2002.

Under the bill, an owner, manager, or operator of a working warehouse who employs more than 50 employees would be required, within 30 days of December 31, 2002, and within 30 days of December 31, 2003, to submit to the Division of Occupational Safety and Health a report of all known injuries requiring hospitalization, including emergency room medical treatment, or deaths occurring to customers as a result of falling merchandise. The bill would permit a corporation owning, managing, or operating more than one working warehouse to submit a single report on behalf of all of the corporation's working warehouses each year, provided that the location of the warehouse where each reportable incident occurred is included in the report.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Ch. 857 (SB 776) Torlakson. DUI offenses: fines.

Under existing law, a person who is convicted of a driving while under the influence offense is required to be punished by terms of imprisonment, fines, and other sanctions, including required attendance in a licensed driving-under-the-influence program. Existing law requires the Department of Motor Vehicles to undertake various functions with regard to administering driver's licenses, including certain functions concerning the imposition of sanctions involving driving-under-the-influence offenders.

This bill would require the department to review the effectiveness of programs, procedures, sanctions, fines, and fees provided for in current law relating to the offense of driving under the influence of alcohol or drugs and to report those findings to the Legislature on or before July 1, 2002.

Ch. 858 (SB 799) Karnette. Battered women's syndrome: writ of habeas corpus.

Existing law specifies circumstances under which a writ of habeas corpus may be prosecuted to inquire into the cause of a person's imprisonment.

This bill would include within those circumstances the fact that evidence relating to battered women's syndrome, based on abuse committed on the perpetrator of a homicide by the victim of the homicide, was not introduced at trial, and, had it been introduced, there is a reasonable probability that the result of the proceedings would have been different. The bill would specify that provisions authorizing a court to take certain actions, including ordering a new trial or reversing a conviction, would apply to these provisions. This bill would also provide that it is grounds for denial of a petition if a petitioner filed a petition prior to the effective date of these provisions and a court determined on the merits that the omission of evidence relating to battered woman's syndrome at trial was not prejudicial and did not entitle the petitioner to habeas relief. The bill would also specify that its provisions are limited to murder convictions resulting from pleas entered, or trials commenced, before January 1, 1992, and would be repealed as of January 1, 2005.

Ch. 859 (SB 826) Margett. Peace officers: Dental Board of California.

(1) Existing law, the Dental Practice Act, provides for, among other matters, the regulation of dentists and of dental auxiliaries by the Dental Board of California within the Department of Consumer Affairs, and authorizes the director of that department, for a period extending to July 1, 2002, to designate as peace officers an additional 7 persons who shall at the time of their designation, be assigned to the investigations unit of the board. All fines, penalties, and forfeitures collected pursuant to the enforcement of the Dental Practice Act are deposited into the State Dentistry Fund.

This bill would extend to January 1, 2004, the director's authority to designate these additional peace officers for assignment to the board, and would require the board to contract with an entity to perform a followup study of an initial study it made, examining the board's needs for sworn peace officers in its investigations unit. The bill would require that the contract provide the entity at least 3 months to conduct the followup study, and that the study be completed and submitted to the Legislature by August 1, 2002. The bill would appropriate the sum of \$75,000 from the State Dentistry Fund to the board for the followup study.

(2) Existing law pertaining to the state civil service system provides for the appointment of an employee on a limited term basis and generally limits the term of this appointment to a period of one year.

This bill would extend the limited term appointment of limited term peace officers at the Dental Board of California to January 1, 2004. The bill would provide that its provisions remain in effect only until January 1, 2004, and as of that date are repealed unless a later enacted statute enacted before January 1, 2004, deletes or extends that date.

Ch. 860 (SB 1059) Perata. Mentally ill offenders: Council on Mentally Ill Offenders.²²

NOTE: Superior numbers appear as a separate section at the end of the digests.

Existing law establishes a program of mentally ill offender crime reduction grants provided to counties to expand or establish a plan to reduce crime and criminal justice costs related to mentally ill offenders, administered and evaluated by the Board of Corrections in consultation with the State Department of Mental Health and the State Department of Alcohol and Drug Programs.

This bill would establish the Council on Mentally Ill Offenders, as specified, to investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who are likely to become offenders or have a history of offending. This bill would also provide that its provisions would be repealed as of January 1, 2007. The council would be required to report annually to the Governor and Legislature regarding its activities during the preceding year.

The bill would appropriate \$100,000 from the General Fund to the Youth and Adult Correctional Agency for purposes of this act, as specified.

Ch. 861 (AB 414) Dutra. Hazardous waste disposal: lead: nickel: copper.

(1) Existing law prohibits, until July 1, 2003, any person from disposing of waste that contains specified concentrations of lead, copper, or nickel to land, except as specified, until the appropriate California regional water quality control board amends the solid waste facility's waste discharge requirements and the appropriate local enforcement agency revises the solid waste facility's permit.

Existing law also prohibits, until July 1, 2003, any person from disposing hazardous waste to land in any facility that is not a class I hazardous waste disposal facility, until the Department of Toxic Substances Control issues a variance, the appropriate California regional water quality control board amends the solid waste facility's waste discharge requirements, and the appropriate local enforcement agency revises the solid waste facility's permit. Existing law excludes, from that land disposal prohibition, wastes disposed pursuant to a variance issued before August 21, 1998, or pursuant to a variance for the disposal of special waste. A violation of the hazardous waste control laws is a crime.

This bill would extend the date of the repeal of these prohibitions until July 1, 2006, thereby imposing a state-mandated local program by extending the operation of a crime.

The bill would additionally exempt the wastes that are excluded under existing law from the hazardous waste land disposal prohibition, from the prohibition on the disposal of wastes containing specified concentrations of lead, copper, or nickel. The bill would also exempt, from both of these prohibitions, wastes disposed of pursuant to a variance issued by the department to a state or local agency for the disposal of lead-contaminated soils, if the disposal is only within the operating right-of-way of an existing highway. The bill would specify that this exemption applies to lead-contaminated soil that is moved from one project to another, only if the lead-contaminated soil is managed, as specified.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 862 (AB 621) Corbett. Public utilities: electricity: interruptible service contracts.

(1) Existing law requires the creation and operation of an Independent System Operator to ensure efficient use and reliable operation of the state's electricity transmission grid consistent with achievement of specified planning and operating reserve criteria.

This bill would require the Independent System Operator to notify each local air pollution control district and air quality management district of the name and address of each entity within the district's boundaries within the Independent System Operator's control area with whom it enters into an interruptible service contract or similar arrangement, as defined.

Because a violation of this requirement would be a crime under other provisions of existing law, the bill would impose a state-mandated local program by creating new crimes.

The bill would require the local air pollution control district or air quality management district to maintain in a confidential manner the information received by the Independent System Operator pursuant to these provisions.

(2) Existing law authorizes the Public Utilities Commission to approve contracts between an electrical corporation and its heavy industrial customers as determined by the electrical corporation, of not more than 10 years' duration, in which the electrical corporation buys from the heavy industrial customer the right to interrupt the customer's service on short notice, as determined by the commission.

This bill would require an electrical corporation to notify each local air pollution control district and air quality management district of the name and address of each entity within the district's boundaries within the electrical corporation's control or service area with whom it enters into an interruptible service contract or similar arrangement, as defined.

Because a violation of this requirement would be a crime under other provisions of existing law, the bill would impose a state-mandated local program by creating new crimes.

The bill would require the local air pollution control district or air quality management district to maintain in a confidential manner the information received by an electrical corporation pursuant to these provisions.

(3) Existing law provides for formation of local publicly owned electric utilities.

This bill would require a local publicly owned electric utility to notify each local air pollution control district and air quality management district of the name and address of each entity within the district's boundaries within the local publicly owned electric utility's control or service area with whom it enters into an interruptible service contract or similar arrangement, as defined.

The bill would require the local air pollution control district or air quality management district to maintain in a confidential manner the information received by a local publicly owned electric utility pursuant to these provisions.

Because the bill would require local publicly owned electric utilities to undertake certain activities in this regard the bill would impose a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Ch. 863 (AB 910) Wayne. Wildlife conservation easements.

Existing law establishes the Wildlife and Natural Areas Conservation Act to provide the financial means to correct wildlife habitat deficiencies through a program of acquisition, enhancement, restoration, and protection of areas that are most in need of proper conservation.

This bill would prohibit a governmental entity from condemning any wildlife conservation easement acquired by a state agency unless it complies with specified condemnation procedures.

Ch. 864 (AB 965) Mountjoy. Highways: victim signs.

Existing law restricts the placement and maintenance of signs along the highways.

This bill would require, until January 1, 2007, that the Department of Transportation design, place, and maintain, or cause to be designed, constructed, placed, and maintained, along state highways, signs that read as follows: "Please Don't Drink and Drive" followed by: "In Memory of (victim's name)." These signs would be required to be placed, subject to placement guidelines of the department, upon the state highways in close proximity to the location where a vehicular accident occurred if a party to that accident was convicted of operating a vehicle in violation of certain provisions prohibiting the driving of a motor

vehicle while under the influence of alcohol or drugs, at the time of the accident, or if the party was driving in violation of those provisions, but was not prosecuted for specified reasons.

The bill would provide that, upon the request of an immediate family member, as defined, of the deceased victim of an accident occurring on and after January 1, 1991, and described above, or upon the request of a party who has obtained the written consent of an immediate family member, the department shall place the sign and charge the requesting party a fee to cover the department's costs in designing, constructing, placing, and maintaining that sign and the department's administrative costs in implementing these provisions. The bill would prohibit the department from placing a sign if a member of the immediate family objects.

The bill would require the department to evaluate the program and report its findings and recommendations to the Legislature by January 1, 2006.

Ch. 865 (AB 972) Calderon. School facilities: preliminary endangerment assessment: Phase I environmental assessment.

(1) Existing law requires a school district, in implementing provisions of law concerning the selection of schoolsites, to provide a notice to residents in the immediate area, approved in form by the Department of Toxic Substances Control, prior to the commencement of work on a preliminary endangerment assessment.

This bill would instead require a school district to provide this notice utilizing a format developed by the Department of Toxic Substances Control.

(2) Existing law requires the governing board of a school district, as a condition of receiving state funding under the Leroy F. Greene School Facilities Act (Greene Act) of 1998, to conduct a Phase I environmental assessment of a proposed schoolsite before acquiring the site. A school district is required to submit a Phase I environmental assessment to the State Department of Education, if that assessment concludes that further investigation of the site is not required.

This bill would require the school district to additionally submit proof of the environmental assessor's qualifications to the state department, thereby imposing a state-mandated local program by imposing new duties upon school districts with regard to the submission of a Phase I environmental assessment.

The bill would exempt a schoolsite acquisition project or a school construction program from the changes made by this bill if the final preliminary endangerment assessment for the schoolsite acquisition or construction project is approved by the Department of Toxic Substances Control, or a public hearing for the project is completed, pursuant to the law in effect on that date of the approval or hearing, and if the hearing or approval took place on or before the effective date of the bill.

(3) Existing law requires the Department of Toxic Substances Control to complete its review within 60 calendar days of receipt of a preliminary endangerment assessment from a school district and to return the preliminary draft to the school district with comments and request modifications, request further assessment, or approve the preliminary endangerment assessment as a final draft preliminary endangerment assessment. Existing law specifies procedures for the public review and approval of the final draft preliminary endangerment assessment and requires the school district to reconsider the adequacy of its approved environmental impact report or negative declaration in light of the approved final draft of the preliminary endangerment assessment, if the district has complied with the California Environmental Quality Act prior to initiating the preliminary endangerment assessment.

This bill would repeal those provisions regarding the review of the final draft preliminary endangerment assessment by the department and the reconsideration of the adequacy of the environmental impact report or negative declaration. The bill would instead require a school district, at the same time the school district submits a preliminary endangerment assessment to the Department of Toxic Substances Control, to publish a notice of submission in a local newspaper of general circulation, to post the notice at the proposed schoolsite, and to choose one of 2 specified procedures for making the preliminary endangerment assessment

available to the Department of Toxic Substances Control and the public for review and comment.

The bill would impose a state-mandated local program by imposing new duties upon school districts with regard to the review of a preliminary endangerment assessment.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(5) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 866 (AB 1329) Lowenthal. Hazardous waste testing laboratories: recyclable materials.

(1) Under existing law, the analysis of any material required by the hazardous waste control laws is to be performed by a laboratory certified by the State Department of Health Services pursuant to the provisions regulating environmental laboratories. Until January 1, 2001, analyses performed by a laboratory pursuant to the facility's waste analysis plan that were prepared in accordance with specified regulations were exempt from those requirements, if the laboratory met specified conditions.

This bill would reenact that exemption for those analyses performed by a laboratory pursuant to the facility's waste analysis plan.

(2) Under existing law, recyclable materials are subject to the requirements of the hazardous waste control laws, but specified recyclable materials are excluded from classification as a waste if they meet certain requirements, including if the recyclable material is used or reused as an ingredient in an industrial product or as a safe and effective substitute for a commercial product and is subject to specified treatment procedures.

Existing law provides that certain units, including associated piping, that are part of a system used for the recovery of oil from oil-bearing materials, and the associated storage of oil-bearing materials and the recovered oil, are exempt from the hazardous waste control laws if specified conditions are met, notwithstanding certain requirements concerning recyclable materials. A violation of any requirement of the hazardous waste control law is a crime.

This bill would additionally require that a recyclable material that is used or reused as an ingredient to make a product or a substitute for a commercial product not be a wastewater containing more than 75 parts per million of total petroleum hydrocarbons that is transported offsite to a specified facility. Because a violation of this requirement would be a crime, the bill would impose a state-mandated local program.

The bill would make conforming changes to the provisions exempting systems for recovering oil for oil-bearing materials.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 867 (AB 1532) Pavley. Environmental quality.

(1) The existing California Environmental Quality Act (CEQA) requires that transportation information resulting from the reporting or monitoring program required to be adopted by a public agency pursuant to a specified provision of CEQA be submitted to the transportation planning agency in the region where the project is located and to the Department of Transportation when the project has impacts that are of statewide, regional, or areawide significance according to specified criteria.

This bill would require that the transportation information be submitted to the transportation planning agency in the region where the project is located and to the Department of Transportation for a project of statewide, regional, or areawide significance according to specified criteria.

(2) CEQA further requires that a lead agency call at least one scoping meeting for a proposed project that may affect highways or other facilities under the jurisdiction of the Department of Transportation if the meeting is requested by the department. CEQA authorizes a lead agency to charge and collect a reasonable fee from any person proposing a project to recover the estimated costs incurred by the lead agency in preparing a negative declaration or environmental impact report and for procedures necessary to comply with CEQA for the project. Existing law requires specified notices to be mailed to any person who has filed a written request for notices with either the clerk of the governing body or, if there is no governing body, the director of the agency.

This bill would additionally require a lead agency to call at least one scoping meeting for a project of statewide, regional, or areawide significance and would require the lead agency to provide notice of the scoping meeting to specified entities, thereby imposing a state-mandated local program.

The bill would require a lead agency to mail the notice of the scoping meeting to a person who has filed a written request for notices with specified entities.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 868 (AB 1621) Cardenas. Vehicles: registration.

Under existing law and except as otherwise provided in the Vehicle Code, every vehicle registration and registration card expires at midnight on the expiration date designated by the Director of Motor Vehicles and is required to be renewed prior to the expiration of the registration year.

This bill would provide that vehicles registered pursuant to the International Registration Plan and vehicles registered under the Partial Year Registration Program expires at midnight of December 31 of the registration year. The bill would provide that for the purposes of applying any future reductions or increases in the vehicle license fee, the vehicle registrations subject to these provisions are deemed to have a final expiration date in the succeeding calendar year.

Ch. 869 (AB 1664) Pavley. Water quality.

(1) The Porter-Cologne Water Quality Control Act (Water Quality Act) requires each person for whom waste discharge requirements have been prescribed by a California regional water quality control board, to submit a report and an annual fee, according to a fee schedule established by the State Water Resources Control Board, as specified. The act provides that any person who fails to furnish the report or pay the fee is guilty of a misdemeanor and the regional boards may administratively impose civil liability.

This bill would give the state board the same authority to impose administrative civil liability as the regional boards, as prescribed.

(2) The Water Quality Act requires the Attorney General, at the request of a regional board, to petition the superior court for the issuance of a temporary restraining order, temporary injunction, or permanent injunction, or combination thereof, as may be appropriate, in order to require any person to furnish the report or pay the annual fee in compliance with the above provisions.

This bill would give the state board the same authority to request the Attorney General to petition the superior court for the issuance of a temporary restraining order, temporary

injunction, or permanent injunction, to require any person to furnish the report or pay the annual fee in compliance with the above provisions.

(3) The Water Quality Act authorizes the regional boards, in establishing or reviewing any water quality control plan or waste discharge requirement, to investigate the quality of any waters of the state within its region, as prescribed. In conducting the investigation, the regional boards may require any person who has discharged, discharges, or is suspected of discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region, to furnish technical or monitoring program reports. The burden, including costs, of these reports must bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports.

This bill would expand the authority of the regional boards to authorize those boards to require any person who is suspected of having discharged waste within its region, or any citizen or domiciliary, or political agency or entity of this state who is suspected of having discharged waste outside of its region that could affect the quality of waters within its region, to furnish technical or monitoring program reports. The bill would require the regional board to provide the person with a written explanation on the need for the reports and the identification of the evidence that supports requiring the person to provide the reports.

(4) The Water Quality Act requires the state board, in determining the amount of civil liability to be imposed upon a violator of the above provisions, to take into consideration specified factors, including the economic savings to the violator.

This bill would require the state board to take into consideration the economic benefit or savings, if any, realized as a result of the violation.

(5) Pursuant to the Water Quality Act, a person who intentionally or negligently violates any cease and desist order or cleanup and abatement order issued pursuant to the above provisions, or intentionally or negligently discharges waste, or causes or permits waste to be deposited in violation of any waste discharge requirement issued pursuant to the above provisions, or causes or permits any oil or any residuary product of petroleum to be deposited in or on any waters of the state, except in accordance with waste discharge requirements, may be held civilly liable by a regional board and a superior court. When there is a discharge, and a cleanup and abatement order is issued, the act authorizes the regional board to impose liability in an amount not to exceed \$5,000, but not less than \$500, for each day the discharge occurs and for each day the cleanup and abatement order is violated. The act authorizes the superior court to impose liability in an amount not to exceed \$15,000 for each day the discharge occurs and for each day the cleanup and abatement order is violated. When there is a discharge, and a cleanup and abatement order is not issued, the act authorizes the regional board to impose liability in an amount not to exceed \$10 for each gallon of waste discharged. The act authorizes the superior court to impose liability in an amount not to exceed \$20 for each gallon of waste discharge. When there is no discharge, but an order issued by the regional board is violated, the regional board may impose liability in an amount not to exceed \$1,000, but not less than \$100, for each day the violation occurs. The act authorizes the superior court to impose liability in an amount not to exceed \$10,000 for each day the violation occurs.

This bill would delete those provisions regarding the amount of liability that may be imposed by the regional boards or the superior court. The bill would authorize the regional boards, the state board, and the court to impose civil liability on a daily basis or on a per gallon basis, as specified.

(6) The Water Quality Act requires a superior court, in determining the amount of civil liability to be imposed upon a violator of the above provisions, to take into consideration specified factors.

This bill would require the superior court to also take into consideration the degree of toxicity of the discharge and the economic benefit or savings, if any, realized as a result of

the violation. By imposing new duties upon the superior court, this bill would impose a state-mandated local program.

(7) The Water Quality Act prescribes certain civil penalties for violations of specified waste discharge requirements set forth in that act or the federal Clean Water Act. In determining the amount of liability to be imposed for violations of those acts, the regional boards, the state board, and the superior court, are required to take into consideration specified factors.

This bill would require the regional boards, the state board, and the superior court to also take into consideration whether the discharge is susceptible of cleanup or abatement, the degree of toxicity of the discharge, the effect on the violator's ability to continue its business, and any voluntary cleanup efforts undertaken by the violator. By imposing new duties on the superior court, this bill would impose a state-mandated local program.

(8) The Water Quality Act prescribes certain criminal penalties for knowing or negligent violations of specified waste discharge requirements set forth in that act or the federal Clean Water Act, including imprisonment.

This bill would specify that the authorized imprisonment be in the state prison.

(9) The Water Quality Act authorizes the state board to order moneys to be paid to a regional board, upon application, to assist the regional board in responding to a significant unforeseen water pollution problem, posing an actual or potential public health threat, for which the regional board does not have adequate resources budgeted.

This bill would also authorize the state board to order moneys paid to the regional board, upon application, for costs relating to the oversight and tracking of the implementation of the supplemental environmental project required as a condition of an order imposing administrative civil liability.

(10) The Water Quality Act requires any supervisor and operator of a wastewater treatment plant to possess a certificate of appropriate grade in accordance with regulations adopted by the state board. The act imposes certain criminal penalties on any person who operates a wastewater treatment plant who does not hold a valid, unexpired certificate of the appropriate grade. The act requires any person or entity that contracts with the owner of a wastewater treatment plant to operate that plant to register with the state board. The act imposes certain criminal penalties on any person or entity that owns or operates a wastewater treatment plant that employs any person to operate the plant who does not hold a valid, unexpired certificate of the appropriate grade.

This bill would subject a person who commits certain acts in connection with the operation or management of a wastewater treatment plant, or with regard to a related registration or certification, to civil liability in an amount not to exceed \$5,000 for each violation. The bill would subject any person who submits to the state board false or misleading information on an application for a certificate or registration to civil liability in an amount not to exceed \$5,000 for each violation.

(11) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 870 (SB 41) Alpert. California Native Americans: instructional and reference resources.²³

(1) Existing law sets forth the required, authorized, and prohibited course of study for pupils in school districts maintaining grades 1 to 12, inclusive. Existing law provides for the

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development of California Indian education centers for the purposes of improving the academic achievement of American Indian pupils.

This bill would require the State Librarian to allocate grants to develop California Native American instructional resources for public schools, would require that the instructional resources be submitted to the Curriculum Development and Supplemental Materials Commission and to the State Board of Education for public hearings and approvals, as prescribed. The bill would appropriate \$425,000 from the General Fund and allocate \$250,000 of these moneys to the State Librarian for these purposes.

This appropriation would be General Fund revenues appropriated to school districts for the purposes of Section 8 of Article XVI of the California Constitution.

(2) This bill would require the State Librarian to develop the California's American Indian Nations Information Project, and would allocate \$75,000 of the appropriation in (1) above to the State Librarian for this purpose. The bill would require the cooperation of the University of California, if consented to by the Regents of the University of California.

(3) This bill would allocate \$100,000 of the appropriation in (1) above to the State Department of Education for supporting the commission and the board in review of the standards-based instructional resources pursuant to this bill.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 871 (SB 100) Johannessen. Emission control: specially constructed vehicles.

Existing law defines a specially constructed vehicle as a vehicle that is built for private use, not for resale, and is not constructed by a licensed manufacturer or remanufacturer, and requires all specially constructed vehicles to be subject to the emission control system testing and certification requirements established by the Department of Consumer Affairs.

This bill would require a passenger vehicle or pickup truck that is a specially constructed vehicle to be inspected by stations authorized to perform referee functions, as prescribed, and would require the Department of Motor Vehicles to provide an initial registration to no more than the first 500 vehicles that meet the specified criteria and are presented to the department each year for registration. Upon completion of the inspection, the referee would be required to affix a tamper-resistant label to the vehicle and to issue a certificate that establishes the engine model-year and emission control system application.

Ch. 872 (SB 431) Monteith. School finance: utility costs.

Existing law requires the State Board of Education to adopt standards and criteria including, but not limited to, comparisons and reviews of, among other things, reserves and fund balance, and requires school districts to use the standards and criteria in developing their budgets and managing their expenditures. Under existing related regulations, available reserves may not be less than certain percentages as applied to total expenditures, transfers out, and uses, with certain exceptions. For a school district with fewer than 1,001 to 30,000 units of average daily attendance, available reserves may not be less than 3%.

This bill would provide, notwithstanding any other provision of law, that a county unified school district with fewer than 3,000 units of average daily attendance may use up to 30% of its budget reserve to pay for utility costs, including propane, fuel, and electricity costs, in each of the 2000–01 and 2001–02 fiscal years.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 873 (SB 497) Sher. Land use: energy conservation.

(1) Existing law prohibits the legislative body of any city or county from enacting an ordinance that prohibits or unreasonably restricts the use of solar energy systems other than for the preservation or protection of the public health and safety.

This bill would make technical, nonsubstantive changes to this provision.

(2) Existing law makes the Subdivision Map Act inapplicable to a lot line adjustment between 2 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, if the lot line adjustment is approved by the local agency or advisory agency. The act requires a local agency or advisory agency to 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.

This bill would make the act inapplicable to a lot line adjustment between 4 or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, if the lot line adjustment is approved by the local agency or advisory agency. The bill would require a local agency or advisory agency to limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable coastal plan, and zoning and building ordinances, as specified.

(3) The Subdivision Map Act requires the design of a subdivision for which a tentative map is required to provide, to the extent feasible, for future passive natural heating or cooling opportunities in the subdivision.

This bill would make technical changes to this provision.

(4) The Subdivision Map Act also requires the subdivider of a subdivision that, as shown on the final map thereof, contains 200 or more parcels, to dedicate additional land as may be necessary and feasible to provide bicycle paths for the use and safety of the residents. A local ordinance may require land within a subdivision, except a subdivision that consists of the subdivision of airspace, to be dedicated or irrevocably offered for dedication for local transit facilities that directly benefit the subdivision residents if the subdivision has the potential for 200 or more dwelling units and the local governing body finds that transit services are or will be made available to the subdivision within a reasonable time.

This bill would require all subdividers to dedicate additional land as may be necessary and feasible to provide bicycle paths for the residents. It would also authorize a local ordinance to require land within any subdivision to be dedicated or irrevocably offered for dedication for local transit facilities, except as specified.

(5) The Subdivision Map Act requires a local agency to issue a certificate of compliance or a conditional certificate of compliance if it determines that real property does not comply with the act or local ordinances enacted pursuant to the act.

This bill would eliminate the provision for issuance of a certificate of compliance and would require the issuance of a conditional certificate of compliance in those instances.

Ch. 874 (SB 528) Sher. Department of Conservation: beverage containers: fees: enforcement.

(1) The existing California Beverage Container Recycling and Litter Reduction Act requires the Department of Conservation to undergo a selective audit of entities making payments to, or receiving payments from, the department to determine whether redemption payments and applicable processing fees are being paid to the department on all beverage containers sold in California, and that refund values and processing payments are being paid out properly by the department. Existing law requires the selective audit to be made a part of an annual report, copies of which are required to be submitted to the Governor and the Legislature.

This bill would delete the requirement that the selective audit is made part of an annual report, with copies submitted to the Governor and the Legislature.

(2) The existing act requires the department to certify recycling centers and processors and imposes specified requirements as a condition of certification. The act authorizes the department to issue a certificate as a probationary certificate that is limited to a specified period and allow a probationary certificate holder to request a hearing subsequent to the revocation of such a certificate.

This bill would additionally require, as a condition of certification, that if one or more certified entities have operated at the same location within the past 5 years, the operations at

the location of the recycling center or processor, as applicable, exhibit, to the satisfaction of the department, a pattern of operation in compliance with the requirements of the act. The bill would authorize the department to recovery, from a party requesting a hearing on a revoked probationary certificate, any costs incurred by the department associated with preparing for, or conducting the hearing, if the party requesting the hearing does not appear on the date scheduled and does not notify the department, as specified.

(3) The existing act requires a distributor of specified beverage containers to pay a redemption payment to the department, for each beverage container, as defined, sold or transferred, for deposit in the California Beverage Container Recycling Fund. The money in the fund is continuously appropriated to the department to pay, among other things, glass incentive payments to operators of curbside recycling programs, in an amount of up to \$300,000,000 annually. Existing law repeals that authority to make these payments on January 1, 2003.

This bill would authorize the department to make those payments to an operator of a curbside recycling program or any other entity that is certified under the act, if the operator or entity color sorts glass beverage containers. The bill would delete the repeal of the payment authority, thereby authorizing the department to make those payments indefinitely, and making an appropriation.

(4) The existing act requires the department to pay a total of \$15,000,000 per fiscal year to operators of curbside programs and neighborhood dropoff programs and requires the amount of the payment to be calculated based upon the volume of beverage containers collected during the fiscal year by curbside and neighborhood dropoff programs and reported to the department by processors during the reporting period of October 1 to December 31, inclusive. A violation of the act is a crime.

This bill would require these payments to be made only if the curbside or neighborhood dropoff program accepts all types of empty beverage containers for recycling and would change the reporting period to the fiscal year for which those payments are made.

The bill would require the operator of a curbside program or neighborhood dropoff program to make specified records available for inspection and review by the department, thereby imposing a state-mandated local program by creating new crimes.

(5) The act provides that the money in the fund is continuously appropriated to the department to pay, among other things, handling fees to supermarket sites. Existing provisions of the act specify the method for determining whether certain payments made by a supermarket site that receives handling fees constitute “unfair and predatory pricing” under the act. Other provisions of the act establish procedures for the consideration of complaints alleging unfair and predatory pricing.

This bill would amend the definition of “unfair and predatory pricing” for the purposes of the act by adjusting the methods through which the department is required to obtain pricing data and to make calculations based on that data. The bill would revise the procedures required for the consideration of complaints alleging unfair and predatory pricing, including specifying which certified recyclers may bring a complaint against a supermarket site, deleting the requirement that the respondent have the burden of proof in demonstrating that it has not engaged in unfair and predatory pricing, and requiring that the respondent to a complaint be given an opportunity, as prescribed, to rebut a presumption that unfair and predatory pricing has taken place. The bill would specify a method for determining the amount of time a supermarket site that has been determined to have engaged in unfair and predatory pricing is ineligible to receive handling fees. The bill would provide for the retroactive application of these changes, under specified circumstances.

Because this bill would revise the methods for expending funds from the continuously appropriated California Beverage Container Recycling Fund, it would constitute an appropriation.

(6) Existing law requires the Director of Conservation to adopt regulations to implement specified provisions of the act, and authorizes the director to adopt these regulations as

emergency regulations, which are filed with, but not repealed by, the Office of Administrative Law and which remain in effect until revised by the director.

This bill would additionally include the adoption of regulations to implement the unfair and predatory pricing procedures within this provision.

(7) Existing law imposes criminal and civil penalties for specified violations of the act, including submission of false or fraudulent claims for payment. Existing law authorizes the department to take specified disciplinary actions, including ordering the immediate suspension of a certificate holder if there is, among other things, a pattern of deceit, fraud, or intentional misconduct in carrying out the duties and responsibilities of a certificate holder during the 6-month period immediately preceding the order of suspension.

Existing law also authorizes the department to issue a cease and desist order when a person is engaged in recycling activity that violates the act and prescribes procedures for requesting a hearing regarding an order.

This bill would specify, for purposes of this immediate suspension, that a pattern of deceit, fraud or intentional misconduct in carrying out the duties of a certificate holder includes, but is not limited to, the destruction or concealment of any records six months immediately preceding the order of suspension.

The bill would revise the procedures for requesting a hearing regarding the issuance of a cease and desist order. The bill would also correct erroneous references and make conforming changes.

(8) The existing Fiberglass Recycled Content Act of 1991 requires the department to include in its annual report to the Legislature a discussion of the progress toward achieving maximum use of cullet in the manufacture of fiberglass sold in the state, as specified.

This bill would delete that requirement.

(9) Existing law, requires the department to contract with the University of California for the preparation and submittal to the department, by January 1, 2002, of a specified recycling study.

This bill would extend the date for the submittal of the report to January 1, 2003.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(11) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 875 (AB 1602) Keeley. California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities.

This bill would enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, which, if adopted, would authorize, for the purpose of financing a program for the acquisition, development, restoration, protection, rehabilitation, stabilization, reconstruction, preservation, and interpretation of park, coastal, agricultural land, air, and historical resources, as specified, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$2,600,000,000.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 876 (AB 1481) Frommer. Urban Park Act of 2001.

The existing Roberti-Z' Berg-Harris Urban Open-Space and Recreation Program Act provides for annual grants to cities, counties, and districts, as defined, for recreational and open-space purposes and for block grants for the rehabilitation of historic structures within a park or recreational area.

This bill would enact the Urban Park Act of 2001, which would require the Department of Parks and Recreation to establish a local assistance program under which the department would offer grants, on a competitive basis, to various local entities and nonprofit organizations, as defined, for the acquisition or development, or both, of urban parks and recreational areas and facilities.

The bill would require the department, in evaluating applications for grants, to assign priority to applications for projects that meet specified criteria. The bill would authorize the department to adopt guidelines to amplify or clarify the criteria, and to propose additional criteria to provide guidance in selecting projects in areas that have the greatest deficiencies in parks and recreation facilities.

The bill would allow a grant recipient to use grant funds to pay for any portion of the cost of cleaning up, removing, or remediating any toxic materials or hazardous substances, if the amount used for cleanup, removal, or remediation does not exceed a specified amount. The bill would require the department, by April 30, 2003, and on or before April 30 annually thereafter, to submit a report to the Legislature on the status of each grant made pursuant to the act. The bill would provide that provisions of the act shall only be implemented during those fiscal years for which funding is appropriated for that purpose in the annual Budget Act.

Ch. 877 (SB 359) Murray. Parks and recreation: urban parks and healthy communities.

Existing law authorizes the Department of Parks and Recreation to award grants to local governments and certain other entities for the acquisition of parklands and the development and maintenance of parks in the state.

This bill would establish the California Youth Soccer and Recreation Development Program, and would require the department to administer the program, which is intended to provide assistance and grants to local agencies and community-based organizations, as defined, with regard to funding and fostering the development of new youth soccer, baseball, and basketball recreation opportunities in the state. The bill would require the department to report to specified legislative budget committees regarding the need for specified recreational facilities in the state, and capital improvements of these facilities, to be used for the program.

The bill would create the California Youth Soccer and Recreation Development Fund in the State Treasury, which would be used for the deposit of funds derived from federal, state, and private sources to be used for the program. The bill would require the department to award grants, on a competitive basis, subject to an appropriation by the Legislature therefor, to local agencies and community-based organizations for the purposes of the program, and to develop eligibility guidelines for awarding grants that give preference to certain heavily populated, urban, low-income communities, as provided.

This bill would enact the State Urban Parks and Healthy Communities Act and would create the State Urban Parks and Healthy Communities Fund in the State Treasury. The bill would authorize the department to expend moneys in the fund, upon appropriation by the Legislature, to provide grants to state agencies, local governments, and community organizations to provide environmental education and park opportunities for schoolage children. The bill would require the department to give specified priority to the issuance of these grants and would require the amount of the grants to be not less than \$20,000 or more than \$200,000. The bill would specify the purposes for which these grants may be expended.

The bill would also require the department to provide grants to local agencies and community organizations to facilitate the use of outdoor recreation or provide needed after school programs.

The bill would require the department to adopt guidelines to implement the bill by June 1, 2002.

The bill would provide that any funding for the bill would be contingent upon a future appropriation in the annual Budget Act.

Ch. 878 (SB 766) Burton. Parks and recreation.

Existing law contains various provisions related to parks and recreation.

This bill would allocate \$190,000,000 of the funds appropriated by the proposed California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, for urban park and recreation purposes, if Senate Bill 359 and Assembly Bill 1481 of the 2001–02 Regular Session are enacted.

Ch. 879 (SB 307) Vasconcellos. Historical resources: California Japantown Preservation Pilot Project.²⁴

(1) Existing law vests with the Department of Parks and Recreation control of the state park system, and requires the department to administer various programs relating to state historical resources. Existing law also requires local legislative bodies, or the local planning agency if directed by the local legislative body, to prepare specific plans for the systematic implementation of the jurisdiction's general plan.

This bill would create, until July 1, 2004, the California Japantown Preservation Pilot Project, which would require the State Librarian to provide a one-time grant to the City of Los Angeles, the City of San Jose, and the City and County of San Francisco, for the purposes of aiding in the preparation, adoption, or implementation of specific plans that promote the preservation of existing Japantown neighborhoods in those jurisdictions. The bill would require any city or city and county that receives a grant under the program to consult with a community organization, as defined, in preparing the specific plan, as defined. By imposing additional duties on specified local governments, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(3) The bill would appropriate \$450,000 from the General Fund to the California Research Bureau of the California State Library for the implementation of the pilot program.

Ch. 880 (AB 913) Steinberg. Attorneys: pro bono services.

Existing law provides for a program regulated by the State Bar that provides civil legal services to indigent persons.

This bill would require a contract with the state for legal services that exceeds \$50,000 to certify that the contracting law firm agrees to make a good faith effort to provide a specified minimum number of hours of pro bono legal services, as defined, during each year of the contract. Pursuant to the bill, failure to make a good faith effort, as determined by considering specified factors, could constitute cause for nonrenewal of a contract and be taken into account in the awarding of future contracts. The bill would provide that these requirements do not apply to specified contracts. These provisions would become operative on January 1, 2003.

Ch. 881 (AB 935) Hertzberg. Public Interest Attorney Loan Repayment Program.

Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education.

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would establish the Public Interest Attorney Loan Repayment Program for licensed attorneys who practice or agree to practice in public interest areas of the law, as defined, and who meet other designated criteria. The program would be administered by the Student Aid Commission, which would be authorized to make 3,000 awards of loan assumption annually, as prescribed.

The bill would create the Public Interest Attorney Loan Repayment Endowment Account in the State Treasury, which would consist of funds appropriated by the Legislature for the program and private contributions to the program.

Ch. 882 (AB 1084) Wesson. Public contracts.

(1) Existing law requires state agencies to give small businesses a 5% preference in contracts for construction, the procurement of goods, or the delivery of services.

This bill would include microbusinesses under those provisions, and revise annual goals for the program. The bill would also add related definitions and make related changes.

This bill would also authorize a local agency to provide for a small business preference in construction, the procurement of goods, or the delivery of services, and to establish a subcontracting participation goal for small businesses on contracts with a preference for those bidders who meet the goal.

This bill would require an awarding department to report to the Governor and the Legislature on the level of participation by business enterprises, by race, ethnicity, and gender of owner, in specified contracts.

(2) The bill would state legislative intent to enact legislation participation of small businesses in public contracting. The bill would also state the intent of the Legislature to act in conformity with certain public contracting recommendations.

Ch. 883 (SB 413) Speier. State Auditor: whistleblowing.

(1) Under the California Whistleblower Protection Act, the State Auditor is authorized to conduct an investigative audit upon receiving confirmation that an employee or state agency has engaged in an improper governmental activity. The act prohibits disclosure of the identity of the person who provided the information that initiated the investigative audit except as specified. The act further provides, among other things, that a person who intentionally engages in acts of reprisal, retaliation, threats, coercion, or similar acts against a state employee or applicant for state employment for having made a protected disclosure, as defined, is subject to civil liability and criminal penalties. However, the act provides that any action for civil damages is only available to an injured party who has first filed a complaint with the State Personnel Board and the board has failed to reach a decision pursuant to specified procedures.

This bill would require the State Auditor to prepare a written explanation of the act, with specified information, no later than April 1, 2002, prepare for distribution to each state agency the explanation in electronic format, and post it on the Web site of the Bureau of State Audits. The bill would require every state agency to print and post the notice at state offices no later than July 1, 2002, and send it by electronic mail to state employees of the agency annually, and would provide instead that civil damages are available to an injured party only if the State Personnel Board has issued, or failed to issue, findings pursuant to the specified procedures.

The bill would specify that its provisions shall apply to the California State University and the University of California.

The bill would require that if the State Auditor, after investigating, finds that a state employee may have engaged or participated in improper governmental activities, the State Auditor shall send a copy of the investigative report to the employee's appointing power. The bill would require the appointing power to either serve a notice of adverse action upon the employee who is the subject of the investigative report or set forth in writing its reasons for not taking adverse action. The appointing power would be required to provide a copy of the

notice of adverse action or written reasons why it chose not to take adverse action to the State Personnel Board and the State Auditor. The bill would require a similar procedure by the State Personnel Board whenever the board determines that a manager, supervisor, or employee, who is not named a party to the retaliation complaint, may have engaged or participated in improper governmental activities.

(2) Existing law requires any state officer or employee filing a complaint of reprisal or retaliation to have also previously filed a complaint of improper governmental activity with the State Auditor, or with the Inspector General, as specified.

This bill would repeal this requirement. The bill would also authorize the State Personnel Board, if the board determines after a hearing, or if no hearing is requested and the executive officer based on his or her findings concludes, that improper governmental activity has occurred, to order compensatory damages, in addition to the remedies specified in existing law. The bill would apply the procedures relative to complaints of reprisal or retaliation to violations by employees, in addition to managers and supervisors.

(3) Existing law provides that a person shall not be retaliated against under the State Civil Service Act because he or she has opposed any practice made an unlawful employment practice, or made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the act.

The bill would establish that the burden of proof is on the supervisor, manager, employee, or appointing power to demonstrate by clear and convincing evidence that an alleged adverse employment action would have occurred for legitimate, independent reasons, if a person demonstrates by a preponderance of evidence that opposing any practice made an unlawful employment practice under the act, or making a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the act, was a contributing factor in any adverse employment action taken against him or her.

Ch. 884 (AB 341) Strom-Martin. Teachers: professional development.

Existing law establishes various programs of professional development for teachers, including among others the Beginner Teacher Support and Assessment System, a grant program for in-service training of teachers of mathematics who teach pupils enrolled in grades 4 to 12, inclusive, the Education Technology Staff Development program, the Teacher Reading Instruction Development programs, and the California Professional Development Institutes.

This bill would require the State Department of Education to issue a request for proposals to contract for the development of standards for professional development for educators and instructional leaders. The standards would serve as guidelines for providers of professional development activities and could be used to facilitate the coordination among existing professional development programs. The bill would require the entity with which the department contracts to submit the standards to the Superintendent of Public Instruction for approval after which the superintendent would be required to submit the standards to the State Board of Education for approval.

The bill would appropriate \$140,000 from the General Fund to the Superintendent of Public Instruction for purposes of implementing these provisions.

Ch. 885 (AB 343) Bates. State coastal conservancy: education programs: grants.²⁵

(1) Existing law requires the State Coastal Conservancy to implement various coastal protection programs and projects, and, for purposes of those provisions, defines a “nonprofit organization” as “any private, nonprofit organization, existing under the provisions of Section 501(c)(3) of the United States Internal Revenue Code, which has among its principal charitable purposes the preservation of land for scientific, historic, educational, recreational, agricultural, scenic, or open-space opportunities.”

NOTE: Superior numbers appear as a separate section at the end of the digests.

This bill would revise that definition of a “nonprofit organization” to mean any private, nonprofit organization, that qualifies under Section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with specified provisions governing the conservancy.

The bill would authorize the conservancy to undertake projects to provide educational programs for children and adults relating to the preservation, protection, enhancement, and maintenance of coastal resources, and to award grants to nonprofit organizations, educational institutions, and public agencies for this purpose, but would provide that the conservancy is not required to take any action pursuant to those provisions, unless and until any funds are made available by the Legislature specifically for this purpose. The bill would prohibit the conservancy from using more than 10% of the funds provided for the program for administrative costs.

(2) Existing law authorizes the conservancy to award grants to any public agency or nonprofit organization that is a public land trust having a specified agreement with the conservancy, having authority to acquire, develop, and operate public coastal accessways for purposes of the acquisition of interests in, and for initial development of, lands that are suitable for and which will be used for public accessways to and along the coast.

The bill would, instead, authorize the conservancy to award grants to any public agency or nonprofit organization to acquire land, or any interest therein, or to develop, operate, or manage lands for public access purposes to and along the coast.

(3) The Budget Act of 2000 appropriated \$13,480,000 to the State Coastal Conservancy for capital outlay for the Hamilton Airfield Wetlands Restoration project.

Existing law prohibits any funds appropriated for capital outlay to be expended by a state agency until the Department of Finance and the State Public Works Board have approved preliminary plans for the project, among other things.

This bill would declare that the expenditure of funds appropriated for the Hamilton Airfield Wetlands Restoration project is not subject to the above provision.

(4) The Budget Act of 2000 appropriated \$32,000,000 for wetlands restoration and acquisition.

This bill would authorize an amount of the funds appropriated for wetlands restoration and acquisition, not to exceed \$3,750,000, to be used by the State Coastal Conservancy for the purchase of other Marin County baylands and related uplands, thereby making an appropriation. The bill would authorize up to \$250,000 of that appropriation to be used for the purposes of educational programs relating to coastal resources, thereby making an appropriation.

(5) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 886 (AB 1018) Liu. Career education.²⁶

Existing law provides for the establishment of career technical schools and training programs.

This bill would establish, subject to funding provided by an appropriation in the annual Budget Act or other measure for these purposes, the Industry-Based Certification Incentive Grant Program for the purpose of awarding grants to selected school districts, county offices of education, and regional occupational centers and programs to establish industry-based certification programs within their career technical programs. The State Department of Education, in consultation with the Secretary for Education, would administer the program and develop criteria and a process to select grant recipients. The bill would give first priority for the award of grants to programs that will operate in high schools that scored in the bottom two deciles on the Academic Performance Index. The bill would require the State Department of Education to evaluate the effectiveness of each industry-based certification program.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Existing law, the Budget Act of 2001, reappropriates \$8,000,000 from the Proposition 98 reversion account to be set aside on a one-time basis for career/technical education services, as described.

This bill would allocate \$4,450,000 of that amount to the State Department of Education for specified career technical education purposes.

Ch. 887 (AB 1295) Thomson. School performance: Academic Performance Index.

Existing law requires the Superintendent of Public Instruction (SPI) to develop an Academic Performance Index (API) to measure the performance of schools. The superintendent is required to develop growth targets for all schools and statewide API performance targets, based on the API. Existing law provides that, when the API is fully developed, schools may either meet the state target or meet their growth target to be eligible for the Governor's Performance Award Program, a program of monetary and nonmonetary awards to schools.

This bill would delete the provision by which schools that meet the state target are eligible for the Governor's Performance Award Program and would require a school, including a school participating in the Immediate Intervention/Underperforming Schools Program, to meet, at a minimum, its annual API growth target to be eligible for that program. The bill would authorize the State Board of Education to establish additional criteria that schools must meet to be eligible for the program.

Existing law defines "numerically significant subgroup," for purposes of measuring academic performance on the API.

This bill would authorize the SPI to define "numerically significant subgroup" for schools whose API score is based on test scores of no fewer than 11 and no more than 99 pupils.

Existing law provides that only comprehensive high schools, middle schools, and elementary schools with 100 or more pupils may be included in the API ranking.

This bill would provide that only schools with 100 or more test scores contributing to the API may be included in the API ranking and would provide for API scores for specified types and sizes of schools, as described.

Existing law establishes the Immediate Intervention/Underperforming Schools Program (II/USP), to which underperforming schools may apply for participation. Existing law requires schools participating in the II/USP to develop action plans to improve the academic performance of pupils enrolled in the school, and, among other things, requires the action plan to examine and consider disaggregated data providing information regarding the achievement of all pupils by race, ethnicity, and gender.

This bill would instead require the action plan to examine and consider disaggregated data providing information regarding the achievement of pupils in numerically significant subgroups.

Existing law provides that, 24 months after receipt of funding under the II/USP, a school that has met or exceeded its growth target each year is required to receive an award under the Governor's Performance Award Program.

This bill would delete this provision. The bill would also require the Superintendent of Public Instruction to continue to monitor a school that has not met its growth targets within 36 months of receiving funding under the II/USP until the school meets its annual growth target or the statewide performance target. If, in any year between the third year of implementation funding under the II/USP and the first year the school meets its growth target and a school fails to make significant progress, as determined by the State Board of Education, the bill would require that school to be deemed a low-performing school. The bill would also provide that monetary awards would only be awarded to schools that meet or exceed API performance or growth targets or increase by 5 points, whichever is greater.

Ch. 888 (SB 354) Escutia. Education: interscholastic athletics.

Existing law requires the State Department of Education to exercise its general supervision over the course of physical education in elementary and secondary schools of the state, as specified. Existing law, until January 1, 2002, describes the California Interscholastic Federation (CIF) as a voluntary organization consisting of school and school-related personnel with the responsibility for administering interscholastic athletic activities in secondary schools and sets forth legislative intent that the CIF, in consultation with the department, implement certain policies. Existing law required the CIF to report to the Legislature on its evaluation and accountability activities undertaken pursuant to those provisions on or before January 1, 2002.

This bill would extend those provisions pertaining to the department and the CIF to January 1, 2007, and would instead require that report by the CIF to be submitted to the Governor and the Legislature on or before January 1, 2005.

Ch. 889 (SB 225) Kuehl. Education: interscholastic athletics: discrimination.

(1) Existing law, until January 1, 2002, describes the California Interscholastic Federation (CIF) as a voluntary organization consisting of school and school-related personnel with the responsibility for administering interscholastic athletic activities in secondary schools and sets forth legislative intent that the CIF, in consultation with the State Department of Education, implement certain policies. Existing law prohibits a voluntary interscholastic athletic association, of which any public school is a member, from discriminating against, or denying the benefits of any program to, any person on the basis of race, sex, or ethnic origin. Existing law requires the CIF to report to the Legislature on its evaluation and accountability activities undertaken pursuant to those activities on or before January 1, 2002.

This bill would broaden that prohibition against discrimination to include, among others, discrimination on the basis of religion, mental or physical disability, and any basis contained in the prohibition of hate crimes and would prescribe related matters. The bill would also require the CIF to provide information to parents and pupils regarding the state and federal complaint procedures for discrimination complaints in interscholastic athletics.

(2) Under existing law, the State Department of Education has certain authority over interscholastic activities including that if the department states that a school district, an association, or consortium of school districts, or the California Interscholastic Federation is not in compliance with state or federal law, the department may require the school district, association, or consortium, or the federation to adjust its policy so that it is in compliance. Under existing law, the department is prohibited from determining the specific policy that a school district, association, or consortium, or the federation must adopt in order to comply with state and federal laws.

This bill would, notwithstanding any other provision of law, allow a complainant from a public school who wishes to file a discrimination complaint based on interscholastic activities conducted by an association, by a consortium of school districts, or by the California Interscholastic Federation to file that discrimination complaint directly with the department without having to first file a discrimination complaint with a school district, and would authorize the department, if it states that an association, a consortium of school districts, or the California Interscholastic Federation is not in compliance with state or federal law, to prescribe the administrative remedies that such an association, consortium of school districts, or the California Interscholastic Federation must provide in order to comply with state or federal law.

The bill would extend those provisions pertaining to the CIF until January 1, 2007, and would instead require that report to be made to the Governor and the Legislature on or before January 1, 2005.

Ch. 890 (SB 257) Kuehl. Schools: hate crimes.

(1) Existing law requires the School/Law Enforcement Partnership to establish interagency safe school programs to address the problems of school safety, truancy,

excessive absenteeism, and school crime including vandalism, drug and alcohol abuse, gang membership, and gang violence.

This bill would require that for partnership purposes, school crime includes hate crimes.

(2) Existing law makes each school district and county office of education responsible for the overall development of comprehensive school safety plans that include, among other things, a sexual harassment policy.

This bill would require the comprehensive school safety plan to include development of a discrimination and harassment policy, as specified, and development of hate crime reporting procedures, thereby imposing a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 891 (SB 735) Committee on Budget and Fiscal Review. Education. ²⁷

(1) Existing law, until January 1, 2002, establishes the Educational Telecommunication Fund in order for the governing board of the County Office Fiscal Crisis and Management Assistance Team to carry out its responsibilities regarding the establishment of telecommunications standards to support the efficient sharing of school business and administrative information and requires that the amount of any offset made to the principal apportionments of school districts because the apportionments were not in accordance with law be deposited in the fund for a maximum deposit of \$10,000,000.

This bill would change the date upon which the Educational Telecommunication Fund becomes inoperative to January 1, 2003. The bill would also increase the maximum amount that may be annually deposited in the fund to \$15,000,000.

(2) Existing law requires, for the 1990–91 fiscal year and each fiscal year thereafter, that moneys to be applied by the state for the support of school districts and community college districts be distributed in accordance with certain calculations. This provision does not apply to the fiscal years between the 1992–93 fiscal year and the 2000–01 fiscal year, inclusive.

This bill would, instead, make this provision inapplicable to the fiscal years between the 1992–93 fiscal year and the 2001–02 fiscal year, inclusive.

(3) Existing law requires the Controller during each fiscal year to transfer from the General Fund to Section A of the State School Fund certain sums, as certified by the Superintendent of Public Instruction, for apportionment during the fiscal year.

This bill would require the Superintendent of Public Instruction to certify to the Controller amounts that do not exceed amounts needed to fund the revenue limits of school districts and county superintendents of schools and the revenue limit portion of charter school operational funding, as those amounts are determined by specified statutes.

(4) Existing law requires, and provides a mechanism for, reimbursement of certain school district costs associated with compliance with desegregation plans.

This bill would repeal provisions governing funding of court-ordered and voluntary desegregation plans. The bill would combine funding for those programs and establish the Targeted Instructional Improvement Grant to fund the costs of any court-ordered desegregation program, if the order exists and is still in force, and to provide instructional improvement for the lowest achieving pupils in a district.

(5) Existing law authorizes the governing board of a school district, the county superintendent of schools, or the county boards of education, commencing with the 2000–01 fiscal year, to increase the lowest salary on the salary schedule for a certificated employee that meets certain requirements by designating as the lowest salary on the salary schedule an

amount that is at least \$34,000 in the 2000–01 fiscal year. Existing law sets forth procedures for reimbursement for the cost of the increase and requires claims forms to be filed with the Superintendent of Public Instruction by March 1, 2001.

This bill would allow claims forms to be filed until September 30, 2001.

(6) Existing law requires the State Board of Education to establish a Governor's Performance Award Program to provide monetary and nonmonetary awards to schools that meet or exceed Academic Performance Index performance growth targets and demonstrate comparable improvement in academic achievement by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools. Existing law requires the monetary awards to be made available on either a per pupil or per school basis, not to exceed \$150 per pupil enrolled.

This bill would provide that monetary awards be awarded only to schools whose Academic Performance Index scores meet or exceed their growth targets or increase by 5 points, whichever is greater, and in which all numerically significant subgroups' scores meet or exceed 80% of the school's growth target or increase by 4 points, whichever is greater. The bill would limit the amount of the monetary award to \$150 per pupil who received a score on the annual achievement test and standards based achievement test that are part of the Standardized Testing and Reporting program.

(7) Existing law requires that certain computations be made to determine the amount of funding for each special education local plan area for the fiscal year in which the computation is made.

This bill would require the Superintendent of Public Instruction to permanently increase the amount per unit of average daily attendance of each special education local plan area, would provide an equalization adjustment, and would set forth a formula for determining the amount of the increase and adjustment.

(8) Existing law requires the Superintendent of Public Instruction to develop or acquire a test that assesses the English language development of pupils whose primary language is a language other than English and requires the test to be used to identify pupils who are limited English proficient, to determine the level of English language proficiency of pupils who are limited English proficient, and to assess the progress of limited-English-proficient pupils in acquiring the skills of listening, reading, speaking, and writing in English.

This bill would require the Superintendent of Public Instruction to apportion funds appropriated for this purpose to enable school districts to use the tests for the purposes listed above and would require the State Board of Education to establish the amount of funding to be apportioned per test administered, based on a review of the cost per test. The bill would provide that the amount of funding to be apportioned per test is not valid without the approval of the Director of Finance.

(9) Under existing law, the governing board of a community college district may provide compensation for office hours to part-time faculty. As part of that program, existing law requires the Chancellor of the California Community Colleges to apportion to each district that establishes a program funding in an amount equal to \$2 for every \$1 paid for office hours of part-time faculty, as defined, by a district. Existing law provides that the allocation to any district in a fiscal year may not exceed $\frac{2}{3}$ of the total costs of compensation paid for office hours of part-time faculty.

This bill would instead require the chancellor to apportion to each district up to 50% of the total costs of the compensation paid for office hours of part-time faculty. The bill would provide that the allocation to any district in a fiscal year may not exceed 50% of the total costs of compensation paid for those office hours.

(10) Existing law authorizes the Regents of the University of California to establish 3 California Institutes for Science and Innovation for the purpose of combining technological and scientific research and training and educating future scientists and technological leaders.

This bill would authorize the regents to establish a 4th institute for science and innovation. The bill would express legislative intent to appropriate a total of \$100,000,000 during the 2001–02, 2002–03, and 2003–04, and 2004–05 fiscal years for this purpose.

(11) Existing law, which ceased to be operative on June 30, 1987, provided a method of impact aid allocation that allowed efforts initiated under educationally disadvantaged youth programs and bilingual education programs to continue and expand so long as the need exists. Under existing law, funding for this program may continue beyond June 30, 1987, for the general purposes of the program.

This bill would appropriate \$465,623,000 from the General Fund to the State Department of Education for transfer to Section A of the State School Fund for purposes of the Economic Impact Aid Program, and would make a related change.

(12) This bill would set the cost-of-living adjustment for certain items contained in the Budget Act of 2001 at 3.87%.

(13) Existing law requires the Superintendent of Public Instruction to compute, for the 2001–02 fiscal year, an equalization adjustment for each school district so that no district's prior year base revenue limit per unit of average daily attendance is less than the prior year base revenue limit per unit of average daily attendance above which fall not more than 10% of the total statewide units of average daily attendance for the appropriate size and type of district.

This bill would appropriate \$40,000,000 from the Proposition 98 Reversion Account to the Superintendent of Public Instruction for the purpose of implementing the equalization adjustment.

(14) The Budget Bill for the 2001–02 fiscal year, as passed by the Legislature, appropriated funds for support of the California Community Colleges. When the Governor approved this bill, which became the Budget Act of 2001, he reduced these funds, among others.

This bill would appropriate \$112,859,000 to the Chancellor and Board of Governors of the California Community Colleges in augmentation of specified items of the Budget Act of 2001, as scheduled.

(15) Certain funds appropriated from the General Fund by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(16) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 892 (SB 740) O'Connell. Charter schools.

(1) Under the Charter Schools Act, a charter school that provides independent study is required to comply with the provisions of law that are otherwise applicable to the governing board of a school district or a county office of education that offers independent study.

This bill would authorize a charter school that has an approved charter to receive funding for nonclassroom-based instruction, as defined for that purpose, only if a determination for funding is made by the State Board of Education. The bill would require the State Board of Education to adopt regulations, on or before February 1, 2002, that define and establish general rules governing nonclassroom-based instruction that apply to all charter schools and to the process for determining funding of nonclassroom-based instruction offered by charter schools. The bill would make the determination for funding subject to any conditions or limitations that the state board may prescribe. The bill would authorize the State Board of Education to adopt those regulations as emergency regulations.

(2) The act states the intent of the people that public school facilities should be shared fairly among all public school pupils, including those in charter schools. The act requires each school district to make available to each charter school operating in a 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 pupils would be

accommodated if they were attending other public schools of the district and authorizes the school district to charge the charter school a specified amount for the use of the facility.

This bill would establish the Charter School Facility Grant Program, administered by the State Department of Education, for the purpose of providing assistance with facilities rent and lease costs for pupils in charter schools. The bill would establish pupil enrollment priority provisions and would require that eligible schools receive an amount up to but no more than \$750 per unit of average daily attendance, as certified at the second principal apportionment, to reimburse an amount up to but not more than 75% of the annual facilities rent and lease costs, as prescribed. The bill would establish criteria for eligibility for funding under the program and would impose limitations on the use of funds received under the program. The bill would state the intent of the Legislature that \$10,000,000 be appropriated for the Charter School Facility Grant Program for the 2001–02, 2002–03, and 2003–04 fiscal years.

(3) The act requires in specified years, the Superintendent of Public Instructions, to make certain apportionments on behalf of charter schools including an amount for each unit of regular average daily attendance in the charter school that is equal to the current fiscal year base revenue limit for the school district to which the charter petition was submitted. The act also requires the Superintendent of Public Instruction to annually compute a general-purpose entitlement, funded from a combination of state and local funds, for each charter school, as specified.

This bill would, notwithstanding any other provision of law, authorize the State Board of Education to adjust the amount of funding allocated on the basis of average daily attendance generated through charter school nonclassroom-based instruction, as defined for this purpose, as specified.

(4) The act requires that the Legislative Analyst conduct, or contract for, an evaluation of the effectiveness of the act to report to the Governor and the Legislature by July 1, 2003.

This bill would require the evaluation to include an analysis of the funding system for charter schools that offer nonclassroom-based instruction.

(5) This bill would incorporate additional changes in Section 47605 of the Education Code proposed by SB 675, to be operative only if SB 675 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

(6) This bill would incorporate additional changes in Section 47612.5 of the Education Code proposed by SB 955, to be operative only if SB 955 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 893 (AB 25) Migden. Domestic partnerships.

(1) Existing law establishes a cause of action for negligence, including the negligent infliction of emotional distress and a cause of action for wrongful death.

This bill would make these provisions applicable to a domestic partner as well as a surviving spouse.

(2) Existing law provides for the registration of domestic partnerships, as defined, and limits the legal effect of the registration of the domestic partnership to specified provisions of law. Existing law provides that persons of opposite sexes may not establish a domestic partnership unless they are both over the age of 62 and both persons meet specified eligibility criteria under the Social Security Act.

This bill would expand the legal effect of the registration of a domestic partnership to any provision of law specifically referring to domestic partners. This bill would also expand the class of persons who may establish and register a domestic partnership by providing that persons of opposite sexes may establish a domestic partnership if one or both of them are over the age of 62 and one or both of them meet the specified eligibility criteria under the Social Security Act.

(3) Existing law provides that a stepparent desiring to adopt a child of the stepparent's spouse may for that purpose file a petition in the county in which the petitioner resides and prescribes the procedure for such an adoption.

This bill would authorize the employment of the procedures applicable to stepparent adoption to the adoption by a domestic partner, as defined, of the child of his or her domestic partner.

(4) Under the Public Employees' Medical and Hospital Care Act, state and local employers may elect to offer health care coverage and other benefits to domestic partners of employees and annuitants, as defined; however, a domestic partner is not eligible for continued health coverage upon the death of the employee or annuitant.

This bill would provide that a domestic partner, and a child of a domestic partner, shall be eligible for continued health coverage upon the death of the employee or annuitant if the domestic partner is receiving a beneficiary allowance, as specified. The bill would also prohibit a surviving domestic partner from enrolling additional family members in a health benefits plan.

(5) Under the existing County Employees Retirement Law of 1937, death benefits and survivor's allowances are payable to the surviving spouse or children of a deceased member, as specified.

This bill would provide that in San Mateo County, subject to the approval of the board of supervisors, death benefits and survivor's allowances may be payable to a member's surviving domestic partner, as specified.

(6) Existing law, the Uniform Health Care Decisions Act, allows an individual to give instructions about personal health care decisions or authorize someone else to act as a surrogate to make these decisions.

This bill would authorize a domestic partner to make health care decisions on behalf of a patient in certain circumstances.

(7) Existing law provides for the licensure and regulation of health care service plans administered by the Department of Managed Care. Under existing law, a willful violation of any of these provisions is punishable as either a felony or a misdemeanor. Existing law also provides for the regulation of policies of disability insurance administered by the Insurance Commissioner.

Existing law requires that health care service plans and disability insurers provide coverage for certain benefits and services.

This bill would require a group health care service plan and a policy of disability insurance that provides hospital, medical, or surgical expense benefits to offer coverage to employers and guaranteed associations for a domestic partner of an employee, subscriber, insured, or policyholder to the same extent, and subject to the same terms and conditions, as provided to a dependent of an employee, subscriber, insured, or policyholder. The bill would also require that if an employer or guaranteed association has purchased coverage for domestic partners, a health care service plan or a policy of group disability insurance that provides hospital, medical, or surgical expense benefits for employees, subscribers, insureds, or policyholders and their dependents shall enroll as a dependent, upon application by the employer or group administrator, a domestic partner of the employee, subscriber, insured, or policyholder when that employee, subscriber, insured, or policyholder in accordance with the terms and conditions of the group contract, as specified. The bill would also provide that a health care service plan or policy of group disability insurance may require a copy of a valid Declaration of Domestic Partnership and notification of termination of the domestic partnership.

Since a willful violation of the provisions applicable to health care service plans is a crime, this bill would impose a state-mandated local program.

(8) Existing law requires any employer who provides sick leave to employees, as specified, to allow the employees to use the sick leave to attend to the illness of a sick child, parent, or spouse.

This bill would require the employer described above to allow the employee to use sick leave to attend to an ill domestic partner or child of a domestic partner, and would make other conforming changes.

(9) Existing law provides for the creation of conservatorships and trusts, and for the management of the estates of decedents.

This bill would define domestic partner and surviving domestic partner for the purposes of the Probate Code. The bill would revise the provisions regarding conservatorships to provide for the participation of a domestic partner of the conservatee or proposed conservatee in these proceedings. The bill would require preference for selection of a conservator be given to the domestic partner and a person nominated by the domestic partner. The bill would require that a petition for conservatorship set forth the names and addresses of the domestic partner of the proposed conservatee or the names and addresses of any children of a predeceased domestic partner. The bill would require notice of a conservatorship hearing to be sent to the domestic partner of the proposed conservatee and would authorize the domestic partner to appear at the hearing in support or opposition to the petition. The bill would prohibit a domestic partner from petitioning for the appointment of a conservatorship of his or her domestic partner under specified conditions. This bill would also include a domestic partner within the definition of a family member for the purposes of requiring a domestic partner, when acting as a conservator or a guardian, to reveal his or her relationship to a ward or conservatee when petitioning a court for approval of certain property transactions. This bill also would make conforming changes.

(10) Existing law prohibits a court official, employee, or a person related by blood or marriage, as defined, who is involved in the appointment of a conservator or guardian, or the processing of any document relating to a conservator or guardian, from purchasing, leasing, or renting the personal or real property from the estate of a conservatee or a ward whom the conservator or guardian represents.

This bill would include a domestic partner within the definition of a person related by blood or marriage for the purposes of the provisions described above.

(11) Existing law provides for the transfer of the property of a deceased person by will, and prescribes a statutory will form. Existing law provides that dissolution of a marriage revokes a bequest of property made in a will to a former spouse, among other things.

This bill would provide that termination of a domestic partnership revokes a bequest of property made in a will to a former domestic partner, among other things. The bill would also revise the statutory will form to, among other things, provide for the inclusion of a domestic partner among the beneficiaries to whom the testator may indicate a desire to leave his or her principal residence, automobiles, household, and personal effects, or residuary estate.

(12) Existing law provides that the surviving spouse is entitled to be appointed administrator of the decedent's estate and shall be given priority over other persons in relation to the decedent.

This bill would expand the right to be appointed as administrator of a decedent's estate to children of a domestic partner and to the parents of a predeceased domestic partner and their issue.

(13) The Personal Income Tax Law provides, in specified conformity to federal law, an exclusion from gross income for certain amounts expended for medical care and for certain employer-provided coverage under an accident or health plan. That law also allows a deduction for certain health insurance costs of self-employed individuals and with respect to certain group health plans.

This bill would make those tax benefits available to domestic partners.

(14) Existing law provides that an individual who leaves his or her work voluntarily or without good cause is disqualified from receiving unemployment benefits. Existing law further defines good cause for these purposes, and establishes procedures and presumptions for the administration of benefits.

This bill would include in the definition of good cause the act of accompanying one's domestic partner to a place from which it is impractical to commute and to which a transfer by the employer is not available. This bill would also make related changes.

(15) Existing law provides that if a person is eligible to receive disability benefits, but is mentally unable to make a claim, the claim may be made by the spouse of the individual, and the payment shall be executed upon the affidavit of the spouse, or other qualified person, as specified.

This bill would allow a domestic partner to make the claim and execute the affidavit in the capacity described above.

(16) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 894 (AB 59) Cedillo. Health programs: eligibility.

Existing law provides for the federal medicaid program, administered by each state, California's version of which is the Medi-Cal program. The Medi-Cal program, which is administered by the State Department of Health Services, provides qualified low-income persons with health care services.

Existing law requires each school district and county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, to provide for each needy pupil one nutritionally adequate, free or reduced-price meal during each schoolday, and requires applications for participation in that free or reduced-price meal program to be made available to pupils at all times during each regular schoolday. The National School Lunch Program provides to eligible students lunches reimbursable pursuant to the National School Lunch Act.

To the extent permitted by federal law, this bill would make certain persons who are eligible for free school lunches under the federal program also eligible for the Medi-Cal program.

Existing law requires school districts and county superintendents of schools to provide various notifications to parents and guardians.

This bill would authorize school districts and county superintendents of schools to provide specified information regarding the Medi-Cal program to applicants for the National School Lunch Program or with the notification regarding eligibility for the National School Lunch Program. This bill would provide for the sharing of information from applications for the National School Lunch Program with specified local health agencies and would make provision for the confidentiality of that shared information.

This bill would require each county to participate in a pilot program to determine eligibility of certain children for, and enroll them in, the Medi-Cal program.

Because each county is responsible for Medi-Cal eligibility determinations, and because this bill would expand Medi-Cal eligibility, the bill would impose a state-mandated local program.

This bill would also require the department, in consultation with various agencies and representatives to develop policies and procedures to implement the provisions of this bill.

This bill would also prescribe various reporting requirements and provisions for expediting application processes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 895 (AB 1118) Corbett. Seismic safety: insurance: tax credits: retrofitting.

Existing law requires the Department of Insurance to establish a program for residential grants and loans to help pay for the retrofitting of high-risk residential dwellings owned or occupied by low- and moderate-income households, in order to minimize the risk of earthquake damage to those dwellings and thereby reduce the costs of residential earthquake insurance. Existing law appropriates a specified amount from the California Residential Earthquake Recovery Fund to the Department of Insurance for the purposes of the program. The funds are available until July 1, 2003.

This bill would make the funds in the California Residential Earthquake Recovery Fund available for expenditure until December 1, 2004, and would also appropriate the entire amount of funds not previously appropriated from that fund, not to exceed \$1,500,000, to the Department of Insurance for purposes of the program.

Ch. 896 (SB 388) Alpert. School districts: sale or lease of surplus property.

Under existing law, the governing board of any school district is authorized to sell for cash any personal property belonging to the school district if, among other things, the property is not required for school purposes, and certain requirements are satisfied regarding that sale, including providing notice of the sale, calling for bids, and selling the property to the highest responsible bidder. These requirements are applicable to a school district leasing land, buildings, or equipment that is no longer needed.

This bill would authorize a school district, notwithstanding any other provision of law, to sell or lease Internet appliances, as defined, or personal computers to parents of pupils within the school district, for the purpose of providing access to the school district's educational computer network, at a standard price not to exceed the cost incurred by the school district in purchasing the Internet appliance or computer, and would not require a sale or lease pursuant to those provisions to be subject to a requirement to call for bids or to sell or lease those Internet appliances or computers to the highest bidder.

The bill would also require a school district that elects to sell or lease Internet appliances or computers, as authorized by the bill, to provide access to the school district's educational network for those families that cannot afford that access.

Ch. 897 (SB 493) Sher. Health programs.

Existing law establishes the Healthy Families Program to arrange for the provision of health, dental, and vision services to eligible children pursuant to a federal program, entitled the State Children's Health Insurance Program. Under existing law, the program is administered by the Managed Risk Medical Insurance Board.

Existing law provides for the federal medicaid program, administered by each state, California's version of which is the Medi-Cal program. The Medi-Cal program, which is administered by the State Department of Health Services, provides qualified low-income persons with health care services.

Existing federal law provides for the Food Stamp Program, under which food stamps are distributed to eligible households. Under existing state law, the State Department of Social Services administers the Food Stamp Program under which the food stamps allocated to California are distributed by each county.

This bill would require the State Department of Health Services, in conjunction with the State Department of Social Services, to implement a simplified eligibility process as part of the Food Stamp Program to expedite Medi-Cal program and Healthy Families Program enrollment for food stamp recipients who are not enrolled in those programs. The bill would require each county health department to develop a data list of family members residing in

eligible food stamp households who are not enrolled in the Medi-Cal program or the Healthy Families Program. The bill would also require the county welfare department to develop a notice to inform individuals identified on the data list that they may be entitled to receive benefits under the Medi-Cal program or the Healthy Families Program, and would specify the further duties of the county in this regard. The bill would specify that counties shall include the cost of implementing the above data list and notice provisions in their annual administrative budget requests to the State Department of Health Services.

Because the bill imposes certain requirements on each county, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 898 (SB 680) Figueroa. Health facility data.

Existing law, the Health Data and Advisory Council Consolidation Act, operative until June 30, 2004, requires every organization that operates, conducts, or maintains a health facility to make and file with the Office of Statewide Health Planning and Development, specified reports containing various financial and patient data.

This bill would additionally impose the above requirements on every organization that owns a health facility.

This bill would revise the type of data required to be filed with the office.

Existing law also requires that the office publish certain patient outcome reports for specified periods.

This bill would revise the data that the office shall publish and would revise the periods to which the reports shall apply.

Existing law requires the office to maintain a file of all reports filed under the Health Data and Advisory Council Consolidation Act.

This bill would require the office also to post all reports on its Web site, and would specify that the reports include a discussion of findings, conclusions, and trends concerning the overall quality of medical outcomes for procedures and conditions studied by the reports.

The bill would delete the provision limiting the duration of the operation of the Health Data and Advisory Council Consolidation Act.

Ch. 899 (SB 780) Ortiz. Protection of the exercise of constitutional rights.

Existing provisions of federal law make it a crime and provide a civil remedy for the commission of certain activities that interfere with a person's access to reproductive health services facilities or with a person's participation in religious services or that damage or destroy property of a reproductive health facility or place of worship.

Existing provisions of state law authorize a civil action for damages resulting from the commission of specified activities that interfere with a person's access to a health facility or with the facility's functioning, and a court in which a proceeding for this relief is filed, is required to take all reasonable action to protect, as specified, the parties and witnesses in the matter.

Under other existing provisions of state law, it is a crime to make a threat, as specified, causing a person to refrain from engaging in a religious service or to commit an act of terrorism, as specified, at a place of religious worship or at a location where abortion counseling services, education, or other specified activities are conducted. Existing law also

makes it a crime to damage or destroy the real or personal property of a place of worship or to interfere with the exercise of a person's religious beliefs because of his or her religion.

Under existing law, the Attorney General is required to collect from local law enforcement agencies information relating to crimes motivated by, among other personal characteristics, a person's religion, which the Department of Justice analyzes and submits in an annual report to the Legislature.

This bill would add similar provisions in state law to make it a crime and would provide a civil remedy for the commission of the acts prohibited under federal law, as described above. The bill would require a court in proceedings regarding the prohibited acts to take all actions reasonably required to protect the safety and privacy of the parties, witnesses, and persons who are victims, or at risk of becoming victims, of the prohibited activities. This bill would allow specified persons to use pseudonyms in civil actions related to prohibited acts. The bill would authorize as remedies in the civil action injunctive relief, compensatory and punitive damages, attorney's fees, costs of the suit, and statutory damages. This bill would also authorize the Attorney General, a district attorney, or a city attorney to file an action to enjoin prohibited acts, for compensatory damages to persons aggrieved by prohibited acts, and for civil penalties, as specified.

The bill would also require the Attorney General to assume specified duties related to planning, information gathering, and analysis with respect to anti-reproductive-rights crimes, as defined. The bill would also require the Attorney General to submit various reports on this issue to the Legislature. The bill would require the Commission on Peace Officer Standards and Training to develop a training course on anti-reproductive-rights crimes. This bill would provide that the requirements for information gathering, reporting, planning, and course development related to anti-reproductive-rights crimes would be repealed on January 1, 2007.

Because this bill would create a new crime and would impose a reporting requirement on local law enforcement agencies, it would impose a state-mandated program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 900 (SB 1169) Alpert. Pharmacy.

Under existing law, a pharmacist may not, in general, furnish a dangerous drug except upon the prescription of a physician, dentist, podiatrist, optometrist, or veterinarian. However, existing law provides for certain exemptions.

This bill would authorize a pharmacist to initiate emergency contraception drug therapy in accordance with standardized protocols developed by the pharmacist and an authorized prescriber acting within his or her scope of practice. The bill would require a pharmacist who initiates emergency contraception drug therapy pursuant to these provisions to provide the recipient with a standardized fact sheet developed by the California State Board of Pharmacy, in consultation with the State Department of Health Services, the American College of Obstetricians and Gynecologists, the California Pharmacists Association, and other health care organizations. The bill would also require that prior to performing this procedure a pharmacist complete a specified training program.

This bill would incorporate additional changes in Section 4052 of the Business and Professions Code proposed by AB 826, to be operative only if AB 826 and this bill are both enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Because a violation of the Pharmacy Law is a misdemeanor, this bill would impose a state-mandated local program by creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 901 (AB 2) Alquist. Independent expenditure committees.

Under existing law, the Political Reform Act of 1974, a committee that receives contributions totaling \$1,000 or more in a calendar year, known as a recipient committee, is required to file a statement of organization within 10 days after qualification as a recipient committee, as specified. Existing law further requires a committee that qualifies as a recipient committee during the period ending 17 days before an election to file the information required by the statement of organization by telegram or personal delivery within 24 hours of qualifying as a recipient committee.

This bill would require an independent expenditure committee that qualifies as a recipient committee within a period specified by statute preceding an election for which it has made independent expenditures of \$1,000 or more, as specified, to file the information required to be reported in the statement of organization within 24 hours of qualifying as a recipient committee.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties upon persons who violate the provisions of the bill.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the Political Reform Act of 1974, would therefore require a $\frac{2}{3}$ vote.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 902 (AB 56) Shelley. Voting Modernization Bond Act of 2002.

This bill would enact the Voting Modernization Bond Act of 2002 (Shelley-Hertzberg Act), which, if approved, would authorize, for purposes of assisting counties in the purchase of updated voting systems, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$200,000,000.

The bill would provide for submission of the act to the voters at the March 5, 2002, statewide election.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 903 (AB 140) Strom-Martin. Rural telecommunications infrastructure: grants.

(1) Existing law creates the High-Cost Fund-A Administrative Committee and the High-Cost Fund-B Administrative Committee to advise the Public Utilities Commission regarding programs to provide for transfer payments to telephone corporations providing services in high cost areas and to carry out the programs under the commission's authority. Existing law creates the California High-Cost Fund-A Administrative Committee Fund and

the High-Cost Fund-B Administrative Committee Fund. Moneys in the funds may be expended, as specified, upon appropriation in the annual Budget Act.

This bill would, under the Public Utilities Act, until January 1, 2006, also establish a grant program for the construction of telecommunications infrastructure, as prescribed.

The bill would provide that the corporations receiving transfer payments shall continue to be fully reimbursed for the costs they are entitled to recover.

Under the bill, the funding for the grant program would be from the existing California High-Cost Fund-A Administrative Committee Fund or the High-Cost Fund-B Administrative Committee Fund, or both, up to a specified annual limit, as determined by the commission. The bill would require the commission to award grants, as specified. The bill would require the commission to establish a working group to develop technical criteria for evaluating the grants. Because, under the act, a violation of these provisions would be a crime, this bill would impose a state-mandated local program by creating new crimes.

The bill would prohibit any appropriation from the California High-Cost Administrative Committee Fund-B for the purposes of the grant program until the United States Supreme Court decides a specified case regarding high-cost funding, the commission recalculates the statewide average cost to serve a residential line stated in a specified decision of the commission, as it determines to be appropriate, and the commission is current on all claims made by carriers for service provided in high-cost areas, except as specified.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 904 (AB 280) Robert Pacheco. Precinct formation: voters.

Existing law prescribes the duties of county elections officials in connection with the formation of election precincts or the change of precinct boundaries, among other things, and provides that the number of voters may not exceed 1,000 in any new or changed voting precinct. Existing law also requires the precinct boundaries for a general election to be the same as the precinct boundaries for a primary election, except as specified.

This bill would increase to 1,250 in counties with a population of 1,000,000 or more, the maximum number of voters allowable in a voting precinct. The bill would require an elections official to provide to the Secretary of State and to the public written information that addresses specified factors before establishing a precinct in which the number of voters exceeds 1,000. It would require a county that increases an election precinct to more than 1,000 voters to report that action to the Secretary of State and would require the Secretary of State to report to the Legislature by January 1, 2004, as specified.

Existing law permits the consolidation of election precincts for a local, special, or consolidated election, and certain statewide elections, so that not more than 6 existing precincts may be consolidated into one election precinct, with the polling place located within the boundaries of the consolidated precinct.

This bill would delete the authorization to consolidate precincts for a special election.

Existing law requires that the precinct board consist of a minimum of one inspector and 2 clerks.

This bill would require that the precinct board consist of a minimum of one inspector and 3 clerks if the elections official opts to increase precinct size pursuant to a specified provision of this bill.

The provisions of this bill would remain in effect only until January 1, 2005.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that the Legislature finds there is no mandate contained in the bill that will result in costs incurred by a local agency or school district for a new program or

higher level of service which require reimbursement pursuant to these constitutional and statutory provisions.

Ch. 905 (AB 549) Longville. California Energy Commission: building standards.

Existing law requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, various energy efficiency design standards for residential and nonresidential buildings.

This bill would require the commission to investigate options and develop a plan to decrease wasteful peakload energy consumption in existing residential and nonresidential buildings. The bill would require the commission to use existing funds to investigate those options and develop a plan and to report its findings, on or before January 1, 2004, to the Legislature.

This bill would require electric and gas utilities to provide support for building standards in consultation with the commission, to the extent that funds are made available to the utilities for that purpose.

Ch. 906 (AB 673) Migden. Forensic identification.

(1) Existing law requires various criminal offenders, persons found guilty by reason of insanity, and registered sex offenders to provide DNA samples to the Department of Justice for inclusion in the DNA and Forensic Identification Data Base.

This bill would require people who have been convicted of or who have pled guilty or no contest to burglary, robbery, arson, or carjacking, or an attempt to commit these offenses, to provide DNA samples to the Department of Justice for inclusion in the data base. By increasing the duties of local officials, this bill would impose a state-mandated local program.

The bill furthermore would add probation officers, prosecuting city attorneys' offices, courts, and administrative tribunals to the list of agencies and officers to which DNA and other forensic identification information shall be released, as specified; impose specified criminal and civil penalties if a person uses an offender sample or DNA profile for other than criminal identification or exclusion purposes, or the knowing disclosure of DNA or other forensic identification information, developed pursuant to these provisions, to an unauthorized individual or agency, or for other than identification purposes; subject the Department of Justice, but not its employees, to liability for an unauthorized disclosure under the provisions; would provide, among a number of exemptions, that the public disclosure by a law enforcement agency of the fact of a DNA profile match would not be a violation of the provisions; make clarifying changes to related provisions; and provide that this bill shall only become operative if both this bill and SB 83 are enacted and become effective. By creating new crimes and increasing the penalties on existing crimes, this bill would impose a state-mandated local program on local government.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 907 (AB 1171) Dutra. Highways: toll bridges: funding.

(1) Existing law imposes a seismic retrofit surcharge equal to \$1 per vehicle for passage on the state-owned toll bridges in the region within the area of the jurisdiction of the

Metropolitan Transportation Commission, except for vehicles that are authorized toll-free passage on those bridges. Revenue generated from the surcharge is required to be deposited in the Toll Bridge Seismic Retrofit Account in the State Transportation Fund, which is continuously appropriated without regard to fiscal years to the Department of Transportation for the purpose of funding seismic retrofit of currently listed bridges. The department is required to determine the date when (a) sufficient funds have been generated for the completion of seismic retrofit and the replacement of the San Francisco-Oakland Bay Bridge, as specified, and (b) sufficient funds have been generated to pay for any costs added under a specified provision relating to the San Francisco-Oakland Bay Bridge. The department is required to notify the Secretary of State of that date, immediately upon making that determination. These provisions are repealed on January 1, 2008, or on the date the Secretary of State receives the specified notice, whichever occurs first.

This bill would delete the repeal date described above and would instead provide a repeal date occurring when the California Transportation Commission notifies the Secretary of State that sufficient funds have been generated to meet certain obligations, as defined, and thereby would make an appropriation by extending the time during which the money in the account would be continuously appropriated. The bill would require the money in the account that is in excess of those funds needed to meet the toll commitment and other elements requiring to meet the obligations of the department's financial plan to be available to the Bay Area Toll Authority for funding certain purposes and projects that are consistent with existing law requirements.

The bill would require the department to transfer the funds annually to the authority upon receiving notification from the authority's governing board.

The bill would prohibit the increase in tolls beyond the level needed to complete the seismic retrofit and replacement of bay area bridges, as described above, unless the California Infrastructure and Economic Development Bank makes certain described findings and the Department of Finance confirms those findings.

(2) Existing law sets forth the cost estimates at \$2,620,000,000 to retrofit the state-owned toll bridges and to replace the east span of the San Francisco-Oakland Bay Bridge in accordance with a schedule.

This bill would revise that cost estimate to \$4,637,000,000 and would correspondingly revise the schedule.

(3) Existing law provides that the estimated cost of replacing the east span of the San Francisco-Oakland Bay Bridge is based on certain assumptions.

The bill would instead provide that this estimated cost is based on specific conditions, rather than assumptions.

(4) Existing law provides that it is the intent of the Legislature that specific amounts from various funds be allocated through the 2004–05 fiscal year, for the seismic retrofit or replacement of the identified state-owned toll bridges.

This bill would require the continued allocation of the funds until expended, rather than through the 2004–05 fiscal year, and would revise the amount available from the seismic retrofit surcharge, subject to certain limitations, and would include the funds necessary to meet principal obligations, as defined, of not less than \$642,000,000 from the state's share of the federal Highway Bridge Replacement and Rehabilitation Program.

The bill would revise the proportional reduction of funding formula provided under existing law, if the cost of retrofitting or replacement, or both, is less than the statutory cost estimate set forth above.

The bill would require the department, upon substantial completion of the retrofit work of the state-owned toll bridges, to submit a final report prepared by an independent accounting firm identifying the sources and use of the funds. The bill would require the report to serve as the basis for any proportional reduction in funding as described above.

The bill would provide that if the department issues federal highway grant anticipation notes to fund the retrofitting of state owned toll bridges and the replacement of the east span

of the San Francisco-Oakland Bay Bridge, certain adjustments in the state transportation improvement program county share shall not apply.

The bill would authorize the department to enter into certain financial arrangements to finance or refinance the seismic retrofit project costs which would include the issuance of revenue bonds.

The bill would provide that nothing in the bill shall be construed to negatively impact any project that is programmed prior to January 1, 2002, in the state transportation improvement program.

Ch. 908 (AB 1335) Cohn. Transportation: regional and local project funds: letter of no prejudice.

Existing law authorizes a regional or local entity to expend its own funds for any component of a transportation project within its jurisdiction that is included in the current fiscal year's state transportation improvement program and for which the commission has not made an allocation. The amount expended is authorized to be reimbursed by the state, subject to annual appropriation by the Legislature, if (1) the California Transportation Commission makes an allocation for, and the Department of Transportation executes a fund transfer agreement for, the project during the same fiscal year as when the regional or local expenditure was made, (2) expenditures made by the regional or local entity are eligible for reimbursement in accordance with state and federal laws and procedures, and (3) the regional or local entity complies with all legal requirements for the project, as specified.

This bill would authorize a regional or local entity that is a lead applicant for an eligible project included in an adopted regional transportation plan to apply to the commission for a letter of no prejudice for the project in order to expend its own funds for any component of the transportation project, subject to the approval of the commission. The bill would authorize the commission, in consultation with regional and local entities, and the department, to develop guidelines to implement these provisions.

Ch. 909 (AB 1475) Liu. Employment harassment: religious exemption.

Existing provisions of the California Fair Employment and Housing Act generally exempt nonprofit religious corporations and associations from the act's provisions providing remedies for specified unlawful employment practices, including discrimination and harassment. However, the provisions of the act making discrimination on various bases an unlawful employment practice are made applicable, with certain exceptions, to persons employed by a religious corporation or association to perform other than religious duties, as specified, at a health care facility operated by the religious corporation or association for the provision of health care that is not restricted to adherents of the religion.

Existing provisions of the act make it an unlawful employment practice for an employer to harass an employee, an applicant, or a person providing services pursuant to a contract. This existing law does not apply to employers that are nonprofit religious corporations or associations.

This bill would make the provisions of the act prohibiting harassment applicable, with certain exceptions, to persons employed by a religious corporation or association to perform other than religious duties, as specified, at a health care facility operated by the religious corporation or association for the provision of health care that is not restricted to adherents of the religion.

Ch. 910 (SB 504) Scott. Employment discrimination: nonprofit educational institutions.

Under existing law, nonprofit public benefit corporations are subject to the antidiscrimination provisions of the California Fair Employment and Housing Act pertaining to employers, except that nonprofit public benefit corporations incorporated to provide health care on behalf of a religious organization are excluded from the provisions

of the act pertaining to employers with respect to employment, including promotion, of an individual of a particular religion in an executive or pastoral-care position connected with the provision of health care.

This bill, notwithstanding any other provisions of law, would permit nonprofit public benefit corporations formed by or affiliated with a particular religion, that operate an educational institution as the sole or primary activity, to restrict employment, including promotion, in any or all employment categories to individuals of the particular religion. The bill would specify that nonprofit public benefit corporations remain subject to certain existing prohibitions against discrimination in employment. The bill would also make technical, nonsubstantive changes.

Ch. 911 (SB 759) Murray. Transportation: traffic congestion relief.

Existing law provides for the establishment and annual update of a 5-year plan for funding infrastructure.

This bill, on and after the date that Assembly Constitutional Amendment No. 4 (Res. Ch. 87, Stats. 2001) is approved by the voters, would require the Department of Finance to prepare an annual audit report examining any expenditures made pursuant to the allocations authorized under proposed Article XIX B of the California Constitution. The bill would require the report to be made available to the public and to be submitted to both houses of the Legislature.

The bill would require the funds allocated under certain provisions of proposed Article XIX B of the California Constitution, when appropriated, to be apportioned in accordance with, and subject to, certain apportionment formulas and other requirements set forth in specified provisions of existing law relating to allocations from the Transportation Investment Fund.

The bill would require all ballots for the election during which ACA 4 is submitted to the voters for approval to contain certain ballot statements and labels containing certain information relating to that measure.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 912 (SB 1170) Sher. State vehicle fleet.

The Warren-Alquist State Energy Resources Conservation and Development Act specifies the policies of the state regarding energy resources and requires the State Energy Resources Conservation and Development Commission to acquire and analyze information to ascertain future energy problems and uncertainties, including impacts of petroleum price increases and projected conservation measures on the demand for energy.

This bill would make it the policy of the state to minimize the economic and environmental costs due to the use of petroleum-based fuels and other transportation fuels by state agencies. The bill would require the commission, the Department of General Services, and the State Air Resources Board to develop and adopt fuel-efficiency specifications governing the purchase by the state of motor vehicles and replacement tires. The bill would require the commission and the department, in developing the specifications, to jointly conduct a study to examine state vehicle purchasing patterns and to analyze the costs and benefits of reducing the energy consumption of the state fleet by no less than 10% on or before January 1, 2005. The bill would also require the commission, the department, and the state board, on or before January 31, 2003, and annually thereafter, to develop and adopt air pollution emission specifications governing the purchase by the state of passenger cars and light-duty trucks that meet or exceed the state's Ultra-Low Emission Vehicle (ULEV) standards for exhaust emissions. The bill also would require the commission, on or before January 31, 2003, to develop and adopt recommendations for consideration by the Governor and Legislature for a California State Fuel-Efficient Tire Program.

Ch. 913 (SB 19) Escutia. Pupil health.²⁸

NOTE: Superior numbers appear as a separate section at the end of the digests.

(1) Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils.

This bill would authorize every public school to post a summary of nutrition and physical activity laws and regulations, and the school district policies and would require the State Department of Education to develop the summary of the laws and regulations.

(2) Existing law requires that 50% of the items, other than foods reimbursed under federal law, offered for sale each schoolday at any schoolsite by any entity or organization during regular school hours be selected from a prescribed list of foods.

The bill would, commencing January 1, 2004, require the sale of all foods on school grounds at elementary and middle schools, as defined, and at middle and high schools participating in a pilot program established by the bill, to be approved by the person or persons designated for this purpose by the school district, subject to funding being appropriated in the Budget Act of 2003.

The bill would, subject to funding being appropriated in the Budget Act of 2003, commencing January 1, 2004, with certain exceptions, permit the sale of foods at elementary schools only as full meals during breakfast and lunch periods and would require items that are sold during specified breaks to meet certain standards. The bill would restrict the sale of specified beverages at elementary and middle schools. The bill would require certain foods sold to pupils at specified times to meet specified requirements.

(3) Existing law requires the Superintendent of Public Instruction to reimburse school districts for certain costs associated with free and reduced price meals.

This bill would, commencing January 1, 2004, require that reimbursement to be increased to 23¢ per meal sold or served to pupils at elementary or middle schools.

(4) Existing law provides for various advisory committees to be formed at the school district level.

This bill would authorize a school district maintaining at least one middle school to convene a Child Nutrition and Physical Activity Advisory Committee that would develop and recommend to the governing board of the school for its adoption a school district policy on nutrition and physical activity. The committee would include school district governing board members, school administrators, food service directors, food service staff, parents, pupils, physical and health education teachers, dietitians, doctors, nurses, and interested community members. In developing the policy, the committee would be required to hold at least one public hearing. The bill would require the State Department of Education to provide a grant to a school district that develops and adopts a policy by January 1, 2003. The bill would appropriate \$5,500,000 to the Superintendent of Public Instruction for grants and technical support to school districts, and for program evaluation, as prescribed.

The funds appropriated by this bill for grants to school districts would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(5) By imposing new requirements on school districts, the bill would impose state-mandated local programs.

(6) This bill would require the Superintendent of Public Instruction to supervise the implementation of certain provisions enacted by the bill, as prescribed, for noncompliance. If the Superintendent of Public Instruction finds that a school district or county superintendent of schools fails to comply with those provisions, the superintendent would be required to provide the school district with a noncompliance notification and the school district would be required to adopt a corrective plan.

(7) The bill would require the Department of Education to establish a pilot program in which high schools voluntarily adopt food sale requirements.

(8) This bill would require the State Department of Education, with advice from the Child Nutrition Advisory Council, to design and implement a financial incentive grant program to help and encourage schools to implement their policies and meet specified goals.

(9) This bill would require the State Department of Education to monitor implementation of the program and to report to the Legislature annually and on June 1, 2004, as prescribed.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 914 (SB 786) Scott. Purchase of instructional materials.

(1) Under existing law, the Leroy Greene California Assessment of Academic Achievement Act, the State Board of Education is required to adopt statewide academically rigorous content standards in the core curriculum areas of reading, writing, mathematics, history/social science, and science. Existing law, the Schiff-Bustamante Standards-Based Instructional Materials Program, requires the State Department of Education to apportion funds appropriated for the purchase of instructional materials that are aligned to those language arts, mathematics, history/social science, or science content standards in a specified amount.

This bill would require that each school district that receives resources under that program or any other resources for that purpose purchase instructional materials for pupils in kindergarten and grades 1 to 12, inclusive, that are aligned with state content standards in language arts, mathematics, history/social science, or science, as adopted by the State Board of Education, within 2 years of the date the materials have been adopted by the State Board of Education, and would prescribe related matters. The bill would also authorize the State Board of Education to grant extensions for the purchase of those instructional materials or textbooks beyond the 2-year period if certain requirements are met. The bill would require a school district to report to the Superintendent of Public Instruction any resources received under the Schiff-Bustamante Standards-Based Instructional Materials Program that have not been used within 2 years of their receipt by the school district and would authorize the Superintendent of Public Instruction to offset future apportionments of instructional materials funding in order to recover the unspent funds. By imposing new requirements on school districts regarding the purchase of instructional materials, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 915 (AB 63) Cedillo. Taxation: disclosure.

Existing law prohibits the disclosure of any information concerning any taxpayer by the State Board of Equalization, the Franchise Tax Board, and the Director of Employment Development to any person, except as specifically authorized by statute. It permits the disclosure of certain information by the Franchise Tax Board to the Commissioner of Internal Revenue of the United States, other California tax officials, the Multistate Tax Commission, the tax officers of another state, and the tax officials of Mexico, under specified conditions.

This bill would, until December 31, 2008, additionally permit, under specified conditions, the disclosure of tax information to tax officials of any city. The bill would require that the

Franchise Tax Board be reimbursed its cost of providing this information to a city, as specified.

This bill would require the California Research Bureau to make a report to the Legislature, by December 31, 2005, regarding the impact and effect of the bill.

This bill would also provide that it will become operative only if this bill and AB 205 are both enacted and become effective on or before January 1, 2002.

Ch. 916 (AB 302) Migden. Election ballots and voter pamphlets.

Existing law requires an absent voter, after marking the absentee ballot, to return the ballot either by mail or in person to the official from whom it came or in person to any member of a precinct board at any polling place within the jurisdiction, except that an absent voter who, because of illness or other physical disability, is unable to return the ballot, may designate a family member, as specified, to return the absentee ballot.

This bill would authorize the absent and disabled voter to designate any person residing in the voter's household to return the ballot. The bill would provide that, notwithstanding this provision, no absent voter's ballot shall be returned by a paid or volunteer worker of a campaign or controlled committee, except as specified. The bill would require the absentee ballot identification envelope to include the name of the person authorized to return it.

Ch. 917 (AB 696) Longville. Online campaign disclosure.

Under existing law, the Secretary of State, in consultation with the Fair Political Practices Commission, is required to develop online and electronic filing processes for use by persons and specified entities required to file statements and reports with the Secretary of State's office, and to make 2 reports to the Legislature.

This bill would require those processes to enable a user to comply with all of the disclosure requirements of the Political Reform Act of 1974, including a means or method whereby filers subject to online and electronic filing disclosure requirements may submit required filings free of charge, and that does not provide any additional or enhanced functions or services that exceed the minimum requirements necessary to fulfill the disclosure provisions of the act. It would require at least one means or method to be made available no later than December 31, 2002.

This bill would also change the date by which one of the above-described reports is due, and require a 3rd report to the Legislature, due no later than January 31, 2003. The bill would declare that these changes are declaratory of existing law.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

This bill would appropriate \$600,000 from the General Fund to the Secretary of State to defray the costs of developing software as required by this act.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 918 (AB 719) Wiggins. Absentee voters.

Existing law authorizes a voter who has specified physical impairments or conditions to apply for permanent absent voter status.

This bill would additionally authorize a voter who is employed in a position that requires the voter to work shifts of 24 consecutive hours or more to apply for permanent absent voter status.

Ch. 919 (AB 733) Longville. Elections: extension of deadlines.

The Elections Code prescribes various deadlines for tabulating and reporting the vote in elections.

This bill would authorize a county elections official, where a postelection deadline would prevent the proper tabulation or recounting of ballots, to petition the superior court to extend any postelection deadline for the counting of votes or reporting of vote totals so that all votes are counted pursuant to Section 2.5 of Article II of the California Constitution. The bill would also define “vote” for purposes of those constitutional provisions.

The bill would not become operative unless a specified constitutional amendment adding those constitutional provisions is adopted by the voters.

Ch. 920 (AB 1115) Committee on Revenue and Taxation. Taxation: residency requirements; part-year resident: AMT.

The Franchise Tax Board collects and administers the income taxes of California residents. Existing law provides formulas for determining the income tax owed by individuals that are part-year or non-California residents. Existing law is silent on the tax treatment of loss carryovers, deferred deductions, and deferred income that vested prior to the time individuals became part-year or non-California residents.

This bill would revise and recast the computation of personal income tax with respect to part-year or non-California residence, and would, for that purpose specify the manner in which loss carryovers, deferred deductions, and deferred income are to be calculated in computing a part-year or non-California resident’s California income tax liability.

The Personal Income Tax Law and the Bank and Corporation Tax Law impose an alternative minimum tax that may be reduced by specified credits.

This bill would make technical and clarifying changes with respect to the ordering and allowance of those credits, as provided.

Existing law with respect to the administration of income and corporate taxes requires taxes to be paid, and claims for refunds to be made, prior to maintaining an action for illegally collected taxes.

This bill would provide that an otherwise valid claim for a refund shall be a claim only for purposes of tolling the statute of limitations under specified conditions, if the tax has not been paid in full.

Existing law authorizes the Franchise Tax Board to disclose tax returns and return information under specified conditions.

This bill would additionally authorize that disclosure to designated persons for use in actions or proceedings affecting the personnel rights of employees or former employees, as specified. An unauthorized disclosure by a person of the information received under this authority would subject that person to criminal penalties. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 921 (AB 1325) Negrete McLeod. Political Reform Act of 1974: lobbyists: Public Utilities Commission: payments to influence legislative or administrative action.

Existing provisions of the Political Reform Act of 1974 generally define “administrative action,” to mean, among other things, the proposal, enactment, or defeat of a state agency regulation in any ratemaking proceeding or any quasi-legislative proceeding.

This bill would define “ratemaking” and “quasi-legislative proceeding,” as specified, for purposes of proceedings before the Public Utilities Commission (PUC).

Existing provisions of the act generally define a “lobbyist” as an individual who receives \$2,000 or more in a calendar month or whose principal duties are to communicate directly or through agents with an elective state official, agency official, or legislative official for the purpose of influencing legislative or administrative action.

This bill would provide that a proceeding before the PUC constitutes “administrative action” for purposes of this provision if the proceeding is a “ratemaking proceeding” or a “quasi-legislative proceeding” as defined by this bill, except as specified.

Existing provisions of the act define a “payment to influence legislative or administrative action” as including specified types of payment.

Existing law requires a lobbyist employer and any person who makes payments to influence legislative or administrative action of \$5,000 or more in a calendar quarter to file periodic lobbying reports disclosing specified items of information, including overhead expenses and payments to employees who spend 10% or more of their compensated time in lobbying activities in any one month.

This bill would provide that, in lieu of reporting those payments, a filer that makes payments to influence a ratemaking or quasi-legislative proceeding before the PUC may report only the portion of payments that are made to or for time spent by the filer’s attorneys or witnesses in appearing, testifying, or preparing to appear or testify in that type of proceeding before the commission, except as specified.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties on persons who violate the provisions of this bill.

This bill would also make technical, nonsubstantive changes.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements. Proposition 208, an initiative measure approved by the voters at the November 5, 1996, statewide general election, makes the amendment provisions of the Political Reform Act applicable to the amendment of that initiative measure. Proposition 208, however, has been generally superseded by Proposition 34, approved by the voters at the November 7, 2000, statewide general election, with the exception of certain provisions, one of which is amended by this bill.

This bill, which would declare that it furthers the purposes of the Political Reform Act of 1974 and Proposition 208, would therefore require a $\frac{2}{3}$ vote.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 922 (AB 1520) Shelley. Elections.

Existing provisions of the Elections Code permit the use of a mark in lieu of a signature in certain instances. Existing general provisions of law permit the use of a mark in lieu of a signature on a sworn statement only if witnessed by 2 other persons.

This bill would permit the use of a mark when witnessed by one person and would permit the use of a person’s mark where a signature is otherwise required by the Elections Code if the person is unable to provide a signature and the mark is attested by a witness.

Existing law authorizes voters who have specified impairments or conditions to apply for permanent absent voter status.

This bill would impose a state-mandated local program by authorizing any voter to apply for permanent absent voter status. This bill would require the Secretary of State to report annually regarding the impact, if any, that permitting all voters to apply for permanent absent voter status has on increasing voter participation.

Existing law makes it a misdemeanor for a person having charge of a completed absent voter ballot to willfully interfere or cause interference with its return to the local elections official.

This bill would specify that this offense is punishable by imprisonment in the county jail for up to 6 months, by a fine of up to \$10,000, or by both.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 923 (AB 1711) Committee on Elections, Reapportionment and Constitutional Amendments. Voter registration index.

Existing law requires county elections officials to provide up to 2 copies of the printed indexes of voter registration for the primary and general elections, or for any special election at which a partisan office is being filled, to a requesting state or county party central committee.

This bill would permit county elections officials to furnish one copy of the indexes in electronic form, in lieu of furnishing 2 copies in print.

Ch. 924 (AB 1712) Committee on Elections, Reapportionment and Constitutional Amendments. Special election: local initiative measure.

Existing law requires that an election for a county, municipal, or district initiative measure that qualifies for the local ballot pursuant to specified procedures be held not less than 88 nor more than 103 days after the date of the order of election. Existing law provides, when it is legally possible to hold a special election on any of those measures within 180 days prior to a regular or special election held within the same territory, that the election on the initiative measure may be held on the same date as, and consolidated with, that regular or special election.

This bill would provide that when it is legally possible to hold a special election for a county, municipal, or district initiative measure that qualifies for the local ballot pursuant to specified procedures between a regularly scheduled statewide direct primary election and a regularly scheduled statewide general election in the same year, the special election may be held on the same date as, and consolidated with, the statewide general election.

Ch. 925 (SB 7) Peace. Voting.

Existing law requires that a printed absent voter application form inform the voter, among other things, that if the voter is unaffiliated with a political party, the voter may request an absentee ballot for a particular political party if that party has adopted a party rule, duly noted to the Secretary of State, authorizing that vote. It requires the application to contain a telephone number that the voter may call to inquire which political parties have adopted such a rule.

This bill would require that the telephone number be a toll-free telephone number established by the Secretary of State that the voter may call to access information regarding which parties have adopted the voting rule in question.

Existing law allows voters meeting certain conditions to be given permanent absent voter status. Absentee ballots from permanent absent voters are subject to the same deadlines and are processed and counted the same as all other absent voter ballots.

This bill would require county elections officials, before primary elections, to mail to each voter on the permanent absent voter list who is unaffiliated with a political party a notice and application regarding voting in the primary elections. The bill would require the notice to advise the voter that he or she may request an absentee ballot for a political party, if the particular political party adopted a party rule as specified authorizing voters to vote in their primary election.

This bill would also require that the notice contain a toll-free telephone number established by the Secretary of State as to which political parties have adopted rules permitting absentee votes and a preprinted statement for the voter to check indicating that the voter is unaffiliated with any party but, for that primary election only, requests an absentee ballot for a specified party.

Existing law requires the chairman of a political party to provide written notice of the adoption of a rule as described above to the Secretary of State not later than the 60th day prior to the partisan primary election at which the vote is authorized.

This bill would require that the written notice of the adoption of the rule be provided to the Secretary of State not later than the 135th day prior to the partisan primary election at which the vote is authorized.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 926 (SB 373) Torlakson. Environmental education: waste: recycling.

(1) Existing law requires the State Board of Education to include in the science framework appropriate language addressing the issue of integrated waste management in the ecology and environmental studies areas.

Existing law requires the Curriculum Development and Supplemental Materials Commission to study problems of courses of study in the schools of the state and, upon the request of the State Board of Education, make recommendations for the adoption of minimum standards for courses of study in preschool, kindergarten, elementary, and secondary school.

This bill would require the State Board of Education and the State Department of Education to revise, as necessary, the framework in science to include specified concepts regarding environmental education. The bill would require the Office of Integrated Environmental Education of the California Integrated Waste Management Board, which would be established by this bill, to provide the commission with information and materials to aid the commission in implementing this requirement. The bill would provide for the delayed implementation of these revisions until the appropriate curriculum framework adoption cycle commences.

(2) Existing law requires the governing board of every school district to prescribe and enforce the course of study for kindergarten and specified elementary grades.

This bill would require the Office of Integrated Environmental Education to create the Environmental Ambassador Pilot Program, commencing July 1, 2002.

The bill would require the office to use the findings and results of the pilot program to develop and refine the unified education strategy that the office would be required to adopt and would require the office to submit a report to the Governor and the Legislature by June 30, 2005, on the results of the pilot program. The bill would repeal the program on January 1, 2007.

This bill would require the Office of Integrated Environmental Education, in cooperation with the State Department of Education, the State Board of Education, and the Secretary for Education, to develop and implement a unified education strategy on the environment for elementary and secondary schools in the state. The bill would require the office to submit a report to the Legislature and the Governor by June 30, 2005, on the implementation of the unified education strategy. The bill would also make conforming changes.

(3) Existing law requires the California Integrated Waste Management Board to develop and implement a source reduction and recycling program for school districts that includes, among other things, the development of a model waste reduction and recycling program for school districts and schools.

The California Integrated Waste Management Act of 1989 requires each city, county, city and county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The first and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, except as specified. Existing law requires a city, county, or regional agency to submit an annual report to the board summarizing its progress in diverting solid waste from disposal.

This bill would authorize a school district and county office of education to coordinate with the local agency, as defined, in diverting solid waste from landfill disposal or transformation facilities.

The bill would require the board to develop models and school waste reduction tools that may be used by schools, school districts, county offices, and local agencies to implement waste reduction programs. The bill would require the board to provide training and ongoing technical and information assistance to local agencies, schools, county offices, and school districts on implementing waste reduction programs.

The bill would require the Division of the State Architect, in consultation with the board, to develop and maintain on its Web site a list of recycled materials and a list of environmentally preferable products that may be used in the construction and modernization of public school facilities.

The bill would require the board, in consultation with the State Department of Education, the State Board of Education, and the Secretary for Education, to establish a program to provide grants to schools and school districts to assist in the development and implementation of educational programs to teach source reduction, recycling, and composting and would require the State Department of Education, the State Board of Education, and the Secretary for Education, to adopt criteria for awarding these grants. The bill would exempt the adoption of the criteria from the procedures for the adoption of regulations.

The bill would require the board by January 1, 2004, to evaluate the implementation of school waste reduction plans in the state's schools, and if the board determines that less than 75% of schools have implemented a waste reduction and recycling program, the board would be required to recommend to the Legislature those statutory changes needed to require schools to implement such a program.

(4) The bill would appropriate \$1,500,000 from the fees imposed upon operators of solid waste disposal facilities and deposited in the Integrated Waste Management Fund, for expenditure by the board, to provide grants to county offices of education, school districts, and schools for the grant program established by the bill. The bill would authorize the board to expend not more than 5 percent of this amount for administrative costs. The bill would make a legislative declaration that the funds appropriated by the bill are not the proceeds of taxes within the meaning of Article XIII A of the California Constitution, but are the proceeds of fees for specified reasons.

Ch. 927 (SB 412) Vasconcellos. Campaign practices: political cyberfraud.

Existing law makes it unlawful for a person, with bad faith intent, to register, traffic in, or use an Internet domain name, as defined, that is identical or confusingly similar to the personal name of another living person or deceased personality, without regard to any goods or services offered.

This bill would make it unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud.

This bill would define “political cyberfraud” as an act concerning a political Web site, as defined, that is committed with intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Web site. It would provide that political cyberfraud includes, but is not limited to, specified acts.

This bill would not apply to a domain name registrar, registry, or registration authority. It would make a violation of its provisions punishable by a fine not to exceed \$1,000 for each day the violation occurs and would authorize a court to order the transfer of a domain name as part of the relief awarded.

This bill would remain in effect only until January 1, 2003.

Existing law (Ch. 975, Stats. 2000) creates the Bipartisan California Commission on Internet Political Practices to study the issues presented by political activity on the Internet, and to report thereon to the Legislature by December 1, 2001.

This bill would extend the deadline for submittal of the report to September 30, 2002, would extend the existence of the commission accordingly, and would require the commission to include in its study the issue of political cyberfraud.

Ch. 928 (SB 919) Polanco. Outdoor advertising displays: Metropolitan Transportation Authority of Los Angeles County.

Existing law, the Outdoor Advertising Act, generally regulates the use of outdoor advertising displays. Existing law provides for the creation of the Los Angeles Metropolitan Transportation Authority with specified transportation planning and operating responsibilities.

This bill, notwithstanding any other provision of law, would prohibit any outdoor advertising display that exceeds 10 feet in either length or width, being built upon land or rights-of-way owned by the Los Angeles Metropolitan Transportation Authority unless the display complies with the Outdoor Advertising Act, the federal Highway Beautification Act, and certain local provisions. This bill would also prohibit the authority from disregarding or preempting any law, ordinance, or regulation of any city, county, or other local agency involving any outdoor advertising display.

Because a violation of the act is a crime, this bill would create a state-mandated local program by expanding the scope of that crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 929 (AB 134) Kelley. Water resources.

(1) The California Water Resources Development Bond Act authorizes the Department of Water Resources to enter into contracts 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 (State Water Project) with public or private corporations, entities, or individuals, as prescribed. Existing law authorizes any public agency that has executed a contract with the state for a water supply to sell any water available to that agency directly to any ultimate water consumer within the agency, subject to certain limitations.

The Castaic Lake Water Agency Law authorizes the Castaic Lake Water Agency to acquire water and water rights, including water from the State Water Project. The agency law authorizes the agency to provide, sell, and deliver water at wholesale for municipal, industrial, domestic, and other purposes.

This bill would authorize the agency to exercise retail water authority within a specified area, in accordance with the County Water District Law and as otherwise specified. The bill, with a certain exception, would prohibit the agency from exporting groundwater produced

within that specified area. The bill would require the agency, during any rolling average 5-year period, to use imported water for not less than 50% of the water supply demand within that specified area, thereby imposing a state-mandated local program. The bill would require the agency to prepare a groundwater management plan, thereby imposing a state-mandated local program. The bill would require the agency, prior to formulating or adopting the plan, to form a representative advisory council, comprised as specified, and to consult with the council regarding all aspects of any proposed groundwater management plan.

(2) The County Water District Law prohibits the Coachella Valley Water District from imposing a replenishment assessment within an area of benefit that exceeds the sum of prescribed costs.

This bill would include within those prescribed costs the cost of recharging the groundwater basin with imported water from the State Water Project.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 930 (AB 153) Nakano. Board of Corrections.

Under existing law, the Board of Corrections is composed of 13 members, 3 of whom are ex officio members and 10 of whom are appointed by the Governor. Existing law requires that the 10 appointed members include persons from specified backgrounds, including one member who is a rank and file representative of a local corrections facility at the level of the first line supervisor or below with a minimum of 5 years of experience.

This bill would expand the board to 15 members by adding to the appointed members a 2nd rank and file representative of a local corrections facility. One of these 2 representatives would be required to be a juvenile probation officer and one would be required to be a deputy sheriff, as specified. A representative of a community-based youth service organization would also be added.

Ch. 931 (AB 624) Oropeza. Alcoholic beverages: licenses.

(1) The Alcoholic Beverage Control Act authorizes the Department of Alcoholic Beverage Control to impose reasonable conditions on the exercise of retail privileges under the act. The department may impose conditions on certain license transfers at the request of a local governing body in whose jurisdiction the license is located.

This bill would require the local governing body to make the request for imposition of conditions within 40 days after the department mails notice of the transfer request, if the license to be transferred is located in an area of undue concentration, as defined.

(2) The act prohibits the application for, and issuance of, an original retail off-sale beer and wine license for any premises if the applicant premises are located in a city, county, or city and county where the number of retail off-sale beer and wine licenses, or total number of retail off-sale beer and wine licenses and off-sale general licenses, exceeds one license for a certain number of inhabitants. Existing law also provides that, notwithstanding that prohibition, the department may approve an application for a retail off-sale beer and wine license in those areas if the applicant shows that public convenience or necessity would be served by the issuance, and certain other conditions are met. Existing law further provides that one condition for the issuance of the license is that the applicant premises are located in a crime reporting district that is below a certain specified threshold.

This bill would allow the department, in considering the application, to take into account adjacent crime reporting districts if the applicant premises are located within 100 feet of the boundaries of any adjacent district.

(3) Under existing law, an applicant for a retail license to sell alcoholic beverages, at a premises that is not currently licensed or for a different retail license, is required to mail a

notification of the application to every resident of real property within a 500-foot radius of the premises for which the license is to be issued.

This bill would require that notification to also be mailed to every owner of real property in that area, if the local jurisdiction in which the license is to be issued provides the applicant, free of charge, with the names and addresses of the owners of the real property. Additionally, the bill would require the notification to be written in English and Spanish, and would require the notice to include information on how to obtain the notice in other languages.

(4) This bill would state the intent of the Legislature in enacting these provisions.

Ch. 932 (AB 936) Vargas. Local public services. ²⁹

(1) Existing law establishes the Emergency Housing and Assistance Program within the Department of Housing and Community Development.

This bill would appropriate \$1,750,000 from the General Fund to the Department of Housing and Community Development to provide a grant to the City of San Diego to purchase 2 25-bed facilities for homeless persons who are diagnosed with severe mental illness.

(2) The existing Budget Act of 2001 appropriates \$20,000 to the Department of Parks and Recreation for allocation to the City of San Diego for the Stein Education Center.

This bill would require this amount to be allocated directly to the Stein Education Center.

(3) Existing law requires the Department of Forestry and Fire Protection to implement and administer various forest resource management programs.

The bill would reappropriate certain funds originally appropriated by the Budget Act of 1999, and reappropriated by Chapter 672 of the Statutes of 2000, for the establishment and development of the Guadalupe Trail in the City of San Jose, and areas surrounding the city.

(4) The existing Budget Act of 2001 appropriates \$59,329,000 to the Department of Boating and Waterways for local assistance in connection with local waterways.

This bill would require the department to recalculate the amount owed on a loan made by the department in connection with improvements to a specified marina at Lake Oroville.

Ch. 933 (AB 1093) Briggs. Horse racing: equine medication.

(1) Existing law authorizes the California Horse Racing Board to suspend or revoke a horse racing license and provides that the action of the board in suspending or revoking a license issued is final, except that the decision is subject to review by any court of competent jurisdiction, as specified. Under existing law, every steward or racing official who is not required to be licensed under specified provisions relating to track operators is required to be licensed by the board. Existing law authorizes the board to remove any racing official or employee in any case where it has reason to believe that the official or employee has been guilty of any dishonest practice in connection with horse racing, has failed to comply with any condition of the licensee's license, or has violated any law or any rule or regulation of the board.

This bill would generally require that enforcement proceedings that allege the use of a prohibited substance, as defined under class I, class II, or class III of the board's schedule of prohibited substances, be referred directly to the Office of Administrative Hearings for administrative adjudication and preparation of a proposed decision for action by the board. The bill would provide specified procedures for the hearing, including, among other things, that the licensee post a bond with the paymaster of purses, as specified. The bill would provide that the board may only modify or amend an administrative law judge's decision so as to decrease, mitigate, or suspend a sanction or penalty.

(2) Existing law, the Horse Racing Law, provides for the operation of horse racing in this state, and associated wagering, subject to regulation and oversight by the California Horse Racing Board as specified. The administration of any substance of any kind to a horse entered in a race is prohibited, unless the board has specifically authorized the use of the substance, and the quantity and composition. Existing law requires the board to classify violations of

NOTE: Superior numbers appear as a separate section at the end of the digests.

this provision based upon specified criteria. In addition to any other penalties that may be imposed, a violation of this provision is punishable by, among other things, the imposition of a monetary penalty of not more than \$10,000.

This bill would instead authorize the board to classify violations of this provision based on the specified criteria and would increase the monetary penalty for a violation involving a prohibited drug substance to not more than \$50,000, the actual amount to be determined, as specified. The bill would provide that the board may impose a monetary penalty of not more than \$100,000 for any other violation of the Horse Racing Law.

(3) Existing law allows racing associations, fairs, and the organization responsible for contracting with racing associations to form a private, statewide marketing association to market and promote thoroughbred and fair horse racing. The organization is required to annually submit a statewide marketing and promotion plan to the California Horse Racing Board, as specified. Existing law provides that these provisions shall become inoperative on July 1, 2002.

This bill would provide that these provisions shall become inoperative on July 1, 2004.

Ch. 934 (AB 1460) Nation. Capital punishment.

Existing law requires that a male person upon whom the sentence of death has been imposed be delivered to the warden of the prison where the execution is to occur and kept there until the judgment is carried out.

This bill would permit an inmate upon whom the sentence of death has been imposed and who commits certain offenses or whose medical or mental health needs are so critical as to endanger the inmate or others to be housed in either secure condemned housing or an institution appropriate for medical or mental health treatment, as specified. This bill would provide that attorney-client access procedures shall be afforded to inmates housed in secure condemned housing or an institution for medical or mental health treatment, as specified. This bill would also require an inmate placed in these alternative housing situations to be returned to San Quentin State Prison at least 60 days before his scheduled date of execution.

The bill would further provide that the condemned housing program at California State Prison, Sacramento, shall be fully operational prior to the transfer of any condemned inmate; those local procedures relating to specified privileges and classification procedures provided to Grade B condemned inmates at San Quentin State Prison shall be similarly instituted at California State Prison, Sacramento, for specified condemned inmates; no more than 15 condemned inmates may be rehoused; and prior to any relocation of condemned row from San Quentin State Prison, all maximum security Level IV, 180-degree housing unit facilities with an electrified perimeter shall be evaluated by the Department of Corrections for suitability for the secure housing and execution of condemned inmates.

Ch. 935 (SB 95) Vincent. Horse racing: interstate licensing compact.

Existing law provides that the California Horse Racing Board is responsible for the licensing of each racing association and all persons, other than the public at large, who participate in a horse race meeting with parimutuel wagering. Existing law imposes various requirements on licensees as specified, and generally requires that all licenses granted under the Horse Racing Law be in writing, and are subject to all rules, regulations, and conditions prescribed by the board. Existing law provides that all licenses granted under the Horse Racing Board are subject to suspension or revocation by the board pursuant to specified procedures and standards.

This bill would state findings and declarations of the Legislature with respect to an interstate compact proposed by the Association of Racing Commissioners International concerning the delegation of California's licensing authority with respect to specified persons and occupations in the horse racing industry to a specified interstate committee, and would authorize the California Horse Racing Board to enter into that interstate compact for the purposes set forth in those findings, provided that California's participation in this

compact does not result in the diminution of applicable existing standards established for licensure in California with regard to an applicant's criminal history and does not prevent the enforcement of any state law or regulation affecting any licensee. This bill would provide that California's entry into the compact will not relieve any individual or entity of its duty to obtain licenses or pay fees as required by state law. This bill would also authorize the board to designate an individual to represent California in conjunction with the administration of the compact.

Ch. 936 (SB 590) Perata. Horse racing.

(1) Existing law provides that a thoroughbred racing association or fair may distribute the audiovisual signal and accept wagers on the results of out-of-state and out-of-country thoroughbred races during the calendar period the association or fair is conducting a race meeting, provided that the total number of thoroughbred races on which wagers are accepted statewide in any given year does not exceed the total number of thoroughbred races on which wagers were accepted in 1998.

This bill would provide that, notwithstanding the above provision, and subject to specified conditions, if the total number of thoroughbred and fair racing days allocated by the board in the northern zone in any calendar year commencing with the calendar year 2001 is less than the total number of thoroughbred and fair racing days allocated by the board in calendar year 2000, a thoroughbred racing association or fair in the northern zone may distribute the audiovisual signal and accept wagers on the results of out-of-state and out-of-country thoroughbred races during the calendar period the association or fair is licensed to conduct a live race meeting, excluding Saturdays and Sundays. The bill would provide that the total number of out-of-state and out-of-country thoroughbred races upon which wagers may be accepted pursuant to this provision shall be sufficient to the extent reasonably possible to prevent any loss of revenue to the General Fund and the California racing participants, as determined by the executive director of the board and subject to specified limitations.

(2) Existing law provides for the operation of live horse racing by associations and fairs, and for wagering thereon, and for the operation of satellite wagering facilities, subject to regulation and oversight by the California Horse Racing Board, as specified. Existing law permits the chairperson of the board to temporarily authorize the conduct of satellite wagering from any zone in the state or from any location outside this state if the live racing or audiovisual signals are disrupted or interrupted so as to cause the cessation of the live racing or audiovisual signals as long as the cause is a natural disaster outside the control of the association or fair conducting the racing or satellite wagering.

This bill would permit the executive director of the board, rather than the chairperson, to authorize this wagering under these circumstances.

(3) Under existing law, all revenues distributed to the state as license fees from horse racing are required to be deposited in the Fair and Exposition Fund and are continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes.

This bill would authorize additional wagering, and would increase the amount of continuously appropriated license fees, thereby making an appropriation.

Ch. 937 (SB 626) Perata. Weapons.

Existing law, except as provided, generally prohibits the manufacturing, causing to be manufactured, importation into the state, keeping, offering or exposing for sale, giving, or lending of various weapons, including any large-capacity magazine. Existing law also defines "large-capacity magazine" and specifies certain magazines that are not included within the definition.

This bill would exempt the manufacture of a large-capacity magazine for certain law enforcement agents, peace officers, government agencies, the military, or for export. The bill would also exempt certain purchases and loans of large-capacity magazines, as specified.

This bill would, in addition, specify additional magazines that are not included within the definition of “large-capacity magazine.”

Existing law makes it an offense, with specified exceptions, to possess an assault weapon, as defined.

This bill would provide additional exceptions to the offense of possessing an assault weapon, regarding the loan at a target range of an assault weapon by a retired peace officer, as specified, and receipt and possession of an assault weapon by certain peace officers, if those officers register the assault weapon, as specified.

By imposing additional duties on local law enforcement agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 938 (SB 975) Alarcon. California Infrastructure and Economic Development Bank.

Existing law, the Bergeson-Peace Infrastructure and Economic Development Bank Act, establishes the California Infrastructure and Economic Development Bank in the Trade and Commerce Agency. The act requires public works financed by the bank to comply with certain laws applicable to payment of prevailing wages on public works.

This bill would require any of those public works financed through the use of industrial development bonds under the California Industrial Development Financing Act to comply with those laws relating to payment of prevailing wages.

Existing law generally defines “public works” to include construction, alteration, demolition, or repair work done under contract and paid for in whole or in part out of public funds.

This bill would redefine “public works” to include installation and provide that “paid for in whole or in part with public funds” means certain payments, transfers, credits, reductions, waivers, and performances of work, but does not include the construction or rehabilitation of affordable housing units for low- or moderate-income persons, as specified.

This bill would provide that certain private residential housing projects and development projects built on private property are not subject to the prevailing wage, hour, and discrimination laws that govern employment on public works projects.

This bill would also make technical, nonsubstantive changes.

Ch. 939 (SB 1098) Alarcon. Planning and zoning: housing.

Existing law places prescribed limits on the adoption of an interim zoning ordinance by a local legislative body.

This bill would prohibit the extension of an interim ordinance denying needed approvals for projects with a significant component of multifamily housing unless the legislative body identifies the adverse impact of continued approval of the development and makes other specified findings. It would provide that these provisions apply to a county, city, including a charter city, and city and county.

The bill also would make clarifying changes relating to the provision of affordable housing in requirements relating to zoning sufficient vacant land for low-cost residential use.

Ch. 940 (AB 35) Shelley. Firearms: handgun safety certificate.

Existing law generally regulates the transfer of firearms.

This bill would provide that, subject to various exceptions, no person may purchase, transfer, or receive a handgun, as defined, without a handgun safety certificate, as specified. This bill would provide that no handgun safety certificate may be issued to any person under 18 years of age. This bill would establish an application procedure for obtaining a handgun safety certificate, including the applicant's successful completion of a written test. The bill would require the successful completion of a safe handling demonstration before a dealer would deliver a handgun, as specified. The bill would provide that the provisions described in this paragraph would become operative on January 1, 2003.

Existing law, except as provided, requires purchasers and transferees of handguns, as specified, to obtain a "basic firearms safety certificate."

This bill would make these provisions inoperative on January 1, 2003, and would instead, provide for a course and test in connection with obtaining a handgun safety certificate.

This bill would make other conforming changes, including changes that affect requirements relating to the transfer or loan of firearms by firearms dealers and others, the violation of which is an offense. By changing these requirements, this bill would change the definition of existing crimes, and thereby impose a state-mandated local program.

This bill would provide that, except as specified, anyone who purchases or receives a handgun without a handgun safety certificate, or sells, delivers, loans, or transfers a handgun to a person who does not have a handgun safety certificate is guilty of a misdemeanor.

By creating a new crime, this bill would impose a state-mandated local program.

This bill would provide that any person who alters, counterfeits, or falsifies a handgun safety certificate, or attempts to purchase a handgun with one of those certificates is guilty of a misdemeanor.

By creating new crimes, this bill would impose a state-mandated local program.

This bill would establish the Firearms Safety and Enforcement Special Fund to be funded by firearms transaction fees imposed on firearms dealers and fees imposed on certified instructors for the issuance of handgun safety certificates. The moneys in the fund would be continuously appropriated, and be available for expenditure for specified administrative and enforcement activities of the Department of Justice.

This bill would state the intent of the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The bill would become operative only if SB 52 is also enacted.

This bill would incorporate additional changes to Section 12071 of the Penal Code proposed by AB 22 and SB 950, or both, to become effective only if AB 22 or SB 950, or both, and this bill are chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 941 (AB 54) Wesson. Gaming clubs.

Existing law provides that every person who deals, plays, carries on, opens, or conducts, or who plays or bets at or against any banking game is guilty of a misdemeanor. A "banking game" or a "banked game" is one in which the bank is involved in play and serves as the ultimate source and repository of funds, dwarfing that of all other participants in the game.

This bill would change the definition of "banking game" or "banked game" by no longer requiring that the bank serve as the ultimate source and repository of funds or dwarf all other participants. By changing the definition of a crime, this bill would impose a state-mandated local program.

With respect to the collection of player fees in gambling establishments, existing law provides that no fee may be calculated as a portion of wagers made or from winnings earned. Existing law provides that fees charged for all wagers be determined and collected prior to the start of play of any hand or round. Violation of these provisions is punishable by

imprisonment in a county jail for not more than one year, or by a fine of not more than \$5,000, or by both that imprisonment and fine. Existing law also provides that its provisions codify the holding in *Sullivan v. Fox* (1987) 189 Cal.App.3d 673, as to the collection of player fees.

This bill would provide that no fee may be calculated as a fraction or percentage of wagers or winnings earned. This bill would provide that fees must be determined before the start of play, but may be collected before or after the start of play. This bill also would remove provisions concerning codification of court decisions. This bill would further revise statements of intent.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 942 (SB 52) Scott. Firearms: handgun safety certificate.

Existing law generally regulates the transfer of firearms.

This bill would provide that, subject to various exceptions, no person may purchase, transfer, or receive a handgun, as defined, without a handgun safety certificate, as specified. This bill would provide that no handgun safety certificate may be issued to any person under 18 years of age. This bill would establish an application procedure for obtaining a handgun safety certificate, including the applicant's successful completion of a written test. The bill would require the successful completion of a safe handling demonstration before a dealer would deliver a handgun, as specified. The bill would provide that the provisions described in this paragraph would become operative on January 1, 2003.

Existing law, except as provided, requires purchasers and transferees of handguns, as specified, to obtain a "basic firearms safety certificate."

This bill would make these provisions inoperative on January 1, 2003, and would instead, provide for a course and test in connection with obtaining a handgun safety certificate.

This bill would make other conforming changes, including changes that affect requirements relating to the transfer or loan of firearms by firearms dealers and others, the violation of which is an offense. By changing these requirements, this bill would change the definition of existing crimes, and thereby impose a state-mandated local program.

This bill would provide that, except as specified, anyone who purchases or receives a handgun without a handgun safety certificate, or sells, delivers, loans, or transfers a handgun to a person who does not have a handgun safety certificate is guilty of a misdemeanor.

By creating a new crime, this bill would impose a state-mandated local program.

This bill would provide that any person who alters, counterfeits, or falsifies a handgun safety certificate, or attempts to purchase a handgun with one of those certificates is guilty of a misdemeanor.

By creating new crimes, this bill would impose a state-mandated local program.

This bill would establish the Firearms Safety and Enforcement Special Fund to be funded by firearms transaction fees imposed on firearms dealers and fees imposed on certified instructors for the issuance of handgun safety certificates. The moneys in the fund would be continuously appropriated, and be available for expenditure for specified administrative and enforcement activities of the Department of Justice.

This bill would state the intent of the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would become operative only if AB 35 is also enacted.

This bill would incorporate additional changes to Section 12071 of the Penal Code proposed by AB 22 and SB 950, or both, to become effective only if AB 22 or SB 950, or

both, and this bill are chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 943 (SB 83) Burton. Forensic testing: post conviction.

Existing law grants a person who was convicted of a felony and is currently serving a term of imprisonment the right to make a written motion under specified conditions for the performance of forensic DNA testing. Under existing law, if a hearing is held on the motion, the judge who presided over the person's trial generally hears the motion. Existing law provides that if an indigent person files a motion for DNA testing, the court shall appoint counsel to represent the person.

This bill would provide that an indigent person may request appointment of counsel to file a motion for the performance of DNA testing by sending a written request to the court, as specified. This bill would also specify that if a hearing is held on a motion for DNA testing and the person was convicted by entry of a plea of guilty or nolo contendere, then the judge who accepted the plea will generally decide the motion. This bill would also require the court to appoint counsel to investigate and, if appropriate, file the person's motion for DNA testing and to represent the person solely for the purpose of obtaining DNA testing if the person is indigent and has not previously been appointed counsel. The court may, in its discretion, appoint counsel to an indigent person who has previously been appointed counsel. By requiring that counsel be appointed to perform additional duties, this bill would impose a state-mandated local program.

This bill would also provide that the right to file a motion for postconviction DNA testing cannot be waived.

Existing law requires that DNA evidence secured in connection with a criminal case be retained by an appropriate governmental entity, as specified. That entity may dispose of the evidence if certain criteria are met, including notification of certain persons of the intent to dispose of the biological material.

This bill would specify that all DNA evidence be retained so long as any person remains incarcerated in connection with the case. This bill would also provide that the right to receive notice that a governmental entity intends to dispose of biological material cannot be waived.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 944 (SB 950) Brulte. Firearms: prohibited possession: data base.

Existing law prohibits persons convicted of certain offenses from owning, possessing, or exerting custody or control over a firearm, as specified. Violation of these provisions is a felony.

This bill would require the court, at the time the judgment is imposed, to provide to the defendant, on a form supplied by the Department of Justice, a notice regarding that firearm prohibition. This bill would also require firearms dealers to provide the notice under specified circumstances.

Existing law provides for seizure and return of firearms in specified circumstances.

This bill would, in addition, provide a procedure for the return of seized firearms where existing procedures are not applicable.

Existing law establishes various automated information systems in regard to the transfer and possession of firearms, and persons who are prohibited from owning or possessing firearms.

This bill would, contingent upon an appropriation in the 2002–03 Budget Act to the Department of Justice for this purpose, establish, on and after July 1, 2002, the Prohibited Armed Persons File, a data base that would cross-reference information for persons relative to the purchase and possession of firearms on or after January 1, 1991, and information indicating those persons who have subsequently been prohibited from owning or possessing firearms, as specified.

This bill would declare findings by the Legislature relative to a procedure for disposal of firearms by persons who have become ineligible to possess firearms. This bill would also direct the Attorney General to report to the Legislature no later than June 1, 2002, recommendations for that procedure.

This bill would also make a technical change correcting a cross-reference.

This bill would incorporate changes to Section 12071 of the Penal Code that are contained in SB 9, Chapter 126 of the Statutes of 2001, and SB 294, Chapter 138 of the Statutes of 2001.

This bill would incorporate additional changes to Section 12071 of the Penal Code, proposed by AB 22, or AB 35 and SB 52, or AB 22, AB 35 and SB 52, to be operative only if the AB 22, or AB 35 and SB 52, or AB 22, AB 35 and SB 52, and this bill are chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Ch. 945 (SB 952) Committee on Governmental Organization. Gambling.

(1) Existing law establishes the California Gambling Control Commission and grants it specified powers.

This bill would expand the commission's authority to include the authority to issue subpoenas to compel attendance of witnesses and production of documents at commission meetings.

(2) Existing law defines a "work permit" for the purposes of the Gambling Control Act as a specified type of permit issued by the Division of Gambling Control or by a city, county, or city and county. Existing law defines a "banking game" or "banked game" as one in which the house takes on all comers, pays all winners, and collects from all losers. Existing law also lists types of games that are not banked or banking games.

This bill would change the act's definition of "work permit" to a specified type of permit issued by the commission or by a city, county, or city and county. This bill would also remove provisions defining a "banking game" or "banked game."

(3) Under existing law, in order to be employed by a gambling enterprise or to serve as an independent agent of a gambling enterprise, a person must apply for a work permit with the division and must have his or her application granted by the commission. Under existing law, an application for a work permit for use in a jurisdiction where a locally issued work permit is not required is made to the division.

This bill would allow the commission to issue temporary work permits. In addition, this bill would provide that an application for a work permit for use in a jurisdiction where a locally issued work permit is not required shall be made to the commission.

(4) Existing law authorizes the division to recommend to the commission denial of an application for a license, permit, or finding of suitability. Under existing law, the commission must consider certain recommendations for denials of licenses at commission meetings at which specified procedural rules are observed.

This bill would allow the commission to refer cases involving recommendations for the denial of a license, permit, or finding of suitability to an administrative law judge for proceedings conducted pursuant to the Administrative Procedure Act.

(5) Existing law states the Legislature's finding that the division should investigate gambling enterprise employees and, if appropriate, approve those persons for employment in a gambling enterprise.

This bill would state the Legislature's finding that the division should investigate gambling enterprise employees and, if appropriate, recommend their approval as gambling enterprise employees to the commission.

(6) Existing law provides that communications or documents relating to an applicant, licensee, or registrant under the Gambling Control Act are privileged if agents and employees of the division or the California Gambling Control Board reveal those communications or documents in the course of discharging their duties, complying with laws, regulations, and subpoenas, and assisting in investigations. Under existing law, if a document or publication relating to an applicant, licensee, or registrant is revealed by an agent or employee for the purpose of assisting in an investigation, no statement or publication of a document shall impose liability for defamation or constitute a ground for recovery in a civil action. Existing law also prohibits the division and the board, and their employees and agents, from revealing information, documents, or communications provided by an applicant or licensee that are privileged under the Evidence Code without the prior written consent of the applicant or licensee or pursuant to a lawful court order after notice of the proceedings has been given to the applicant or licensee. Existing law allows the board to appoint counsel for the board or request representation by the Attorney General.

This bill would extend the above provisions to the commission and its agents and employees and would delete references to the board. This bill would eliminate the board's authority to appoint counsel or request representation by the Attorney General. This bill would allow the commission to appoint 8 attorneys. This bill would also provide that when employees or agents of the division or commission reveal communications or publications in any form in the course of discharging their duties, complying with laws, regulations, and subpoenas, and, in good faith, providing assistance in investigations, those communications and publications are privileged and shall not form a basis for imposing liability for defamation or constitute a ground for recovery in any civil action. In addition, this bill would prohibit the division and the commission, and their employees and agents, from revealing information, documents, or communications provided by any person that are privileged under any provision of law without the prior written consent of the holder of the privilege or pursuant to a lawful court order after notice of the proceedings has been given to the holder of the privilege.

(7) Under existing law, the act establishes a 2-phased framework for the state regulation of gambling in California. Existing law provides that during the first phase, the division has the authority to issue regulations for the purpose of carrying out the act. Existing law provides that during the 2nd phase, the commission has the authority to issue regulations for the purposes of carrying out the act. Existing law provides that the 2nd phase commenced on January 1, 1999, although under existing law, the division retains its phase-one powers until the Governor signs an Executive order declaring that the commission is prepared to assume its duties and responsibilities, as required by the act.

This bill would repeal provisions of existing law giving the division the authority to issue regulations for the administration and enforcement of the act.

(8) Existing law provides that if the owner of a gambling enterprise is not a person, the owner is not eligible for a gambling license unless specified persons involved in the enterprise obtain a gambling license. Existing law exempts from the group of persons who must obtain a gambling license under this provision landlords, even if those landlords receive a percentage share of the revenue earned by the owner from gambling activities.

This bill would remove the exemption for landlords who receive a percentage share of the revenue earned by the owner from gambling activities from the aforementioned provision.

(9) Existing law provides that a license shall not be denied to a gambling establishment solely because it is not open to the public provided that certain conditions are met.

This bill would delete references to the Division of Gambling Control with respect to issuance and denial of a license.

(10) Existing law requires persons applying for gambling licenses to submit fingerprints to the division on forms provided by the division.

This bill would allow applicants to submit fingerprints to the division using “live scan” or other prevailing, accepted technology.

(11) Existing law gives the commission the authority to issue work permits to employees and independent agents of gambling enterprises.

This bill would specify that work permits issued by the commission shall be valid for 2 years and that the commission will issue regulations regarding the issuance and renewal of work permits.

(12) Existing law provides that neither the division nor the commission shall issue a license to certain gambling clubs, as specified.

This bill would change these provisions to refer only to the commission.

Ch. 946 (AB 93) Wayne. Airports: San Diego County Regional Airport Authority.

(1) Existing law establishes the San Diego Regional Government Efficiency Commission and requires the commission to submit to the Legislature a plan and draft legislation for the consolidation of regional agencies within the San Diego region.

This bill would establish the San Diego County Regional Airport Authority as a local entity of regional government with jurisdiction throughout the County of San Diego, and would require the authority to adopt the comprehensive airport land use plan for that county and coordinate the airport planning of public agencies. The bill would establish the governing body and structure of the authority, require the San Diego Unified Port District to transfer the San Diego International Airport to the authority, and assign various powers and duties to the authority regarding the establishment and operation of airports within the county.

To the extent that these provisions would impose additional duties upon the port district and other entities of local government, the bill would create a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 947 (AB 1301) Goldberg. School facilities: site contamination: Belmont Learning Complex.

(1) Existing law prohibits the governing board of a school district from approving a project involving the acquisition of a schoolsite or the construction of a school by the school district unless specified actions are taken with regard to potential contamination of the site, including a determination by the lead agency, as defined, that the property purchased or to be built upon is not the site of a current or former hazardous waste disposal site or solid waste disposal site, or a hazardous substance release site.

This bill would require the Los Angeles Unified School District, by January 1, 2003, to prepare a remedial investigation and feasibility study for the Belmont Learning Complex site and to submit the study to the Department of Toxic Substances Control for review. The bill would require the district to obtain a determination that the study is complete and meets the requirements of the Carpenter-Presley-Tanner Hazardous Substances Account Act before the district opens the Belmont Learning Complex as a school or takes any action to use the site for any nonschool purpose. The bill would require the district to reimburse the department for oversight costs incurred by the department and to post the study on its Internet Web site. The bill would impose a state-mandated local program by imposing new duties on a school district.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for

making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Ch. 948 (AB 1675) Koretz. Shepherders.

Existing law regulates various aspects of workplace and employee safety and health.

This bill would regulate the industry of shepherding by providing specific requirements that employers of shepherders must implement with regard to shepherder wages, hours, breaks, housing, tools, and working conditions. The bill would establish specified penalties for employers who fail to comply with these provisions.

**DIGESTS OF STATUTES
ENACTED IN 2001**

2001–02 FIRST EXTRAORDINARY SESSION

BILL CHAPTERS

Ch. 1 (AB 5) Keeley. Electrical restructuring: Oversight Board: Independent System Operator.

(1) The existing restructuring of the electrical services industry within the Public Utilities Act provides for the authorization of direct transactions between electricity suppliers and end use customers and for the establishment of an Independent System Operator and a Power Exchange as separately incorporated public benefit, nonprofit corporations. An Electricity Oversight Board is also established to oversee the Independent System Operator and the Power Exchange. The Oversight Board has the exclusive right to approve procedures for the election, submission for confirmation, and qualification for Independent System Operator and Power Exchange governing board members, all of whom are required to be electricity consumers in the area served by the Independent System Operator and the Power Exchange. The governing boards are required to include representatives of investor-owned utility transmission owners, publicly owned utility transmission owners, nonutility electricity sellers, public buyers and sellers, private buyers and sellers, industrial end users, commercial end users, residential end users, agricultural end users, public interest groups, and nonmarket participant representatives. A simple majority of each board is required to consist of persons who are themselves unaffiliated with electric generation, transmission, or distribution corporations. The structural composition of the governing boards existing on July 1, 1999, is required to remain in effect until an agreement with a participating state is legally in effect. However, prior to that agreement, the state retains the right to change each governing board into a nonstakeholder board. If that legislative change occurs, revised bylaws are required to be filed with the Federal Energy Regulatory Commission under a specified provision of federal law.

This bill, instead, would require that, within 90 days of the effective date of the bill, the existing Independent System Operator governing board be replaced by a 5-member independent governing board of directors appointed by the Governor.

The bill would prohibit a member of the independent governing board appointed by the Governor from being affiliated with any actual or potential participant in any market administered by the Independent System Operator.

The bill would prohibit the Independent System Operator from entering into a multistate entity or a regional organization unless that entry is approved by the board. Since a violation of the act is a crime, this bill would impose a state-mandated local program by establishing a new crime.

The bill would require the board to require the articles of incorporation and bylaws of the Independent System Operator to be revised, and to make filings with the Federal Energy Regulatory Commission as the board determines to be necessary.

The bill would require the Independent System Operator to make publicly available a list of all power plants located in the state that are not operational due to a planned or unplanned outage, make the list available over the Internet, and update the list daily.

The bill would make other, conforming changes in existing law.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 2 (AB 6) Dutra. Electrical restructuring.

(1) Existing law requires generation assets owned by any public utility prior to June 1, 1997, and subject to rate regulation by the Public Utilities Commission, to continue to be subject to regulation by the commission until those assets have undergone market valuation, as specified.

This bill would delete those provisions.

(2) Existing law requires the commission to continue to regulate the nonnuclear generation assets owned by any public utility prior to January 1, 1997, that are subject to regulation by the commission until those assets have been subject to market valuation, as prescribed.

This bill would include nuclear facilities for the generation of electricity within those provisions.

The bill would require those facilities to continue to be subject to that regulation until the commission has authorized the disposition of those facilities pursuant to prescribed provisions of law. The bill would prohibit a facility for the generation of electricity owned by a public utility from being disposed of prior to January 1, 2006. The bill would require the commission to ensure that public utility assets remain dedicated to service for the benefit of the public.

Because, under existing law, a violation of the above provisions with regard to regulation by the commission would be a crime, this bill would impose a state-mandated local program by changing the definition of a crime.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 3 (SB 7) Burton. Public utilities.

Existing law imposes various duties and responsibilities on the Department of Water Resources with respect to the purchase of water and electricity.

This bill would authorize, for a period not to exceed 12 days from the effective date of the act, the Department of Water Resources to purchase electric power from any party and make that electric power available at the cost of its purchase, plus any specified administrative costs, transmission and scheduling costs, and other related costs, incurred by the department, to the Independent System Operator, public utility electrical corporations, or retail end-use customers.

The bill would require that the obligations incurred and funding of the contract and arrangements for the purchase of electric power are to be maintained by the Department of Water Resources, separate and distinct from the funds, moneys and obligations of the State Water Resources Development System. The bill would prohibit the full faith and credit and the taxing power of the state to be pledged for payment of these obligations.

The bill would establish in the State Treasury the Department of Water Resources Electric Power Fund as a continuously appropriated fund and would require all revenues payable to the department under the act to be deposited in the fund. The bill would require payments from the fund to be made only for specified purposes and would require all authorized contracts to be payable solely from the fund.

The bill would require the Public Utilities Commission to adopt and implement emergency regulations to provide for delivery and payment mechanisms relating to the sale of electric power purchased by the Department of Water Resources for sale directly or indirectly to the Independent System Operator, public utilities, or retail end-use customers.

This bill would make these provisions inoperative on February 2, 2001, and would repeal them as of January 1, 2002.

The bill would transfer \$400,000,000 from the General Fund to the Department of Water Resources to purchase electric power, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 4 (AB 1) Keeley. Power exchanges: Department of Water Resources: electric power.

(1) The Public Utilities Act establishes the Power Exchange to provide an efficient competitive auction, open on a nondiscriminatory basis to all electric power suppliers, that meets the loads of all exchange customers at efficient prices. Existing law authorizes the Public Utilities Commission to investigate issues associated with multiple qualified exchanges, and requires the commission, if it determines that allowing electrical corporations to purchase from multiple qualified exchanges is in the public interest, to prepare and submit findings and recommendations to the Legislature on or before June 1, 2001. Existing law prohibits the implementation by the commission of certain commission decisions regarding other exchanges, as specified.

This bill would repeal those provisions, regarding multiple qualified exchanges.

(2) Existing law prohibits any change in the aggregator or supplier of electric power for certain customers from being made until the change has been verified.

This bill would provide that electric power sold to customers pursuant to the bill is not subject to those provisions.

(3) Under existing law relating to the Central Valley Project, the Department of Water Resources has the authority to fix and establish the prices, rates, and charges at which the resources and facilities made available by the project are sold and disposed of, and to enter into contracts and agreements and do any and all things that the department determines to be necessary, convenient, or expedient for the accomplishment of the purposes and objectives of that existing law.

This bill would authorize the department to enter into contracts for the purchase of electric power. The bill would authorize the department to sell power to retail end use customers and, with specified exceptions, to local publicly owned electric utilities at not more than the department's acquisition costs, as specified. The bill would prohibit the department from contracting for the purchase of electric power on and after January 2, 2003. The bill would provide, with specified exceptions, that nothing in the bill authorizes the department to take ownership of transmission, generation, or distribution assets, as specified. The bill would also authorize the department to hire and appoint additional employees and contract for the services of public and private entities.

The bill would authorize the department to issue revenue bonds not to exceed a certain amount, containing specified terms and conditions, upon authorization by written determination of the department and with the approval of the Director of Finance and the Treasurer, as specified.

The bill would establish in the State Treasury the Department of Water Resources Electric Power Fund, to be continuously appropriated to the department, and available for the purposes described above. The bill would require all revenues payable to the department under the bill to be deposited in the fund. The bill would require that payments from the fund be made only for certain purposes. The bill would transfer \$495,755,000 from the General Fund to the fund for the purposes described above and require repayment to the General Fund at the earliest possible time. The bill would appropriate \$4,245,000 to the department for the 2000–01 fiscal year for administrative cost incurred by the department for purposes of the bill. The bill would permit the Department of Finance to authorize the creation of deficiencies for this appropriation.

This bill would require the Public Utilities Commission to calculate the California Procurement Adjustment and would further require the commission to determine the amount of the adjustment payable to the department for deposit into the fund.

The bill would require the Bureau of State Audits to conduct a financial and performance audit of the department's implementation of the bill.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 5 (SB 43) Alpert. Electric power.

(1) The Public Utilities Act requires the Public Utilities Commission to establish a ceiling of \$.065 per kilowatthour on the energy component of electric bills for residential, small

commercial, and lighting customers of the San Diego Gas and Electric Company, through December 31, 2002, retroactive to June 1, 2000, as prescribed. The commission may extend the ceiling through December 2003, as specified. Existing law requires the commission to determine that portion of each existing electrical corporation's retail rate effective on January 5, 2001, that is equal to the difference between the generation related component of the retail rate and the sum of the costs of the utility's own generation, qualifying facility contracts, existing bilateral contracts, and ancillary services, to be known as the California Procurement Adjustment. Existing law requires the commission to further determine the amount of the California Procurement Adjustment that is allocable to the power sold by the Department of Water Resources, which is payable by each electrical corporation to the department for deposit in the Department of Water Resources Electric Power Fund, and known as the Fixed Department of Water Resources Set-Aside.

This bill would, instead, require the commission to also establish a ceiling of \$0.065 per kilowatthour on the energy component of electric bills for electricity supplied to residential, small commercial, and street lighting customers by the San Diego Gas and Electric Company, through December 31, 2002, retroactive to June 1, 2000. The bill would require the commission to also establish a frozen rate of \$0.065 per kilowatthour on the energy component of electric bills for electricity supplied to all customers by the San Diego Gas and Electric Company not subject to the ceiling imposed by existing law, through December 31, 2002, retroactive to February 7, 2001. The bill would provide that a frozen rate established shall not result in any retroactive recovery of undercollections by the San Diego Gas and Electric Company. The bill would require that any undercollection resulting from rate reductions retroactive to February 7, 2001, not result in a revenue undercollection to San Diego Gas and Electric Company. The bill would require the commission to adjust the California Procurement Adjustment and the Fixed Department of Water Resources Set-Aside for those customers, as prescribed. The bill would make related statements about the construction of the bill. Since a violation of a rule or order of the commission is a crime, this bill would impose a state-mandated local program by creating a new crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 6 (AB 43) Correa. Electric power.

(1) The Public Utilities Act requires the Public Utilities Commission to establish a ceiling of \$.065 per kilowatthour on the energy component of electric bills for residential, small commercial, and street lighting customers of the San Diego Gas and Electric Company, through December 31, 2002, retroactive to June 1, 2000, as prescribed. The commission may extend the ceiling through December 2003, as specified. Existing law requires the commission to determine that portion of each existing electrical corporation's retail rate effective on January 5, 2001, that is equal to the difference between the generation related component of the retail rate and the sum of the costs of the utility's own generation, qualifying facility contracts, existing bilateral contracts, and ancillary services, to be known as the California Procurement Adjustment. Existing law requires the commission to further determine the amount of the California Procurement Adjustment that is allocable to the power sold by the Department of Water Resources, which is payable by each electrical corporation to the department for deposit in the Department of Water Resources Electric Power Fund, and known as the Fixed Department of Water Resources Set-Aside.

This bill would require the commission to also establish a frozen rate of \$0.065 per kilowatthour on the energy component of electric bills for electricity supplied to all customers by the San Diego Gas and Electric Company not subject to the ceiling imposed by existing law, through December 31, 2002, retroactive to February 7, 2001. The bill would

provide that a frozen rate established shall not result in any retroactive recovery of undercollections by the San Diego Gas and Electric Company. The bill would require that any undercollection resulting from rate reductions retroactive to February 7, 2001, not result in a revenue undercollection to the San Diego Gas and Electric Company. The bill would require the commission to determine the Fixed Department of Water Resources Set-Aside for those customers, as prescribed. The bill would make related statements about the construction of the bill. Because a violation of a rule or order of the commission is a crime, this bill would impose a state-mandated local program by creating a new crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 7 (SB 5) Sher. State energy projects.

(1) Existing law authorizes state and local agencies to develop energy conservation, cogeneration, and alternate energy supply sources at the facilities of public agencies through contracts and leases in accordance with specified criteria.

This bill, until January 1, 2003, would authorize state agencies to implement energy related projects, subject to certain criteria, and to enter into contracts for these purposes subject to certain criteria. The bill would authorize the Director of General Services to exempt state energy projects from the advertising and competitive bidding requirements set forth in state law, if the director deems it necessary to implement these provisions. The bill would exempt state energy projects from a specified capital outlay process at the discretion of the Department of Finance.

(2) Existing law prohibits the State Public Works Board from entering into leases and energy service contracts sooner than 45 days after notification to the Joint Legislative Budget Committee. Existing law authorizes the joint committee to hold a hearing within 45 days of receipt of the notification.

This bill would prohibit the board from entering into a lease and energy services contract sooner than 15 days after notification and would authorize the joint committee to hold a hearing within 15 days of receipt of the notification.

(3) Existing law requires the State Energy Resources Conservation and Development Commission to adopt interior and exterior lighting energy conservation standards, as specified.

This bill would require the commission to adopt lighting standards for outdoor lighting, as defined, that is not subject to the above standards.

(4) Existing law provides for the establishment and implementation of various energy efficiency programs administered by the State Energy Resources Conservation and Development Commission and the Public Utilities Commission.

This bill would appropriate \$708,900,000 from the General Fund to implement energy efficiency programs and supplement existing energy efficiency programs. Of that amount, from the General Fund, \$246,300,000 would be allocated to the Public Utilities Commission, \$282,600,000 would be allocated to the State Energy Resources Conservation and Development Commission, \$10,000,000 would be allocated to the Department of Consumer Affairs, \$50,000,000 would be allocated to the Department of General Services, \$120,000,000 would be allocated to the Department of Community Services and Development, as scheduled, and subject to reallocation and conditions. Under the bill, any funds that are unencumbered by March 31, 2002, would revert to the General Fund on that date, except as otherwise provided.

(5) Under existing law, the Public Utilities Commission requires every electrical and gas corporation to file a schedule of rates and charges providing baseline rates. In establishing these rates, existing law requires the commission to avoid excessive rate increases for

residential customers, and to establish a gradual differential between the rates for respective blocks of usage.

This bill would require that the commission assure that a specified condition is met with respect to any interruptible service or curtailment program it adopts. The bill would require that an optional binding mandatory curtailment program adopted by the commission that exempts customers from Stage III rotating outages, in exchange for partial load curtailments during every rotating outage period, include specified provisions for agricultural and water supplier customers, as defined. The bill would require each public utility electrical corporation to develop and offer its customers, on or before May 30, 2001, the opportunity to participate, in addition to other programs developed by the commission, in a demand reduction program, as specified.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 8 (AB 29) Kehoe. Energy.

(1) Existing law establishes the State Energy Resources Conservation and Development Commission in the Resources Agency, and grants it authority with respect to various energy efficiency measures and programs. Existing law generally permits public agencies to develop energy conservation, cogeneration, and alternative energy supply sources at their facilities in order to promote all feasible means of energy and water conservation. Existing law also generally requires public agencies to meet specified requirements regarding service, consulting, architectural, and engineering contracts, and requires those contracts to be approved by the Department of General Services.

This bill would enact, until January 1, 2002, the Summer 2001 Energy Efficiency Projects by Community College Districts program, which would fund the implementation of energy conservation, efficiency, cogeneration, and alternate energy supply sources by community college districts on public property. The bill would require a community college district to request proposals prior to awarding or entering into a contract, agreement, or lease, and would require the district to award each contract based on the consideration of specified qualifications. The bill would exempt energy projects from specified requirements imposed on contracts entered into by public agencies. The bill would authorize the exemption of any energy project proposed by a community college district from existing advertising and competitive bidding requirements if the director deems the exemption necessary, as specified.

The bill would require each community college district that receives funds from the program to provide a report to the Chancellor of the California Community Colleges, on or before January 1, 2002, and would require the chancellor to report that information to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the appropriate policy and fiscal committees of each house of the Legislature, and the Governor by March 1, 2002.

By imposing additional duties on community college districts, this bill would impose a state-mandated local program.

This bill would establish the Statewide Energy Management Program to assist community college districts to achieve energy independence through the development of energy management plans, the construction of sustainable green buildings, the use of renewable or other distributed energy systems, and the expansion of statewide energy education programs and services, as prescribed. The bill would require the Board of Governors of the California Community Colleges, in consultation with the commission, to develop guidelines for this program.

The bill would require the chancellor to establish an advisory committee to provide recommendations regarding overall program development, resource development and deployment, and strategies for implementation and coordination of the program.

(2) Existing law establishes the Technology, Trade and Commerce Agency with specified powers and duties relating to economic development and science and technology. Existing

law requires the energy commission to establish a small business energy assistance low-interest revolving loan program to fund the purchase of equipment for alternative technology energy projects for California's small businesses.

This bill would require the agency to administer the California Renewable Energy Loan Guarantee Program to guarantee loans made by financial institutions to eligible businesses for the permitting, manufacturing, acquisition, construction, or installation of renewable energy systems that are intended to decrease demand on the electricity grid.

(3) Existing law establishes the California Conservation Corps to conserve and develop natural resources, and enhance and maintain environmentally important lands and waters through the use of California's young women and men and to assist these youths in becoming productive adults. Existing law establishes the Department of Community Services and Development to provide a range of services and activities having a measurable and potentially major impact on causes of poverty, and to assist low-income individuals and families, migrants, and the elderly poor to obtain employment, education, income, housing, food, and emergency services.

This bill would create the Mobile Energy Efficiency Brigade, to be implemented by the corps and the department, to expand current weatherization, energy-efficiency, and rehabilitation programs in accordance with prescribed objectives. These provisions would remain in effect until January 1, 2003.

(4) Existing law requires the energy commission to administer a program of grants and loans with respect to energy efficiency measures and programs.

This bill would require the energy commission to administer a grant and loan program for eligible construction or retrofit projects, as defined, and the Small Business Energy Efficient Refrigeration Loan Program established by the bill.

(5) The existing Energy Conservation Assistance Act of 1979, until January 1, 2011, permits a school, hospital, public care institution, or unit of local government to submit an application to the energy commission for a loan of funds for the purpose of financing all or a portion of the costs incurred in implementing a project, as defined, including an energy conservation project.

This bill would establish the Energy Conservation Act of 2001 to establish energy efficiency incentives in the form of grants and loans to low-income residents, small businesses, and residential property owners.

(6) Existing law establishes the California Alternative Energy and Advanced Transportation Financing Authority and prescribes the duties of the authority with respect to, among other things, promoting prompt and efficient development of energy sources that are renewable or that more efficiently utilize and conserve scarce energy resources.

This bill would require the authority to establish a renewable energy program to provide financial assistance to public power entities, independent generators, utilities, or businesses manufacturing renewable energy generation components or systems, or both, to generate new and renewable energy sources, as defined, develop clean and efficient distributed generation, and demonstrate the economic feasibility of new technologies. The bill would require the authority to ensure that any financed project offer its power within California on a long-term contract basis.

(7) Under existing law, the Public Utilities Commission requires every electrical and gas corporation to file a schedule of rates and charges providing baseline rates. In establishing these rates, existing law requires the commission to avoid excessive rate increases for residential customers, and to establish an appropriate gradual differential between the rates for the respective blocks of usage. Additionally, in establishing residential electric and gas rates, including baseline rates, existing law requires the commission to assure that the rates are sufficient to enable the electrical corporation or gas corporation to recover a just and reasonable amount of revenue from residential customers as a class, while observing the principle that electricity and gas services are necessities, for which a low affordable rate is desirable.

This bill would require the commission, at least until December 31, 2003, to require that all charges for residential electric customers are volumetric, and to prohibit any electrical corporation from imposing any charges on residential consumption that are independent of consumption unless the charges are in place prior to the effective date of the bill.

The bill would also require the commission, until December 31, 2002, to ensure that errors in estimates of demand elasticity of sales do not result in material over or undercollections of the electrical corporations.

Because existing law makes any public utility that violates specified provisions regulating public utilities guilty of a misdemeanor, this bill would impose a state-mandated local program by creating a new crime.

(8) Existing law exempts an electrical corporation that provides distribution service for direct transactions from the obligation to provide net energy metering to a customer, if the customer participates in direct transactions with an electric supplier that does not offer net energy metering, and authorizes an electrical corporation that provides distribution service for direct transactions to recover from the electric service provider of a customer that participates in direct transactions the incremental costs of metering and billing service related to net energy metering, in an amount set by the Public Utilities Commission. Existing law also establishes formulas for the calculation of net monthly consumption for eligible customer-generators taking service employing baseline, over baseline, and time use of rates. Existing law, for purposes of those provisions, defines the term "electric service provider" to include specified entities and defines "eligible customer-generator," to mean a residential customer, or a small commercial customer of an electric service provider.

This bill would revise the definition of an electric service provider, until January 1, 2003, to also include any other entity that provides electrical service. The bill would revise the definition of an eligible customer-generator, until January 1, 2003, to also include commercial, industrial, or agricultural customers of an electric service provider. The bill would eliminate, until January 1, 2003, certain requirements with respect to the information electric service providers are required to provide to the ratemaking authority relating to total rated generating capacity used by eligible customer-generators.

(9) Existing law requires every electric service provider, upon request, to make available to eligible customer-generators contracts for net energy metering subject to specified limitations on the number of contracts.

This bill would eliminate the specified limitations on the number of contracts.

(10) Existing law specifies that if a customer participates in direct transactions with an electric supplier that does not offer net energy metering, the electrical corporation that provides distribution service for the direct transactions is not obligated to provide net energy metering to the customer.

This bill would, instead, specify that if a customer participates in direct transactions with an electric supplier that does not provide distribution service for the direct transactions, the electrical corporation that provides distribution service for an eligible customer-generator is not obligated to provide net energy metering to the customer.

(11) Under existing law, the Emerging Renewable Resources Account is created in the Renewable Resource Trust Fund and specified portions of revenues collected by electrical corporations for the benefit of in-state operation and development of existing and new and emerging renewable resource technologies are required to be transmitted to the energy commission for deposit in the Renewable Resource Trust Fund. The money in the fund and the account is continuously appropriated to the energy commission for specified purposes, including a multiyear, consumer-based program to foster the development of emerging renewable technologies in distributed generation applications. Existing law requires this program to provide monetary rebates, buydowns, or equivalent incentives to purchasers, lessees, lessors, or sellers of eligible electricity generating systems and limits the incentives to a maximum percentage of the system price, as defined by the energy commission.

This bill would require the commission to expand existing programs to promote clean distribution generation technologies.

The bill would authorize the commission to increase the maximum rebate levels for certain distributed emerging technologies that have a peak capacity greater than 10 kilowatts, if the commission makes a specified determination.

(12) Existing law authorizes the State Public Works Board to develop energy and water conservation and cogeneration and alternative energy and water supply sources at state facilities. Existing law requires the buildings acquired or constructed by the board to be operated and maintained by the board until they are placed under the jurisdiction of the Department of General Services or another state agency.

This bill would require the department to identify, from the department's state property inventory, all buildings where it is feasible to reduce energy consumption and achieve energy efficiencies, as well as to produce onsite electrical generation or reduce the level of peak-period electrical consumption for that building using alternative energy equipment thermal energy storage or cogeneration equipment.

This bill would authorize the Director of General Services to enter into 3rd party agreements to implement energy efficiencies and feasible onsite electrical generation. The bill would authorize the director to enter into negotiated agreements to accomplish specified objectives relating to energy.

This bill would require the department to retrofit specified public buildings where feasible, provided that work on public buildings of the California State University is performed at the request or with the consent of the university.

This bill would require the department to prepare and submit to the Legislature and the Governor, a report of the energy savings, if any, in terms of megawatts per year, for each public building retrofitted on or before 2 years after the effective date of this bill, and every 2 years thereafter.

(13) This bill would limit administrative costs under the bill for participating agencies to 2¹/₂%, and would require prescribed reports to be filed with the Legislature and the Governor.

(14) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(15) The bill would appropriate or reappropriate \$408,650,000 from specified funds to the Controller to be allocated in accordance with a specified schedule to accomplish the purposes of this bill.

(16) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 9 (SB 31) Burton. Electric power.

(1) Under existing law, after any order or decision has been made by the Public Utilities Commission, any party to the action or proceeding, or any stockholder or bondholder or other party pecuniarily interested in the public utility affected, may apply for a rehearing in respect to any matters determined in the action or proceeding and specified in the application for rehearing.

This bill would prohibit a cause of action arising out of any order or decision of the commission construing, applying, or implementing the provisions of Chapter 4 of the Statutes of 2001–02 First Extraordinary Session (AB 1) from accruing in any court to any

corporation or person unless the corporation or person has filed an application to the commission for a rehearing within 10 days after the date of issuance, and the commission would be required to issue its decision and order on rehearing within 20 days after the filing of that application.

This bill would also set forth a specific procedure with regard to judicial review of an order or decision of the commission interpreting, implementing, or applying the provisions of the above referenced Chapter 4.

(2) Existing law authorizes the Department of Water Resources to contract with an electrical corporation to transmit or provide for the transmission of, and distribute the power and provide billing, collection, and other related services, as the agent of the department, on terms and conditions that reasonably compensate the electrical corporation for its services, and requires the commission, at the request of the department, to order such actions. Under existing law, upon the delivery of power to them, the retail end-use customers are deemed to have purchased that power from the department.

This bill would modify the existing transmission, distribution, and related service provisions to authorize the department to contract with an electrical corporation to transmit or provide for the transmission of, and distribute all power made available by the department, and provide, as the agent of the department, billing, collection, and other related services on terms and conditions that reasonably compensate the electrical corporation for its services and adequately secure payment to the department, and would make corresponding changes to the commission's requirement to order that service at the request of the department.

(3) Existing law authorizes the department to enter into contracts for the purchase of electric power and to sell power to retail end-use customers and to local publicly owned electric utilities. Existing law requires the commission to take necessary action to ensure that all, or a portion of, the component rates that are available to electrical corporations for the purchase of their net short position of electricity are used to recover the revenue requirements for the purchase and sale functions described in this paragraph.

This bill would repeal that commission requirement.

(4) Existing law authorizes the department to issue revenue bonds for purposes described in (3) not to exceed a certain amount, containing specified terms and conditions, upon authorization by written determination of the department and with the approval of the Director of Finance and the Treasurer.

This bill would, instead, authorize the issuance of the bonds in an aggregate amount up to the greater of \$13,423,000,000 or the amount calculated by multiplying by a factor of 4 the annual revenues generated by the California Procurement Adjustment; provided the aggregate amount shall not exceed \$13,423,000,000. By increasing the amount of proceeds from the issuance of revenue bonds that may be expended from a continuously appropriated fund, the bill would make an appropriation.

(5) This bill would make other related clarifying and technical changes.

Ch. 10 (SB 6) Burton. California Consumer Power and Conservation Financing Authority.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and other specified entities.

The Warren-Alquist State Energy Resources Conservation and Development Act requires the State Energy Resources Conservation and Development Commission (Energy Commission) to certify sufficient sites and related facilities that are required to provide a supply of electric power sufficient to accommodate projected demand for power statewide. The Energy Commission administers existing law with respect to energy conservation.

This bill would create the California Consumer Power and Conservation Financing Authority, with powers and responsibilities as prescribed, including the issuance of revenue bonds, for the purposes of augmenting electric generating facilities and to ensure a sufficient and reliable supply of electricity, financing incentives for investment in cost-effective

energy-efficient appliances and energy demand reduction, achieving a specified energy capacity reserve level, providing financing for the retrofit of inefficient electric powerplants, renewable energy and conservation, and, where appropriate, developing strategies for the authority to facilitate a dependable supply of natural gas at reasonable prices to the public. The bill would create in the State Treasury the California Consumer Power and Conservation Financing Authority Fund, and would continuously appropriate all money in the fund, except as specified, for the support of the authority.

The bill would prohibit the authority from approving any new program, enterprise, or project, on or after January 1, 2007, unless authority to approve such an activity is granted by statute enacted on or before January 1, 2007.

Ch. 11 (AB 3) Wright. California Alternate Rates for Energy or CARE program.

(1) Existing law requires the Public Utilities Commission to establish a program of assistance to low-income electric and gas customers, which is referred to as the California Alternate Rates for Energy or CARE program.

This bill would require CARE program funds to be used to provide any natural gas customer, as specified, who enrolls in the CARE program during a specified period of time, the same one-time bill credit based on the amount of each gas corporation's average CARE customer discount applied during specified months.

This bill would require the commission to adjust CARE program income requirements annually, as specified, to impose certain requirements on electrical and gas corporations to facilitate better penetration rates for the CARE program, and protect low-income and senior households from unwarranted disconnection of necessary electric and gas services, and to conduct targeted outreach about the program. Because a violation of an order of the commission is a crime under existing provisions of law, this bill would create a state-mandated local program by expanding the definition of a crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 12 (SB 28) Sher. Energy siting of power plants: unemployment insurance.

(1) Existing law contains various provisions relative to air pollution control.

This bill would require the State Air Resources Board, on or before July 1, 2002, in consultation with air pollution control districts, air quality management districts and the Independent System Operator, to establish a schedule for the retrofit of certain electrical generation facilities that would require completion of the retrofits by December 31, 2004, except as specified. The bill also would require the state board, on or before July 1, 2001, to implement a program for the banking, trading, and purchasing of emission reduction credits for electrical generating facilities.

The bill would, until January 1, 2004, authorize an applicant for a permit for an electrical generating facility to pay an emissions offset fee to the appropriate air pollution control district or air quality management district for expenditure by the district to purchase offsets for that facility.

(2) Existing law provides for the restructuring of California's electric power industry so that the price for the generation of electricity is determined by a competitive market.

Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to certify all sites and related facilities for thermal powerplants in the state, including a new site and related facility or a change or addition to an existing facility. The Energy Commission is required to prepare a final report and written decision after a public hearing on the application for the powerplant.

Existing law requires the Energy Commission to request the appropriate local, regional, state, and federal agencies to make comments and recommendations about the design, operation, and location of facilities.

This bill would require a public agency to use the staff report submitted for a public hearing on an application in the same manner as an environmental impact report or negative declaration for the site or facilities, except as specified.

This bill would require, until January 1, 2004, each local government agency reviewing the application to file a preliminary list of issues regarding the design, operation, location, and financial impact of the facility with the Energy Commission within 45 days of the date the application for certification is deemed filed. The bill would require the local jurisdiction to provide a final list of those issues no later than 100 days after the application for certification is deemed filed. To the extent that the bill would require the local jurisdiction to provide a new program or higher level of service, it would impose a state-mandated local program.

This bill would require the final report prepared by the Energy Commission to additionally include findings and conclusions as to whether increased property taxes due to the construction of the project are sufficient to support needed local improvements and public services required to serve the project.

This bill would require the written decision prepared by the Energy Commission after the public hearing to include a discussion of any public benefits from the project including, but not limited to, economic benefits, environmental benefits, and electricity reliability benefits.

This bill would clarify that decisions of the Energy Commission are subject to judicial review by the Supreme Court of California.

(3) Existing law authorizes the Energy Commission to establish a process for the expedited review of applications to construct and operate powerplants and thermal powerplants and related facilities.

This bill would require the Energy Commission, until January 1, 2004, also to establish a process for the expedited review of a repowering project.

This bill would additionally delete the deadline for completed applications for an expedited decision on simple cycle thermal powerplants.

(4) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and other specified entities.

This bill would require the commission to require each electrical corporation under the operational control of the Independent System Operator as of January 1, 2001, to modify tariffs so that all customers that install new distributed energy resources, as defined, in accordance with specified criteria are served under rates, rules, and requirements identical to those of a customer within the same rate schedule that does not use distributed energy resources, and to withdraw any provisions in otherwise applicable tariffs that activate other tariffs, rates, or rules if a customer uses distributed energy resources. The bill would require each electrical corporation, as part of its distribution planning process, to consider nonutility owned distributed energy resources as a possible alternative to investments in its distribution system in order to ensure reliable electric service at the lowest possible cost. The bill would require the commission, in establishing the rates under the provisions of the bill, to create a firewall that segregates distribution cost recovery, as described.

The bill would require a local publicly owned electric utility, as defined, or a local publicly owned utility otherwise providing electrical service, to undertake a review of its rates, tariffs, and rules, as prescribed, and to hold at least one noticed public meeting to solicit public comment on the review and any recommended changes.

The bill would require the commission to require each electrical corporation to establish new tariffs on or before January 1, 2003, for customers using distributed energy resources. The bill would continue to subject certain distributed energy resources, after January 1, 2003, to preexisting tariffs under the bill, until June 1, 2011 or, for specified installations, until June 1, 2006. The bill would require the commission to prepare and submit to the Legislature, on

or before June 1, 2002, a report describing its proposed methodology for determining the new rates and the process by which it will establish those rates.

The bill would require customers that install distributed energy resources to annually report to the commission specific information about the resources. The bill would require the commission, in consultation with air pollution control districts and air quality management districts and the Energy Commission, to evaluate that information, and, within two years of the effective date of the bill, to prepare and submit to the Governor and the Legislature a report recommending any changes to the above provisions that the commission determines to be necessary.

Because a violation of a requirement of the commission is a crime, this bill would impose a state-mandated local program by creating a new crime.

(5) The bill would authorize a gas corporation public utility, until June 1, 2002, to exercise the power of eminent domain for the purpose of competing with another entity in the offering of natural gas and services related to natural gas. The bill would prohibit the Public Utilities Commission from making a finding on a petition filed by a gas corporation for those purposes.

(6) The bill would appropriate not more than \$3,250,000 from the General Fund to the commission for expenditure, until January 1, 2005, in accordance with a prescribed schedule.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(8) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 13 (AB 31) Wright. Energy.

(1) Existing law appropriates funds to the Department of General Services to be expended for state energy projects, as defined, on state buildings or facilities, or buildings or facilities owned or operated by community colleges.

This bill would authorize those funds to also be expended for state energy projects in buildings or facilities owned or operated by any public postsecondary educational institution, thereby making an appropriation.

(2) Existing law authorizes any person to petition the hearing board of an air pollution control district or air quality management district for a variance from the rules, regulations, or orders of the district. Existing law also allows the chair of a district hearing board, or any member designated by the chair, to issue an emergency variance without notice and hearing, for good cause, including for a breakdown condition.

Existing law authorizes every district board to establish a permit system that requires a person to obtain a permit to build, erect, alter, replace, operate, or use any article, machine, equipment, or other contrivance that may cause the issuance of air contaminants, before doing any of these things.

This bill, until January 1, 2003, would provide that a breakdown condition includes the startup or shutdown of a facility enrolled on or before January 1, 2001, in a specified interruptible program contract, that has complied with applicable startup and shutdown procedures, or a failure to operate air emission control equipment, if either condition is caused by a power interruption or curtailment initiated by the Independent System Operator, a public utility electrical corporation, or local publicly owned electric utility, as defined, and

feasible measures that could have been reasonably implemented to minimize emissions during startup and shutdown were implemented. To the extent this requirement would broaden the scope of breakdown conditions, thereby requiring the chair of the district hearing board, or the designee of the chair, to make additional determinations regarding the issuance of emergency variances, this bill would impose a state-mandated local program.

The bill, until January 1, 2003, would require a district, notwithstanding any permit conditions to the contrary, to authorize, subject to specified conditions, a permitted stationary source to operate its emergency electrical power generating equipment during any period of an involuntary power service interruption, as defined, if necessary to prevent damage to its equipment or to complete the process of products that would be irreparably damaged or destroyed as a result of the involuntary electrical power service interruption. The bill would require each district, within 14 days of the effective date of this bill, to create an emergency authorization form for each applicant to certify in writing its agreement to comply with specified provisions. The bill would require each completed emergency authorization form under these provisions to be approved or denied by the district not later than 5 working days from the date of its submittal, to the extent not inconsistent with other state or federal notice requirements. Because a violation of these requirements or standards are crimes, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

**DIGESTS OF STATUTES
ENACTED IN 2001**

2001–02 SECOND EXTRAORDINARY SESSION

BILL CHAPTERS

Ch. 1 (AB 27) Lowenthal. Long Beach tidelands: gas reserves: exploration and development.

(1) Existing law grants to the City of Long Beach certain tidelands and submerged lands in trust under prescribed conditions.

This bill would authorize the State Lands Commission to negotiate and execute, on behalf of the state, a contract or agreement with the City of Long Beach and any contractor operating under an oil operating contract with the City of Long Beach, that will provide a financial incentive for that contractor to explore for, and develop, additional gas reserves in the Long Beach tidelands, but would provide that nothing in the bill or any contract or agreement that may be entered into pursuant to provisions of the bill shall supersede or amend, in any respect, specified contracts and agreements governing the drilling, developing, extracting, processing, taking, or removal of oil, gas, and other hydrocarbons from the Long Beach tidelands, as defined. The bill would require that any contract or agreement so authorized pursuant to those provisions of the bill specify that the contractor and the City of Long Beach, either directly or indirectly, shall bear the costs of the exploration and development of additional gas reserves in the Long Beach tidelands, as specified. The bill would provide that the state would not bear any of the cost associated with the exploration and development of those additional gas reserves, nor would it pay any abandonment costs with respect to those exploration and development activities.

The bill would require all net revenue derived by the City of Long Beach from the disposition of its allocated share of the additional gas reserves that are a product of the exploration and development undertaken pursuant to a contract or agreement to be used by the City of Long Beach for specified purposes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 2 (SB 68) Battin. Electricity: blackouts.

Existing law requires the Public Utilities Commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, and among the uses of electricity or gas by those customers. In establishing those priorities, existing law requires the commission to consider certain factors, as prescribed.

This bill would also require the commission in establishing use priorities to make a determination of the potential effect of extreme temperatures on the health and safety of residential customers. In making this determination, the bill would require the commission to consult with appropriate medical experts and review appropriate literature and research, consider whether providing priority to customers experiencing extreme temperatures would result in increased outage frequency and duration for remaining customers and its effect on their health and safety, and consider whether alternative measures would be appropriate. The bill would authorize the commission, to the extent it determines it is in the public interest, to provide priority to customers experiencing extreme temperatures only when temperatures are extreme.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 3 (AB 4) Cardoza. Electric power.

Existing law provides that in the event that any electrical or gas corporation experiences any shortage of electricity or gas and is unable to obtain electricity or gas from any other source so that it is unable to meet the demand of its customers, the Public Utilities Commission is authorized to order that service be temporarily reduced.

This bill would require an electrical corporation or local publicly owned electric utility, as defined, to immediately notify the Commissioner of the California Highway Patrol and the sheriff and any affected chief of police of the specific area within their respective law enforcement jurisdiction that will sustain a planned loss of power as soon as the planned loss becomes known as to when and where that power loss will occur.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 4 (SB 64) Costa. Energy: qualified agricultural biomass: incentive grants.

(1) Under the existing Agricultural Biomass-to-Energy Incentive Grant Program, an air pollution control district or an air quality management district, may apply to the California Technology, Trade, and Commerce Agency for a grant to provide incentives to facilities that convert qualified agricultural biomass to energy. Existing law defines a facility as any California site that, among other things, as of July 1, 2000, converted, and continues to convert, qualified agricultural biomass, as defined, to energy, and the conversion results in lower oxides of nitrogen (NO_x) emissions than would otherwise be produced if burned in the open field during the ozone season, and, if the site produces electricity for sale to a public utility, the site does not qualify for specified fixed energy prices.

This bill would include within that definition any California site that operated prior to July 1, 2000, converting qualified agricultural biomass to energy, was closed for a period of time but maintained all applicable air quality permits during that closure, and that is ready to reopen on or before June 30, 2001. The bill would provide that if the site produces electricity for sale, it does not qualify for fixed energy prices established prior to June 30, 2000. By requiring air districts to make additional determinations regarding the eligibility of facilities under the program, this bill would impose a state-mandated local program.

(2) Chapter 7 of the 2001–02 First Extraordinary Session appropriates funds to the State Energy Resources Conservation and Development Commission to be expended for certain energy projects, including \$40,000,000 to encourage the purchase of certain high efficiency electrical agricultural equipment, and incentives for overall electricity conservation efforts.

This bill would require the commission to transfer, of that \$40,000,000, \$3,500,000 to the California Technology, Trade, and Commerce Agency pursuant to an interagency agreement within 30 days of the effective date of the bill for the purpose of supplementing the funding and furthering the intent of the Agricultural Biomass-to-Energy Incentive Grant Program, thereby constituting an appropriation.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 5 (SB 75) Ortiz. Income taxes: deduction: interest.

The Personal Income Tax Law allows various deductions in computing income that is subject to taxation.

This bill would allow as a deduction the amount of interest paid or incurred by a taxpayer on any loan or other indebtedness incurred in acquiring and installing any energy efficient product or equipment, as defined, installed or applied to a qualified residence located in this state.

This bill would take effect immediately as a tax levy.

Ch. 6 (SB 84) Burton. State Energy Resources Conservation and Development Commission.

(1) Existing law requires the State Energy Resources Conservation and Development Commission to undertake and implement various programs regarding energy.

This bill would require the commission to develop and implement a program to provide battery backup power for those official traffic control signals that the commission, in consultation with cities, counties, or cities and counties, determines to be high priority traffic control signals. The bill would authorize the commission to grant 70% of the funds to a city, county, or city and county for backup battery power for traffic control signals retrofitted with light-emitting diodes. The bill would require the commission to give priority to a city, county, or city and county that did not receive a grant from the state for the installation of light-emitting diode traffic control signals.

The bill would authorize the commission to reimburse a city, county, or city and county that has installed a backup battery system for light emitting diode traffic signals between January 1, 2001, and the effective date of the bill, up to \$1,500,000.

The bill would make an appropriation by reallocating up to \$10,000,000 from specified existing state funds to the commission for the purpose of providing matching grants pursuant to the bill.

The bill would prohibit the commission from expending more than 5% of the amount available for expenditure for administrative costs in carrying out the grant program.

The bill would require the commission, by June 1, 2004, to submit a report to the Governor and the Legislature on the grant program expenditures and program activities.

(2) Existing law requires the driver of any vehicle approaching an intersection that has official traffic control signals that are inoperative to stop at the intersection, and authorizes that driver to proceed with caution when it is safe to do so.

This bill would specify that those provisions shall apply to traffic control signals that become inoperative because of battery failure.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 7 (SB 85) Burton. Electrical restructuring: rates.

Provisions of the Public Utilities Act restructuring the electrical industry establish a process for the recovery by specified electrical corporations of certain uneconomic costs during a transition period that began on January 1, 1998, and ends for an electrical corporation on the earlier of March 31, 2002, or the date that the electrical corporation fully recovers its uneconomic costs. Existing law imposes during the transition period a rate freeze and a 10% rate reduction to remain in effect until March 31, 2002, unless the electrical corporation fully recovers its uneconomic costs at an earlier date. Existing law provides for fixed transition amounts to enable electric utility corporations to recover uneconomic costs associated with electrical deregulation through a nonbypassable charge on classes of customers until December 31, 2001, with specified exceptions.

This bill would prohibit the Public Utilities Commission from raising rates for residential and small commercial customers upon the termination of the 10% rate reduction for residential and small commercial customers, as described above, solely as a result of the termination of the 10% rate reduction. The bill would provide that its provisions do not affect the authority of the commission to raise rates for other reasons. The bill would provide that its provisions do not further extend the authority to impose fixed transition amounts on customers or further authorize or extend rate reduction bonds. The bill would provide that to the extent its provisions conflict with any other provision of the Public Utilities Code, the provisions of this bill shall prevail.

Ch. 8 (AB 86) Florez. Diesel fuel tax.

The Diesel Fuel Tax Law, with respect to diesel fuel, as defined, imposes a tax at specified rates, upon the removal, entry, sale, delivery, and use of each gallon of diesel fuel, as defined.

This bill would, until January 1, 2007, revise the definition of diesel fuel for those purposes to exempt the water portion of a diesel fuel and water emulsion, as specified. The bill would, until January 1, 2007, also revise the definition of diesel fuel to eliminate references to the manner of use of the diesel fuel, and make related revisions to the definition of blended diesel fuel for purposes of the Diesel Fuel Tax Law.

This bill would incorporate additional changes in Section 60022 of the Revenue and Taxation Code proposed by AB 309, to be operative only if AB 309 and this bill are both enacted and become effective, as specified, and this bill is enacted last.

This bill would take effect immediately as a tax levy.

Ch. 9 (AB 61) Kehoe. Energy.

Chapter 8 of the Statutes of the 2001–02 First Extraordinary Session contains erroneous cross-references.

This bill would correct the erroneous cross-references.

Ch. 10 (SB 82) Murray. Solar energy systems.

(1) The California Small Business Financial Development Corporation Law provides for the creation of small business financial development corporations by the Technology, Trade, and Commerce Agency. These corporations are authorized to make loans and loan guarantees to small businesses for various purposes, including loans for energy efficiency improvement. Existing law continuously appropriates the money in the California Small Business Expansion Fund.

This bill would specifically identify solar energy systems as energy efficiency improvements for which these corporations may grant loans. The bill would specify the minimum and maximum amounts for a loan, and would require the Energy Resources Conservation and Development Commission, in cooperation with the California Office of Small Business Development, to establish criteria and procedures applicable to loans for solar energy systems made under these provisions.

(2) Existing law establishes in state government the Department of General Services, which has various responsibilities related to planning, acquisition, construction, and maintenance of state buildings and property. Existing law also establishes in the Resources Agency the State Energy Resources Conservation and Development Commission, which has various responsibilities related to energy conservation.

This bill would require the department, in consultation with the commission, to ensure that solar energy equipment is installed, no later than January 1, 2007, on all state buildings and state parking facilities where feasible, as specified. It also would require solar energy equipment to be installed where feasible as part of the construction of all state buildings and state parking facilities that commences after December 31, 2002.

This bill would authorize the Director of General Services to exempt such a solar energy equipment project from specified advertising and competitive bidding requirements. The bill would declare that solar energy equipment installation on state buildings and state parking facilities is a state energy project within the meaning of specified provisions of the Government Code, and would authorize the department to expend specified funds for these purposes.

Ch. 11 (SB 2) Alarcon. Public utilities.

(1) Existing law requires the Public Utilities Commission to establish a program of assistance to low-income electric and gas customers, which is referred to as the California Alternate Rates for Energy or CARE program.

This bill would establish the Low-Income Oversight Board for the purpose of advising the commission on low-income electric and gas customer issues and serving as a liaison for the commission to low-income ratepayers and representatives. The bill would require, beginning in 2002, the commission, with the assistance of the Low-Income Oversight Board,

to conduct an assessment of the needs of low-income electricity and gas ratepayers. The bill would require the assessment to include an evaluation of the implementation of low-income programs and the effectiveness of weatherization services and energy efficiency measures in low-income households.

The bill would require the commission to ensure that the CARE discount correctly reflects the level of need of customers.

The bill would require the commission to work with public utility electrical and gas corporations to establish penetration goals. The bill would require the commission to authorize recovery of administrative costs associated with the implementation of the CARE program.

The bill would require the commission to examine methods to improve CARE enrollment and participation, including comparing information from CARE and the Universal Lifeline Telephone Service (ULTS) to determine the most effective means of utilizing that information to increase CARE enrollment, automatic enrollment of ULTS customers who are eligible for the CARE program, customer privacy issues, and alternative mechanisms for outreach to potential enrollees. The bill would require the commission to improve the CARE application process using the existing ULTS application process as a model.

The bill would require weatherization programs to use the needs assessment conducted by the Low-Income Oversight Board to maximize efficiency of delivery.

(2) Existing law requires each local publicly owned electric utility that has not implemented programs for low-income electricity customers or completed an assessment of need for those programs on or before December 31, 2000, to perform a needs assessment, as prescribed, and determine the amount of total funds collected to be allocated to low-income programs.

This bill would require a local publicly owned electric utility to consider increasing the level of discounts or raising the eligibility level of existing rate assistance programs to be reflective of customer need, to streamline enrollment for low-income programs, and to establish participation goals for rate assistance programs.

(3) A violation of the Public Utilities Act is a crime. This bill would change the definition of that crime by adding new requirements for electric utilities, thereby imposing a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 12 (SB 17) Brulte. Income and bank and corporation tax credits: solar energy systems.

The Personal Income Tax Law and the Bank and Corporation Tax Law authorize various credits against the taxes imposed by those laws.

This bill would, under both laws, allow until January 1, 2006, a credit in an amount equal to the lesser of (a) either 15% or 7¹/₂% of the net cost paid or incurred by a taxpayer during the taxable year for the purchase and installation on property in this state of a solar energy system for the production of electricity, or (b) the applicable dollar amount per rated watt of generating capacity of that same system, as provided.

This bill would take effect immediately as a tax levy.

Ch. 13 (AB 69) Bogh. Public health emergency conditions.

Existing law authorizes the Governor to take various actions in accordance with the State Emergency Plan and programs for the mitigation of the effects of an emergency in the state.

Existing law provides for the Office of Statewide Health Planning and Development, which is charged with enforcement of various provisions of law relating to health facilities, including long-term health care facilities.

This bill would authorize the Governor, by executive order, or the Director of the Office of Statewide Health Planning and Development, to suspend the enforcement of laws and regulations related to the construction or renovation of existing long-term health care facilities when an extraordinary situation exists within the state relating to an inadequate supply of energy that has a strong potential for causing harm to residents of long-term health care facilities.

This bill would require the Office of Statewide Health Planning and Development, in consultation with the office of the State Fire Marshal, to establish specific exemptions of laws and regulations that may be included in an executive order issued pursuant to the bill.

These provisions would remain in effect only until January 1, 2003. This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 14 (AB 21) Canciamilla. Public utilities: eminent domain: certificate of public convenience and necessity.

Existing law requires a public utility that offers competitive services and that wants to exercise its power of eminent domain to condemn any property for the purpose of competing with another entity in the offering of those competitive services, to first obtain from the Public Utilities Commission a finding that the action would serve the public interest. Existing law requires the commission, before making that finding, to conduct a hearing in the local jurisdiction that would be affected by the proposed condemnation, and authorizes the commission to make the finding if the commission makes a specified determination.

This bill would require the commission, at the request of a public utility gas corporation, to hold a local hearing as part of the procedure to issue a certificate of public convenience and necessity. The bill would provide to the commission, if the commission holds public hearings during the certification procedure for the purpose of making the determination described above, an additional 45 days beyond the date of any otherwise applicable statutory or regulatory deadline for making a determination.

Ch. 15 (AB 26) Calderon. Electrical energy: State Energy Resources Conservation and Development Commission: energy loans: electrical corporations: tariffs.

(1) The existing State Assistance Fund for Enterprise Act of 1989 establishes the State Assistance Fund for Energy, California Business and Industrial Development Corporation. Under the act, the corporation, until July 1, 2001, is authorized to make energy efficiency improvement loans to small businesses for a fixed rate of interest for a term not exceeding 5 years.

This bill would extend the operative date of the act until July 1, 2011.

(2) Under existing law, a school, hospital, public care institution, or a unit of local government may submit an application to the State Energy Resources Conservation and Development Commission for an allocation for the purposes of financing projects such as energy audits, energy conservation and operating procedures, energy conservation measures, energy conservation projects, and technical assistance programs. Existing law requires each eligible institution to which an allocation has been made to repay the principal amount of the allocation, plus interest, as specified. Under existing law, the commission, except as specified, must periodically set interest rates on the loans based on surveys of existing financial markets and at rates not lower than the Pooled Money Investment Account.

This bill would instead require the interest rates to be not less than 3% per annum.

(3) Existing law requires the commission to provide loans to local jurisdictions for purposes that include purchase, maintenance, and evaluation of both energy efficient equipment for existing and new facilities and small power production systems, and to improve the operating efficiency of existing local transportation systems. Existing law requires the commission, except as specified, to periodically set interest rates on the loans based on surveys of existing financial markets and at rates not lower than the Pooled Money Investment Account.

This bill would instead require the interest rates to be not less than 3% per annum.

(4) Existing law requires the Public Utilities Commission to require each electrical corporation to establish new tariffs on or before January 1, 2003, for customers using distributed energy resources.

This bill would require the commission, in establishing those tariffs, to consider coincident peakload, and the reliability of the onsite generation, as determined by the frequency and duration of outages, so that customers with more reliable onsite generation and those that reduce peak demand pay a lower cost-based rate.

(5) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 16 (AB 28) Migden. Electrical restructuring: Oversight Board: Independent Operator.

(1) The existing restructuring of the electrical services industry within the Public Utilities Act provides for the establishment of an Independent System Operator and a Power Exchange as separately incorporated public benefit nonprofit corporations. An Electricity Oversight Board (Oversight Board) is also established to oversee the Independent System Operator and the Power Exchange in order to ensure the success of electric industry restructuring and to ensure a reliable supply of electricity in the transition to a new market structure. The Oversight Board is granted various powers in order to carry out these purposes.

This bill would authorize the Oversight Board to investigate any matter related to the wholesale market for electricity to ensure that the interests of California's citizens and consumers are served, protected, and represented in relation to the availability of electric transmission and generation, and related costs, during periods of peak demand. The bill would delete a provision relating to the authority of the Oversight Board to exercise the exclusive right to decline to confirm the appointments of the governing board of the Independent System Operator.

The bill, until January 1, 2003, or the occurrence of a specified event, whichever is earlier, would authorize the Oversight Board to direct the inspection or reproduction of records of the Independent System Operator or the Power Exchange. The bill would authorize the Oversight Board to direct the Independent System Operator to report to the Oversight Board, as specified. The bill would enact confidentiality requirements and procedures applicable to information provided in this regard. The bill would require the Public Utilities Commission to treat specified information received from the Oversight Board in accordance with a prescribed confidentiality provision, the violation of which provision would make certain commission officers or employees guilty of a misdemeanor. By creating a new crime, the bill would impose a state-mandated local program.

The bill, until January 1, 2003, or the occurrence of a specified event, whichever is earlier, would require that electric generation and transmission facilities be subject to various standards related to their availability. The bill would require the Oversight Board, in consultation with the commission and the Independent System Operator, to prepare and adopt protocols for the scheduling of transmission and generation equipment outages for the purpose of maintenance, repair, or upgrade and to prepare and adopt a schedule of outages in accordance with those protocols. The bill would require the Oversight Board to direct the Independent System Operator to develop and submit to the Oversight Board and the commission proposed generation facility maintenance, operating, and availability standards for generator units with a certain capacity. The bill would authorize the commission to adopt those standards and ensure compliance with those standards. The bill would require entities that own or operate certain electric generating units to provide reports on a monthly basis to the Independent System Operator that identify any periods the units were unavailable to produce electricity or were available at reduced capacity. The bill would require the Independent System Operator to transmit that information to the Oversight Board and the commission.

The bill would also impose certain requirements on electrical corporations having contracts with certain qualifying facilities or cogeneration facilities. The bill would require a report of the operational status and availability of the facility to be provided to the Oversight Board and the commission on a daily basis. The bill would provide for the assessment of penalties by the commission for violations of these provisions. Because a violation of the Public Utilities Act is a crime under existing provisions of law, the bill would create a state-mandated local program by expanding the definition of a crime.

The bill, until January 1, 2003, or the occurrence of a specified event, whichever is earlier, would impose various duties on local publicly owned electric utilities and certain other local public entities relative to maintenance of certain generation and transmission facilities, and reporting of actual planned and nonplanned outages of facilities, thereby imposing a state-mandated local program.

The bill would require the Oversight Board to report to the Legislature in writing on a quarterly basis on its progress in implementing the provisions of this bill.

The bill would provide that its provisions shall become operative only if SB 39 of the Second Extraordinary Session of 2001–02 is enacted and becomes effective.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Ch. 17 (AB 48) Wright. Energy conservation.

(1) Existing law requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, lighting, an insulation climate control system, and other building design and construction standards that increase the efficiency in the use of energy for new residential and new nonresidential buildings and to provide an energy conservation manual that includes a prescriptive method of complying with the standards.

This bill would enact the Solar Training, Education, and Certification Act of 2001. The bill would authorize cities, counties, and cities and counties to implement a program that implements applicable building standards requiring the use of solar water heating or photovoltaic systems in construction projects.

(2) Existing law requires the State Energy Resources and Conservation Commission to develop a grant program to offset a portion of the cost of an eligible solar energy system, as defined. Existing law requires that eligible solar energy systems for electricity generation be listed by a certified testing agency.

This bill would require that, in the absence of certification, major components of eligible solar energy systems for electricity generation comply with specifications adopted by the commission.

(3) Existing law establishes in state government the Employment Development Department, and specifies its powers and duties.

This bill would require the department to administer a solar training program, as specified, and to coordinate with the Division of Apprenticeship Standards and the State Contractors' License Board to ensure that solar energy product and service providers in California possess and maintain the necessary skills, training, and certification.

Ch. 18 (AB 57) Wiggins. Municipal utility districts : public agencies.

(1) Existing law authorizes any public agency together with unincorporated territory, or 2 or more public agencies, with or without unincorporated territory, to organize and incorporate as a municipal utility district by filing a resolution or petition. Existing law requires the board of supervisors to whom the resolution or petition is presented to call an election within the proposed district and to canvass the returns of each public agency and each parcel of unincorporated territory. The board of supervisors is required to order and declare the district created and established of the public agencies and territory in which a majority of those who voted did so in favor of the creation of the district if the total number of voters in the approving public agencies and territory is not less than $\frac{2}{3}$ the number of voters within the district as first proposed, according to the register used at the election.

This bill would recast and reorganize these provisions. The bill would require that the number of registered voters in the approving public agencies and territory be not less than $\frac{2}{3}$ the number of registered voters within the district as proposed to the voters, in order to declare the district created where a majority of those who voted did so in favor of the district. The bill would provide that those public agencies and parcels of unincorporated territory in which a majority of those persons voting did not vote in favor of the creation of the district shall be excluded from the district.

(2) This bill would incorporate changes to Section 11652 of the Public Utilities Code, proposed by SB 23 2X, to be operative, as specified, only if SB 23 2X and this bill are both chaptered and become effective, and this bill is chaptered last.

**DIGESTS OF RESOLUTIONS AND PROPOSED
CONSTITUTIONAL AMENDMENTS
ADOPTED IN 2001**

2001–02 REGULAR SESSION

RESOLUTION CHAPTERS

Res. Ch. 1 (ACR 11) Washington. Dr. Martin Luther King, Jr. Day.

This measure would designate that January 15, 2001, be observed as the official memorial of the late Rev. Dr. Martin Luther King, Jr.'s birth, commemorate Dr. Martin Luther King, Jr. Day, the work of Dr. Martin Luther King, Jr., and the Civil Rights Movement in changing public policy in California and in the United States of America.

Res. Ch. 2 (ACR 13) Washington. Emergency services: State Capitol building tragedy.

This measure would commend officers and employees of specified government agencies and departments for their services in response to the tragedy and fire at the State Capitol on Tuesday, January 16, 2001.

Res. Ch. 3 (ACR 14) Migden. Girls and Women in Sports Day.

This measure would recognize female athletes, coaches, officials, and sports administrators for their important contribution in promoting the value of sports in the achievement of full human potential and would proclaim February 7, 2001, as California Girls and Women in Sports Day.

Res. Ch. 4 (ACR 15) Wright. Black History Month.

This measure would recognize February 2001 as Black History Month, urge all citizens to join in celebrating the accomplishments of African-Americans during Black History Month, and encourage the people of California to recognize the many talents, achievements, and contributions that African-Americans make to their communities.

Res. Ch. 5 (SCR 11) Morrow. Library Lovers Month.

This measure would proclaim the month of February 2001 as Library Lovers Month, and urge all Californians to visit a library and thank a librarian for services provided by libraries and librarians.

Res. Ch. 6 (ACR 17) Nakano. Day of Remembrance.

This measure would declare February 19, 2001, as a Day of Remembrance in order to increase public awareness of the events surrounding the internment of Americans of Japanese ancestry during World War II.

Res. Ch. 7 (SCR 2) Alpert. College Awareness Month.

This measure would proclaim February 2001 to be "College Awareness Month." This measure would urge California residents to encourage elementary and secondary school pupils to succeed in their academic endeavors so they may earn a college education and contribute to the economic, social, and political future of California.

Res. Ch. 8 (SCR 7) Johannessen. POW Recognition Day.

This measure would designate April 9, 2001, as POW Recognition Day in California.

Res. Ch. 9 (ACR 24) Strom-Martin. Read Across America.

This measure would proclaim March 2, 2001, as Read Across California Day, endorse the Read Across America campaign, and would commend the National Education Foundation and the California Teachers Association for their efforts on behalf of the Read Across America campaign.

Res. Ch. 10 (ACR 33) Hertzberg. Japan Peace Treaty Day.

This measure would proclaim September 8, 2001, as Japan Peace Treaty Day and would urge all Californians to observe this day of remembrance for the actions taken in San Francisco on September 8, 1951.

NOTE: Superior numbers appear as a separate section at the end of the digests.

Res. Ch. 11 (ACR 16) Strom-Martin. Spay Day USA 2001.

This measure would declare February 27, 2001, to be Spay Day USA 2001, and would request that Californians observe that day by having their dogs or cats spayed or neutered or by contributing to organizations that provide spay or neuter services.

Res. Ch. 12 (SCR 3) Burton. Friendship state relationship: Punjab State, India.

This measure would, on behalf of the people of California, extend an invitation to the people of Punjab State, India, to join with California in a friendship state relationship in order to encourage and facilitate mutually beneficial social, economic, educational, and cultural exchanges and to lead to a more indelible and lasting relationship between Californians and the people of Punjab State, India.

Res. Ch. 13 (SCR 4) Burton. Sister state relationship: Gujarat State, India.

This measure would, on behalf of the people of California, extend an invitation to the people of Gujarat State, India, to join with California in a sister state relationship in order to encourage and facilitate mutually beneficial social, economic, educational, and cultural exchanges that would lead to an indelible and lasting relationship between the residents of California and Gujarat State, India.

Res. Ch. 14 (SCR 8) Murray. Arts Education Month.

This measure would proclaim March 2001 to be "Arts Education Month."

Res. Ch. 15 (SCR 5) Torlakson. California Fitness Month.

This measure would proclaim the month of April 2001 as California Fitness Month, and would encourage all Californians to enrich their lives through proper diet and exercise.

Res. Ch. 16 (SCR 6) Chesbro. Physical education.

This measure would proclaim May 1 to May 7, 2001, as Physical Education and Sports Week and May as Physical Fitness and Sports Month in this state.

Res. Ch. 17 (SCR 16) Chesbro. California Adult Education Week.

This measure would proclaim the week of March 26, 2001, to April 1, 2001, as California Adult Education Week.

Res. Ch. 18 (SJR 6) Dunn. Multifamily rental housing.

This measure would memorialize the President of the United States and the Congress to review the tax structure within the Internal Revenue Code, including depreciation schedules and passive loss provisions that favored investment in multifamily rental housing, as they existed prior to the Tax Reform Act of 1986, and to enact new tax benefits that complement the federal Low-Income Housing Tax Credit Program and provide additional incentives to invest in multifamily rental housing, so that the significant shortage of affordable multifamily housing both in California and throughout the United States may be addressed through increased investment.

Res. Ch. 19 (SJR 10) Poochigian. Special education: federal funding.

This measure would memorialize the President and Congress of the United States to provide the full federal share of funding for special education programs to the states so that this state and other states will not be required to take funding from other vital state and local programs to fund this underfunded federal mandate.

Res. Ch. 20 (ACR 19) Wayne. Colorectal Cancer Awareness Month.

This measure would designate the month of March 2001 as "Colorectal Cancer Awareness Month" in California.

Res. Ch. 21 (SCR 20) Alpert. State Employee Mentor Awareness and Recruitment Day.

Existing law known as the California Academic Volunteer and Mentor Service Act of 1992 creates the Academic Volunteer and Mentor Service Program, administered by the office of the Governor and local school jurisdictions, in order to provide academic support and guidance to each child who requires it. Existing law also provides for the participation of volunteer mentors within certain substance abuse treatment programs.

This measure would designate April 3, 2001, as State Employee Mentor Awareness and Recruitment Day with the purpose of focusing positive attention on state employee mentors and encouraging others to mentor a young person.

Res. Ch. 22 (ACR 8) Havice. Crime Victims' Rights Week.

This measure would recognize the week of April 23 through 27, 2001, as Crime Victims' Rights Week in California.

Res. Ch. 23 (ACR 34) Corbett. California Earthquake Preparedness Month.

This measure would declare the month of April to be California Earthquake Preparedness Month and urge all Californians and government agencies to engage in education, evaluation of seismic hazards, mitigation, safety activities, and the exchange of information related to earthquake preparedness with other states and nations during that month.

Res. Ch. 24 (ACR 39) Mountjoy. Work Zone Safety Awareness Week.

This measure would proclaim the week of April 9 to April 12, 2001, as Work Zone Safety Awareness Week in California.

Res. Ch. 25 (ACR 31) Strom-Martin. Women's history.

This measure would urge all Californians to celebrate Women's History Month and join in the commemoration of International Women's Day on March 8, 2001. This measure would also urge all California public school districts to add an accurate and inclusive women's history component into approved curriculum and provide the corresponding educational materials for pupils in grades 1 to 12, inclusive. This measure would further urge the State Board of Education to ensure that the state curriculum framework includes accurate and inclusive instruction on the accomplishments and contributions of women throughout history and ensure that state criteria for selecting textbooks include information to guide the selection of textbooks that emphasize the accomplishments and contributions of women throughout history.

Res. Ch. 26 (ACR 40) Leach. Mathematics Education Awareness Month.

This measure would proclaim April as Mathematics Education Awareness Month and would encourage Californians to work together to ensure that the mathematics curricula of local schools are adequately preparing children for the challenges of tomorrow.

Res. Ch. 27 (ACR 12) Cardoza. Child abuse and neglect.

This measure would designate 2001 as the Year of Heightened Concern for Special Children.

Res. Ch. 28 (ACR 41) Strom-Martin. California Earth Day.

This measure would declare April 22, 2001, as "California Earth Day," would reaffirm the Legislature's commitment to the fundamental principles of environmental laws, and would encourage the state's residents to promote the goals of Earth Day 2001.

Res. Ch. 29 (SCR 9) Morrow. Vicente "Vince" Andrade Memorial Bridge.

This measure would designate the Twin Oaks Valley Road Bridge on State Highway Route 78 in the City of San Marcos, San Diego County, as the Vicente "Vince" Andrade Memorial

Bridge in honor and recognition of Vicente “Vince” Andrade. The measure also would request the Department of Transportation to determine the cost for appropriate plaques and markers showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those plaques and markers.

Res. Ch. 30 (SCR 27) Speier. California Nonprofits and Philanthropy Week.

This measure would proclaim April 22–28, 2001 as California Nonprofits and Philanthropy Week in California, to recognize the importance and value of nonprofit and philanthropic organizations.

Res. Ch. 31 (SJR 5) Poochigian. Armenian Genocide: Day of Remembrance.

This measure would designate April 24, 2001, as “California Day of Remembrance for the Armenian Genocide of 1915–1923.” It would memorialize the Congress of the United States to likewise act to commemorate the Armenian Genocide.

Res. Ch. 32 (ACR 7) Havice. California Peace Officers’ Memorial Day.

This measure would honor California peace officers and commemorate Friday, May 4, 2001, as California Peace Officers’ Memorial Day.

Res. Ch. 33 (ACR 9) Havice. Law Enforcement Appreciation Week.

This measure would proclaim May 13 through May 19, 2001, as Law Enforcement Appreciation Week in California and would encourage all Californians to join in this observance to commend our law enforcement officers for their professionalism and commitment to the citizens of California.

Res. Ch. 34 (ACR 36) Cox. Meningococcal disease awareness.

This measure would designate April 2001 as Meningitis Awareness Month.

Res. Ch. 35 (ACR 45) Hertzberg. Community College Month.

This measure would recognize April 2001 as California Community College Month.

Res. Ch. 36 (ACR 57) Koretz. California Holocaust Memorial Week.

This measure would designate the week of April 15 through April 22, 2001, as California Holocaust Memorial Week, and would urge Californians to observe these days of remembrance for the victims of the Holocaust in an appropriate manner.

Res. Ch. 37 (ACR 35) Thomson. Skin cancer and melanoma awareness.

This measure would declare that the month of May shall be recognized as Skin Cancer Awareness Month in California, and would encourage all Californians to make themselves and their families aware of the risk of skin cancer and the preventive measures. The measure would also proclaim May 7, 2001, as Melanoma Awareness Monday in California, to increase public awareness of the importance of routine complete skin examination to detect early melanoma.

Res. Ch. 38 (ACR 52) Correa. California Professional Beauty and Barbering Industry Week.

This measure would declare the week of April 22 to April 28, 2001, as the “California Professional Beauty and Barbering Industry Week.”

Res. Ch. 39 (ACR 60) Daucher. Keep California Beautiful Month.

This measure would designate April 2001 as “Keep California Beautiful Month.”

Res. Ch. 40 (SCR 24) Speier. Organ and Tissue Donor Awareness Week.

This bill would proclaim the week of April 15 to 21, 2001, as Organ and Tissue Donor Awareness Week, and would encourage all Californians to learn the facts about organ and

tissue donation, make a decision about becoming a donor, and discuss their decision with family members.

Res. Ch. 41 (ACR 21) Firebaugh. University of California regents.

This measure would request the Regents of the University of California to repeal SP-1, a policy approved by the regents in 1995, by the end of the 2000–01 academic year.

Res. Ch. 42 (ACR 64) Zettel. Charter schools.

This measure would proclaim April 30 through May 4, 2001, as California Charter Schools Week.

Res. Ch. 43 (ACR 69) Strom-Martin. Day of the Teacher.

This measure would proclaim May 9, 2001, to be Day of the Teacher and would urge Californians to observe that day.

Res. Ch. 44 (SCR 31) Burton. 9-1-1 for Kids Week.

This measure would designate the Week of May 14 through May 18, 2001, as “9-1-1 for Kids Week” in the State of California.

Res. Ch. 45 (ACR 67) Nakano. Small Business Week.

This measure would request the Governor to proclaim the week of May 6, 2001, through May 12, 2001, as California Small Business Week, in conjunction with National Small Business Week.

Res. Ch. 46 (ACR 56) Steinberg. Foster care.

This measure would acknowledge the month of May 2001, as Foster Care Awareness Month and urge all citizens to give recognition and appreciation to foster parents.

Res. Ch. 47 (ACR 27) Dickerson. India earthquake.

This measure would express the sympathy of the Legislature for those who died and those who lost loved ones in the earthquake that hit India on January 26, 2001. It also would express the hope that the world never forgets this tragedy and acknowledge the efforts of the India Earthquake Relief Fund.

Res. Ch. 48 (ACR 51) Negrete McLeod. Parents Anonymous, Inc.

This measure would commend Parents Anonymous, Inc., for its commitment to strengthening families, preventing child abuse, child neglect, and juvenile delinquency for more than 30 years in California and other states.

Res. Ch. 49 (SCR 19) Johannessen. California marine transportation system.

This measure would proclaim the month of May as California Marine Transportation System Month, and would declare the intent of the Legislature to promote the funding and programs necessary to the advancement of the California marine transportation system.

Res. Ch. 50 (ACR 44) Havice. Gold Star Mothers Week.

This measure would designate the last Monday in May, and the week following, as Gold Star Mothers Week in honor of the heroic sacrifices of our fallen men and women and of the sacrifices made by their loving parents.

Res. Ch. 51 (SCR 26) Polanco. Cesar Chavez Day.

This measure would recognize March 31 as the anniversary of the birth of Cesar Chavez and call upon all Californians to participate in appropriate observances to remember Cesar Chavez as a symbol of hope and justice to all citizens.

Res. Ch. 52 (SCR 28) Alarcon. California Museum Month.

This measure would recognize the important role that museums have in the State of California and would proclaim May 2001 as California Museum Month.

Res. Ch. 53 (ACR 26) Dickerson. Mosquito and Vector Control Awareness Week.

This measure would declare May 21 through 28, 2001, Mosquito and Vector Control Awareness Week.

Res. Ch. 54 (ACR 46) Florez. The Kern County Korean War Veterans Memorial Highway.

This measure would designate a specified portion of State Highway Route 99 as the Kern County Korean War Veterans Memorial Highway. The measure would request the Department of Transportation to determine the cost of appropriate plaques designating that portion of State Highway Route 99 and, upon receiving donations from nonstate sources covering that cost, to erect those plaques.

Res. Ch. 55 (ACR 58) Nakano. Asian and Pacific Islander American Heritage Month.

This measure would commend Asian and Pacific Islander Americans for their accomplishments and service to the state, and would recognize May 2001 as Asian and Pacific Islander American Heritage Month.

Res. Ch. 56 (ACR 63) Pavley. State parks.

This measure would declare May 2001 to be State Parks Month.

Res. Ch. 57 (ACR 6) Havice. Sober Graduation Month.

This measure would designate May 31, 2001, to June 30, 2001, inclusive, as Sober Graduation Month and would request Californians to join the Department of the California Highway Patrol in supporting the Sober Graduation Program.

Res. Ch. 58 (ACR 25) Kelley. Sonny Bono Memorial Freeway.

This measure would designate the Coachella Valley portion of Interstate 10 from a point just west of the State Highway 111 cutoff in the Palm Springs area to a point at the bottom of the grade east of the City of Coachella as the Sonny Bono Memorial Freeway in honor and recognition of Sonny Bono. The measure also would request the Department of Transportation to determine the cost for appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

Res. Ch. 59 (ACR 28) Briggs. The Peter Hillman Memorial Interchange.

This measure would designate the Bullard Avenue Interchange on State Highway Route 168 in the City of Clovis as the Peter Hillman Memorial Interchange in honor and recognition of Deputy United States Marshal Peter Hillman. The measure also would request the Department of Transportation to determine the cost for appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

Res. Ch. 60 (ACR 47) Florez. George Alan Ingalls Memorial Highway.

This measure would designate a specified portion of State Highway Route 198 in the City of Hanford as the George Alan Ingalls Memorial Highway. The measure would request the Department of Transportation to determine the cost of appropriate plaques and markers so designating that portion of State Highway Route 198 and, upon receiving donations from nonstate sources covering that cost, to erect appropriate plaques and markers.

Res. Ch. 61 (ACR 4) Pescetti. Stanley L. Van Vleck Memorial Highway.

This measure would designate a specified portion of State Highway Route 16 as the Stanley L. Van Vleck Memorial Highway. The measure would request the Department of

Transportation to determine the cost of appropriate plaques and markers so designating that portion of State Highway Route 16 and, upon receiving donations from nonstate sources covering that cost, to erect appropriate plaques and markers.

Res. Ch. 62 (ACR 43) Havice. Merchant Marine Remembrance Week.

This measure would designate June 11 to June 17, 2001, as Merchant Marine Remembrance Week and would encourage all Californians to join in this observance.

Res. Ch. 63 (ACR 70) Zettel. Elder Abuse Prevention Month.

This measure would designate May 2001, as Elder Abuse Prevention Month.

Res. Ch. 64 (ACR 78) Mountjoy. National Flag Day.

This measure would designate June 14, 2001, as Flag Day of the State of California and would urge all citizens of California to pause at 4 p.m. on that day for the 22nd annual national Pause for the Pledge of Allegiance and join all Americans in reciting the Pledge of Allegiance to the Flag of the United States of America.

Res. Ch. 65 (SCR 22) Battin. Child abuse and neglect.

This measure would acknowledge the month of April, 2001, as Child Abuse Prevention Month and encourage members of the public to support child abuse prevention activities in their communities and schools.

Res. Ch. 66 (AJR 3) Leonard. Retirement benefits: teachers.

This measure would request the President and the Congress of the United States to enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act.

Res. Ch. 67 (AJR 5) Strom-Martin. United States Coast Guard.

This measure would urge the President and Congress of the United States to fully fund the Coast Guard's operation readiness and recapitalization requirements.

Res. Ch. 68 (ACR 53) Leach. Public education: business community involvement: school-business partnerships.

This measure would request the business community, administrators, teachers, and instructors of elementary and secondary schools and community colleges to cooperate in the development and expansion of school-business partnerships and would request the State Department of Education to disseminate copies of this measure to various agencies and organizations interested in fostering cooperation between elementary and secondary schools, community colleges, and the business community.

Res. Ch. 69 (ACR 85) Reyes. Bone Marrow Registration and Testing Day.

This measure would designate Saturday June 23, 2001, as Bone Marrow Registration and Testing Day and would urge all Californians to register with the National Bone Marrow Donor Registry Program to increase the number of potential bone marrow matches for persons in need of a bone marrow transplant.

Res. Ch. 70 (ACR 23) Maddox. Vietnam: religious freedom.

This measure would express the support of the Legislature for religious freedom for the people of Vietnam.

Res. Ch. 71 (SCR 25) Soto. Alameda Corridor East Project.

This measure would commend the work of the San Bernardino Associated Governments for facilitating the Alameda Corridor East Project.

Res. Ch. 72 (ACR 22) Frommer. Model Curriculum on Human Rights and Genocide.

This measure would commend the State Board of Education and the State Department of Education for its swift and prompt action in developing and making available for distribution the model curriculum on human rights and genocide. The measure would recommend that the department notify school districts of the availability of the curriculum and convene workshops and training seminars on the curriculum.

Res. Ch. 73 (ACR 68) John Campbell. Cure Children's Cancer Week.

This measure would declare July 9 to July 15, 2001, to be Cure Children's Cancer Week.

Res. Ch. 74 (ACR 71) Aroner. Lake and Reservoir Appreciation Week.

This measure would, annually commencing July 2001, declare the first week of July that includes both a weekend and July 4th as Lake and Reservoir Appreciation Week.

Res. Ch. 75 (ACR 76) Corbett. California Safety Month.

This measure would recognize June 2001 as California Safety Month and would encourage all Californians to practice and promote increased safety while engaging in recreation, work, and other activities in their homes, in the workplace, at school, on streets and highways, and in other public and private places. It would further encourage all public agencies, community organizations, and other groups to distribute educational information, conduct programs, and engage in other appropriate activities to promote safety methods and practices among all Californians.

Res. Ch. 76 (AJR 4) Leslie. Biomass power facilities.

This measure would memorialize the United States Forest Service, the Congress, and the President of the United States to promote a reliable and adequate biomass waste fuel supply. The measure would memorialize the United States Forest Service, Bureau of Land Management, National Park Service, and Environmental Protection Agency to recognize environmental benefits including improved air quality, decreased global-warming gases, and reduced threat of catastrophic forest fires that energy production from biomass waste can provide, and to encourage the continued operation of the existing biomass-to-energy industry by taking the reasonable measures necessary, including tax incentives, to increase the availability and reduce the cost of biomass wastes diverted to powerplants for use as renewable energy or fuels. The measure would also memorialize the United States Forest Service to utilize an appropriate mix of fire suppression activities and forest management methodologies on lands in the Sierra Nevada national forests of California.

Res. Ch. 77 (AJR 16) Robert Pacheco. The Declaration of Independence.

This measure would recognize July 4, 2001, as the 225th anniversary of the Declaration of Independence and the founding of the United States. It would memorialize the peoples and governments of the United States to continue their efforts to realize the fundamental principles pronounced in that document, and the United States to work to further international respect and observance of the inherent rights of individuals throughout the world.

Res. Ch. 78 (SCR 13) Morrow. California Law Revision Commission: studies.

Under existing law, the California Law Revision Commission is required to study, and is limited to studying, those topics approved for its study by concurrent resolution of the Legislature.

This measure would grant approval to the commission to continue its study of designated topics that the Legislature previously authorized or directed the commission to study. The measure would also delete one topic that the Legislature previously approved for study by the commission and would authorize the study of one new topic.

Res. Ch. 79 (SCR 14) Oller. National Purple Heart Trail.

This measure would designate the portions of Interstate Highway Route 5 and Interstate Highway Route 80 within California as California's selections for inclusion in the National Purple Heart Trail.

The bill would request the Department of Transportation to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing the special designation, and upon receiving donations from nonstate sources sufficient to cover that cost, to erect those plaques and markers.

Res. Ch. 80 (SCR 18) Chesbro. Earle W. Wrieden Memorial Highway.

This measure would designate the portion of State Highway Route 29 in Lake County that is between the Napa county line and State Highway Route 175 as the Earle W. Wrieden Memorial Highway.

The measure would also request the Department of Transportation to determine the cost of appropriate plaques and markers showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect appropriate plaques and markers.

Res. Ch. 81 (SCR 36) Burton. Stanley Mosk Library and Courts Building.

This measure would rename the State Library and Courts Building as the Stanley Mosk Library and Courts Building.

Res. Ch. 82 (AJR 1) Havice. Americans with Disabilities Act.

This measure would memorialize the President and the Congress to (1) stand firm in their resolve to uphold the current provisions of the Americans with Disabilities Act (ADA), (2) affirm the intent and substance of the ADA by enacting new legislation that would nullify the effect of any court decision that weakens the act, (3) take appropriate measures to encourage both public and private entities to implement the provisions of the ADA, and (4) establish whether the ADA has been applied in the manner in which it was intended, and whether any unintended consequences have resulted.

Res. Ch. 83 (SCR 10) Polanco. Mexican Independence Day: Dies y Seis de Septiembre.

This measure would call on all the people of California to join the people of Mexico and all Californians of Mexican heritage in celebrating Mexican Independence Day on the anniversary of the popular revolt of September 16, 1810, that launched Mexico's war for independence.

Res. Ch. 84 (SCR 17) Costa. Department of Transportation: State Highway Route 99.

This measure would request the Department of Transportation to identify those transportation-related needs on State Highway Route 99 between Bakersfield and Sacramento that would result in traffic congestion relief and the increased transportation of goods. The measure would urge the department to prepare a report to be submitted to the Legislature on its findings.

Res. Ch. 85 (SCR 21) Battin. California Hispanic Heritage Month.

This measure would proclaim September 15 to October 15, 2001, as California Hispanic Heritage Month, and would encourage all Californians to observe this event in communities throughout the state.

Res. Ch. 86 (SJR 1) Murray. Slavery.

This measure would memorialize Congress to enact legislation similar to House Concurrent Resolution 356, which, among other things, would acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and

the 13 American colonies, apologize to African-Americans on behalf of the people of the United States for the wrongs committed against their ancestors who suffered as slaves, and urge the establishment of a national museum and memorial regarding slavery as it relates to the history of the United States, and other significant African-American history. The measure would also memorialize Congress to enact legislation similar to House Resolution 40, which would establish the Commission to Study Reparation Proposals for African-Americans.

Res. Ch. 87 (ACA 4) Dutra. Transportation funding: sales and use tax revenues.

The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law requires revenues derived from those taxes to be deposited in the Retail Sales Tax Fund. Existing law requires the balance of that fund remaining after various specified allocations to be allocated to the General Fund.

This measure would, for the 2003–04 fiscal year and each fiscal year thereafter, require all moneys that are collected during the fiscal year under the Sales and Use Tax Law, with respect to the sale or use of motor vehicle fuel, and that are required to be transferred to the General Fund pursuant to that law, to instead be transferred to the Transportation Investment Fund. This measure would, for the 2003–04 to 2007–08 fiscal years, inclusive, require moneys in that fund to be allocated for transportation purposes as provided in a specified statute. This measure would, for the 2008–09 fiscal year and each fiscal year thereafter, require moneys in the fund to be allocated only for transportation purposes specified by this measure, and would specify the allowable percentage amount to be allocated for each specified transportation purpose.

This measure would allow the Legislature to suspend or modify these requirements under certain circumstances, if the act so providing is approved by $\frac{2}{3}$ of the entire membership of each house of the Legislature.

Res. Ch. 88 (AJR 13) Runner. Autism.

This measure would urge the President and Congress to fully support the Coalition for Autism Research and Education (C.A.R.E.) and the additional federal funding needed for advanced autism research.

Res. Ch. 89 (ACR 10) Havice. Red Ribbon Week.

This measure would proclaim October 22 through October 28, 2001, as Red Ribbon Week, and would encourage all Californians to help build drug-free communities.

Res. Ch. 90 (ACR 86) Nation. National KidsDay.

This measure would designate August 5, 2001, as National KidsDay.

Res. Ch. 91 (ACR 89) Ashburn. Valley Fever Awareness Month.

This measure would proclaim August 2001 as Valley Fever Awareness Month.

Res. Ch. 92 (SCR 12) Chesbro. Dave Ghilarducci and the Police Officer Daniel T. Fraembs Memorial Highways.

This measure would designate that portion of State Highway Route 101 from Bridge No. 4-16 to Bridge No. 4-221 to the memory of Dave Ghilarducci and that portion of State Highway Route 71 in the city limits of the City of Pomona to the memory of Police Officer Daniel T. Fraembs. The measure also would request the Department of Transportation to determine the cost for appropriate signs showing these special designations and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

Res. Ch. 93 (SJR 2) Polanco. Cesar Chavez: postage stamp.

This measure would respectfully request the United States Postmaster General to issue a postage stamp with the image of Cesar Chavez to recognize his contributions to American life.

Res. Ch. 94 (SJR 4) Soto. Public employees' retirement: Social Security.

This measure would memorialize the President and Congress of the United States to enact legislation to eliminate the government pension offset and the windfall elimination provision of the Social Security Act.

Res. Ch. 95 (SCR 23) Polanco. Year of the Vulnerable Child.

This measure would declare the year 2001 as the Year of the Vulnerable Child.

Res. Ch. 96 (SCR 30) Soto. Reflex Sympathetic Dystrophy (RSD) Syndrome Awareness Month.

This measure would proclaim May 2001 as Reflex Sympathetic Dystrophy (RSD) Syndrome Awareness Month.

Res. Ch. 97 (SJR 12) Polanco. Arctic National Wildlife Refuge.

This measure would memorialize the President of the United States and the United States Congress to take necessary action to protect the Arctic National Wildlife Refuge by prohibiting oil exploration and drilling in any part of that refuge.

Res. Ch. 98 (AJR 9) Runner. Space shuttle.

This measure would memorialize the President, the Congress of the United States, and NASA to ensure that a long-term commitment to keeping the Space Shuttle Modification Program at Plant 42 in Palmdale, California, is maintained, authorize additional space shuttle orbiters in light of the recent cancellation of the X-33 Program by NASA, require that the orbiters be built in California by California workers, and move proactively to land space shuttle orbiters at Plant 42 in Palmdale when those orbiters are due for scheduled refurbishment.

Res. Ch. 99 (ACR 20) Pavley. California Coastal Trail.

This measure would declare that the California Coastal Trail is an official state trail, and would urge the California Coastal Commission and the State Coastal Conservancy to work collaboratively on the completion of the trail.

Res. Ch. 100 (ACR 29) Bates. Orange County Korean War Veterans Memorial Highway.

This measure would designate that portion of State Highway Route 1 that extends from its southern terminus in the City of San Juan Capistrano to its intersection with Golden West Street in the City of Huntington Beach as the Orange County Korean War Veterans Memorial Highway. The measure also would request the Department of Transportation to determine the cost for appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

Res. Ch. 101 (ACR 59) Aanestad. 14 Mile House Historical Monument.

This measure would request the Department of Transportation to grant, without charge, an encroachment permit authorizing an appropriate historical monument and plaque dedicated to 14 Mile House to be placed within the right-of-way of State Highway Route 32, in Butte County, at a described site.

Res. Ch. 102 (SCR 32) Machado. 32nd Anniversary of the First Moon Landing.

This measure would direct the Legislature to look back and reflect with pride and profound gratitude upon the achievements of our nation's astronauts, engineers, and scientists, designate July 20, 2001, as the 32nd Anniversary of the First Moon Landing, and show

appreciation to those who have committed themselves to promoting space exploration and its benefits.

Res. Ch. 103 (SCR 33) Machado. Neighborhood Watch Month.

This bill would declare August 2001 Neighborhood Watch Month and would commend those California residents who have participated in Neighborhood Watch programs for their distinguished service to their communities by uniting their neighborhoods and law enforcement to keep their neighborhoods safe, and would encourage all Californians to join in this effective means of fighting crime in their neighborhoods.

Res. Ch. 104 (SCR 35) Perata. Children's Health Insurance Month.

This measure would proclaim September 2001 as Children's Health Insurance Month, and would encourage outreach to increase the enrollment of children in the Healthy Families Program and the Medi-Cal program.

Res. Ch. 105 (SJR 11) Machado. Vietnam Veterans Memorial Education Center.

This measure would memorialize the President and the Congress to take appropriate measures to facilitate the design and construction of the Vietnam Veterans Memorial Education Center.

Res. Ch. 106 (SJR 18) Alarcon. Railroad retirement benefits.

This measure would provide that the California Legislature urges the United States Congress to support legislation improving railroad retirement benefits for retirees and their survivors in the 107th Congress.

Res. Ch. 107 (SJR 19) Ackerman. Railroad grade crossings: quiet zones.

This measure would memorialize the Federal Railroad Administration to adopt, as soon as possible, regulations relating to the establishment of quiet zones at railroad grade crossings in accordance with a specified federal law and the Congress to approve legislation that provides funding to the states for the implementation of supplemental safety measures for the purposes of establishing those quiet zones.

Res. Ch. 108 (AJR 12) Firebaugh. Incarceration: undocumented alien felons.

This measure would request the federal government to transfer out of California's prison system and into the federal prison system, all undocumented alien felons currently housed in institutions under the authority of the Department of Corrections.

Res. Ch. 109 (SCR 34) Margett. Muslim holidays.

This measure would call on the people of California to join Californians of Muslim heritage in recognizing the Muslim holidays of Eid-al-Adha and Eid-al-Fiter, and the historically significant day of Israa.

Res. Ch. 110 (SCR 38) Johannessen. Francis B. Mathews Memorial Rest Area.

This measure would designate a specified roadside rest area on State Highway Route 299 in Trinity County, between the communities of Salyer and Hawkins Bar, as the Francis B. Mathews Memorial Rest Area.

This measure also would direct the Department of Transportation to determine the cost of appropriate plaques and markers, consistent with signing requirements for the state highway system, showing that special designation and, upon receiving donations from nonstate sources covering the cost, to erect these plaques and markers.

Res. Ch. 111 (SCR 40) Torlakson. California Task Force on Youth and Workplace Wellness.

This measure would establish the California Task Force on Youth and Workplace Wellness to perform specified duties to promote fitness and health in schools and workplaces. It would

NOTE: Superior numbers appear as a separate section at the end of the digests.

provide that the task force shall consist of Members of the Legislature and experts appointed by the Speaker of the Assembly and the Senate Committee on Rules. It would provide that members of the task force shall conduct task force business on a volunteer basis, would permit the task force to accept private funds and in-kind donations, would require the task force to submit a report on its work to the Legislature on or before June 30, 2004, and provide that the task force shall cease to exist on July 1, 2004, unless a later enacted resolution deletes or extends that date.

Res. Ch. 112 (SJR 3) Karnette. Reproductive rights: Roe v. Wade.

This measure would memorialize the President of the United States and the Congress to take necessary action to preserve the integrity of the United States Supreme Court decision in Roe v. Wade.

Res. Ch. 113 (SJR 8) Speier. Social security.

This measure would request the federal government to implement the principles regarding the social security system espoused by the Older Women's League in making changes to that system and express the opposition of the Legislature to privatizing the social security system.

Res. Ch. 114 (ACA 9) Longville. Right to have vote counted.

The California Constitution requires the Legislature to define residence and provide for registration and free elections.

This measure would specify that a voter who casts a vote in an election shall have that vote counted.

Res. Ch. 115 (AJR 15) Firebaugh. Border crossing deaths.

This measure would urge the President and Congress of the United States and the United States Border Patrol to proceed in a cooperative effort with the Mexican government through the working group on migrations and border safety to achieve a comprehensive examination of border safety and migration issues, an assessment of the impact of United States border initiatives, enhanced investigations and prosecutions of criminal gangs of smugglers, and increasing search and rescue operations along the border.

Res. Ch. 116 (AJR 17) Chavez. Extension of home loan programs.

This measure would respectfully urge the Congress of the United States to amend the Internal Revenue Code to change the definition of "qualified veteran" for purposes of providing financing for home loans to any veteran who meets the requirements as may be imposed by the state law pursuant to which qualified veterans' mortgage bonds are issued.

Res. Ch. 117 (AJR 18) Aroner. Child support automation systems.

This measure would memorialize the Congress of the United States to enact legislation to allow states that have been assessed penalties for failing to implement a child support automation system to reinvest those penalties in child support program improvements and automation system development.

Res. Ch. 118 (AJR 20) La Suer. Filipino veterans of the United States Armed Forces: full benefits.

This measure would memorialize the President and the Congress of the United States during the First Session of the 107th Congress to take action necessary to grant full veterans benefits to Filipino veterans of the United States Armed Forces.

Res. Ch. 119 (AJR 21) Runner. International Literacy Day.

This measure would memorialize the President, Vice President, and the Congress to fully support September 8, 2001, as International Literacy Day.

Res. Ch. 120 (ACR 32) Dutra. Transportation: funding.

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This measure would request the California Transportation Commission, working with the Department of Transportation in consultation with regional transportation planning agencies, to prepare and submit to the Legislature, as specified, a study of potential decreases in transportation revenues for transportation planning agencies. The study would identify specified transportation funding elements and suggest legislative and other remedies to address potential funding shortfalls.

Res. Ch. 121 (ACR 73) Strom-Martin. California State University.

This measure would urge the Trustees of the California State University to study its faculty hiring practices over the past decade in order to effectuate improvements in those practices. The measure would also urge the trustees, along with the Academic Senate of the California State University and the California Faculty Association, to jointly develop a plan to raise the percentage of tenured or tenure-track faculty to at least 75%, among other prescribed objectives, and would urge the California State University to provide a report to the Legislature by May 1, 2002.

Res. Ch. 122 (ACR 77) Cohn. Assisted living.

This measure would proclaim the week of September 9 through September 15, 2001, as Assisted Living Week in California and would encourage all citizens to visit friends and loved ones who reside in residential care facilities for elderly and disabled individuals, and also to learn more about assisted living services and how vital these services are to residents.

Res. Ch. 123 (ACR 80) Havice. School crossing guards.

This measure would designate the week of September 3, 2001, as "School Crossing Guards Week."

Res. Ch. 124 (ACR 87) Chavez. Military Families Recognition Week.

This measure would designate the week of November 18 through November 24, 2001, as Military Families Recognition Week.

Res. Ch. 125 (ACR 88) Chavez. Veterans of Foreign Wars Month.

This measure would proclaim the month of October 2001 as Veterans of Foreign Wars Month.

Res. Ch. 126 (ACR 92) Firebaugh. California Arts Council.

This measure would recognize and extend congratulations to the California Arts Council on its 25th anniversary and join in the commemoration of the council's "The Year of the Arts—2001" campaign. This measure also would declare October 10, 2001, as California Arts Day.

Res. Ch. 127 (ACR 93) Zettel. Donna P. Mauzy Memorial Freeway.

This measure would designate the portion of Interstate Highway 8 from State Highway 67 to Greenfield Drive in the City of El Cajon as the Donna P. Mauzy Memorial Freeway. The measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers showing that special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect those plaques and markers.

Res. Ch. 128 (ACR 95) Wiggins. Randy Bolt Memorial Highway.

This measure would redesignate a portion of State Route 37 as the Randy Bolt Memorial Highway in honor and recognition of Randy Bolt. The measure also would request the Department of Transportation to determine the cost for appropriate signs showing the special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

Res. Ch. 129 (ACR 96) Havice. Joe A. Gonsalves Memorial Interchange.

This measure would dedicate the interchange where State Highway Route 105 meets State Highway Route 605 to the memory of former Assembly Member Joe A. Gonsalves and would specify that this interchange be known as the "Joe A. Gonsalves Memorial Interchange." The measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers showing that special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect appropriate plaques and markers.

Res. Ch. 130 (ACR 97) Mountjoy. Constitution Week and Constitution Day.

This measure would declare the 3rd week in September as Constitution Week and September 17 as Constitution Day and would request the Governor to proclaim Constitution Week and Constitution Day.

Res. Ch. 131 (ACR 99) Thomson. Health Cares About Domestic Violence Day.

This measure would proclaim October 10, 2001, as Health Cares About Domestic Violence Day.

Res. Ch. 132 (ACR 100) Cogdill. Truck Driver Appreciation Week.

This measure would proclaim the week of August 25 through September 1, 2001, as Truck Driver Appreciation Week and would encourage businesses, schools, communities, churches, and other organizations to join in this observance by commending professional truck drivers for the vital role they play in the lives of Americans.

Res. Ch. 133 (ACR 103) Nakano. Prostate cancer.

This measure would declare September 2001 to be Prostate Cancer Awareness Month.

Res. Ch. 134 (ACR 104) Strom-Martin. California Retired Teachers Week.

This measure would declare October 14 to October 20, 2001, as California Retired Teachers Week.

Res. Ch. 135 (ACR 107) Hertzberg. Commemorative state seals.

This measure would authorize the continued existence of the Commemorative Seals Advisory Committee and require it to make recommendations to the Legislature regarding the design, construction, and dedication of 2 commemorative seals, one honoring Native Americans in California and the other honoring California's Spanish and Mexican heritage, for installation on the landing of the upper steps on the west side of the State Capitol on the level below the Great Seal of California. This measure would notify the actions of the committee to date and authorize existing members of the committee to continue serving.

Res. Ch. 136 (ACR 108) Pavley. Veterans Day, 2001.

This measure would designate Sunday, November 11, 2001, as California Veterans Day, 2001.

Res. Ch. 137 (ACR 109) Pavley. Coastal Cleanup Day.

This measure would proclaim September 15, 2001, as the 17th annual Coastal Cleanup Day in California.

Res. Ch. 138 (ACR 110) Wayne. Breast cancer.

This measure would designate the month of October as Breast Cancer Awareness Month and would designate October 19, 2001, as Breast Exam and Mammography Awareness Day.

Res. Ch. 139 (ACR 112) Bogh. Economic Literacy Week.

This measure would recognize the week of October 22 through October 26, 2001, as Economic Literacy Week in this state.

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Res. Ch. 140 (SCR 15) Soto. Public Employees' Retirement: minimum benefits.

This measure would encourage the establishment of an appropriate system to annually determine a minimum standard of pension adequacy for all retired members of the Public Employees' Retirement System, to identify funding resources for the sole purpose of annually adjusting retired members' pensions to ensure that those pensions are not less than that minimum standard, and to identify extraordinary earnings in excess of any prudent reserves of the Public Employees' Retirement Fund for the purpose of enhancing retired members' pensions.

Res. Ch. 141 (SCR 37) Polanco. Biotechnology.

This measure would request the County of Los Angeles to develop a plan for a biotechnology research park in conjunction with the University of Southern California, other local higher education institutions, and bioscience industries.

Res. Ch. 142 (SCR 39) Soto. Public employees' health benefits: panel study.

This measure would provide for the establishment of a special panel to study the funding of pharmacy benefits, copayments, and other benefit structures of the Public Employees' Medical and Hospital Care Act program. The measure would further require the Chair of the Senate Committee on Public Employment and Retirement to convene this panel no later than September 15, 2001, and would require the panel to make recommendations and submit to certain committees a preliminary report of its conclusions and recommendations by March 1, 2002, and a final report by June 1, 2002.

Res. Ch. 143 (SCR 41) Soto. State employee merit awards.

This measure would request that merit award payments, authorized by the Department of Personnel Administration, be made to specified individuals whose proposals have resulted in annual savings and net revenue gain to the state.

Res. Ch. 144 (SCR 42) Poochigian. 1700th Anniversary of acceptance of Christianity in Armenia.

This measure would acknowledge the significant contribution the Armenian Church has made to the fabric of life of all peoples of California, and would congratulate the Republic of Armenia on the occasion of the 1700th Anniversary of the acceptance of Christianity in Armenia.

Res. Ch. 145 (SCR 44) Costa. Ten Year Anniversary of the California Urban Water Conservation Council.

This measure would congratulate and commend the California Urban Water Conservation Council for its leadership and dedication over the past 10 years to promote and achieve greater efficiency of urban water use.

Res. Ch. 146 (SJR 20) Perata. Global warming.

This measure would memorialize the President of the United States to take proactive steps to curb greenhouse emissions and urge the President to sign the Kyoto Protocol to the United Nations Framework Convention on Climate Change.

Res. Ch. 147 (SJR 21) Polanco. Puerto Rico: political status.

This measure would memorialize the Congress and the President of the United States to enact legislation that would define the political status options available to the United States citizens of Puerto Rico and authorize a plebiscite to provide an opportunity for Puerto Ricans to make an informed decision regarding the island's future political status.

Res. Ch. 148 (SJR 26) Morrow. Terrorist attacks.

This measure would, relative to the terrorist attacks upon citizens of the United States on September 11, 2001, express the sympathy of the people of California to the people of New York, the District of Columbia, and other affected communities; affirm our offer of assistance; express unity behind the leadership of the President; memorialize the Congress to support the President; and memorialize sister states and other jurisdictions to join in support of the victims, their families, the President, and the Congress in moving through the tragedy.

Res. Ch. 149 (ACR 5) Nation. Sudden oak death.

This measure would urge state agencies that are involved with the response to sudden oak death to coordinate with federal agencies to seek funding to address prescribed problems caused by sudden oak death.

Res. Ch. 150 (ACR 98) Runner. 1915 Ridge Route Highway Historical Monument.

This measure would request the Department of Transportation to grant, without charge, an encroachment permit authorizing an appropriate historical monument and plaque to commemorate the 1915 Ridge Route Highway, to be placed within the rights-of-way of State Highway Route 126 and Interstate Highway 5, where those highways converge.

Res. Ch. 151 (ACR 105) Strom-Martin. 90th Anniversary of Women's Suffrage.

This measure would proclaim October 10, 2001, as the 90th Anniversary of Women's Suffrage in California.

Res. Ch. 152 (ACR 113) Bogh. California Department of Forestry and Fire Protection firefighters.

This measure would recognize and commend the bravery and selflessness of the firefighters of the California Department of Forestry and Fire Protection and express appreciation for their continued service and dedication to the citizens of California.

Res. Ch. 153 (ACR 115) John Campbell. Certified Public Accountants Week.

This measure would proclaim November 4 through 10, 2001, as Certified Public Accountants Week in California.

Res. Ch. 154 (ACR 116) Bill Campbell. California Family Month.

This measure would recognize November 2001 as California Family Month.

Res. Ch. 155 (ACR 117) Hertzberg. Tall Ships Challenge 2002.

This measure would commend the American Sail Training Association and congratulate the California host ports in connection with their efforts in the Tall Ships Challenge 2002, and would invite the nations of the world to send their tall ships to participate in the event.

Res. Ch. 156 (ACR 118) Cardoza. Terrorism in New York City and the Pentagon.

This measure would declare that the Legislature joins freedom-loving people around the world in condemning the vicious attack aimed at New York City and the Pentagon, on September 11, 2001, and in observing a time of prayer and remembrance for the victims of this tragedy and for their families.

This measure would resolve that the Legislature stands firm with all Americans to preserve our liberties and our freedom, and wholly supports our national efforts to obtain justice against the cowardly terrorists who destroyed so many innocent lives. It would further resolve that our nation, firm in purpose and direct in its response, will thereby safeguard our national heritage and honor the memory of the Americans who died as a result of this unprecedented act of terror.

Res. Ch. 157 (AJR 29) Florez. Flight training schools.

This measure would memorialize the Congress of the United States to instruct the Federal Aviation Administration to implement security measures including, but not limited to, identification, fingerprinting, and domestic and international background checks for students and trainees at private or government operated flight training schools.

**DIGESTS OF RESOLUTIONS
ADOPTED IN 2001**

2001–02 FIRST EXTRAORDINARY SESSION

RESOLUTION CHAPTERS

Res. Ch. 1 (AJR 1) Cardoza. Natural gas.

This measure would urge the President, the Congress of the United States, and the Federal Energy Regulatory Commission to take certain actions to address the substantial increase in the cost of natural gas resulting from federal deregulation of natural gas.

The measure would also urge the Chairman of the Federal Energy Regulatory Commission to immediately place the issue of cost-based caps of natural gas on the commission agenda and allow it to be voted on, and would urge the President of the United States to meet with a bipartisan coalition of California legislators to discuss the energy crisis facing the western states that threatens the national economy.

Res. Ch. 2 (SCR 3) Burton. Final adjournment: 2001–02 First Extraordinary Session.

This measure would provide that the 2001–02 First Extraordinary Session of the Legislature shall adjourn sine die at midnight on May 14, 2001.

**DIGEST OF RESOLUTION
ADOPTED IN 2001**

2001–02 SECOND EXTRAORDINARY SESSION

RESOLUTION CHAPTER

Res. Ch. 1 (SJR 1) Karnette. Daylight saving time.

This measure would memorialize the Congress to approve legislation that allows a state to uniformly apply daylight saving time year round.

2001 DIGEST CHAPTERS SUPERIOR NUMBERS

1 [Ch. 106] I object to the following appropriations contained in Senate Bill 739.

Item 0160-001-0001—For support of Legislative Counsel Bureau. I revise this item by deleting Provision 1.

I am deleting Provision 1 of this item, which would authorize the continuance of a salary differential approved by the Department of Personnel Administration (DPA) in 1998, in spite of its termination for all other State departments on July 1, 2001. Though I am aware that this language would address a salary compaction problem between supervisory and staff attorney positions at the Legislative Counsel Bureau, it would be inappropriate to authorize the continuation of this program for one department to the exclusion of others. I am directing the DPA to work with the Legislative Counsel Bureau on identifying administrative solutions to this problem.

Item 0250-001-0001—For support of Judiciary. I reduce this item from \$282,689,000 to \$282,394,000 by reducing:

- (2) 20-Courts of Appeal from \$166,633,000 to \$166,588,000, and
- (3) 30-Judicial Council from \$74,126,000 to \$73,876,000.

I am deleting the legislative augmentation of \$45,000 for a half-time Legal Editorial Assistant to post unpublished legal opinions of the Courts of Appeal on the California Courts Website. It is not clear that this is a priority of the Judiciary, and the need for funds to provide this service has not been demonstrated.

I am reducing the funding for administrative support of the Equal Access Fund by \$250,000 to conform to the action taken in Item 0250-101-0001.

Item 0250-101-0001—For local assistance, Judiciary. I reduce this item from \$18,482,000 to \$13,707,000 by reducing:

- (9) 30.90-Equal Access Fund from \$14,250,000 to \$9,500,000, and
- (10.5) 97.20.004-Local Projects from \$75,000 to \$50,000 by reducing the following subschedule:

- (a) County of San Joaquin: Child Advocacy Center and Visitation Center at Mary Graham Children's Shelter from (\$75,000) to (\$50,000).

I am reducing the local assistance funding for the Equal Access Fund by \$4,750,000. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I am open to considering funding for this worthy program in the future when the economy improves.

I am reducing the legislative augmentation to establish a new facility for the Child Advocacy Center and Visitation Center at Mary Graham Children's Shelter by \$25,000. This action is essential due to fiscal constraints and limited resources in the General Fund. However, I am sustaining \$50,000 of this augmentation on a one-time basis.

Item 0450-101-0932—For local assistance, State Trial Court Funding. I reduce this item from \$2,082,060,000 to \$2,081,310,000 by reducing:

- (1) 10-Support for operation of the Trial Courts from \$1,773,533,000 to \$1,772,783,000.

I am deleting the \$750,000 legislative augmentation to establish a truancy court pilot project in Los Angeles County. Actions related to truancy, family issues, and juvenile crime are already within the responsibility of the established family court system. It is not clear that further delineation of areas of responsibility within the courts is necessary, and such delineation could result in inefficiencies and duplication of efforts.

Item 0450-111-0001—For transfer by the Controller to the Trial Court Trust Fund. I reduce this item from \$1,136,151,000 to \$1,135,401,000.

I am deleting the \$750,000 legislative augmentation to establish a truancy court pilot project in Los Angeles County to conform with the action taken in Item 0450-101-0932.

Item 0530-001-0001—For support of Secretary for California Health and Human Services. I reduce this item from \$1,834,000 to \$1,584,000 by reducing:

(1) 10-Secretary for California Health and Human Services Agency from \$2,836,000 to \$2,586,000, and by deleting Provisions 1, 2, 3, 4, 5, 6, and 7.

I am deleting \$154,000 General Fund included in the Budget as an augmentation for operating expenses and equipment, including an augmentation to the Agency's travel budget, and \$96,000 from the base as a matter of consistency because the discretionary budgets for nearly all State departments funded from the General Fund have been reduced similarly. This action is essential due to fiscal constraints and limited resources in the General Fund.

I am deleting Provisions 1 through 7 to conform to actions taken in Item 4170-101-0001.

Item 0540-101-0001—For local assistance, Secretary for Resources. I reduce this item from \$24,147,000 to \$18,147,000 by reducing:

(2) Los Angeles River—North from 4,000,000 to 1,000,000;
 (5) Tuolumne River Parkway from 7,000,000 to 5,000,000; and
 (9) Otay River Parkway from 2,000,000 to 1,000,000;
 and by revising Provision 4.

Due to fiscal constraints and limited resources in the General Fund, it is necessary to reduce the allocations for these projects.

I am revising the following provisional language to conform to this action:

“4. The funds appropriated in Schedule (2) through (5) of this item shall be expended as follows:

Los Angeles River—North: ~~\$4~~ \$1 million for the Cornfields property at Chinatown in the City of Los Angeles. These funds will be supplemented with \$35 million from the Proposition 12 (Parks Bond) to provide for acquisition and preliminary development;

Los Angeles River—South: \$5 million for the acquisition of Wrigley Heights in the City of Long Beach;

San Joaquin River Parkway: \$3 million for the Spano Ranch acquisition in the Counties of Fresno and Madera; *and*

Tuolumne River Parkway: ~~\$7~~ \$5 million for various acquisition and development projects in Stanislaus County.”

Item 0540-101-6015—For local assistance, Secretary for Resources. I reduce this item from \$7,650,000 to \$3,400,000 by deleting:

(2) Los Angeles River—North (850,000);
 (5) Tuolumne River Parkway (850,000);
 (9) Otay River Parkway (850,000);
 (10) Upper Arroyo Seco Parkway (850,000); and
 (11) San Lorenzo River Parkway (850,000).

While these river parkway projects may have merit, I believe that the Resources Agency should review and prioritize all river parkway projects prior to allocating the remaining funds in the River Protection Subaccount.

Item 0550-001-0001—For support of Secretary for Youth and Adult Correctional Agency. I reduce this item from \$1,277,000 to \$1,027,000 by reducing:

(1) 10-Secretary for Youth and Adult Correctional Agency from \$1,535,000 to \$1,285,000, and by deleting Provisions 1 and 2.

I am deleting the \$250,000 legislative augmentation to establish the California Council on Mentally Ill Offenders. The deletion of this new ongoing expenditure is necessary to provide for a prudent General Fund reserve.

I am also deleting Provision 2 to conform to this action.

I am deleting Provision 1, which states legislative intent to fully fund Phase II of an epidemiological investigation of the prevalence and incidence of Hepatitis C in the Department of Corrections and the Department of the Youth Authority. The Budget Act of 2000 included \$2 million for an epidemiological study by the University of California, on the prevalence and incidence of Hepatitis C in these two departments, and this funding is sufficient to complete the study. Therefore, the intent stated in Provision 1, to fully fund this study sometime in the future, is unnecessary.

Item 0555-001-0001—For support of Secretary for Environmental Protection. I reduce this item from \$4,737,000 to \$2,737,000.

In order to correct a technical error in the Budget Bill, I am reducing this item by \$2,000,000. This technical veto will conform with the Legislature's intent, and is consistent with the legislative action taken in Item 0555-001-0044, which reduced funding for Permit Assistance Centers from \$2,439,000 to \$439,000.

As part of this Budget, I am also sustaining the 31.4 positions for the Permit Assistance Centers that were approved by the Legislature without funding. The current energy emergency is an urgent priority, and the Permit Assistance Centers have a crucial role in addressing the environmental permit and approval requirements for new power generation. However, I disagree with the Legislature's action to remove funding for these positions. In order to fund these positions, the Secretary would have to redirect significant resources, negatively affecting the California Environmental Protection Agency's ability to administer existing environmental regulatory functions at a level consistent with existing law. Therefore, I will direct the Secretary to explore all appropriate means of supporting the Permit Assistance Centers on an ongoing basis.

Item 0650-101-0001—For local assistance, Office of Planning and Research. I delete this item.

I am deleting the \$50,000 legislative augmentation for the Hacienda Heights Cityhood Organization to complete an incorporation study. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 0650-102-0001—For local assistance, Office of Planning and Research. I reduce this item from \$690,000 to \$550,000 and delete Provision (f).

I am deleting the \$140,000 augmentation for the Contra Costa Youth Council. This action is essential due to fiscal constraints and limited resources in the General Fund. The remaining \$550,000 is being sustained on a one-time basis.

I am deleting Provision (f) to conform to this action.

Item 0690-001-0001—For support of Office of Emergency Services. I reduce this item from \$42,077,000 to \$35,977,000 by reducing:

- (1) 15-Mutual Aid Response from \$18,402,000 to \$15,202,000, and
- (2) 35-Plans and Preparedness from \$24,778,000 to \$21,878,000.

I am reducing the augmentation for various emergency operations equipment by \$3,200,000 due to fiscal constraints and the need to build a prudent reserve for economic uncertainties. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. This Budget does retain \$2.5 million for the purchase of emergency-related equipment for use throughout the state through the mutual aid system. I am open to considering funding for these equipment needs when the economy improves.

I am reducing the augmentation for the Tri-Net Seismic Network by \$2,900,000 due to fiscal constraints and the need to build a prudent reserve for economic uncertainties.

Of the \$6.8 million proposed in my Budget, \$3.9 million will be retained to provide \$2.9 million for maintenance and operation of the current Tri-Net system in Southern California, and \$1.0 million to begin to expand the system to other critical locations throughout the state to ensure a more uniform system for earthquake monitoring and related emergency response. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I am open to considering funding for this worthy project in the future when the economy improves.

Item 0690-101-0001—For local assistance, Office of Emergency Services. I reduce this item from \$539,000 to \$225,000 by reducing:

- (a) Local Projects from \$539,000 to \$225,000 by deleting \$180,000 from the following subschedules:
 - (8) City of Garden Grove: Back-up for Emergency Operations Center at City Hall (\$60,000);
 - (9) East County Fire Protection District: East County Fire Rescue Equipment (\$100,000);
 - (10) City of West Covina Fire Department: Fire Department Mass Casualty Trailer (\$20,000);

and by reducing \$134,000 for the following subschedules:

- (2) Altadena Mountain Rescue Team: Altadena Mountain Rescue Team-Mobile Command Post Procurement from (\$14,000) to (\$10,000);
- (3) City of Manteca: Thermal Imaging Devices from (\$60,000) to (\$50,000);
- (4) Malibu Mountain Rescue Team, Inc.: Malibu Mountain Search and Rescue Team from (\$25,000) to (\$10,000);
- (5) Tulare-Kings Chapter of the American Red Cross: Emergency Response Vehicle Procurement from (\$100,000) to (\$50,000); and
- (6) City of Dinuba (Fire Ambulance Services): Regional Multi-Function Training Facility from (\$20,000) to (\$15,000); and
- (7) KRCB TV22-91FM: Small Public Broadcasting Station Digital Conversion from (\$100,000) to (\$50,000)

These actions are essential due to fiscal constraints and limited resources in the General Fund. The augmentations that remain are being sustained on a one-time basis

Item 0820-001-0001—For support of Department of Justice. I reduce this item from \$315,225,000 to \$314,325,000 by reducing:

- (8) 45-Public Rights from \$57,183,000 to \$56,683,000,
- and by deleting:

- (12.7) 97.20.004-Local Projects (\$400,000).

I am deleting the \$500,000 legislative augmentation to establish the Office of Immigrant Assistance, which would be charged with investigating complaints alleging unfair business practices and discriminatory acts committed against immigrant populations. The Department of Justice has already established this Office within existing resources, and no justification has been provided for additional funding.

I am also deleting the \$400,000 legislative augmentation to implement a toll-free school safety phone line in San Francisco, Los Angeles, and San Diego Counties. This action is essential due to fiscal constraints and limited resources in the General Fund.

I am deleting Provision 5 to conform with this action.

Item 0820-101-0001—For local assistance, Department of Justice. I reduce this item from \$11,844,000 to \$6,764,000 by reducing:

- (1) 25-Executive Programs from \$8,283,000 to \$3,283,000;
- and by deleting:
- (2.5) 97.20.004-Local Projects (\$80,000):

- (a) Oxnard Police Department: Oxnard Police Department Photo Imaging System (\$80,000);

and by deleting Provision 3.

I am deleting the \$5,000,000 legislative augmentation for the Youth Leadership Through Crime Prevention Program. The Budget already contains significant funding for similar juvenile crime programs within the Office of Criminal Justice Planning and the Board of Corrections. Accordingly, I am deleting this new ongoing augmentation to build a prudent reserve for economic uncertainties.

I am deleting Provision 3 to conform to this action.

I am also deleting the \$80,000 legislative augmentation which would support a photo imaging system for the Police Department of the City of Oxnard. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 0840-001-0001—For support of State Controller. I reduce this item from \$68,363,000 to \$67,422,000 by reducing:

- (1) 100000-Personal Services from \$68,547,000 to \$65,432,000, and
- (4) Reimbursements from -\$28,115,000 to -\$25,941,000.

I am reducing the funding provided for Personal Services by \$3,115,000 (\$941,000 General Fund and \$2,174,000 reimbursements) and eliminating 54.6 vacant personnel years. This action is consistent with my efforts to control the growth of State government and maximize the use of existing personnel to meet the service demands of the State. Over the last few years, my Administration has eliminated 6,600 vacant positions statewide, including those in constitutional offices. I am also eliminating 30 vacant positions from the Department of Insurance.

Item 0845-001-0217—For support of Department of Insurance. I reduce this item from \$126,656,000 to \$124,924,000 by reducing:

- (1) 10-Regulation of Insurance Companies and Insurance Producers from \$56,237,000 to \$55,483,000;
- (2) 12-Consumer Protection from \$39,391,000 to \$38,862,000;
- (3) 20-Fraud Control from \$31,738,000 to \$31,289,000;
- (4) 50.01-Administration from \$22,933,000 to \$22,636,000; and
- (5) 50.02-Distributed Administration from -\$22,933,000 to -\$22,636,000.

I am reducing the funding provided for Personal Services by \$1,732,000 and eliminating 30 vacant positions in the department. This action is consistent with my efforts to control the growth of State government and maximize the use of existing personnel to meet the service demands of the State.

Item 0855-001-0367—For support of California Gambling Control Commission. I am revising this item by deleting Provision 1.

I am deleting Provision 1 which would specify that the Gambling Control Commission cannot duplicate the functions of the Division of Gambling Control within the Department of Justice. Based on the duties and responsibilities specified in Chapter 867, Statutes of 1997, the Gambling Control Commission has formalized a Memorandum of Understanding with the Department of Justice to specify the respective functions of the Commission and the Department to avoid duplication. Therefore, this provision is unnecessary.

Item 0890-002-0001—For support of Secretary of State. I delete this item.

This action is necessary due to fiscal constraints and limited resources in the General Fund.

Item 1700-001-0001—For support of Department of Fair Employment and Housing. I reduce this item from \$18,170,000 to \$18,095,000 by reducing:

- (1) 50-Administration of Civil Rights Law from \$22,293,000 to \$22,218,000.

I am reducing this item by \$75,000. Although my January Budget included these funds to provide additional materials regarding the Fair Employment and Housing Act

to housing providers and small businesses employers, I take this action so that vital programs are protected and a prudent reserve for economic uncertainties is maintained.

Item 1760-001-0001—For support of Department of General Services. I reduce this item from \$23,688,000 to \$23,538,000 and delete Provision 2.

I am deleting the \$150,000 legislative augmentation for the preparation of documentation for the State to request an allocation of public safety radio frequencies for state and local agencies. While I understand that receipt of the expanded public safety spectrum is contingent upon the State's application for use, funding is already included in the Budget for engineering and design work on the Public Safety Radio Integrated Systems Management project. Therefore, additional funding is not necessary to ensure the State's ability to receive and retain the new public safety spectrum.

I am deleting Provision 2 to conform to this action.

Item 1760-001-0666—For support of Department of General Services. I revise this item by reducing:

- (1) Program Support from \$651,637,000 to \$651,487,000, and
- (3) Amount payable from the General Fund (Item 1760-001-0001) from -\$23,688,000 to -\$23,538,000.

I am revising this item to conform to the action I have taken in Item 1760-001-0001.

Item 1760-115-0101—For transfer upon order of the Director of Finance, from the School Facilities Fee Assistance Fund to the General Fund. I reduce this item from \$121,000,000 to \$108,000,000.

I am reducing this transfer by \$13,000,000. This reduction will allow the program to continue funding reservations for fee assistance received through December 2001, in accordance with pending legislation to sunset the program. Any unobligated program funds remaining after December 31, 2001, will be returned to the General Fund at that time.

Item 2240-014-0472—For support of Department of Housing and Community Development. I reduce this item from \$653,000 to \$413,000, and delete Provisions 1 and 2.

I am deleting the legislative augmentation of \$240,000 that would provide funding to extend a contract to market the Child Care Facilities Loan program and to award grants for providing technical assistance to potential borrowers. The program has staff and resources for marketing and technical assistance built into its existing support budget. Additionally, the one-time augmentation of \$150,000 for program marketing in 2000-01 raised awareness of the program and should generate sufficient interest in the program to use the remaining \$3.5 million in direct loan funds.

I am deleting Provisions 1 and 2 to conform to this action.

Item 2240-101-0001—For local assistance, Department of Housing and Community Development. I reduce this item from \$22,644,000 to \$22,361,000 by reducing:

- (1.5) 97.20.004-Local Projects from \$1,073,000 to \$790,000 by reducing \$110,000 from the following subschedules:

- (a) County of San Mateo: North San Mateo County Homeless Shelter Improvements from (\$300,000) to (\$200,000); and
- (f) Jovenes, Inc.: Olivares/Pleasant Ave. Transitional Housing and Youth Center from (\$50,000) to (\$40,000);

and by deleting \$173,000 from the following subschedules:

- (g) Single Room Occupancy Housing Corporation: James M. Wood Memorial Community Center (\$150,000); and
- (h) City of Cypress: Installation of disabled access curb ramps (\$23,000).

I am reducing the legislative augmentations for various local projects by \$283,000. This action is essential due to fiscal constraints and limited resources in the General Fund. I am sustaining the remaining augmentations on a one-time basis.

I am also sustaining \$1,000,000 of one-time funding for construction of the People Assisting the Homeless Regional Center in Los Angeles.

Item 2240-104-0001—For transfer, upon order of the Director of Finance, to the Farmworker Housing Grant Fund (0927). I reduce this item from \$18,500,000 to \$13,875,000.

I am reducing this transfer by \$4,625,000. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take this action as a matter of consistency because the discretionary programs for nearly all State departments funded from the General Fund have been reduced similarly. In addition, part of this reduction reflects the availability of approximately \$3,700,000 in funding from 2000–01 that will allow program expenditures of \$17,575,000 in 2001–02. This leaves the program with significantly higher funding than the Budget Act of 1999, which provided \$3,500,000.

Item 2240-105-0001—For transfer, upon order of the Director of Finance, to the Emergency Housing and Assistance Fund (0985). I reduce this item from \$14,000,000 to \$13,300,000 and delete Provision 2.

I am reducing this transfer by \$700,000. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take this action as a matter of consistency because the discretionary programs for nearly all State departments funded from the General Fund have been reduced similarly. This leaves the Emergency Housing and Assistance Program with an annual funding level of \$13,300,000, still significantly higher than \$4,000,000 provided in the Budget Act of 1999 for shelter programs.

I am deleting Provision 2 because it conflicts with Item 2240-115-0843, which transfers funds from the California Housing Trust Fund to the General Fund. This provision was inadvertently left in the Budget.

Item 2240-107-0001—For transfer, upon order of the Director of Finance, to the Housing Rehabilitation Loan Fund (0929). I reduce this item from \$35,400,000 to \$26,050,000 and revise Provisions 1 and 2.

I am reducing this transfer by \$9,350,000 and revising Provisions 1 and 2 as follows:

- “1. Of the amount transferred by this item ~~\$31,000,000~~ \$23,050,000 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.”
- “2. Of the amount transferred by this item, ~~\$4,400,000~~ \$3,000,000 shall be utilized for the Downtown Rebound Program established by Section 50898.1 of the Health and Safety Code. Of this amount, ~~\$3,000,000~~ \$2,000,000 shall be available for the purposes of subdivision (a) and ~~\$1,400,000~~ \$1,000,000 shall be available for the purposes of subdivision (b).”

I am reducing funding for the Multifamily Housing Loan Program by \$7,950,000 and the Downtown Rebound Program by \$1,400,000. This action is necessary due to fiscal constraints and limited resources in the General Fund. I take this action as a matter of consistency because the discretionary programs for nearly all State departments funded from the General Fund have been reduced similarly. In addition, part of the reduction to the Multifamily Housing Loan Program reflects the availability of approximately \$68 million in funding provided in 2000–01 that will allow program expenditures of \$91 million in 2001–02.

Item 2400-001-0933—For support of Department of Managed Health Care. I reduce this item from \$30,858,000 to \$30,358,000 by reducing:

- (1) 30-Health Plan Program from \$30,858,000 to \$30,358,000.

I am reducing by \$500,000, the \$1,000,000 legislative augmentation for educating health plan enrollees and providers about the availability of the Independent Medical Review process. The Independent Medical Review process has already been used by many plan enrollees to obtain independent, third party review of disputes about medical care. The Department provides information on how to access the process and arranges for the reviews. In combination with the existing efforts of the department and the \$2,000,000 already in the budget for consumer education, this should be sufficient funding to inform enrollees and providers of the recently created Independent Medical Review process. Health plans are also required to provide the process information and application forms to enrollees denied treatment or services based on medical judgment.

Item 2660-001-0001—For support of Department of Transportation. I delete this item.

I am deleting the \$355,000 legislative augmentation for local projects. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 2660-001-0042—For support of Department of Transportation. I reduce this item from \$2,020,380,000 to \$2,013,380,000 by reducing:

(7) 20.80-Highway Transportation—Maintenance from \$798,906,000 to \$793,906,000;

(9) 40.00-Transportation Planning from \$117,604,000 to \$115,604,000; and by deleting Provisions 14, 16, 18, 19 and 20.

I am deleting the \$5,000,000 legislative augmentation for State Route 710 maintenance. The Department has indicated that it will review the aesthetics and pavement quality of the highway system and use existing resources to make improvements during 2001–02. The Department plans to review the adequacy of existing aesthetic standards for the system and consider options for changes in both design and maintenance goals.

I am deleting the \$2,000,000 legislative augmentation to provide funding for Chapter 832, Statutes of 2000, which permits regional transportation planning agencies to include, in their 20-year regional transportation plans, alternative planning scenarios that emphasize integration of land use to reduce transportation impact. Since inclusion of alternative scenarios is a discretionary activity and if agencies believe there would be benefits, they should redirect funding for this purpose from other state, federal, and local funds provided for planning. I am also deleting Provision 18 of this item to conform to this action.

I am deleting Provision 14 that requires Caltrans to change the method it uses to report on the work it does to prepare projects for construction. While I agree that the approach proposed in this language would provide useful information, I am concerned that it does not adequately recognize the necessary role of project substitution. A portion of Caltrans' work schedule each year is unavoidably affected by delays beyond the control of the Department or the regional transportation agencies. To ensure a high overall level of project delivery, the regional agencies and Caltrans then substitute projects, an approach which reflects prudent management rather than poor scheduling. While I am open to continuing dialogue on useful measures of project delivery, I believe it is important that the discussion proceed not pursuant to budget bill language but in a broader policy setting. In the interim, I am directing the Department to include a range of project completion information in its future reporting that will present a balanced and complete picture to the Legislature and the public.

I am deleting Provision 16 that requires Caltrans to evaluate options and recommend specific mechanisms to the Legislature for funding capital improvement projects that maintain the California's shortline rail system, as identified in the Global Gateways Program or other goods movement initiatives by January 10, 2002. As previously stated in my signing message of AB 2866, Chapter 127, Statutes of 2000, which contained a similar requirement, I object to using state funds for this purpose. While the efficient movement of goods is important to California's economy, private, for-

profit companies that operate freight railroads are largely capable of funding their own capital and operating needs.

I am sustaining the funding level in this item for design, environmental, construction management, and other project delivery services. Furthermore, I am sustaining Provision 17 that allows unexpended funds appropriated for project preparation and construction management in this item to be used for operating expenses for the purposes of contracting for architectural and engineering services for project delivery. It is my intent that Caltrans use the funding provided for the 315 positions added by the Legislature in whatever manner is necessary to ensure that design services are timely and projects are not delayed.

I am deleting Provision 19 that requires Caltrans to replace all overhead guide signs with signs using specified retroreflective sheeting materials within five years, so as to decrease electricity consumption. Caltrans is currently replacing signs with retroreflectorized signs through its routine maintenance and rehabilitation program. This language would accelerate that program at a significant cost. Energy savings related to this proposal would be minimal compared to the cost of accelerating the replacement program.

I am deleting Provision 20 that requires Caltrans to construct a grade crossing for State Route 1 on the Alameda Corridor as a triple grade crossing. The State's commitment to the Alameda Corridor has been demonstrated with the \$42 million provided from its Interregional Transportation Improvement Program and \$18 million from Proposition 116 funds, which is over 80 percent of the cost of the currently budgeted single grade crossing project. I am directing the Department to work with the interested parties to find a solution to finance and construct the larger and more beneficial grade crossing project.

Budget Bill language supported by the Administration was inadvertently omitted from this item. As a technical correction, I am directing the department to prepare its urban highway congestion monitoring report, distribute the report to the various congestion management agencies statewide, and also make the reports available to any interested parties upon request.

Item 2660-001-0046—For support of Department of Transportation. I revise this item by deleting Provision 3.

I am deleting Provision 3 that states legislative intent to require Caltrans to bid competitively for intercity rail services, as opposed to current law, which is permissive.

The benefits of competitive bidding on intercity rail services are speculative since private rail operators may incur additional costs for the acquisition of equipment and infrastructure necessary to service the various intercity rail routes. The State and Amtrak have been partners in expanding rail service in California, both in building the infrastructure and in marketing rail travel. Amtrak is able to provide one-stop ticketing and connections between its interstate trains and the State's intercity rail service that another vendor may find difficult to duplicate.

While I support competitive bidding, bidding on existing corridors where Amtrak has made significant long-term investments would be difficult for both bidders and the State and may not be cost beneficial. Therefore, I am directing the Department of Transportation to conduct a study to identify the costs and benefits of competitive bidding for the State's intercity rail services.

Item 2660-001-0703—For support of Department of Transportation. I delete this item.

I am deleting the \$250,000 legislative augmentation to complete a study of abandoned rail corridors to evaluate their potential for non-motorized transportation and as links to improve access to public transit. In 1994, Caltrans performed a survey of rail rights-of-way to identify the status of all the rail corridors in the state and evaluate their relative importance and potential for future rail passenger service. I am directing

Caltrans to update and expand the 1994 study using existing resources and to identify abandoned rail corridors that have potential for use by non-motorized transportation and as links to improve access to public transit. Once completed, Caltrans will provide this information to local transportation planning agencies for consideration in local planning efforts.

Item 2660-002-0608—For support of Department of Transportation. I reduce this item from \$72,247,000 to \$65,029,000 and delete Provision 2.

I am deleting the augmentation of \$7,218,000 and Provision 2 to conform to the direction I have provided to Caltrans related to Provision 17 of Item 2660-001-0042.

Item 2660-101-0001—For local assistance, Department of Transportation. I reduce this item from \$2,294,000 to \$1,595,000 by reducing:

(a) Local Projects from \$2,294,000 to \$1,595,000 by reducing \$201,000 for the following subschedules:

- (3) City of Martinez: Burlington Northern/Santa Fe Railroad Trestle from (\$60,000) to (\$40,000);
- (5) City of San Jose: Los Gatos Creek Trail Bicycle and Pedestrian Improvement Project from (\$75,000) to (\$57,000);
- (7) City of Ventura: California Street Storm Drain Upgrade from (\$100,000) to (\$50,000);
- (8) Southern California Regional Rail Authority: Inland Empire Maintenance Facility from (\$100,000) to (\$50,000);
- (10) City of Manteca: Safe Route to School Grant Crom Street Sidewalk Project from (\$100,000) to (\$50,000); and
- (12) County of Los Angeles: Malibu Canyon-Las Virgenes Road Scenic Highway Designation from (\$25,000) to (\$12,000);

and by deleting \$498,000 for the following subschedules:

- (2) City of Westminster: Bolsa Avenue/Little Saigon Project (\$50,000);
- (9) City of Tracy: Replacement of school and pedestrian crossing signs with enhanced visibility signs (\$10,000);
- (14) City of Fullerton: New Central Control System (\$53,000);
- (15) City of Brea: Replace Street Light Poles (\$115,000);
- (16) City of Brea: Carbon Canyon Traffic Analysis (\$50,000);
- (17) City of Brea: Carbon Canyon Specific Plan Update (\$100,000);
- (18) City of Cypress: Rental Deposit Guarantee Program (\$70,000); and
- (19) Castaic Area Town Council: Emergency Bypass Road for Castaic Road (\$50,000).

I am reducing and deleting these legislative augmentations for local projects by \$699,000. These actions are essential due to fiscal constraints and limited resources in the General Fund. The augmentations that I am sustaining are for one-time expenditures.

Item 2660-101-0042—For local assistance, Department of Transportation. I reduce this item from \$356,738,000 to \$339,417,000 by reducing:

(1) 20.30-Highway Transportation-Local Assistance from \$210,592,000 to \$193,871,000,

and

(3) 40-Transportation Planning from \$10,600,000 to \$10,000,000

I am reducing this legislative augmentation for Freeway Service Patrol from \$18,000,000 to \$1,279,000, to expand the Freeway Service Patrol. This level of funding will provide local agencies with the ability to cover unavoidable operating cost increases. The Freeway Service Patrol provides valuable assistance to motorists and helps reduce traffic congestion. While I understand that expanding this program to additional congested areas and to provide better service may have merit, existing statu-

tory formulas preclude the direct allocation of funds based on needs. I am directing the Department of Transportation to work with interested parties on developing a plan for expanded services.

I am deleting the \$600,000 legislative augmentation for the Coronado Tunnel study. The cost of environmental studies related to a local project should be borne by the local agency sponsoring the project or funded from the region's share of the State Transportation Improvement Program.

Item 2660-103-0042—For local assistance, Department of Transportation. I delete this item.

I am deleting the augmentation of \$20,000,000 for initial planning and design costs for the Transbay Terminal Improvement Plan. While I believe there is merit to the project, it should be considered in the context of other regional transportation projects and available funding. It would not be prudent to commit any funds until a viable financing plan is developed for the project in its entirety.

Item 2720-001-0001—For transfer by the Controller, upon order of the Director of Finance, to the Motor Vehicle Account, State Transportation Fund (0044). I delete this item.

I delete the \$29,719,000 transfer, which offsets the cost of protection of the Capitol and constitutional officers to the Motor Vehicle Account. The budget for these services is included in Item 2720-001-0044, for support of the California Highway Patrol from the Motor Vehicle Account, which is not reduced. This action is essential due to fiscal constraints and limited resources in the General Fund. I will reconsider this funding during the development of future budgets.

Item 2720-001-0044—For support of Department of California Highway Patrol. I reduce this item from \$948,101,000 to \$946,351,000 by reducing:

(2) 20-Regulation and Inspection from \$102,863,000 to \$101,113,000, and by deleting Provision 1.

I am deleting the \$1,750,000 legislative augmentation and Provision 1, which funds ten additional officers for the farm labor transportation safety program. The January Budget I proposed includes ten additional officers, doubling the program started a year earlier. I am directing the California Highway Patrol to dedicate five of these additional officers to the Salinas Valley. These officers will begin to address the need for farm labor transportation safety in one of the largest agricultural areas of the State.

Item 2720-002-0001—For support of Department of the California Highway Patrol. I delete this item and Provision 1.

I am deleting the \$10,000 legislative augmentation for the California Highway Patrol Explorer Post. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 2720-101-0001—For local assistance, Department of the California Highway Patrol. I reduce this item from \$1,000,000 to \$999,000 and revise Provision 1.

"1. Grants shall only be available to local law enforcement agencies that collect all of the following data:

- (a) The number of vehicle drivers stopped for all traffic law enforcement purposes, whether or not a citation or warning was issued.
- (b) The race or ethnicity of the individuals stopped, based on visual observation.
- (c) A tabulation of which of the following basis the stop was made: (1) a violation of the Vehicle Code; (2) a violation of the Penal Code; (3) a violation of a local ordinance; or (4) the appearance of the driver or the appearance of the vehicle matches the description of a crime suspect or of a vehicle involved in the commission of a crime or belonging to a crime suspect.

- (d) Whether a vehicle search was instituted;
- (e) A tabulation indicating if any of the following items were discovered or seized in the course of the search: (1) weapons; (2) controlled substances; (3) cash; (4) vehicles; (5) other property believed to be unlawful or the possession of which is unlawful;
- (f) A tabulation of which of the following resulted from the search or stop: (1) a written citation; (2) a warning; or (3) an arrest. Notwithstanding any other provisions of law, grants may be in the form of advanced payments for the costs of data collection.....3,000,000 ”

I am reducing this item by \$1,000 and deleting language that adds new data elements to be collected when law enforcement officers make traffic stops. I find racial profiling abhorrent, and signed legislation outlawing the practice and requiring all peace officers to submit to additional training in cultural diversity. Given the extraordinary challenges of the work peace officers perform up and down this state, I believe it is more appropriate for local law enforcement agencies to decide if the additional data elements specified in this provision should be collected voluntarily.

Local jurisdictions representing over 60 percent of the State’s population currently are collecting racial profiling data. According to the Commissioner of the California Highway Patrol, the collection of the new data elements that would have been required under this provision and the tabulation and reporting of them to the California Highway Patrol will add significant costs to this program. I am concerned that the added costs are not offset by the modest grants that can be made with the money appropriated in this item. This may lead to less participation by law enforcement agencies in this voluntary program. I am reducing \$1,000 from this item to reflect savings that will be achieved based on vetoing Provision 1 of this item.

I am also revising the language to delete a printing error in the budget bill, which shows an invalid amount associated with this provision.

Item 2720-491—Reappropriation, Department of the California Highway Patrol. I reduce this item by \$1,000 and revise Schedule (1) as follows:

“(1) Item 2720-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000). The unencumbered balance is reappropriated to provide local assistance grants to local law enforcement agencies for the cost of collecting racial profiling data and shall be available for expenditure until June 30, 2002. Grants shall only be available to local law enforcement agencies that collect all of the following data: (a) the number of vehicle drivers stopped for all traffic law enforcement purposes, whether or not a citation or warning was issued, (b) the race or ethnicity of the individuals stopped based on visual observation, (c) a tabulation of which of the following basis the stop was made: (1) a violation of the Vehicle Code; (2) a violation of the Penal Code; (3) a violation of a local ordinance; or (4) the appearance of the driver or the appearance of the vehicle matches the description of a crime suspect or of a vehicle involved in the commission of a crime or belonging to a crime suspect; (d) whether a vehicle search was instituted; (e) a tabulation of which the following items were discovered or seized in the course of the search: (1) weapons; (2) controlled substances; (3) cash; (4) vehicles; or (5) other property believed to be unlawful or the possession of which is unlawful; and (f) a tabulation of which of the following resulted from the search or stop: (1) a written citation; (2) a warning; or (3) an arrest. Notwithstanding any other provisions of law, grants may be in the form of advanced payments for the costs of data collection.”

I am reducing \$1,000 from this item and deleting language that adds new data elements to be collected when law enforcement officers make traffic stops. This action conforms with the action I have taken on Item 2720-101-0001.

Item 2740-001-0044—For support of Department of Motor Vehicles, I revise this item by deleting the following schedule:

(7.5) 97.20.001-Unallocated reduction –\$21,000,000,
and by deleting Provision 4.

In order to correct a technical error in the Budget Bill, I am deleting Schedule 7.5 and Provision 4, which relate to a proposal to make a \$21 million unallocated reduction in the Budget of the Department of Motor Vehicles. Such an unallocated reduction was considered by the Legislature and rejected. The total in the item reflects the correct amount. These provisions were inadvertently left in the final version of the Budget Bill. This technical veto will conform the Budget Act to the action taken by the Legislature.

Item 2920-101-0001—For local assistance, Technology, Trade, and Commerce Agency. I reduce this item from \$34,790,000 to \$29,675,000 by reducing:

- (1) 07-Science, Technology and Innovation from \$19,066,000 to \$14,166,000; and
- (5) 97.20.004-Local Projects from \$2,390,000 to \$2,175,000 by reducing the following subschedules:

(a) Canoga Park Improvement Association: Canoga Park Improvement Association/Main Street Canoga Park Community Center Commercial District Improvements from \$150,000 to \$100,000;

(f) East LA Community Corporation: Community Development Incubator from \$140,000 to \$75,000; and

and by deleting the following subschedule:

(e) Redwood Economic Development Inst.: Aleutian Goose Festival and Business Cluster Program (100,000).

I am reducing funding for the Next Generation Internet project by \$3,000,000 and retaining \$2,000,000. Combined with funding available from the Budget Act of 2000, this program will be able to support the two Centers and their grant programs to develop business applications for the new high-speed Internet2 as anticipated in 2001–02. I am also reducing funding for the Manufacturing Technology Program by \$1,900,000.

I am reducing \$215,000 for legislative augmentations for the local projects as indicated above. These actions are necessary due to fiscal constraints and limited resources in the General Fund. I am sustaining one-time funding for the remaining local projects.

Item 2920-102-0001—For local assistance, Klamath River Water Crisis Economic Assistance and Mitigation Program.

I am sustaining the \$8 million legislative augmentation for the Klamath River Water Crisis Economic Assistance and Mitigation Program. This appropriation is being provided to help mitigate the economic distress resulting from the action by the federal Bureau of Reclamation to cease providing water to the Klamath River Valley. Because this problem does not appear to be of a short-term nature, it cannot be addressed well by existing state disaster relief programs. Therefore, expenditure of these funds is contingent on the enactment of subsequent legislation to create an assistance and mitigation program that meets the unique needs of this region.

Item 2920-111-0001—For transfer, upon order of the Director of Finance, from the General Fund to the Film California First Fund (3005). I reduce this item from \$10,000,000 to \$2,000,000.

I am reducing this transfer by \$8,000,000. This reduction reflects the availability of \$8,000,000 in funding from 2000–01 that will allow expenditure of \$10,000,000 in 2001–02 for this program, which provides incentives to use California locations for filming.

Item 3360-101-0001—For local assistance, State Energy Resources Conservation and Development Commission. I delete this item.

I am deleting the legislative augmentation of \$200,000 for the City and County of San Francisco to provide energy efficiency outreach to non-English speaking persons. While I am supportive of outreach efforts to educate non-English speaking persons about the critical need to conserve energy and reduce electricity demand, the State and Consumer Services Agency, the Department of Consumer Affairs, the California Conservation Corps, and the State Energy Resources Conservation and Development Commission are taking measures to inform non-English speaking populations about available energy efficiency and conservation programs. In particular, the Department of Consumer Affairs is running energy efficiency campaigns in paid media forums in five different languages and printing an Energy Assistance Guide and Tips for Energy Emergency in five languages.

I am deleting the legislative augmentations of \$80,000 for a solar panel pilot program for the City of Redondo Beach, \$30,000 to replace red signal lights for the City of Manhattan Beach, and \$300,000 for energy efficiency improvement in the City of Oxnard. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 3480-001-0001—For support of Department of Conservation. I revise this item by reducing:

- (1) 10-Geologic Hazards and Mineral Resources Conservation from \$25,865,000 to \$25,665,000;

and by deleting:

- (18.5) Amount payable from the Abandoned Mine Reclamation and Minerals Fund (Item 3480-001-3025) (-\$200,000);

and by deleting Provision 2.

I am revising this item to conform to the action I have taken in Item 3480-001-3025.

Item 3480-001-3025—For support of Department of Conservation. I delete this item and Provision 1.

I am deleting this item because the Department of Conservation has not completed its inventory of abandoned mines. Until that inventory is completed and prioritized, it is premature to fund remediation efforts.

Item 3480-011-0035—For transfer by the Controller from the Surface Mining and Reclamation Account to the Abandoned Mine Reclamation and Minerals Fund. I delete this item.

I am deleting the \$200,000 transfer to conform to the action I have taken in Item 3480-001-3025.

Item 3540-001-0001—For support of Department of Forestry and Fire Protection. I reduce this item from \$360,496,000 to \$359,496,000 by reducing:

- (1) 100000-Personal services from \$360,743,000 to \$360,423,000;
- (2) 300000-Operating expenses and equipment from \$220,667,000 to \$219,987,000;

and by deleting Provisions 4.

I am reducing the \$2,700,000 legislative augmentation for Sudden Oak Death (SOD) mitigation to \$1,700,000. This action deletes \$1,000,000 for related fire protection services that have already been funded in this item.

I am deleting Provision 4 because it infringes on the Administration's responsibility to protect forestland by establishing regulations related to timber harvest practices. I am encouraging the Board of Forestry to work with all interested parties to develop permanent regulations promoting responsible timber harvest practices while providing sufficient habitat protection.

Item 3540-101-0001—For local assistance, Department of Forestry and Fire Protection. I reduce this item from \$285,000 to \$120,000 by reducing:

- (1) Local Projects from \$285,000 to \$120,000 by deleting:
 - (c) Placer Land Trust: Auburn Native Oak Protection (\$90,000); and
 - (d) City of Norco: Norco Tree Abatement (\$75,000)

This action is essential due to fiscal constraints and limited resources in the General Fund. Furthermore, the amount being sustained for projects in this item shall be on a one-time basis.

Item 3600-101-0001—For local assistance, Department of Fish and Game. I reduce this item from \$2,200,000 to \$1,800,000 by reducing:

- (2) 97.20.004-Local Projects from \$600,000 to \$200,000 by reducing:
 - (a) Sweetwater Authority: Completion of Reservoir Fishing Facility Improvements from (\$550,000) to (\$200,000);

and by deleting:

- (b) City of Huntington Beach: Shipley Nature Center (\$50,000).

These actions are essential due to fiscal constraints and limited resources in the General Fund. Furthermore, the amount being sustained for these projects shall be approved on a one-time basis.

Item 3600-301-6018—For capital outlay, Department of Fish and Game. I delete this item.

I am deleting the \$7,500,000 legislative augmentation for the Mill Creek Acquisition. While I am supportive of additional funds for acquisitions aimed at protecting wildlife habitat, I note that there is currently \$30 million (\$15 million General Fund and \$15 million Save the Redwoods League) available for this acquisition through the Wildlife Conservation Board's Land Conservation Matching Grants Program. In addition, I am sustaining language in Item 3790-301-0005 directing the Department of Parks and Recreation to allocate \$10,000,000 from the 2000 Bond Habitat Acquisition Program to the Mill Creek Acquisition project.

Item 3640-101-0001—For local assistance, Wildlife Conservation Board. I reduce this item from \$559,000 to \$300,000 by reducing:

- (a) 97.20.004—Local Projects from \$559,000 to \$300,000 by reducing subschedule:
 - (2) Santa Clara County Open Space Authority: Open Space Acquisition Project—Hong Property from (\$100,000) to (\$50,000);

and by deleting subschedules:

- (3) Stanislaus Wildlife Care Center: Expansion (\$109,000); and
- (4) Mountains Recreation and Conservation Authority: Rocky Pointe Arroyo-Simi Wetlands and Nature Preserve (\$100,000).

These actions are essential due to fiscal constraints and limited resources in the General Fund. I am sustaining the legislative augmentation for the Hong Property acquisition on a one-time basis.

Item 3720-001-0001—For support of California Coastal Commission. I reduce this item from \$12,591,000 to \$11,191,000 by reducing:

- (1) 10-Coastal Management Program from \$15,782,000 to \$14,382,000.

I am deleting the \$1,400,000 legislative augmentation for workload related to Local Coastal Program permit applications, appeals, and review. This action is necessary to continue funding for previously approved projects and provide for a prudent reserve for economic uncertainties.

Item 3760-101-0001—For local assistance, State Coastal Conservancy. I reduce this item from \$1,900,000 to \$1,690,000 by reducing:

- (1) 97.20.004—Local Projects from \$1,900,000 to \$1,690,000 by reducing the following subschedules:
 - (c) City of Oakland: Lake Merritt restoration from (\$200,000) to (\$160,000);
 - (d) County of Marin: Bolinas Restoration Project from (\$300,000) to (\$155,000); and
 - (e) City of San Diego: Ocean pier restoration from (\$150,000) to (\$125,000).

This action is essential due to fiscal constraints and limited resources in the General Fund. I am sustaining the legislative augmentations remaining for this projects on a one-time basis.

Item 3780-001-0001—For support of Native American Heritage Commission. I reduce this item from \$528,000 to \$328,000.

I am deleting the \$200,000 legislative augmentation for review of timber harvest plans. This action is necessary to continue funding for previously approved projects and build a prudent reserve for economic uncertainties.

Item 3790-001-0001—For support of Department of Parks and Recreation. I reduce this item from \$130,947,000 to \$129,537,000.

I am reducing this item by \$535,000 for projects at the State Capitol to begin restoration of the historic flag collection, install protective mural cases, and renovate the insectory within Capitol Park. This action is essential due to fiscal constraints and limited resources in the General Fund.

I am sustaining \$100,000 of the \$300,000 originally allocated in this item specifically for preparing a feasibility study on adding the San Joaquin River Parkway to the State Parks System. This action is essential due to fiscal constraints and limited resources in the General Fund.

In order to correct a technical error in the Budget Bill, I am reducing this item by \$675,000. This amendment corresponds to the correct appropriation amount payable from the General Fund as shown in Item 3790-001-0392.

Item 3790-001-0392—For support of Department of Parks and Recreation. I revise this item by reducing:

- (1) For support of the Department of Parks and Recreation from \$272,852,000 to \$272,167,000; and
- (4) Amount payable from the General Fund (Item 3790-001-0001) from -\$130,272,000 to -\$129,587,000.

I am revising this item to conform to the action taken in Item 3790-001-0001.

Item 3790-101-0001—For local assistance, Department of Parks and Recreation. I reduce this item from \$43,326,990 to \$25,060,000 by reducing:

- (a) 80.25-Recreational Grants from \$6,890,000 to \$4,390,000 by deleting:
 - (3) County of Los Angeles: El Pueblo Cultural and Performing Arts Center (\$2,500,000); and
- (b) Local Projects from \$36,436,990 to \$20,670,000 by deleting the following subschedules:
 - (4) Boys and Girls Club of San Bernardino: Expansion Project (\$100,000);
 - (24) City of La Puente: La Puente Community Center (\$99,000);
 - (28) City of Manteca: Tidewater Bikeway (\$125,000);
 - (70) City of Garden Grove: Gum Theater marquee replacement (\$25,000);
 - (90) City of Los Angeles: Ascot Park (\$1,000,000);
 - (138) Tulare County's District Attorney's Office: Tulare County Gang Task Force Operations (\$100,000);
 - (151) City of Visalia: Mobile Recreation Centers (\$100,000);
 - (152) Tulare County: Boys and Girls Club, youth facility (\$100,000);

- (153) City of Oceanside: Martin Luther King, Jr. Skate Park (\$50,000);
- (154) Town of Yucca Valley: Morongo Basin Regional/Multipurpose trails system (\$50,000);
- (155) City of San Jacinto: Estudillo Mansion (\$50,000);
- (156) City of Moreno Valley Department of Parks and Recreation: State Park Bond proposed projects for funding City of Moreno Valley Parks and Recreation Department (\$50,000);
- (165) Tustin Boys and Girls Club: Purchase of fuel powered/solar powered generating system (\$40,000);
- (166) Laguna Beach Boys and Girls Club: Laguna Beach Boys and Girls Club teen facilities expansion (\$60,000);
- (167) City of Folsom: Regional Humbug-Willow Creek Bikeway Gap Closure Project (\$75,000);
- (168) Sunrise Recreation and Park District: Family picnic shelter (\$75,000);
- (169) Orangevale Recreation and Park District: Community solar panels (\$85,000);
- (170) North Highlands Recreation and Park District: McClellan Sports Complex rehabilitation (\$100,000);
- (171) Carmichael Recreation and Park District: Carmichael Park swimming pool renovation (\$75,000);
- (173) City of Fountain Valley: Recreation Facility Expansion Project (\$100,000);
- (174) City of La Palma: El Rancho Verde Open Space Project (\$100,000);
- (175) City of Los Alamitos: USA Olympic Team Facility (\$100,000);
- (176) City of El Cajon: El Cajon High School tennis courts (\$63,000);
- (177) City of El Cajon: Tuttle Parks Sports Field (\$95,000);
- (178) City of La Mesa: Junior Seau Regional Sports Complex Baseball field capability-Phase 3 (\$91,000);
- (179) City of Lemon Grove: Pine replacement at Main Street (\$11,000);
- (180) City of Lemon Grove: Replacement pipe at Ensenada Street (\$8,000);
- (181) City of Lemon Grove: Roosevelt Street (\$8,000);
- (182) City of La Mesa: Junior Seau Regional Sports Complex ball field special features (\$90,990);
- (183) City of El Cajon: Dance studio (\$15,000);
- (184) City of Fontana: Heritage Community Center (\$425,000);
- (185) East Contra Costa County Historical Society: Relocation and Foundation for Eden Plain School Historical Building (\$30,000);
- (187) Tahoe City Public Utilities District: Tahoe City Community Center for Lake Tahoe Information, Culture, and Art (\$100,000);
- (188) Hangtown Gold Bug Park Development Committee: Gold Bug Park Living Museum (\$100,000);
- (189) Los Osos Community Pool Association: Los Osos Community Aquatic Center (\$300,000);
- (190) City of San Maria: Community Youth Center final phase (\$250,000);
- (191) City of Arroyo Grande: Five Cities Community Recreation Center (\$250,000);
- (192) City of Diamond Bar: Summit Ridge Park improvements (\$50,000);
- (193) City of Norco: Ingall's Regional Equestrian Park (\$50,000);
- (194) Riverside Parks and Recreation: Air conditioning for the Cesar Chavez Community Center (\$150,000);
- (196) City of Thousand Oaks: Ventura County Discovery Center (VCDC) (\$100,000);

- (197) City of Los Angeles, Parks and Recreation Department: Recreational facility upgrade (\$132,000);
 - (199) City of Escondido: Escondido Sports Center (\$150,000);
 - (200) City of Encinitas: Parkland and Open Space Acquisition Funding (\$300,000);
 - (201) City of Del Mar: Reconstruction of children's playground area (\$45,000);
 - (202) City of Escondido: Boundless Playground (\$100,000);
 - (203) City of Apple Valley: Apple Valley Town Center Park (\$100,000);
 - (204) County of San Bernardino: Barstow Wading Pool (\$81,000);
 - (205) County of San Bernardino: Spring Valley Lake Baseball Fields (\$60,000);
 - (206) Anza Borrego Foundation: Mason Valley Project (\$200,000);
 - (207) City of Walnut: Suzanne Park Renovation Project (\$50,000);
 - (208) City of La Mirada: Skateboard Park (\$50,000);
 - (209) City of La Puente: Skateboard Park-City of La Puente (\$50,000);
 - (210) City of West Covina: Ridge Rider Equestrian Center (\$50,000);
 - (211) City of Fullerton: Lions Field athletic field lights (\$100,000); and
 - (212) City of Fullerton: Independence Park play structure (\$40,000);
- and reducing the following subschedules:
- (5) Boys and Girls Club of San Pedro: Rancho San Pedro Clubhouse start up capital from (\$288,000) to (\$200,000);
 - (6) Buena Park Boys and Girls Club: Building expansion from (\$395,000) to (\$200,000);
 - (8) City and County of San Francisco: Edgehill Mountain Open Space Park Land acquisition from (\$150,000) to (\$75,000);
 - (9) City of Arcata: Arcata Ballpark improvements from (\$200,000) to (\$150,000);
 - (10) City of Baldwin Park: Baldwin Park Community Center construction of multi-purpose recreational facility from (\$241,000) to (\$200,000);
 - (11) City of Chula Vista: Otay Park, children's playground construction from (\$105,000) to (\$85,000);
 - (12) City of Chula Vista: Nature Interpretive Center from (\$500,000) to (\$150,000)
 - (13) City of Compton: Gonzales Park from (\$390,000) to (\$200,000);
 - (17) City of El Cajon, Department of Parks and Recreation: Montgomery Middle School, sports field lighting from (\$120,000) to (\$90,000);
 - (18) City of El Cajon, Department of Parks and Recreation: Fletcher Hills Recreation Center, pool and locker room improvements from (\$200,000) to (\$150,000);
 - (22) City of La Mesa: Briarcrest Park, capital improvements from (\$200,000) to (\$150,000);
 - (23) City of La Mesa: Junior Seau Regional Sports Complex, capital improvements from (\$200,000) to (\$150,000);
 - (26) City of Lemon Grove, Department of Parks and Recreation: City Center Park, phase II improvements from (\$250,000) to (\$200,000);
 - (27) City of Manhattan Beach: Polliwog Park rehabilitation from (\$200,000) to (\$100,000);
 - (29) City of Montebello: Skateboard Park from (\$246,000) to (\$200,000);
 - (30) City of Ontario: The De Anza Community Center from (\$100,000) to (\$75,000);
 - (31) City of Ontario: Youth Soccer Sports Complex from (\$110,000) to (\$50,000);

- (32) City of Pomona: Westmont Park, Kennedy Skateboard Park, Jaycee Community Park, Ganesha Park Pool, Grove Sports Park from (\$250,000) to (\$80,000);
- (33) City of Rialto: Frisbee Park from (\$75,000) to (\$50,000);
- (34) City of San Bernardino: Skateboard Park from (\$75,000) to (\$25,000);
- (36) City of San Diego: Bay Terraces Community Park, Capital improvement completion from (\$200,000) to (\$150,000);
- (37) City of San Diego: Keiller Park, design and construction of comfort station from (\$200,000) to (\$150,000);
- (38) City of San Diego: Martin Luther King Jr. Community Center, completion of construction from (\$250,000) to (\$150,000);
- (42) City of Whittier: Whittier Greenway Trail from (\$750,000) to (\$450,000);
- (43) City of Willits: Build Youth Center from (\$200,000) to (\$100,000);
- (44) Colour Me Freedom Foundation: Martin Luther King Jr. Museum/Cesar E. Chavez Diversity Center from (\$300,000) to (\$250,000);
- (45) County of Los Angeles: Del Amo Neighborhood Park in Carson from (\$710,000) to (\$350,000);
- (48) County of Santa Barbara: Goleta Youth Baseball Fields Santa Barbara from (\$2,000,000) to (\$500,000);
- (49) County of Santa Clara: Villa Montalvo from (\$300,000) to (\$200,000);
- (51) East County Performing Arts Center: Capital improvements to the center from (\$500,000) to (\$275,000);
- (52) East Los Angeles Community Youth Center: Facility refurbishment from (\$330,000) to (\$225,000);
- (54) McKinleyville Community Services District : McKinleyville Park, ball-park construction from (\$200,000) to (\$125,000);
- (58) National City, Department of Parks and Recreation: Municipal Pool, facility improvements from (\$200,000) to (\$150,000);
- (59) North Highlands Recreation and Park District: Freedom Park Sports Complex, rehabilitation from (\$175,000) to (\$75,000);
- (62) Sacramento Asian Sports Foundation: Community Center from (\$330,000) to (\$100,000);
- (64) Sacramento Valley Open Space Conservancy: Purchase of Fair Oaks Bluffs from (\$300,000) to (\$100,000);
- (67) Trust for Public Lands: Bella Vista Discovery Park Oakland from (\$1,000,000) to (\$650,000);
- (68) City of Orange: Eli Home Expansion from (\$400,000) to (\$150,000);
- (71) City of Concord: Daniel E. Boatwright Sports Complex playground from (\$133,000) to (\$110,000);
- (72) Major League Baseball Urban Youth Foundation: Major League Baseball Academy from (\$2,675,000) to (\$2,000,000);
- (73) Pacoima Community Technology Center from (\$250,000) to (\$75,000);
- (74) County of Merced: South Dos Palos Park irrigation system from (\$333,000) to (\$225,000);
- (75) City of Atwater: Restoration of Bloss Home from (\$275,000) to (\$75,000);
- (76) Heart of Los Angeles Youth: Renovation of Existing Facility from (\$50,000) to (\$40,000);
- (78) East Bay Regional Park District: Roberts Regional Park from (\$50,000) to (\$25,000);
- (79) Bassett Little League: Bassett Little League Park improvements from (\$75,000) to (\$40,000);

- (80) City of La Puente Parks and Recreation: City of La Puente Skate Board Park from (\$150,000) to (\$90,000);
- (84) City of Newark: Newark Skate Park from (\$200,000) to (\$150,000);
- (85) Old Timers Foundation: Capital Improvements for family center in the City of Huntington Park from (\$150,000) to (\$75,000);
- (86) Door of Hope Community Center: Community Skate Park-East Los Angeles from (\$100,000) to (\$75,000);
- (87) City of Shafter: Capital Parks improvement from (\$100,000) to (\$75,000);
- (88) City of Arvin: Arvin Skate Park from (\$140,000) to (\$75,000);
- (89) City of Baldwin Park: Department of Recreation and Community Services-Jones Junior High School multi-purpose sports complex from (\$95,000) to (\$40,000);
- (91) City of Saratoga: Villa Montalvo from (\$200,000) to (\$100,000);
- (92) Children's Discovery Museum of San Jose from (\$250,000) to (\$175,000);
- (97) Boys and Girls Club of Burbank: Boys and Girls Club of Burbank Technology Learning Center from (\$50,000) to (\$40,000);
- (98) Friends of Griffith Park Observatory: Griffith Park Observatory from (\$200,000) to (\$160,000);
- (99) Ad Hoc Committee for Safe Children: Anahauk Youth Soccer Club from (\$75,000) to (\$25,000);
- (100) City of Los Angeles: Phase II: Temple-Beverly Family Park from (\$300,000) to (\$115,000);
- (101) Proyecto Pastoral at Dolores Mission: Proyecto Pastoral at Dolores Mission Expansion from (\$40,000) to (\$30,000);
- (104) City of Bellflower: William Bristol Civic Auditorium from (\$25,000) to (\$15,000);
- (105) City of Hawaiian Gardens: Community Parks Upgrades from (\$25,000) to (\$15,000);
- (110) City of San Diego: Serra Mesa Community Parks from (\$150,000) to (\$140,000);
- (111) City of San Diego: Tierasanta Community Park security lighting from (\$150,000) to (\$100,000);
- (112) City of San Diego: University Tot Lots from (\$175,000) to (\$160,000);
- (113) Mountains Recreation and Conservation Authority: Briar Summit-Laurel Canyon East Core Habitat from (\$88,000) to (\$35,000);
- (114) City of Temple City: Temple City Basketball Court Project from (\$125,000) to (\$100,000);
- (115) South Pasadena: Skate Park from (\$75,000) to (\$50,000);
- (117) Los Angeles Maritime Institute: Completion of Twin Brigantine Project engine rooms from (\$100,000) to (\$60,000);
- (119) City of Stockton: Pixie Woods renovation from (\$200,000) to (\$100,000);
- (120) City of Stockton, Department of Parks and Recreation: Development of Youth Soccer Fields from (\$125,000) to (\$100,000);
- (127) City of Ontario: Construction of the restroom facility at Galvin Park from (\$100,000) to (\$91,000);
- (128) City of Montclair: Skateboard Park from (\$100,000) to (\$80,000);
- (129) City of Hermosa Beach: Renovation of Hermosa Valley Park from (\$90,000) to (\$70,000);
- (130) City of Torrance: North Torrance Community Service Center from (\$100,000) to (\$65,000);
- (132) Boys and Girls Club of Harbor City/Harbor Gateway: Complete facility for Harbor Gateway Boys and Girls Club from (\$100,000) to (\$75,000);

- (133) City of Los Angeles: Vans for afterschool program from (\$50,000) to (\$40,000);
- (134) City of South San Francisco: Construction of the Westborough Learning/Childcare Center from (\$175,000) to (\$150,000);
- (136) Tarzana Community Foundation: Tarzana Community Center from (\$240,000) to (\$100,000);
- (137) Hmong American Community, Inc.: Hmong American Community Center Renovation from (\$90,000) to (\$40,000);
- (139) City of Dinuba (Recreation Services): Minibus/van for Youth Center from (\$35,000) to (\$25,000);
- (141) Southgate Parks and Recreation: Florin Creek Soccer Complex rehabilitation and expansion from (\$75,000) to (\$30,000);
- (143) Vacaville Youth Soccer League: Centennial Park Soccer Complex from (\$300,000) to (\$230,000);
- (144) County of Solano: Relocation of Girl Scouts building from (\$150,000) to (\$100,000);
- (145) St. Vincent de Paul Village: Playground equipment for children's center from (\$150,000) to (\$112,000);
- (146) Willowbrook Boys and Girls Club: Complete construction of the Willowbrook Boys and Girls Club Facility from (\$150,000) to (\$100,000);
- (147) City of San Diego: North Clairemont Recreation Center-picnic shelter from (\$100,000) to (\$75,000);
- (149) City of San Diego: Golden Hill Community Park picnic shelter from (\$70,000) to (\$65,000);
- (161) City of Lake Forest: Community Resource Center from (\$100,000) to (\$50,000);
- (163) City of Lake Forest: Public skate park from (\$50,000) to (\$25,000);
- (186) City of Fontana: Heritage Community Center from (\$500,000) to (\$200,000).

I am reducing this item by \$2,500,000 in recreational grants, which would provide funding to develop a new community events center and rehabilitate the historic Plaza House at El Pueblo de Los Angeles State Park. This action is essential due to fiscal constraints and limited resources in the General Fund.

I am reducing this item by \$15,631,990 in local projects. This action is essential due to fiscal constraints and limited resources in the General Fund. Furthermore, of the amount being sustained for these projects, funding shall be approved on a one-time basis.

I am deleting the \$100,000 local project for (138) Tulare County's District Attorney's Office: Tulare County Gang Task Force Operations. This is a technical veto to correct an error in the Budget Act. This technical veto will conform to the Legislature's intent, and is consistent with legislative action taken in Item 8100-101-0001 (26.5)(af), which makes the correct allocation for this project within the Office of Criminal Justice Planning.

Item 3790-102-0383—For local assistance, Department of Parks and Recreation. I sustain this Item for use on a one-time basis.

Expenditure of this appropriation is dependent upon enactment of separate legislation that will authorize the Director of the Department of Parks and Recreation to establish guidelines for the allocation of these funds.

Item 3790-301-0001—For capital outlay, Department of Parks and Recreation. I reduce this item from \$350,000 to \$245,000 by reducing:

- (1) 97.20.004-Local Projects: Mount Diablo State Park (Morgan Territory) Acquisition from \$300,000 to \$225,000, and

(2) Topanga State Park—Los Liones Trailhead improvements and restroom construction from \$50,000 to \$20,000.

I am reducing these legislative augmentations by \$105,000 due to fiscal constraints and limited resources in the General Fund.

However, I am sustaining the \$50,000 legislative augmentation for the Topanga State Park—Los Liones Trailhead improvements and restroom construction project on a one-time basis.

Item 3790-301-0005—For capital outlay, Department of Parks and Recreation. I revise this item by reducing:

(30.92) 90.KZ.101-Cornfields Project: Acquisition—Acquisition from \$40,000,000 to \$36,000,000; and

(31) Reimbursements from -\$5,041,000 to -\$1,041,000;

and delete Provision 7.

These reductions are in conformance with Items 0540-101-0001, Schedule (2) and 0540-101-6015, Schedule (2), which were reduced due to fiscal constraints and limited resources.

I am deleting Provision 7, which allocates \$6,500,000 of the funds appropriated to the Albion Acquisition. This project has not been reviewed by the Department, with input from the State Parks and Recreation Commission, against other competing priority park system needs.

Item 3790-302-0005—For capital outlay, Parks and Recreation. I reduce this item from \$69,400,000 to \$9,850,000 by reducing:

(7) 90.EC.400-Kenneth Hahn SRA: Baldwin Hills—Acquisition from \$11,000,000 to \$4,000,000;

(13) 90.7T.400-Pigeon Point Light Station SHP: Bolsa Point/Whaler's Cove—Acquisition from \$5,000,000 to \$4,000,000;

(14) 90.72.400-John Marsh Home SHP: Cowell Ranch—Acquisition from \$5,000,000 to \$1,500,000; and

(15) 90.FH.100-Santa Monica SB: 415 PCH Project—EIRs and Planning from \$500,000 to \$350,000

and by deleting \$60,550,000 for the following projects:

(1) 90.EX.400-Malibu Creek SP: Acquisition (700,000);

(2) 90.4E.400-Mendocino Headlands SP: Big River—Acquisition (\$5,000,000);

(3) 90.BR.400-Butano SP: Acquisition (\$3,000,000);

(4) 90.B8.400-Castle Rock SP: Acquisition (\$7,000,000);

(5) 90.CH.400-Point Lobos SR—Acquisition (\$5,000,000);

(6) 90.CO.400-Wilder Ranch SP: Curren Ranch—Acquisition (\$2,200,000);

(8) 90.EF.400-El Capitan SB: El Capitan Ranch—Acquisition (\$6,500,000);

(9) 90.FW.400-Topanga SP: Mulholland Gateway—Acquisition (\$9,000,000);

(10) 90.H6.400-Cuyamaca Rancho SP: Tulloch-Cuyamaca—Acquisition (\$3,000,000);

(11) 90.7P.400-Half Moon Bay SB: Francis Beach—Acquisition (\$1,500,000); and

(12) 90.7Q.400-Montara SB: Rancho Corral—Acquisition (\$5,000,000);

I am reducing these legislative augmentations due fiscal constraints and diminishing resources in the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund for unspecified state parks projects. The amount I have sustained for the Kenneth Hahn SRA: Baldwin Hills acquisition is intended to secure the acquisition of the Stocker Street Trail. Should this amount be insufficient, I direct the Department of Parks and Recreation to reassess the critical nature of this project and, if appropriate, request additional funds in the 2002 Governor's Budget.

In addition, I direct the Department of Parks and Recreation to allocate \$3,000,000 and \$625,000 from the 2000 Bond Redwood Acquisition Program for the Mendocino

Headlands: Big River acquisition and the Butano SP acquisition, respectively. I further direct the department to seek additional federal funds for the Butano SP acquisition.

I further direct the Department of Parks and Recreation to allocate from the 2000 Bond Habitat Acquisition Program \$3,000,000 for the Castle Rock SP acquisition, \$5,000,000 for the El Capitan SB: El Capitan Ranch acquisition, \$4,000,000 for the Topanga SP: Mulholland Gateway acquisition, \$3,000,000 for the Cuyamaca Rancho SP: Tulloch-Cuyamaca acquisition, \$1,000,000 for the Pigeon Point Light Station SHP: Bolsa Point/Whaler's Cove acquisition, and \$1,500,000 for the John Marsh Home SHP: Cowell Ranch acquisition.

Item 3810-301-0005—For capital outlay, Santa Monica Mountains Conservancy. I reduce this item from \$16,250,000 to \$14,250,000.

I am deleting the \$2 million legislative augmentation for the Oakmont-Verdugo Mountains purchase. The Oakmont-Verdugo Mountains acquisition is one of the projects previously funded through the Resources Agency in 2000–01 from bond funds provided through Proposition 13. The additional \$2 million augmentation is not necessary to complete the acquisition.

Item 3860-001-0001—For support of Department of Water Resources, I reduce this item from \$117,373,000 to \$113,657,000 by reducing:

(4) 30-Public Safety and Prevention of Damage from \$41,976,800 to \$38,260,800, and by deleting Provision 2.

California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. Due to fiscal constraints and limited resources, it is necessary to reduce funding for sediment removal projects for the Tisdale Bypass and the Fremont Weir. However, I am retaining \$599,000 for environmental review and engineering design activities to allow the projects to move forward.

I am deleting Provision 2 to conform to this action.

Item 3860-101-0001—For local assistance, Department of Water Resources, I reduce this item from \$22,586,000 to \$21,991,000 by reducing:

(4) 97.20.004-Local Projects from \$1,550,000 to \$955,000 by reducing subschedules:

(b) State Reclamation Board: Success Reservoir Enlargement Project from (\$550,000) to (\$335,000);

(c) City of Fremont: Dredging Lake Elizabeth from (\$400,000) to (\$120,000); and by deleting subschedule:

(d) Butte County: Rock Creek/Keffer Slough (\$100,000).

I am deleting the \$865,000 legislative augmentation. This action is essential due to fiscal constraints and limited resources in the General Fund. Furthermore, of the amount being sustained for these projects, funding shall be approved on a one-time basis.

Item 3900-101-0001—For local assistance, State Air Resources Board. I reduce this item from \$200,000 to \$75,000 by reducing:

(1) Local projects from \$200,000 to \$75,000 by reducing the following subschedule:

(a) Montebello Unified School District: CNG Buses from (\$150,000) to (\$75,000);

and by deleting the following subschedule:

(b) City of San Clemente: Electric vehicle-San Clemente (\$50,000).

I am deleting the \$125,000 legislative augmentation. This action is essential due to fiscal constraints and limited resources in the General Fund. The \$75,000 in subschedule (a) is being sustained on a one-time basis.

Item 3910-001-0226—For support of California Integrated Waste Management Board. I revise this item.

I am reducing the legislative augmentation of 19.0 positions by 10.0 positions. I am sustaining the remaining 9.0 positions to address the Waste and Used Tire program workload, and sustaining full funding for this program to provide sufficient resources for contractual services.

Item 3910-001-0386—For support of California Integrated Waste Management Board. I reduce this item from \$939,000 to \$439,000.

I am deleting the \$500,000 legislative augmentation for grants to local government to reduce or eliminate trash in the Los Angeles River Watershed. While I am supportive of environmental improvement projects, this project is not of sufficiently high priority to justify funding over other meritorious projects. Proponents of this project have the option to apply for a competitive grant from the Solid Waste Disposal and Codisposal Cleanup Program.

Item 3910-001-0387—For Support of California Integrated Waste Management Board. I revise this item by reducing:

- (1) 11-Waste Reduction and Management from \$77,653,000 to \$77,153,000, and
- (12) Amount payable from Solid Waste Disposal Site Cleanup Trust Fund (Item 3910-001-0386) from -\$939,000 to -\$439,000.

I am revising this item to conform to the action I have taken in Item 3910-001-0386.

Item 3940-001-0001—For support of State Water Resources Control Board. I reduce this item from \$108,796,000 to \$108,659,000 by reducing:

- (1) 10-Water Quality from \$401,839,000 to \$401,702,000.

I am deleting the \$137,000 augmentation for administration of clean beach and research projects. I am reducing this item to conform to the action I have taken in Item 3940-101-0001.

Item 3940-101-0001—For local assistance, State Water Resources Control Board. I reduce this item from \$3,066,000 to \$1,503,000 by reducing:

- (1) 10-Water Quality from \$242,763,000 to \$237,869,000;
- (1.5) 97.20.004-Local Projects from \$203,000 to \$3,000 by deleting the following subschedules:
 - (a) Upper San Gabriel Valley Municipal Water District: Watershed Restoration Program (\$150,000);
 - (c) City of San Juan Capistrano: Water Quality Program (\$50,000);
- (8) Amount payable from the Coastal Nonpoint Source Control Subaccount (Item 3940-101-6022) from -\$65,000,000 to -\$61,469,000;

and by revising Provision 1.

I am deleting \$1,363,000 of the augmentation for clean beach research projects to protect vital existing programs. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. However, in recognition of the critical need to reduce the number of beach closures due to viral and bacterial contamination, I am sustaining \$32,298,000 of the Coastal Nonpoint Source Account funding in Item 3940-101-6022 for various clean beach projects.

I am revising Schedule (8) to conform to the action I have taken in Item 3940-101-6022.

I am also revising Provision 1 to conform to this action.

“1. A total of ~~\$38,000,000~~ (~~\$3,000,000~~ ~~appropriated in this item and~~ \$33,798,000 ~~(\$1,500,000 appropriated in this item and~~ \$32,298,000 appropriated in Item 3940-101-6022) shall be used for clean beach and research projects in accordance with the following schedule:

- (a) County of Los Angeles: Mothers' Beach, Marina Del Rey (2,000,000)
- (b) City of Malibu: Surfrider, Malibu Lagoon (2,000,000)
- (c) City of Calabasas: Malibu Creek (385,000)

- (d) Las Virgenes Municipal Water District: Malibu Creek (742,000)
- (e) City of Long Beach: Los Angeles River (500,000)
- (f) City of Long Beach: Colorado Lagoon (500,000)
- (g) City of Los Angeles: Cabrillo Beach (1,250,000)
- (h) City of Santa Monica: Santa Monica Pier (350,000)
- (i) City of Redondo Beach: Redondo Beach Pier (350,000)
- (j) City of Los Angeles: Temescal Canyon (800,000)
- (k) City of Manhattan Beach: Manhattan Beach (200,000)
- (l) City of Los Angeles: Santa Monica Canyon (1,020,000)
- (m) City of Los Angeles: Imperial Beach (810,000)
- (n) City of Malibu/County of Los Angeles: Surfrider, Malibu Lagoon (794,000)
- (o) City of Avalon: Avalon Beach (500,000)
- (p) County of Ventura: Kiddie and Hobie Beach (1,500,000)
- (q) County of Santa Barbara: Rincon Beach (500,000)
- (r) County of Santa Barbara or City of Santa Barbara or California Department of Parks and Recreation: Arroyo Burro et al. (2,000,000)
- (s) County of Orange: Dana Point Harbor Baby Beaches (750,000)
- (t) City of Laguna Beach and Aliso Water Management District: Aliso Beach (500,000)
- (u) County of Orange or City of Dana Point: Doheny State Beach (750,000)
- (v) County of Orange or City of Newport Beach: Newport Bay (500,000)
- (w) County of Orange: Dana Point-Poche Creek (500,000)
- (x) County of Orange: Huntington State Beach-Santa Ana River (~~2,039,000~~) (1,000,000)
- (y) County of Orange: Huntington Harbor (750,000)
- (z) City of Encinitas: Moonlight Beach (814,000)
- (aa) City of San Diego: Mission Bay (3,000,000)
- (ab) County of San Diego or City of Imperial Beach: Imperial Beach (1,500,000)
- (ac) County of San Diego and City of Coronado: Coronado Beach (1,000,000)
- (ad) County of San Diego or City of San Diego: Ocean Beach (1,500,000)
- (ae) County of San Diego or City of San Diego: Chollas Creek (~~1,000,000~~)
- (af) County of Santa Cruz: Seabright Beach (325,000)
- (ag) City of Santa Cruz or County of Santa Cruz: Main and Cowell Beach (150,000)
- (ah) City of Capitola or County of Santa Cruz: Capitola Beach (100,000)
- (ai) City of Santa Cruz or County of Santa Cruz: Main and Seabright Beach (1,000,000)
- (aj) County of Sonoma: Bodega Bay-Campbell Cove (500,000)
- (ak) County of San Mateo: Pillarcitos and Gazos (250,000)
- (al) County of San Mateo: Pacifica State Beach (500,000)
- (am) County of San Luis Obispo or City of Pismo Beach: Pismo State Beach (1,200,000)
- (an) County of Monterey or City of Pacific Grove: Lover's Point (500,000)
- (ao) County of Monterey: Still Water Cove (500,000)
- (ap) Develop rapid indicators (~~2,000,000~~) (1,500,000)
- (aq) Source Identification Methodology (~~1,000,000~~) "

This action is essential due to fiscal constraints and limited resources in the General Fund.

The \$3,000 legislative augmentation for the Novato Sanitary District: Novato Heights Sewer Project Revenue Study is being sustained on a one-time basis.

Item 3940-101-6022—For local assistance, State Water Resources Control Board. I reduce this item from \$65,000,000 to \$61,649,000.

I am deleting \$3,531,000 for various clean beach projects that are not of sufficiently high priority to fund at this time. The action taken in this item conforms to the action I have taken in Item 3940-101-0001.

Item 3960-101-0001—For local assistance, Department of Toxic Substances Control. I delete this item.

I am deleting the \$50,000 legislative augmentation for the North Fork Community Development Council for the North Fork Mill Site PCP Contamination Clean-up. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 4120-101-0001—For local assistance, Emergency Medical Services Authority. I sustain this item.

I am sustaining the \$25,000,000 legislative augmentation for trauma care centers and the \$5,000,000 augmentation for trauma care system planning on a one-time only basis. The Healthy Families and Medi-Cal program and funding expansions continued in this Budget will provide health coverage for approximately 1.1 million formerly uninsured Californians. Funding included in the Budget for those previously uninsured, in addition to the base funding for millions of our residents, should decrease the number of uninsured patients served in trauma centers, and, as a result, reduce the need for State funding in the future.

Item 4130-001-0632—For support of California Health and Human Services Agency Data Center. I reduce this item from \$307,811,000 to \$304,585,000 by reducing:

(2) 30-Systems Management Services from \$165,422,000 to \$162,196,000.

I am reducing this item by \$3,226,000 to conform with actions taken in Item 5180-141-0001.

Item 4140-101-0001—For local assistance, Office of Statewide Health Planning and Development. I revise this item by deleting Provision 2.

I am deleting Provision 2, which would require the Office of Statewide Health Planning and Development to encourage multi-year Rural Health Capital Grants applications. The Office is currently able to award multi-year Rural Health Capital Grants, subject to the appropriation of funds. While a multi-year process may streamline the grant award and payment process, it could result in all funds being committed before new applicants have the opportunity to compete for funding. Additionally, should funding for this program be reduced in the future, out-year commitments may not be able to be met.

Item 4140-111-0236—For local assistance, Office of Statewide Health Planning and Development. I revise this item by deleting Provision 1.

I am deleting Provision 1, which would require the Office of Statewide Health Planning and Development to encourage multi-year Rural Health Services Small Grants applications. The Office is currently able to award multi-year Rural Health Services Small Grants, subject to the appropriation of funds. While a multi-year process may streamline the grant award and payment process, it could result in all funds being committed before new applicants have the opportunity to compete for funding. Additionally, should funding for this program be reduced in the future, out-year commitments may not be able to be met.

Item 4170-001-0001—For support of Department of Aging. I revise this item by deleting Provision 2.

Provision 2 would require that the augmented funds provided for the Multipurpose Senior Services Program (MSSP) be used to increase base funding for current client program slots. The deletion of Provision 2 conforms to the elimination of a \$1.5 million (\$750,000 General Fund) legislative augmentation in the Department of Health Services local assistance budget. The funding for the MSSP local assistance has increased by 55.8 percent under my Administration, including a 17 percent increase provided in this Budget in the Medi-Cal program. I believe that the Budget provides

sufficient funding for the program to cover service costs to the most impaired seniors on a priority basis; therefore, I am deleting the provisional language and the related base funding increase at this time.

Item 4170-101-0001—For local assistance, Department of Aging. I reduce this item from 38,848,000 to \$36,075,000 by reducing:

- (4) 40-Special Projects from \$25,607,000 to \$23,540,000, and
- (4.5) 97.20.004-Local Projects from \$2,551,000 to \$1,845,000 by reducing the following subschedules:
 - (b) Acacia Adult Day Services Garden Grove: Building renovation from (\$170,000) to (\$75,000);
 - (c) City of Chino: Senior citizens' expansion project from (\$75,000) to (\$65,000);
 - (d) City of Culver City: Culver City Senior Center from (\$450,000) to (\$350,000);
 - (e) City of Montclair: Senior Center from (\$90,000) to (\$80,000);
 - (f) City of Rancho Cucamonga: New Senior Center from (\$75,000) to (\$65,000);
 - (g) Filipino-American Senior Opportunities Development Council, Inc.: Provide furniture and equipment for the Northside Community Center from (\$100,000) to (\$75,000);
 - (h) City of Bellflower: Equipment and rehabilitation for Senior Services at Simms Park from (\$25,000) to (\$20,000);
 - (i) George and Marta Brown Foundation: Equipment for the George and Marta Brown Foundation's Brown Center for Innovation-Senior computer lab from (\$43,000) to (\$30,000);
 - (j) City of Rialto, Department of Parks and Recreation: Rialto Senior Center furnishings from (\$100,000) to (\$60,000);
 - (l) City of Chino: Senior Citizens' Center expansion from (\$150,000) to (\$125,000);
 - (m) City of Culver City: Construction of the Culver City Senior Center from (\$800,000) to (\$600,000);
 - (q) Filipino American Association of the USA (FAAUSA): Adult day care center for Filipino World War II veterans from (\$100,000) to (\$25,000);

and by deleting the following subschedules:

- (n) Sierra Foothill Senior Management: Meals on Wheels waiting list elimination (\$38,000);
- (o) Lutheran Social Services of Southern California: Caring Neighbors program (\$30,000);
- (p) Camarillo Health Care District: Elements Affecting Senior Independence program (\$30,000);

and by deleting Provision 6.

I am deleting \$98,000 and reducing \$608,000 from the indicated legislative augmentations for local projects. These reductions are needed due to fiscal constraints and limited resources in the General Fund. The funding for the projects which I am sustaining is being included on a one-time basis.

I am deleting the legislative augmentation of \$600,000 General Fund for the Linkages program, which was intended to provide a per-client rate increase, and reducing the Community-Based Services Programs by an additional \$1,000,000 due to the need to maintain a prudent reserve for economic uncertainties. The Budget retains \$24.9 million for Community-Based Services Programs, which includes \$8.7 million for the Linkages program. Given better economic times during the first two years of my Administration, we were able to provide \$12.4 (\$8.9 million General Fund) to expand services for seniors in 1999–2000 and \$332.4 million (\$187.3 million General Fund)

specifically for community programs for seniors in 2000–01. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I am open to considering funding for these worthy programs in the future when the economy improves.

I am also deleting the legislative augmentation of \$467,000 General Fund for one-time grants for start-up costs at new Adult Day Care (ADC) and Adult Day Support (ADS) centers. Historically, the State has not provided start-up grants for these centers. Due to limited General Fund resources, it is inappropriate for the State to initiate funding for a new program. The Budget includes local assistance funding of \$177.5 million (\$86.3 million General Fund) for Adult Day Health Care and \$4.7 million (\$4.3 million General Fund) for Alzheimer's Day Care Resource Centers, which provide a range of similar health, therapeutic, and social services. In addition, a new federal program, the National Family Caregiver Support Program, will be initiated in 2001–02 to provide a continuum of caregiver support services similar to those offered at ADC and ADS centers.

I am deleting Provision 6 to conform to this action.

Item 4170-102-0001—For local assistance, Department of Aging. I sustain this item.

I am sustaining the \$1,500,000 legislative augmentation for the City of Elk Grove for the Elk Grove Senior Center on a one-time only basis.

Item 4180-401—Commission on Aging. I delete this item.

I delete this item because this language requires the Commission on Aging to report on its financial requirements to operate the Commission, the Area Agencies on Aging Advisory Council of California, and the California Senior Legislature. This activity is more properly conducted as part of the Administration's normal budget development process.

Item 4200-001-0001—For support of Department of Alcohol and Drug Programs. I reduce this item from \$5,267,000 to \$5,091,000 by reducing:

- (1) 15-Alcohol and Other Drug Services Program from \$34,004,000 to \$33,652,000, and
- (4) Reimbursements from –\$4,115,000 to –\$3,939,000.

I am reducing \$352,000 (\$176,000 General Fund and \$176,000 reimbursements) and four new Drug Medi-Cal program auditor positions originally included in my proposed 2001–02 Budget. The May Revision of the Budget proposed the elimination of these positions and associated funding. The Legislature rejected that reduction. The Budget retains ten positions for Drug Medi-Cal audits. In addition, the department can seek assistance by directing suspected fraud to the Department of Health Services, which added 192 positions in 2000–01 for Medi-Cal fraud investigation. This reduction is necessary to provide for a prudent General Fund reserve for economic uncertainties.

Item 4200-001-3019—For support of Department of Alcohol and Drug Programs. I revise this item by deleting Provision 4.

I am deleting Provision 4, which would require the Department of Alcohol and Drug Programs to provide a written summary, by April 2002, of the implementation of the Substance Abuse and Crime Prevention Act of 2000 (Proposition 36). This provision specifies the information to be included in the summary. Because the programs authorized under Proposition 36 commenced July 1, 2001, it is unlikely that sufficient data would be available in time to result in a meaningful report by April 2002. Proposition 36 requires an annual report to be prepared. I am directing the Department to include in its report, to the extent that data are available, the information requested by the Legislature pursuant to this provision. Additionally, I am directing the Department to provide copies of the annual report to the appropriate fiscal committees of the Legislature.

Item 4200-101-0001—For local assistance, Department of Alcohol and Drug Programs. I reduce this item from \$49,240,000 to \$40,380,000:

(1) 15-Alcohol and Other Drug Services programs from \$366,820,000 to \$358,120,000;

(1.5) 97.20.004-Local Projects from \$862,000 to \$702,000; and by revising Provision 4.

I am deleting \$5,700,000 for youth treatment programs. I proposed this reduction as part of the May Revision of the Budget. The Legislature rejected that reduction, restoring the funding. Given the significant commitment of General Fund for Proposition 36, I am reducing this program, consistent with my May Revision. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. The Budget contains over \$635 million in state and federal funds for local drug and alcohol treatment programs, including approximately \$35 million specifically for youth treatment and prevention services.

I am deleting \$3,000,000 from the Drug Court programs. I proposed this reduction as part of the May Revision of the Budget. The Legislature rejected that reduction, restoring the funding. This reduction is necessary due to fiscal constraints and limited resources in the General Fund. The Budget continues \$14.1 million for drug court treatment and \$900,000 for court administrative costs. The Budget also includes \$16 million (\$7.8 million General Fund) in new Drug Medi-Cal funding and \$11.2 million in new local assistance federal block grant funding.

I am revising Provision 4 containing certain legislative augmentations for local projects. This action is necessary due to fiscal constraints and limited resources in the General Fund.

“4. Of the funds appropriated in this item, ~~\$862,000~~ \$702,000 shall be for the following projects:

- (a) Marin Services for Women: Drug and Alcohol Program (250,000)
- (b) Pico Union Westlake Cluster Network: Drug Free Community Program (125,000)
- (c) Montebello East Los Angeles Counseling Center ~~(300,000)~~ (243,000)
- ~~(d) Walden House Incorporated: Walden House Conference Report (100,000)~~
- (e) Wolfe Center: Renovation and Repairs of Wolfe Center ~~(50,000)~~ (47,000)
- (f) King of Kings: Recovery Unit (37,000)”

I am sustaining the remaining augmentations on a one-time basis.

Item 4200-104-0001—For local assistance, Department of Alcohol and Drug Programs. I reduce this item from \$26,957,000 to \$25,957,000 by reducing:

(1) 15-Alcohol and Other Drug Services Program from \$26,957,000 to \$25,957,000.

I am reducing the state-funded perinatal program by \$1,000,000, while maintaining over \$25.9 million in General Fund support for this effort. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take this action as a matter of consistency because the discretionary programs for nearly all State departments funded from the General Fund have been reduced similarly. I note that another substance abuse perinatal program, the Perinatal Drug Medi-Cal program, is increasing by over \$1.8 million, to a total of \$5.3 million (\$2.6 million General Fund).

Item 4260-001-0001—For support of Department of Health Services. I reduce this item from \$233,690,000 to \$231,260,000 by reducing:

- (1) 10-Public and Environmental Health from \$367,483,000 to \$367,233,000;
- (2) 20-Health Care Services from \$436,573,000 to \$435,573,000;
- (4.6) 97.20.004-Local Projects from \$3,803,000 to \$2,123,000;
- (5) Reimbursements from -\$29,694,500 to -\$29,694,000; and

(41) Amount payable from the Federal Trust Fund (Item 4260-001-0890) from ~~-\$306,470,500 to -\$305,894,000;~~

and by deleting Provision 9 and revising Provision 10.

I am deleting one position added by the Legislature for the Department of Health Services to provide assistance to the County Medical Services Program (CMSP) in negotiating rebate contracts with drug manufacturers. This position would be responsible for negotiating contracts and securing rebates from drug manufacturers on behalf of the CMSP. This legislative increase in state staff conflicts with my continuing effort to control the growth of state government. Given the department's vacancy level, I am instructing that existing resources be redirected to fulfill the Legislature's requirements. However, I am retaining the funding that will allow the CMSP to reimburse the department for these services.

I am deleting the \$500,000 that was included in my proposed Budget for pilot projects to expand community options for long-term care. The Legislature redirected \$100,000 of this proposal to expand the Program of All-Inclusive Care for the Elderly. I am deleting the entire amount as a matter of consistency because the discretionary programs for nearly all State departments funded from the General Fund have been reduced similarly. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. In addition, I am deleting \$500,000 from the Federal Trust Fund, Item 4260-001-0890, to conform to this action.

In order to correct a technical error in Schedule (41) and Schedule (5) Reimbursements of this item, I am reducing Schedule (41) by an additional \$76,500, and Schedule (5) Reimbursements by \$500. This technical veto will conform the Budget Act to the action taken by the Legislature.

I am deleting the \$250,000 legislative augmentation to conduct public health assessments. These capabilities already exist among local public health departments, and the Budget includes \$1 million General Fund for a nonspecific local public health subvention, some of which could be directed to this activity. This reduction is also necessary to establish a prudent General Fund reserve for economic uncertainties. I am also deleting Provision 9 to conform to this action.

I am revising Provision 10 containing certain legislative augmentations for local projects. This action is necessary due to fiscal constraints and limited resources in the General Fund. I am sustaining the remaining augmentations on a one-time basis.

"10. Of the funds appropriated in this item, ~~\$3,803,000~~ \$2,123,000 shall be for the following projects:

- (a) City of Avalon: Genetic Testing in Avalon Bay pursuant to requirements of AB 411 (1997) (150,000)
- (b) City of Santa Rosa: Cloverdale Street Plume Project to Shut Down Contaminated Wells and Construct New Wells ~~(350,000)~~ (150,000)
- (c) Mexican American Alcoholism Program, Inc.: Start up for Community Health Center in South Sacramento ~~(550,000)~~ (150,000)
- (d) Napa Valley Vintners Health Center: Community Health Center Construction ~~(250,000)~~ (200,000)
- (e) San Diego Children's Hospital: Regional Emergency Care Center (1,000,000)
- (f) Westside Women's Health Center (8,000)
- (g) VIDA: Local Health Program ~~(750,000)~~ (100,000)
- (h) City of Long Beach: Multi-Cultural Health Center ~~(45,000)~~ (20,000)
- (i) Santa Barbara Junior League: Clinic on Wheels ~~(200,000)~~ (195,000)
- (j) Horizon Foundation: Public Health Study on Anti-Gay Campaign (100,000)
- (k) Minority AIDS Project in Los Angeles ~~(400,000)~~ (50,000) "

Item 4260-001-0890—For support of Department of Health Services. I reduce this item from \$306,394,500 to \$305,894,000.

I am reducing this item by \$500,500 to conform with actions taken in Item 4260-001-0001, which includes a technical veto to correct an error in the Budget Act.

Item 4260-003-0942—For support of Department of Health Services. I revise this item by deleting Provision 1.

I am deleting Provision 1, which would allow the Department of Health Services to spend up to \$2,000,000 from the Federal Citation Penalties Account for awards to specific nursing facilities. These awards would be passed on to direct caregivers in the form of bonuses. This deletion will permit applicability of Health and Safety Code Section 1417.4, which establishes the Quality Awards Program for nursing homes. This statute allows monetary awards from the General Fund to be used for staff bonuses and monetary awards from the Federal Citation Penalties Account to be used for innovative grants to improve the quality of care and quality of life for residents in skilled nursing facilities. The Budget Bill incorrectly identifies both the General Fund and the Federal Citation Penalties Account as sources for staff bonuses, with no mention of innovative grants to improve the quality of care and quality of life for residents in skilled nursing facilities. The deletion of this provision will leave only Health and Safety Code Section 1417.4 with authority over the Federal Citation Penalties Account, allowing the Department to use funds from this account in the manner intended by statute.

Item 4260-101-0001—For local assistance, Department of Health Services. I reduce this item from \$9,548,027,000 to \$9,546,027,000 by reducing:

(3) 20.10.030-Benefits (Medical Care and Services) from \$22,826,757,000 to \$22,822,757,000; and

(5) Amount payable from the Federal Trust Fund (Item 4260-101-0890) from -\$14,802,896,000 to -\$14,800,896,000;

and by deleting Provisions 12, 13 and 14.

I am deleting the \$250,000 legislative augmentation for the Department of Health Services (DHS) to conduct an oral health needs assessment of children. This is a potentially duplicative effort funded from limited General Fund resources. If the assessment is deemed to be of sufficient priority, private foundation funding should be sought, as was done to conduct the prior study. In addition, I am deleting \$250,000 from the Federal Trust Fund, Item 4260-101-0890, and deleting Provision 12, to conform to this action.

I am deleting Provision 13, which would require DHS to study methods for developing alternative rate-setting methodologies for distinct-part nursing facilities and report to the Legislature by April 1, 2002. By statute, the Department is currently required to submit a report to the Legislature regarding alternative long-term care reimbursement methodology. This report includes distinct-part nursing facilities. Therefore, I am deleting this provision as such a report is already statutorily required.

I am deleting the \$1,000,000 legislative augmentation to increase supplemental outpatient rates paid to small and rural hospitals. Supplemental outpatient rates were recently doubled for these small and rural hospitals in the Budget Act of 2000, from \$4 million to \$8 million (\$4 million General Fund). Additionally, as part of the proposed Orthopaedic Hospital Settlement, Medi-Cal will pay hospitals a lump-sum payment of \$350 million (\$175 million General Fund) in 2001-02, and beginning July 1, 2001, increase hospital outpatient rates by 30 percent as well as provide annual increases of 3.33 percent effective July 1 in each of the three subsequent years. In addition, I am deleting \$1,000,000 from the Federal Trust Fund, Item 4260-101-0890, to conform to this action.

I am deleting the \$750,000 legislative augmentation to conform to the action taken in Item 4170-001-0001 regarding the Multipurpose Senior Services Program in the

Department of Aging. In addition, I am deleting \$750,000 from the Federal Trust Fund, Item 4260-101-0890, to conform to this action.

I am deleting Provision 14 which would require that up to \$5 million General Fund be transferred from other Medi-Cal program areas to Medi-Cal Outreach for Children should \$5 million in Proposition 10 funding be unavailable for this program. This language potentially would create a \$5 million General Fund deficiency in the Medi-Cal program. Absent the Proposition 10 funding and matching federal funding, the outreach budget would increase by approximately \$5.3 million from the 2000–01 level, to \$39.6 million. I am directing DHS to continue to work with the Children and Families Commission to secure Proposition 10 funding for our outreach to children effort. However, if the funding is unavailable, the Department should continue to provide application assistance and related fees, and school-based outreach pursuant to the funding levels in the May Revision of the Governor's Budget and make needed reductions from other areas of the education and outreach budget.

Item 4260-101-0890—For local assistance, Department of Health Services. I reduce this item from \$14,802,896,000 to \$14,800,896,000:

I am reducing this item by \$2,000,000 to conform to the action I have taken in Item 4260-101-001.

Item 4260-111-0001—For local assistance, Department of Health Services. I reduce this item from \$438,606,000 to \$410,862,000 by reducing:

- (4) 10.30.030-Childhood Lead Poisoning Prevention from \$10,500,000 to \$8,500,000;
- (6) 10.30.050-Communicable Disease Control from \$66,604,000 to \$65,704,000;
- (7) 10.30.060-AIDS from \$262,187,000 to \$258,187,000;
- (8) 20.30-County Health Services from \$110,020,100 to \$108,020,100;
- (9) 20.40-Primary Care and Family Health from \$1,526,327,800 to \$1,502,413,800;
- (12) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 4260-111-0080) from -\$14,000,000 to -\$12,000,000; and
- (20) Amount payable from the Federal Trust Fund (Item 4260-111-0890) from -\$1,029,448,000 to -\$1,026,378,000.

I am reducing this item by \$2,000,000 for the Local Public Health Subvention. I originally proposed this reduction as part of the May Revision of the Budget. The Legislature rejected that proposal. For 2001–02, local realignment health account funds are estimated to be \$1.5 billion, an increase of \$48.7 million. In addition, the Master Tobacco Settlement will provide local governments in California an additional \$475 million. These funds may be used for any public health purpose deemed a local priority.

I am reducing this item by \$5,000,000 for media activities related to teen pregnancy prevention and other family planning programs. The 2001–02 Budget provides \$104.3 million for various family planning programs and activities. Although I am supportive of family planning programs, this action is necessary due to fiscal constraints and limited resources in the General Fund. I take this action as a matter of consistency because the discretionary budgets for nearly all State departments funded from the General Fund have been reduced similarly.

I am deleting the \$6,700,000 legislative augmentation to update the Child Health and Disability Prevention Program (CHDP) Periodicity Schedule to reflect American Academy of Pediatrics standards. The Department of Health Services (DHS) reviews the appropriateness of care provided in CHDP, within programmatic and fiscal constraints. Due to fiscal constraints and limited General Fund resources, I cannot support this augmentation. I am also deleting the \$1,900,000 legislative augmentation from the Federal Trust Fund in Item 4260-111-0890 to conform with this action.

I am deleting the \$2,000,000 legislative augmentation for the Rural Health Services Program that would provide a minimum \$75,000 per-clinic award, the \$2,000,000

legislative augmentation for the Seasonal Agricultural and Migrant Workers Clinic Program, and the \$2,000,000 legislative augmentation for the American Indian Health Program. Given the recent slowing of economic growth, it is not fiscally prudent to expand health care funding for these programs at this time. However, I am retaining the \$10 million augmentation for the Expanded Access to Primary Care (EAPC) Clinic Program. This umbrella program provides funding for and increased access to all clinics that provide primary care. Moreover, local realignment funds are estimated to be \$1.5 billion in 2001–02, an increase of approximately \$45 million. Further, the Master Tobacco Settlement will provide local governments in California an additional \$475 million. These funds may be used for any public health purpose deemed a local priority. Finally, expanded Medi-Cal and Healthy Families programs will provide improved access to care and should mitigate the need for increased clinic funding.

I am deleting the \$500,000 legislative augmentation for the Women, Infants and Children (WIC) Farmer's Market Program. Chapter 294, Statutes of 1997, shifted authority for the program from the California Department of Food and Agriculture to DHS to enable continuation of the service without General Fund expense. Furthermore, nutritional services (including fresh fruits and vegetables, in some instances) are currently available through other federal and State food and nutrition programs whose combined expenditures are approximately \$4 billion annually. This augmentation would represent the first augmentation of General Fund for this purpose, which I cannot support due to limited General Fund resources. I am also deleting the \$1,170,000 legislative augmentation from the Federal Trust Fund in Item 4260-111-0890 to conform with this action.

I am deleting the \$2,000,000 legislative augmentation for the Childhood Lead Poisoning Prevention Program. The program is currently operating with an annual funding imbalance of approximately \$5.3 million. If revenue and expenditure levels remain unchanged, the Special Fund reserve will be depleted during 2002–03. This augmentation would therefore hasten fund exhaustion. I am directing DHS to submit a proposal for the 2002–03 Budget to operate this program within available resources. The Budget currently provides \$8.5 million Childhood Lead Poisoning Prevention Fund to local health departments for lead enforcement and control. I am also deleting the \$2,000,000 legislative augmentation in Item 4260-111-0080 to conform with this action.

I am sustaining the \$500,000 legislative augmentation for the Padres Contra El Cancer Program on a one-time basis. In future years if this is deemed to be a local priority, local realignment funds or the local share of Tobacco Settlement funds may be used for this purpose.

I am reducing this Item by \$4,000,000 for HIV/AIDS Education and Prevention activities. While I recognize the importance of these activities in reducing the spread of the disease; however, California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. The Budget maintains \$61 million General Fund for HIV/AIDS education, prevention, outreach, and direct services. I am sustaining a \$15.3 million legislative augmentation for the AIDS Drug Assistance Program (ADAP) to fund drug price increases and increased caseload in this important program, bringing total funding for the ADAP to \$162.9 million, including \$59.9 million General Fund.

I am reducing this Item by \$400,000 for Tuberculosis Treatment Services. The Budget provides \$7.6 million General Fund for counties to perform non-treatment based tuberculosis control activities, such as outreach, education, investigation, and outbreak control. Moneys can also be made available for these activities from local realignment funds and local Master Tobacco Settlement funds which may be used for

any public health purpose deemed a local priority. This reduction is necessary to build a prudent General Fund reserve for economic uncertainties.

I am reducing this Item by \$500,000 for Pediatric Immunizations. The Budget provides \$16.5 million General Fund for counties to administer and obtain vaccines. Counties can also perform these services pursuant to their statutory indigent care requirements in conjunction with the federal Vaccines For Children Program, which annually makes available millions of federally-funded vaccines for use in California's public health programs. Further, local realignment funds and the Master Tobacco Settlement funds may be used for any public health purpose deemed a local priority. This reduction is necessary to build a prudent General Fund reserve for economic uncertainties.

I am reducing this item by \$2,644,000 for the County Maternal and Child Health Services allocation. The Budget continues to provide \$66.1 million for activities directed to Maternal and Child Health programs. Further, local realignment funds and the Master Tobacco Settlement funds may be used for any public health purpose deemed a local priority. This reduction is necessary to build a prudent General Fund reserve for economic uncertainties. I take this action as a matter of consistency because the discretionary budget for nearly all State departments funded from the General Fund have been reduced similarly.

Item 4260-111-0080—For local assistance, Department of Health Services. I reduce this item from \$14,000,000 to \$12,000,000.

I am reducing this item by \$2,000,000 to conform with the actions taken in Item 4260-111-0001.

Item 4260-111-0890—For local assistance, Department of Health Services. I reduce this item from \$1,029,448,000 to \$1,026,378,000.

I am reducing this item by \$3,070,000 to conform to the actions taken in Item 4260-111-0001.

Item 4260-113-0001—For local assistance, Department of Health Services. I reduce this item from \$23,836,000 to \$23,496,000 by reducing:

- (3) 20.10.030-Benefits (Medical Care and Services) from \$36,470,000 to \$35,490,000, and
- (4) Amount payable from the Federal Trust Fund (Item 4260-113-0890) from -\$72,038,000 to -\$71,398,000

I am deleting the \$340,000 General Fund legislative augmentation for the Department of Health Services to conduct a Rural Health Demonstration Project for special populations. The Budget contains \$9 million for the Managed Risk Medical Insurance Board to conduct Rural Health Demonstration Projects. Due to fiscal constraints and limited General Fund resources, I cannot support an expansion of the Project at this time. I am also deleting \$640,000 from the Federal Trust Fund, Item 4260-113-0890 to conform to this action.

Item 4260-113-0890—For local assistance, Department of Health Services. I reduce this item from \$72,038,000 to \$71,398,000.

I am reducing this item by \$640,000 to conform to the action I have taken in Item 4260-113-0001.

Item 4280-101-0001—For local assistance, Managed Risk Medical Insurance Board. I reduce this item from \$122,536,000 to \$120,536,000 by reducing:

- (2) 40-Healthy Families Program from \$604,140,000 to \$598,240,000;
- (3) Amount payable from the Federal Trust Fund (Item 4280-101-0890) from -\$375,855,000 to -\$371,955,000;

and by deleting Provisions 1 and 3.

I am deleting the legislative augmentation of \$2,000,000 General Fund for the Healthy Families Program (HFP) to implement Rural Health Demonstration Projects.

The HFP already administers Rural Health Demonstration Projects, and the Budget includes \$9 million (\$3 million General Fund) for this purpose. I cannot support this legislative augmentation because of fiscal constraints and limited General Fund resources. In addition, I am deleting \$3,900,000 from the Federal Trust Fund, Item 4280-101-0890 to conform to this action.

I am deleting Provision 1 which would change the Administration's commitment to fully fund the HFP from all enrolled "children" to "families". While the 2001-02 Budget fully funds the proposed HFP parental expansion, this capped program is not intended to be an entitlement. Funding of the provision would involve a significant commitment of state funds at a time when state resources are limited. The Administration's commitment in the HFP is to ensure coverage for all eligible children and expand the program to parents as state and federal resources permit and as allowed by the federal government.

I am sustaining the \$5,000,000 legislative augmentation for the Major Risk Medical Insurance Program (MRMIP). However, I am deleting Provision 3 because it targets the additional resources solely towards enrollment in the program rather than making it available for the MRMIP enrollment and/or other private/public sector market-based efforts to improve access to health insurance for medically uninsurable persons. My Administration will continue to work with the Legislature and the insurance industry to further develop and implement such market-based efforts.

Item 4280-101-0890—For local assistance, Managed Risk Medical Insurance Board. I reduce this item from \$375,855,000 to \$371,955,000.

I am reducing this item by \$3,900,000 to conform to the action I have taken in Item 4280-101-0001.

Item 4300-003-0001—For support of Department of Developmental Services. I revise this item by deleting Provision 9.

I am deleting Provision 9 because this language is contrary to federal and state regulations. This provision would require the Department of Developmental Services to develop, by November 1, 2001, a visual method of readily identifying developmentally disabled individuals placed, pursuant to the California Penal Code, within the secured perimeter at Porterville Developmental Center (Porterville) and to implement the identification method by January 1, 2002.

Although I am vetoing this provision, I am sensitive to the safety and security needs of the local community surrounding Porterville. During my Administration, I have included funding to increase the number of police and security officers ten-fold; construct two 16-foot fences around the area in which the behavioral/forensic consumers reside and observation towers to allow the whole area to be under visual control; construct a Sally Port through which all visitors must be screened; institute electronic locking and alarm systems; and establish a comprehensive set of policies and procedures relating to security and staff training. Implementing a visual identification method, which may include uniforms, would likely result in litigation and/or loss of federal funding. Loss of federal funding for these individuals in Porterville would result in new, multi-million dollar General Fund costs.

Item 4300-101-0001—For local assistance, Department of Developmental Services. I reduce this item from \$1,514,845,000 to \$1,508,194,000 by reducing:

- (2) 10.10.020-Purchase of Services from \$1,660,248,000 to \$1,653,352,000; and
- (6) Reimbursements from -\$512,476,000 to -\$512,231,000.

I am deleting the legislative augmentation of \$2,600,000 (\$2,355,000 General Fund and \$245,000 reimbursements) for rate increases for in-home and out-of-home respite workers and day program (non-mobile consumers) providers. The 2000-01 Budget provided \$42.2 million (\$22.3 million General Fund) for a 10 percent rate increase for salaries and wages and a 5 percent rate increase for associated administrative costs.

California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. Given the previous rate increase and the limited resources in the General Fund, I cannot support further rate increases at this time.

I am sustaining the legislative augmentation of \$750,000 General Fund for the Devereux Facility on a one-time basis.

I am reducing this item by \$2,596,000 for Regional Center clinical staffing ratio increases for evaluation and service coordination in the Early Start Program and workload driven staffing positions for therapy, audiology, and support. The May Revision of the Budget proposed this reduction, which was rejected by the Legislature. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I am open to considering funding for this worthy program in the future when the economy improves.

I am reducing this item by \$1,700,000 for the expansion and implementation of a redesigned special incident reporting system for Regional Center providers. The redesign of the special incident reporting system is important, as it will help to ensure compliance with federal requirements and continued federal funding under the Home and Community-Based Services waiver. However, due to the uncertainty of the economy and General Fund revenues, this reduction is necessary to establish a prudent General Fund reserve. With this reduction, the Budget contains \$7,544,000 (\$5,770,000 General Fund) for the expansion and implementation of a redesigned special incident reporting system. It is my intent to include this funding in the 2002–03 Budget, given the importance of continued federal funding and my commitment to meet federal requirements placed on the Regional Centers.

Item 4300-490—Reappropriation, Department of Developmental Services. I revise this item by revising Schedule (3).

I am modifying Schedule (3) by reducing the amount available for reappropriation to \$500,000 in unexpended funds in Item 4300-101-0001, Budget Act of 2000, for the purchase of services for regional center clients for Self-Determination Pilot Projects. This reduction is necessary due to fiscal constraints and limited resources in the General Fund.

“(3) Item 4300-101-0001 (b) 10.10.020 Budget Act of 2000 (Ch. 52, Statutes of 2000) for Self-Determination Pilot Projects; ~~\$1,618,000~~ \$500,000 shall be reappropriated to Item 4300-101-0001 (1) 10.10.010 and available for expenditure until June 30, 2004.”

Item 4440-011-0001—For support of the State Hospitals, Department of Mental Health. I reduce this item from \$432,953,000 to \$430,309,000 by reducing:

(2) 20.20-Long-Term Care Services-Penal Code and Judicially Committed from \$432,953,000 to \$430,309,000.

I am reducing funding for state hospital security improvements by \$2,644,000, to \$5,000,000 and directing the Department of Mental Health to make its highest priority improvements that ensure staff and patient safety. It is my intent to include funds to complete the security improvements to the state hospitals in 2002–03. Given the fiscal constraints and limited General Fund resources, it is appropriate to prioritize the security projects and to complete these security enhancements over two years.

Item 4440-101-0001—For local assistance, Department of Mental Health. I reduce this item from \$160,421,000 to \$144,004,000 by reducing:

(1) 10.25-Community Services—Other Treatment from \$981,981,000 to \$968,431,000;

(2) 10.40-Community Services—Adult System of Care from \$7,772,000 to \$7,000,000; and

(3) 10.47-Community Services—Children's Mental Health Services from \$41,854,000 to \$39,759,000.

I am deleting the \$350,000 legislative augmentation to fund the California Mental Health Advocacy Commission. This Commission would duplicate much of the work already being accomplished by the statewide Mental Health Planning Council and statewide advocacy groups. Due to fiscal constraints and limited General Fund resources, it is inappropriate to expand State government by establishing another statewide oversight committee.

I am deleting the \$2,000,000 legislative augmentation to fund the Mental Health Respite Care Pilot 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 State-Local Realignment. To the extent new categorical programs are established, responsibility for funding these programs shifts to the State. If counties desire to provide respite assistance programs, such programs can be implemented and supported through existing local resources.

I am reducing \$5,000,000 for the Supportive Housing Program. I proposed this reduction as part of the May Revision of the Budget. The Legislature rejected that reduction, restoring the funding. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. This funding was new in 2000-01, and most of the programs are just beginning. Therefore, this reduction is likely to have little impact on established programs or clients. The Budget continues \$20.1 million for supportive housing programs and \$65.6 million for Integrated Services for Homeless Adults.

I am reducing \$2,095,000 for the Children's System of Care. The Budget provides \$443.3 million for mental health treatment to Medi-Cal eligible children and \$13 million for mental health services for children in the Healthy Families Program, and sustains \$39.8 million for the Children's System of Care. I am highly supportive of children's mental health programs. However, California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take this action as a matter of consistency because the discretionary budgets for nearly all State departments funded from the General Fund have been reduced similarly. I am open to considering funding for this worthy program in the future when the economy improves.

I am reducing \$100,000 for Dual Diagnosis Services for Underserved Populations. I am sustaining the remaining \$1.9 million. I note that this program spent \$1.5 million in 2000-01. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I am open to considering funding for this worthy program in the future when the economy improves.

I am reducing \$100,000 for the Institutions for Mental Disease Transition Pilot Project, which is the Department of Mental Health's portion of the Long-Term Care Pilot Project. This project is a new program for 2001-02 and not all of the \$750,000 provided in the Budget has been spent. In light of fiscal constraints and limited resources in the General Fund, it is appropriate to reduce the funding for this program.

I am deleting \$6,000,000 for Crisis Intervention and Stabilization Assistance. This time-limited program initially funded in 2000-01 has not yet begun, and thus, no ongoing services are affected. In light of fiscal constraints and limited resources in the General Fund, I take this action as a matter of consistency because the discretionary budgets for nearly all State departments funded from the General Fund have been reduced similarly.

I am reducing \$772,000 for the Adult System of Care. This pilot program which provides integrated mental health services to adults is similar to the Integrated Services to Homeless Adults program. I am increasing that program by \$10 million in this Budget. In light of this increase and limited resources in the General Fund, I am taking this action as a matter of consistency as indicated above.

I am sustaining Provisions 4 and 5 on a one-time basis.

Item 4440-101-0890—For local assistance, Department of Mental Health. I revise this item by deleting Provision 4.

I am deleting Provision 4, which would require the Department of Mental Health to use \$200,000 from budgeted local assistance federal funds to develop, by no later than June 30, 2002, a comprehensive statewide plan for the prevention of suicide. The local assistance funding provided in the Budget should be used for treatment services, rather than for administrative studies. Because county mental health is a state-funded, county-administered program, and because service priorities are determined at the local level, such studies should be developed in and by the communities that will operate and benefit from the programs.

Item 4440-103-0001—For local assistance, Department of Mental Health. I reduce this item from \$209,856,000 to \$204,815,000.

I am reducing this item by \$5,041,000 to eliminate the 3 percent discretionary cost-of-living adjustment (COLA) for Mental Health Managed Care originally provided in the 2001–02 Budget. Under Medi-Cal, in 2000–01, psychiatrists received an 18.1 percent rate increase and psychologists received a 30 percent rate increase. These rate increases were also provided for these services under Mental Health Managed Care. In light of fiscal constraints and limited resources in the General Fund, I am eliminating the COLA for 2001–02. Even in the absence of the 3 percent COLA, funding for this program totals \$204.8 million General Fund, an increase of \$19.6 million General Fund in 2001–02.

Item 4440-111-0001—For local assistance, Department of Mental Health. I reduce this item from \$12,247,000 to \$11,747,000.

I am reducing this item by \$500,000 for caregiver resource centers. Another program serving a similar population, the Traumatic Brain Injury (TBI) program, is being increased by \$300,000 in on-going funding and \$1.4 million in one-time funding. Due to fiscal constraints and limited resources in the General Fund, I cannot continue to fund the caregiver resource center program at the prior level and increase funding for the TBI program.

Item 4700-101-0001—For local assistance, Department of Community Services and Development. I reduce this item from \$7,700,000 to \$7,150,000 by reducing:

(2) 47-Naturalization Services from \$6,650,000 to \$6,150,000;

and by deleting:

(3) 97.20.004-Local Projects (\$50,000)

(a) Napa County Coalition for Economic Opportunity for Napa Valley Coalition of Non-Profit Agencies: Model Program for Non-Profit Coalition Training and Purchasing of Services (50,000).

I am reducing funding for the Naturalization Services Program by \$500,000 General Fund. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take this action as a matter of consistency because the discretionary budgets for many State programs funded from the General Fund have been reduced similarly. The Budget provides \$6.2 million General Fund for the Naturalization Services Program, which I believe is sufficient to continue the provision of services on a priority basis.

I am deleting the legislative augmentation of \$50,000 for the Napa County Coalition for Economic Opportunity for Napa Valley Coalition of Non Profit Agencies. The reduction is necessary due to fiscal constraints and limited resources in the General Fund.

Item 5100-001-0001—For support of Employment Development Department. I reduce this item from \$30,514,000 to \$29,514,000.

I am reducing this item by \$1,000,000 to conform to the action taken in Item 5100-001-0870.

Item 5100-001-0870—For support of Employment Development Department. I revise this item by reducing:

- (1) 10-Employment and Employment Related Services from \$214,339,000 to \$213,339,000,
- (9) Amount Payable from the General Fund (Item 5100-001-0001) from -\$30,514,000 to -\$29,514,000.

I am reducing \$1,000,000 and sustaining \$4,000,000 of the \$5,000,000 for the Faith Based Initiative. The grants associated with this program will provide job services and training to many individuals not traditionally served by the current system of workforce development. However, this reduction is necessary to provide for a prudent reserve for economic uncertainties. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I am open to considering funding for this worthy program in the future when the economy improves.

Item 5100-101-0001—For local assistance, Employment Development Department. I reduce this item from \$950,000 to \$900,000 by reducing:

- (2) 97-20-004-Local Projects from \$700,000 to \$650,000
- (c) Women Advancing the Valley through Education, Economics and Empowerment (WAVE): Resource Center for WAVE from (\$100,000) to (\$50,000).

I am deleting the \$50,000 legislative augmentation for this local project. This reduction is necessary due to fiscal constraints and limited resources in the General Fund. I am sustaining \$650,000 in this item for local projects on a one-time basis.

I am sustaining the \$250,000 legislative augmentation for the Youthbuild program on a one-time basis. This program provides training and services for economically disadvantaged youth to provide 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.

Item 5160-001-0001—For support of Department of Rehabilitation. I reduce this item from \$47,519,000 to \$47,019,000 by reducing:

- (1) 10-Vocational Rehabilitation Services from \$320,287,000 to \$317,940,000, and
- (8) Amount payable from the Federal Trust Fund (Item 5160-001-0890) from -\$269,770,000 to -\$267,923,000.

I am reducing \$2,347,000 (\$500,000 General Fund and \$1,847,000 Federal Trust Fund) of the \$320.3 million (\$44.9 million General Fund) appropriated for the Vocational Rehabilitation Services program. The Vocational Rehabilitation Services program operates under an Order of Selection based on the availability of funding. Therefore, all of the Most Significantly Disabled clients will continue to be served. The reduction is necessary due to fiscal constraints and limited General Fund resources.

Item 5160-001-0890—For support of Department of Rehabilitation. I reduce this item from \$269,770,000 to \$267,923,000.

I am reducing this item by \$1,847,000 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 \$107,093,000 to \$107,043,000 by reducing:

(3.5) 97.20.004-Local Projects from \$350,000 to \$300,000

(a) Accessible San Diego: Welcome Center for Disabled from (\$100,000) to (\$50,000).

I am reducing the \$50,000 legislative augmentation because this reduction is necessary due to fiscal constraints and limited resources in the General Fund. I am sustaining the remaining augmentations for projects on a one-time basis.

Item 5160-495—Reversion, Department of Rehabilitation. I delete this item.

I am deleting the reversion item added by the Legislature because I continue to support as a high priority, making state services and facilities available to persons with disabilities. This funding was appropriated with two-year availability. The Americans with Disabilities Act Task Force I appointed, in conjunction with the Department of Rehabilitation, has already approved \$11.6 million in projects. The Task Force is moving forward in identifying additional projects. A request for funding proposal has recently been circulated, with a deadline for response of July 23, 2001. It is anticipated that all available funding will be utilized.

Item 5180-001-0001—For support of Department of Social Services. I reduce this item from \$95,932,000 to \$93,932,000 by reducing:

(1) 16-Welfare Programs from \$71,965,500 to \$69,965,500.

I am deleting the \$2,000,000 General Fund legislative augmentation for the Emergency Food Assistance Program for food bank infrastructure improvements. Over the past two years, \$2 million General Fund has been appropriated for food bank infrastructure improvements. The State also has provided and continues to provide funding directly for food assistance for needy families. Federal and State expenditures for food assistance will be \$4 billion (\$152 million General Fund) in 2001–02. This includes expenditures for school meal programs, senior nutrition programs, the Women, Infants, and Children program, the federal Food Stamp program, and the California Food Assistance Program (CFAP). I also support making CFAP a permanent program as part of this Budget.

I am also deleting 2.0 positions approved by the Legislature, in lieu of the proposed contract services, to provide administrative oversight and assistance to the Alameda County Child Welfare Services agency, because of the State's Formal Notice of Noncompliance issued to this county. Contract services are more appropriate because the work is time limited, the project is time sensitive, and filling positions for staff to be onsite in Alameda County may cause delays, which may have a negative impact on the State's ability to perform its responsibilities.

Item 5180-101-0001—For local assistance, Department of Social Services. I reduce this item from \$2,591,540,000 to \$2,590,243,000 by reducing:

(5.5) 97.20.004-Local Projects from \$3,782,000 to \$2,485,000;

and by deleting Provisions 12 and 13 and revising Provisions 14 and 16.

I am deleting Provision 12, which states legislative intent to fully fund CalWORKs Stage One and Stage Two child care services. The Budget fully funds Stage One and Stage Two child care and includes a \$153 million child care reserve to assure that sufficient funds are available if unanticipated needs arise after enactment of the budget.

I am deleting Provision 13, which states legislative intent to fully fund CalWORKs employment services. The Budget funds CalWORKs Employment Services at the current year level and includes a \$30.1 million reserve available for unanticipated needs in any program for which Temporary Assistance for Needy Families Block Grant funds are appropriated, including CalWORKs benefits, employment services, county administration, and child care costs.

I am making a technical veto to correct language in Provision 14 to conform the language to legislative actions that provided a \$6,500,000 General Fund augmentation for the ongoing support of foster children and Independent Living Program services for youth over 18 years. I am also deleting language referencing implementation of an Internet-based application to facilitate foster youth access to personal history record information because the \$1.5 million General Fund augmentation for this purpose was included in Item 5180-151-0001.

“14. Of the funds appropriated in this item, an amount not to exceed ~~\$8,000,000~~ \$6,500,000 shall be available for the ongoing financial support of foster children ; and Independent Living Program services for youth ~~beyond over the age of 18 years ; and implementation of an Internet-based Web application to facilitate foster youth access to their own personal history information upon the enactment of a statute establishing the program during the 2001–2002 Regular Session.~~”

I am revising Provision 16 to delete certain legislative augmentations for local projects. These reductions are necessary due to fiscal constraints and limited resources in the General Fund. I am sustaining \$2,560,000 in this item for local projects on a one-time basis. I revise Provision 16 as follows to conform to these reductions:

“16. Of the funds appropriated in this item, ~~\$3,782,000~~ \$2,485,000 shall be for the following projects:

- (a) CARECEN: Renovation of New Headquarters (100,000)
- (b) Catholic Charities of Los Angeles: Guadalupe Center in Canoga Park, Renovation (150,000)
- (c) Community Development Council of Orange County: New Food Delivery Trucks for Food Bank ~~(68,000)~~ (35,000)
- (d) County of Sonoma: Valley of the Moon Children’s Home—Construction of New Facility (250,000)
- (e) County of Sonoma: Valley of the Moon Children’s Home—Construction of New Facility (500,000)
- (f) Feedback Foundation Anaheim: Capital Goods for Senior Food Bank ~~(100,000)~~ (50,000)
- (g) Highlands Pre-school and Childcare Center, Infant Toddler Program for Working Poor (50,000)
- (h) People Assisting the Homeless (PATH) Los Angeles: Program Outreach (75,000)
- (i) Wellspring Women’s Center: Purchase of New Energy Efficient Heating Unit (25,000)
- (j) Pomona Valley Center for Community Development: After-School Care Program at the Pomona Valley Center for Community Development ~~(89,000)~~ (50,000)
- (k) Latin American Civic Association: Headstart ~~(200,000)~~ (50,000)
- ~~(l) New Economies for Women: Construction of Community Educational Center for the La Posada Housing Project, New Economies for Women (NEW) (250,000)~~
- (m) City of Milpitas: Expansion of the Milpitas’ “stay and play” Program (75,000)
- (n) City of Burbank: Childcare Demonstration Project ~~(80,000)~~ (40,000)
- (o) El Centro del Pueblo: For case management and after school services in conjunction with the family development network collaboration ~~(190,000)~~ (75,000)
- (p) Mid-Valley YMCA: Mid Valley YMCA Afterschool Childcare program (50,000)

- (q) Women's Shelter of Long Beach: Transitional Shelter for Domestic Violence Victims & Families (~~75,000~~) (60,000)
- (r) Toberman Settlement House: Capitol Development Program (50,000);
- (s) Valley of the Moon: Children's Home (100,000)
- (t) First A.M.E. Church: First A.M.E. Church Welfare-to-Work Program in Los Angeles (~~350,000~~) (225,000)
- (u) Mothers in Action: Mothers in Action Program in Los Angeles (~~250,000~~) (25,000)
- (v) Valley of the Moon: Children's Home (100,000)
- (w) Ward Family Life Programs: Domestic Violence and Health and Well-Being Programs (~~250,000~~) (200,000)
- (x) Al Wooten, Jr. Heritage Center: Domestic Violence and Health and Well-Being Programs (~~100,000~~) (70,000)
- (y) City of Springville: Springville Community Preschool and Childcare playground (25,000)
- (z) City of Oceanside: Middle School After School Programming (50,000)
- (aa) City of Twentynine Palms: Knott's Sky Park pre-School (50,000)
- (ab) Mexican American Opportunities Foundation: Cargo Van; Mexican American Opportunities Foundation (30,000)
- (ac) Clara Mateo Alliance, Inc.: Homeless Women and Children's Day Service Center (~~100,000~~) (80,000) "

Item 5180-141-0001—For local assistance, Department of Social Services. I reduce this item from \$405,197,000 to \$400,997,000 by reducing:

(2) 16.85-Automation Projects from \$254,425,000 to \$248,319,000;

(4) Amount payable from the Federal Trust Fund (Item 5180-141-0890) from $-\$557,599,000$ to $-\$555,693,000$;

and by deleting Provision 10.

I am reducing this item by \$3,226,000 (\$1,700,000 General Fund) to reduce funding for Statewide Automated Welfare System (SAWS) oversight. This action is necessary to protect other vital programs and to provide for a prudent General Fund reserve for economic uncertainties. In addition, each of the SAWS projects includes funding and staff for oversight activities. I am directing the Department of Social Services (DSS) and the Health and Human Services Agency Data Center (HHSDC) to jointly re-evaluate the role of the SAWS Oversight Committee, the HHSDC, the DSS, and the Department of Information Technology in overseeing the SAWS projects, and to phase the SAWS Oversight Committee out to the extent it is duplicative.

I am reducing this item by \$500,000 for Statewide Fingerprint Imaging System implementation activities. This action is necessary to provide for a prudent General Fund reserve for economic uncertainties. I am sustaining \$11.7 million General Fund to complete the implementation of this system and begin ongoing maintenance and operations in 2001-02.

I am reducing this item by \$1,000,000 for Welfare Client Data System implementation activities. This action is necessary to provide for a prudent General Fund reserve for economic uncertainties. I am sustaining \$81.8 million to continue the implementation of this system in 2001-02.

I am reducing this item by \$1,380,000 (\$1,000,000 General Fund) for Consortium IV implementation activities. This action is necessary to provide for a prudent General Fund reserve for economic uncertainties. I am sustaining \$78.6 million to continue the implementation of this system in 2001-02.

I am deleting Provision 10, which requires the DSS to submit a report to the Legislature with options for an automatic transitional food stamp benefit for former CalWORKs recipients for up to three months after the recipient leaves cash assistance. The transitional benefit proposal would expand federal Food Stamp and California

Food Assistance Program eligibility and result in additional General Fund costs for benefit payments and county administration.

Item 5180-141-0890—For local assistance, Department of Social Services. I reduce this item from \$557,599,000 to \$555,693,000.

I am reducing this item by \$1,906,000 to conform to actions taken in Item 5180-141-0001.

Item 5180-151-0001—For local assistance, Department of Social Services. I reduce this item from \$737,672,000 to \$726,494,000 by reducing:

- (1) 25.25-Children's Services from \$1,789,208,000 to \$1,781,613,000;
 - (a) 25.25.010-Child Welfare Services from \$1,674,066,000 to \$1,672,671,000;
 - (b) 25.25.020-Adoptions Program from \$89,159,000 to \$88,959,000;
 - (c) 25.25.030-Child Abuse Prevention from \$25,983,000 to \$19,983,000;
- (2) 25.35-Special Programs from \$126,995,000 to \$122,917,000;
 - (a) 25.35.010-Specialized Services from \$8,944,000 to \$5,644,000;
 - (e) 25.35.050-County Services Block Grant from \$92,304,000 to \$91,526,000;
- (6) Amount payable from the Federal Trust Fund (Item 5180-151-0890) from -\$1,136,637,000 to -\$1,136,142,000;

and by revising Provisions 6 and 10.

I am deleting \$400,000 General Fund and \$495,000 Federal Trust Fund for Child Welfare Services Case Management System staff development in order to maintain a prudent reserve for economic uncertainties. As the Department has the ability to prioritize the efforts of the training program, I am directing it to give primary attention to the most urgently needed training in order to minimize the impact of the reduction.

I am deleting \$500,000 General Fund for the Supportive and Therapeutic Options Program due to fiscal constraints and limited resources in the General Fund. It is my intent that no child be removed from this program and that savings will occur from attrition. Additionally, counties are projected to receive \$1.1 billion in State-Local Realignment funding for community mental health services, which can be used for children receiving Child Welfare Services as well as for children and youth at-risk of placement in exiting foster care.

I am deleting the \$200,000 General Fund legislative augmentation to fund criminal background checks for adoptive applicants at the time of application, rather than reimbursing only those individuals who adopt, upon completion of an adoption. The Budget includes \$872,000 (\$436,000 General Fund) to reimburse adoptive parents for nonrecurring adoption expenses. I cannot support this augmentation due to fiscal constraints and limited resources in the General Fund.

I am deleting \$1,000,000 General Fund for the Child Abuse Prevention, Intervention and Treatment program County Third Party Contracts, and retaining \$13,395,000 General Fund to provide prevention and intervention services for children at risk of abuse or neglect. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take this action as a matter of consistency because the discretionary programs for nearly all State departments funded from the General Fund have been reduced similarly.

I am deleting \$5,000,000 General Fund retained by the Legislature for the Juvenile Crime Prevention programs. The May Revision proposed the elimination of \$9.7 million General Fund for these programs due to fiscal constraints and limited resources in the General Fund. The Budget includes a separate \$116.3 million General Fund appropriation for comprehensive multi-agency responses to juvenile crime, which is a continuation of a continuum of prevention and rehabilitation services, designed and operated at the local level and administered by the Board of Corrections.

I am reducing funding for the Special Circumstances Program by \$3,300,000 General Fund. I support the services provided by this program; however, expenditures

in this program over the last several years have approximated only 78 percent of the amount available for benefit payments. I am reducing the funding for payments under this program by \$1,300,000. Additionally, changes to this program included in Budget trailer bill language would streamline the administrative determinations process and reduce the program's administrative costs. Consequently, I expect an additional \$2,000,000 General Fund savings related to administration of the program.

I am reducing funding for the County Services Block Grant basic costs by \$778,000 General Fund. The May Revision proposed a reduction of \$11.2 million (\$5.9 million General Fund); however, the Legislature retained \$778,000 General Fund of this amount to cover Non-Medical Out-of-Home Care administrative costs. I believe that the retained funding of \$20.7 million (\$11.3 million General Fund) will be sufficient to cover these costs and meet federal SSI program requirements.

I am revising this item by making a technical veto to correct language in Provision 6, to conform to the legislative actions that provided \$74,300,000 General Fund for the augmentation to Child Welfare Services.

"6. Of the amount appropriated in this item, ~~\$124,874,000~~ *\$123,834,000* 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 revising this item by making a technical veto to correct language in Provision 10, to conform the language to legislative actions that provided a \$1,500,000 General Fund augmentation for development and implementation of a pilot Internet-based Health and Education Passport in the County of Los Angeles.

"10. Of the funds appropriated in this item, ~~\$2,000,000~~ *\$1,500,000* shall be for the pilot of the Internet based Health and Education Passport in the County of Los Angeles, to collect and maintain health and education records for children in the foster care system, as required by Section 16010 of the Welfare and Institutions Code. Of this amount, the Department of Finance may transfer up to \$500,000 to Item 5180-001-0001 for support of the State Department of Social Services, to provide technical assistance in preparation of the Advance Planning Document, provide Independent Verification and Validation to ensure SACWIS compliance, and to ensure that the project meets federal and state guidelines and privacy requirements."

Item 5180-151-0890—For local assistance, Department of Social Services. I reduce this item from \$1,136,637,000 to \$1,136,142,000.

I am reducing this item by \$495,000 to conform to the actions taken in Item 5180-151-0001.

Item 5240-001-0001—For support of Department of Corrections. I reduce this item from \$4,246,968,000 to \$4,241,601,000 by reducing:

(1) 21-Institution Program from \$3,250,387,000 to \$3,245,770,000;

(3) 31-Community Correctional Program from \$433,438,000 to \$432,688,000; and by deleting Provision 11.

I am deleting the \$750,000 legislative augmentation for a Global Positioning Satellite System pilot project. The benefits of this technology in enhancing public safety have not been sufficiently demonstrated to justify the cost.

I am deleting Provision 11 to conform to this action.

I am deleting the \$617,000 legislative augmentation to increase the uniform allowance for correctional supervisors because this issue would be more appropriately addressed through negotiations with the Department of Personnel Administration.

I am deleting the \$4,000,000 augmentation for operating costs associated with the proposed retrofit of backup electrical generators at Department of Corrections institutions. Since the proposed retrofit will not occur this fiscal year, this augmentation is no longer necessary.

Item 5460-001-0001—For support of Department of the Youth Authority. I reduce this item from \$299,703,000 to \$298,768,000 by reducing:

(1) 20-Institutions and Camps from \$313,750,000 to \$312,815,000.

I am deleting \$935,000 of the augmentation in the January Budget for deferred maintenance projects, leaving \$5,000,000 to address this need. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 6110-001-0001—For support of Department of Education, I reduce this item from \$51,519,000 to \$50,445,000 by reducing:

(1) 10-Instruction from \$57,754,000 to \$57,355,000;

(2) 20-Instructional Support from \$67,528,000 to \$67,189,000;

(4) 41.00-Executive Management and Special Services from \$8,197,000 to \$8,077,000;

(5) 41.01-State Board of Education from \$2,041,000 to \$1,541,000;

(7.6) 97.20.004.001-Local Projects from \$575,000 to \$560,000; and

(9) Amount Payable from Federal Trust Fund (6110-001-0890) from -\$109,660,000 to -\$109,361,000

I am deleting the legislative augmentation of \$100,000 in Schedule (1) and eliminating one position to support the Apprenticeship program. While I am supportive of the Apprenticeship program, the need for an additional position has not been justified. I would also note that the Budget maintains a \$1,944,000 augmentation for this program.

I am reducing Schedule (2) for the legislative augmentation of \$213,000 and 0.9 personnel years for the Standardized Testing and Reporting and High School Exit Exam Workbook Program. The workload associated with the Workbook Program will be performed mainly by the contractor. Therefore, I cannot support providing additional funding for the Department of Education. I am deleting Provision 26 to conform to this action.

I am reducing Schedule (2) by \$1,000 and eliminating 26.7 vacant personnel years. I share the concern raised by various legislators that several departments have excess and unnecessary position authority in their respective budgets. The elimination of these vacant positions will have no adverse affect on workload or educational services

provided. Lastly, this action is consistent with the overall statewide policy regarding excess vacant positions being implemented in other departments with excessive salary savings.

I am reducing Schedule (2) by \$125,000 and one position for the legislative augmentation to provide technical assistance relative to compliance with the Student Safety and Violence Prevention Act (Chapter 587, Statutes of 1999). This Act strengthened California's nondiscrimination policy by conforming the Education Code to other state constitutional and Penal Code provisions. The department's staffing already includes 15 positions for school safety-related programs, which are available to absorb any workload increase associated with this program. I am deleting Provision 35 to conform to this action.

I am reducing Schedule (4) by \$120,000 and one position to eliminate the legislative augmentation for a development officer to leverage private support for education and to make a \$20,000 technical correction. The Department's staffing should provide adequate resources to respond to inquiries from parties interested in supporting California's educational programs.

I am reducing Schedule (5) by \$500,000 for distributing human rights and genocide model curriculum to all schools in the State. This action is necessary to provide for a prudent General Fund reserve for economic uncertainties. In addition, school districts can already use their general apportionment or other funds to obtain the model curriculum. I am deleting Provision 30 to conform to this action.

I am sustaining the \$60,000 of the \$75,000 proposed in Schedule (7.6), for the legislative augmentation provided to the Department of Education for the Weekend Parental Involvement Pilot Program on a one-time basis.

I am sustaining the \$500,000, in Schedule (7.6), for the legislative augmentation provided to the Department of Education for the Pupil Athletic Access and Safety Program Pilot Project on a one-time basis.

I am reducing Schedules (1) and (9) by \$299,000 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 \$109,660,000 to \$109,361,000 and delete Provision 14.

I am deleting the legislative augmentation of \$299,000 and 3 positions in the State Department of Education, intended to assist with the allocation of any specified federal technology funds received. The budget provides an increase of \$850,000 for the California Technology Assistance Project specifically to help school districts take full advantage of available federal funds. If California receives any increased federal funds, I suggest that they be used to supplement any existing available funds for additional technology equipment in schools.

I am deleting Provision 14 to conform to this action.

Item 6110-006-0001—For support of Department of Education (Proposition 98). I reduce this item from \$34,483,000 to \$33,483,000 by reducing:

- (1) 10.60.040-Instruction, State Special Schools from \$39,370,000 to \$38,370,000:
- (b) 10.60.040.002-School for the Deaf, Fremont from \$14,347,000 to \$13,347,000,

and by deleting Provision 3.

I am deleting the \$1,000,000 legislative augmentation provided to the California School for the Deaf in Fremont. I am aware of the staffing issues in the Fremont area associated with comparable pay and cost of living. However, this augmentation is not the appropriate means of addressing the issue of equitable pay for staff at the State Special Schools. I also note that the Department of Personnel Administration is already working to address this issue to provide a long term and more viable solution.

I am deleting Provision 3 to conform to this action.

Item 6110-101-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$4,559,000 to \$2,934,000 and revise Provision 1.

I am reducing local projects by \$1,625,000. This action is essential due to fiscal constraints and limited resources in the General Fund. The individual projects remaining in this item are being sustained on a one-time basis.

Additionally, I am reducing the \$1,000,000 augmentation for the National Hispanic University by \$300,000. The remaining \$700,000, in combination with \$250,000 I am sustaining in a separate item, will be used toward the purchase of additional land for this unique university. This university serves the entire state of California in its mission to educate bilingual teachers and to increase the number of math, science and technology degrees granted. I also note that a technical error was made in designating these funds as Proposition 98. I request the Department of Finance to inform the State Controller that the \$700,000 appropriated for this purpose will not be so designated in our official calculation of the guarantee.

“1. The funding in this item shall be allocated for the following local projects:

- (a) San Fernando Middle School: Renovation of the San Fernando Middle School Auditorium (~~500,000~~) (350,000)
- (b) Mount Pleasant School District—National Hispanic University Lease Purchase Agreement (~~1,000,000~~) (700,000)
- (c) Elk Grove Unified School District: Elk Grove Community Pool (50,000)
- (d) Fremont Elementary School, Santa Ana Unified School District: Fremont Elementary School playground equipment (~~58,000~~) (30,000)
- (e) Gilbert Elementary School, Garden Grove Unified School District: Gilbert Elementary School playground equipment (~~110,000~~) (40,000)
- (f) Jackson Elementary School, Santa Ana Unified School District: Jackson Elementary School playground equipment (~~80,000~~) (55,000)
- (g) Lennox School District: Purchase computers (~~125,000~~) (75,000)
- (h) Rancho Cordova Elementary School: Rancho Cordova Elementary School playgrounds (50,000)
- (i) Rancho Cordova High School: Light fixtures (25,000)
- (j) Sunnyvale Elementary School District: Program funds for Project H.E.L.P (100,000)
- (k) Fremont Union High School District: Digital Divide Scholarship Program (~~100,000~~) (75,000)
- (l) East Side Union High School District: Laptops for under-achieving 9th graders (~~50,000~~) (47,000)
- (m) Los Angeles Unified School District: Health clinic at San Fernando High School (~~200,000~~)
- (n) Merced Union High School District, Education Foundation: Construction of Golden Valley Pool (~~250,000~~) (172,000)
- (o) Merced Union High School District: Buhach High School Aquatic Facility (~~250,000~~) (190,000)
- (p) Ceres Unified School District: Ceres High School Performing Arts Center (~~250,000~~) (100,000)
- (q) Alameda Unified School District: Woodstock Child Development Center (~~100,000~~) (65,000)
- (r) East San Gabriel Valley Regional Occupational Program: East San Gabriel Valley Occupational Program and Technical Center (75,000)
- (s) Alhambra Unified School District: Mark Keppel High School HVAC system repair and improvement (250,000)
- (t) Fremont Unified School District: Renovation of the Tak Fudenna Stadium (50,000)

- (u) Glendale Unified School District: Latino Student Initiative Program (~~80,000~~) (40,000)
- (v) Glendale Unified School District: Middle School Technology Lab Program (~~75,000~~) (35,000)
- (w) Verdugo Hills High School: Equipment (~~31,000~~) (20,000)
- (x) Mountain Avenue Elementary School: Computers (~~25,000~~) (15,000)
- (y) Pasadena Unified School District: Greening Project (~~25,000~~) (20,000)
- (z) Long Beach Unified School District, Los Angeles County Office of Education COE (~~\$250,000~~) each to LBUSD and LACOE): Augmentation for specialized secondary schools: California Academy of Math and Science (CAMS) and Los Angeles County High School for the Arts (LACHSA) (~~100,000~~)
- (aa) Long Beach Unified School District: Request for matching funds for district's participation in Malcolm Baldrige National Quality Program (50,000)
- (ab) Sacramento City Unified School District: Didion/Lewis Park Multi-Use Recreational Center (~~175,000~~) (65,000)
- (ac) Sacramento Unified School District: After School Arts and Education Program (Public/Private partnerships for arts education through Sacramento City Unified School District) (~~75,000~~) (40,000)
- (ad) Golden Valley Unified School District: Safe routes for travel to schools (~~100,000~~)
- (ae) Simi Valley Unified School District: Joint-use tennis courts (100,000)
- (af) Lennox Middle School: Lennox Middle School scholarship program (50,000)"

Item 6110-104-0001—For local assistance, Department of Education (Proposition 98). I revise this item by deleting Provision 6.

I am deleting Provision 6 of this item, which would authorize the use of up to \$10 million from any potential savings during 2001–02 to be allocated for supplemental instruction transportation in 2002–03. School districts receive funds for supplemental instruction along with a variety of categorical programs and their general apportionment, all of which can be used to meet the costs of instruction, including transportation. In addition, this provision would result in significant pressure to provide future increases for this purpose without any regard to the availability of resources already provided by the State.

Item 6110-156-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$610,706,000 to \$600,706,000 by reducing:

- (1) 10.50.010.001-Adult Education from \$574,705,000 to \$564,705,000, and by deleting Provisions 6 and 7.

I am reducing the \$10,000,000 augmentation for the Adult Education program to better reflect estimated participation. As this program historically has not spent its entire budget allocation, the revised amount will be sufficient to maintain the existing level of service delivery. Even with this reduction, the Adult Education program experienced an increase of 4.7 percent above the current year total.

I am deleting Provisions 6 and 7 that would reallocate unexpended 2000–01 Adult Education funds for program increases. Existing audit findings, related to concurrent enrollment, need to be resolved prior to considering Adult Education funding increases. The Superintendent of Public Instruction currently has the authority to allocate any unused funding to school districts that can demonstrate a need to fund additional students. Finally, I am concerned that this proposal increases the revenue limit without enhancing either accountability or performance.

Item 6110-161-0890—For local assistance, Department of Education. I reduce this item from \$667,190,000 to \$664,818,000 by reducing:

- (4) 10.60.050.021-IDEA, Capacity Building, Special Education from \$43,828,000 to \$41,456,000,

and by deleting Provision 12.

I am deleting the \$2,372,000 legislative augmentation provided to expand the existing Quality Assurance and Focused Monitoring Pilot Program. I share the desire to improve results for all children, especially those with disabilities. However, my Budget already provides \$1,420,000 for local assistance grants in the third year of the Quality Assurance and Focused Monitoring Pilot Program, and it would not be prudent to provide additional funds for this purpose until the tangible results from existing efforts are reviewed and best practices are identified.

I am deleting Provision 12 to conform to this action.

Item 6110-193-0001—For local assistance, State Department of Education (Proposition 98). I reduce this item from \$180,769,000 to \$180,464,000 by deleting:

- (8) 20.60.113-Instructional support: Substitute Teacher Training Program (\$305,000).

I am deleting the \$305,000 legislative augmentation, contained in Schedule 8, for a program to provide professional development training to substitute teachers. I believe it is important to concentrate State resources on serving permanent instructional staff, many of whom have not yet had an opportunity to participate in state-funded professional development efforts. In addition, information regarding the scope and duration of the training that this augmentation would fund is lacking.

Item 6110-196-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$1,319,668,000 to \$1,309,168,000 by reducing:

- (1) 30.10.020-Child Care Services from \$1,665,473,000 to \$1,654,973,000;
(f) 30.10.020.012-Special Program, Child Development, Alternative Payment Program Stage 3 from \$214,326,000 to \$203,826,000.

The Legislature's addition of \$33,500,000 in Subdivision (26) of Item 6110-485, in combination with actions taken to redirect \$32,508,000 of one-time funding earmarked for child care facilities in Provision 2 (c) of this Item constitute a legislative augmentation of over \$66 million for additional child care subsidies for former CalWORKs families who have exhausted eligibility in Stages 1 and 2. Those augmentations were predicated on the May Revision's \$280 million estimate as the amount needed to fully fund all estimated Stage 1 and 2 caseload that would time out off of their two-year transitional subsidized child care benefit through the budget year. However, the Stage 3 estimate has subsequently been revised downward by \$20 million based on 3rd quarter data recently received from the State Department of Education. Based on this revised estimate and consistent with the Administration's interest in reforming the State's child care subsidy system, I am reducing \$10.5 million from this item as a base veto and eliminating the \$33.5 million one-time augmentation included in Subdivision (26) of Item 6110-485 for a total veto of \$44 million. These actions will still leave funding sufficient for all caseload, under current eligibility, co-payment and subsidy policies, that would become eligible for discretionary Stage 3 services prior to February 1, 2002. The Budget still results in an increase of over \$63 million from the prior year for this population for a total of approximately \$236 million. I am, however, setting \$24 million aside in the Proposition 98 Reversion Account for additional services through the remainder of the 2001-02 fiscal year contingent upon enactment of legislation by January 31, 2002, to reform the State's subsidized child care programs in a manner that meets my objectives to use the existing resources allocated for these programs more effectively and to revise inequitable access policies that currently disadvantage low-income populations who have not received public assistance through CalWORKs.

Item 6110-199-0001—For local assistance, Department of Education. I delete this item and Provision 1.

I am deleting the \$700,000 legislative augmentation for child nutrition startup and expansion grants to community-based organizations and local government agencies. This action is necessary to provide for a prudent General Fund reserve for economic uncertainties. The Budget Act continues to provide \$1,000,000 for startup and expansion grants to local educational agencies.

I am deleting Provision 1 to conform to this action.

Item 6110-233-0001—For local assistance, Department of Education. I reduce this item from \$1,175,000 to \$550,000 and revise Provision 1.

I am deleting the \$25,000 legislative augmentation for the Soledad Enrichment Action, Inc.: Charter School Girls Academy (reference Provision 1 (b) in this Item). This action is essential due to fiscal constraints and limited resources in the General Fund.

I am reducing the \$400,000 augmentation for the National Hispanic University by \$150,000. The remaining \$250,000, in combination with \$700,000 I am sustaining in a separate item, will be used toward the purchase of additional land for this unique university. This university serves the entire state of California in its mission to educate bilingual teachers and to increase the number of math, science and technology degrees.

I am deleting the \$50,000 legislative augmentation for Ocean Institute Education (reference Provision 1 (e) in this Item). This action is essential due to fiscal constraints and limited resources in the General Fund. In addition, since the proposed funding amount would be insufficient to fully implement the project, greater future costs or pressures would likely result.

I am reducing the \$500,000 legislative augmentation for Save the Children's "Web of Support" by \$400,000 (reference Provision 1 (g) in this Item). This action is essential due to fiscal constraints and limited resources in the General Fund.

The individual projects remaining in this item are being sustained on a one-time basis.

I am revising Provision 1 to conform to this action:

"1. The funds in this item shall be allocated for the following local projects:

- (a) Building Up Los Angeles: Girls Today Women Tomorrow Mentoring Program (50,000)
- (b) Soledad Enrichment Action, Inc.: Charter School Girls' Academy (25,000)
- (c) The National Hispanic University: Purchase and construction of 11-acre campus for the only National Hispanic University in the Southwest that celebrates 20th anniversary in 2001 (~~400,000~~) (250,000)
- (d) CHIME Institute for Children with Special Needs: Construction of healthy buildings (100,000)
- (e) ~~Ocean Institute: Ocean Institute Education (50,000)~~
- (f) Communities in Schools: Lockeford Computers (50,000)
- (g) Save the Children: Save the Children's "Web of Support" (~~500,000~~) (100,000)"

Item 6110-485—Reappropriation (Proposition 98) Department of Education. I revise this item from \$566,020,000 to \$466,102,000 as follows:

I am deleting Subdivision (26) for CalWORKs Stage 3 Child Care services.

Consistent with this Administration's interest in reforming the State's child care subsidy system, I am eliminating the \$33.5 million one-time augmentation included in Subdivision (26) of this Item for the purposes explained in my actions on Item 6110-196-0001.

I am reducing Subdivision (27) by \$2,500,000 as follows:

“(27) ~~\$8,000,000~~ \$5,500,000 to be set aside on a one-time basis pursuant to legislation enacted during the 2001–02 Regular Session for career/technical education services.”

The Legislature proposed setting aside \$8,000,000 from the Proposition 98 Reversion Account for career/technical education. I am reducing this amount by \$2,500,000, thereby sustaining \$5,500,000 for this program on a one-time basis. Although I am supportive of career/technical education, this action keeps state spending in line with revenues and provides for a prudent General Fund reserve for economic uncertainties. I am amending Subdivision (27) to conform to this action.

I am reducing Subdivision (36) by \$1,750,000 as follows:

“(36) ~~\$2,250,000~~ \$500,000 to the State Department of Education to allocate to school districts for one-time costs associated with the English Language Development Test.”

I am reducing by \$1,750,000 the \$2,250,000 legislative augmentation for one-time costs associated with the English Language Development exam. I am sustaining \$500,000 to fund district apportionments for an estimated 333,000 English Language Learners expected to enter the California public school system in 2001–02. These students are required to be assessed under State law within 30 days of enrollment. I am supportive of this assessment, which is aimed at measuring English Language Proficiency of English Language Learners, which will assist in the appropriate placement of these students.

I am deleting Subdivisions (28), (29), (34), and (38) as follows:

I am deleting the legislative augmentation of \$26,468,000 in Subdivision (28) in this item to the State Department of Education for the Year Round School Grant Program. These funds were requested to address the impact of unintended consequences to the Year Round School Grant Program resulting from the enactment of Chapter 407, Statutes of 1988 (SB 50, Greene). However, given the State’s fiscal condition, I believe it would be more appropriate to correct the inequities imposed by this program through legislation, thus eliminating cost pressures to the State.

I am deleting the legislative augmentation of \$32,300,000 in Subdivision (29) in this item to the State Department of Education (SDE) for the purpose of funding a current year augmentation for the K–3 Class Size Reduction (CSR) Program. The SDE provided the CSR Program with a cost-of-living adjustment in excess of the rate provided by the Legislature and the Administration in the Budget Act of 1998, resulting in a lack of base funding in 2000–01. Given that the SDE has provided a rate in excess of that provided by the Legislature and the Administration, a more appropriate solution for this issue would be for the SDE to correct the current year per pupil rate, and then recalculate program costs to determine the actual amount required for this program.

I am deleting Subdivision (34) of this item, which would provide a \$400,000 legislative augmentation to funds available for transportation costs associated with supplemental instruction. School districts receive funds for supplemental instruction along with a variety of categorical programs and their general apportionment, all of which can be used to meet the costs of instruction, including transportation. In addition, this provision would result in significant pressure to provide future increases for this purpose without any regard to the availability of resources already provided by the State.

I am deleting Subdivision (38) of this item for the reappropriation of \$3,000,000 that is set aside for a management information system for Regional Occupational Centers and Programs pursuant to the enactment of legislation during the 2001–02 Regular Session. Any funds for this purpose are premature pending the completion of a data management study and approval of a feasibility study report for the Department of

Education. Upon approval, funding for this system should be sought through the annual budget process.

Item 6110-490—Reappropriation, Department of Education. I revise this item by reducing Schedule (1) by \$450,000 and deleting Schedule (2).

I am reducing by \$450,000 the \$950,000 legislative reappropriation for the legal defensibility of the High School Exit Exam in Item 6110-001-0001, Budget Act of 2000. This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. The \$500,000 remaining should be sufficient to cover costs during the year, as it is the amount expended during the prior year.

I am deleting the \$250,000 legislative reappropriation for an evaluation of the Public Schools Accountability Act in Item 6110-001-0001, Budget Act of 2000. The Budget will still contain \$500,000 in base funding which I believe to be sufficient to cover the costs associated with this evaluation.

I am revising Schedule (1) as follows and deleting Schedule (2) to conform to these actions:

“(1) ~~\$950,000~~ \$500,000 from Item 6110-001-0001 of the Budget Act of 2000 (Ch. 52, Statutes of 2000). These funds shall be used for the purposes of ensuring the legal defensibility of the High School Exit Examination, including its reliability and validity.”

Item 6110-495—Reversion, Department of Education, Proposition 98. I am revising this item by deleting Schedule 16.

I am deleting Schedule 16 that would revert \$17.5 million from the existing balance of the Child Care Facilities Revolving Fund in order to partially fund an augmentation of CalWORKs Stage 3 child care services on a one-time basis in Item 6110-485. I object to this reversion because it would limit the amount available to maintain adequate facilities for General Child Care and Preschool programs as well as for facilities which may be needed to support the CalWORKs center based pilot program which is designed to provide high quality, Title 5 compliant child care options for CalWORKs families receiving subsidized care. While I am setting aside \$24 million to partially restore the amount I have vetoed from the Proposition 98 Reversion Account in Schedule (26) of Item 6110-485, other actions I have taken on the Budget will leave sufficient resources available in the Proposition 98 Reversion Account to fulfill that commitment without the need for this reversion.

Item 6120-101-0001—For local assistance, California State Library. I reduce this item from \$410,000 to \$352,000 and revise Provision 1.

I am reducing \$58,000 of the \$410,000 legislative augmentation for local library projects due to fiscal constraints and limited resources in the General Fund. Specifically, I am reducing the legislative augmentation for the City of Oakland from \$100,000 to \$60,000, and for the La Canada-Flintridge project from \$75,000 to \$60,000.

I am revising Provision 1 to conform to this action:

“1. The funds appropriated in this item shall be allocated for local projects, *on a one-time basis*, as follows:

- (a) City of Oakland: African-American Museum and Library (~~100,000~~) (77,000)
- (b) City of La Canada-Flintridge-Joint Use Library for the City of La Canada-Flintridge and La Canada Unified School District (~~75,000~~) (40,000)
- (c) Westlake Village Library (10,000)
- (d) Agoura Hills Library (10,000)
- (e) City of Los Angeles: Woodland Hills Library (15,000)

(f) City of San Diego: Logan Heights Library (100,000)

(g) Yuba County Library (100,000)”

Item 6120-221-0001—For local assistance, California State Library. I reduce this item from \$56,870,000 to \$52,970,000.

I am reducing this item by \$3,900,000. This action is essential due to fiscal constraints and limited resources in the General Fund.

Item 6440-001-0001—For support of University of California, I reduce this item from \$3,217,468,000 to \$3,191,176,000 by reducing:

(1) Support from \$3,079,171,000 to \$3,055,161,000;

(2) Charles R. Drew Medical Program from \$10,949,000 to \$8,949,000;

(13) Local Projects from \$600,000 to \$318,000;

and by revising Provisions 10, 16, 21, 23, 24, and 34 and deleting Provisions 27, 28, 29, 31, and 32.

I am sustaining the \$5,000,000 legislative augmentation for clinical teaching support at the university’s medical centers, neuropsychiatric institutes, and dental clinics. However, I am supporting this augmentation on a one-time basis, given fiscal constraints and limited resources in the General Fund.

I am deleting the \$100,000 legislative augmentation to establish the Walter H. Capps Center for the Study of Religion and Public Life at the Santa Barbara campus. This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. Furthermore, the University can use other funding sources for the Center if it is a high priority. I am deleting Provision 27 to conform to this action.

I am deleting the \$1,500,000 legislative augmentation to establish the Silicon Valley Center, an off-campus center of the Santa Cruz campus. It would be premature to provide funds for this purpose prior to approval of this off-campus center by the California Postsecondary Education Commission. After the center has been approved, any requests for funds should be submitted through a budget change proposal as part of UC’s annual budget request. I am deleting Provision 28 to conform to this action.

I am deleting the \$2,000,000 legislative augmentation to expand student services. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take this action to provide for a prudent General Fund reserve for economic uncertainties.

I am deleting the \$1,000,000 legislative augmentation for the UCLA Center for the Study of Latino Health and Culture. This action is necessary to provide for a prudent General Fund reserve for economic uncertainties. I believe the University can use other fund sources for this Center if it is a high priority. I am deleting Provision 31 to conform to this action.

I am deleting the \$2,000,000 legislative augmentation for the Charles R. Drew Medical Program. This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. After this action, funding for this program remains at \$8,949,000.

I am reducing the \$600,000 legislative augmentation for various local projects by \$282,000. I am sustaining the remaining \$318,000 on a one-time basis. This action is essential due to fiscal constraints and limited resources in the General Fund. I am revising Provision 34 to conform to this action:

“34. The funds appropriated in Schedule (13) of this Item shall be allocated for the following local projects:

(a) ~~UC: UC Ag Research Center, Monterey (200,000)~~

(b) University of California Los Angeles Advance Policy Institute: Creation of Internet Resource: “Living Independently in LA” (100,000)

- (c) University of California, San Francisco, Center for Lesbian Health Research (100,000)
- (d) University of California: UC Ag Extension in Monterey County (~~200,000~~) (118,000) ”

I am deleting the \$1,500,000 legislative augmentation for graduate and professional school outreach. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. This action is necessary to provide for a prudent General Fund reserve for economic uncertainties. After this action, funding for this program remains at \$3,200,000, in addition to \$2,000,000 in matching university funds. I am deleting Provision 32 to conform to this action.

The following base reductions are essential due to fiscal constraints and limited resources in the General Fund. I take these actions as a matter of consistency because the discretionary budgets for nearly all State departments funded from the General Fund have been reduced similarly:

The \$3,000,000 I proposed to fund Invasive Species Research.

The \$3,000,000 I proposed to increase student services. I am deleting Provision 29 to conform to this action and my previous action to eliminate a \$2 million legislative augmentation for this purpose.

The \$1,100,000 I proposed to expand ASSIST-Articulation System Stimulated Inter-Institutional Student Transfer.

The \$4,000,000 I proposed to continue genetic biomarker research, originally conducted by the March of Dimes. These funds were intended to be one-time in 2000–01, and were erroneously proposed in the 2001–02. I am revising Provision 23 to conform to this action:

“23. Of the amount appropriated in Schedule (1), ~~\$9,000,000~~ \$5,000,000 is to fund the Medical Investigation of Neurodevelopmental Disorders (MIND) Institute, including ~~\$7,500,000~~ \$3,500,000 for research ; of which at least \$4,000,000 is for genetic marker research .”

The \$4,000,000 I proposed on a one-time basis to expand Internet2. After this action, the Budget still contains \$14 million on a one-time basis to continue Internet2 connectivity for UC campuses, and \$8 million in permanent funds, including funds to continue my commitment to provide Internet2 linkages between universities in California and Mexico to enhance collaboration among researchers, teachers, and students. I am revising Provision 24 to conform to this action:

“24. Of the amount appropriated in Schedule (1), \$32,000,000 is for Internet connectivity and network infrastructure to grades K–12 schools and county offices of education, and ~~\$18,000,000~~ \$14,000,000 is available, on a one-time basis, for Internet2 connectivity and infrastructure for UC campuses.”

I am deleting the \$2,000,000 base funding for outreach programs. After this action, the University’s budget still includes \$44,753,000 for these programs. I am requesting that UC allocate this reduction within the various programs outlined in Provision 10, at its discretion, in a manner that would minimize any negative impact on outreach efforts, and to report to the Administration and the Legislature on the allocation of this reduction. I am revising Provision 10 to conform to this action:

“10. Of the amount appropriated in Schedule (1), ~~\$46,753,000~~ \$44,753,000 is provided for new and existing outreach 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 academic development and school partnership programs and shall be matched on a one-to-one basis by the participating schools:

- (1) *Up to* \$17,500,000 is for 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) *Up to* \$10,000,000 is provided for K–12 school partnership programs to systemically reform partner schools in order to achieve long-term improvements in student success.
- (3) *Up to* \$1,000,000 is provided for pupil academic development programs and K–12 partnership programs in the Central Valley.
- (b) *Up to* \$4,500,000 is provided for services to community college students to promote transfer, particularly among community colleges with historically low transfer rates or a large proportion of disadvantaged students.
- (c) *Up to* \$1,000,000 is provided for informational outreach to pupils, families, and K–12 teachers and counselors.
- (d) *Up to* \$1,000,000 is provided for charter schools.
- (e) *Up to* \$3,200,000 is provided for systemwide graduate and professional school outreach, to be matched by \$2,000,000 in university funds.
- (f) *Up to* \$1,500,000 is provided for long-term evaluation of the effectiveness of outreach programs, including college graduation rates for pupils who participated in the K–12 programs, regardless of the college attended.
- (g) *Up to* \$4,553,000 over and above any funds provided under (a)(1) is provided to support MESA programs.
- (h) *Up to* \$2,500,000 is provided for recruitment and admission efforts intended to yield immediate short-term results, including *up to* \$750,000 to support campus efforts to move toward comprehensive assessment of freshmen applications, up to \$1,000,000 for student-initiated outreach activities focused on recruitment and mentorships aimed at high school juniors and seniors, and *up to* \$750,000 for other high-yield recruitment activities such as campus visits, phone banks, mailings, and student prep events. Of the \$750,000 appropriated to support campus efforts to move toward comprehensive assessment of freshmen applications, funding shall be provided to campuses contingent on the elimination of the two-tiered admissions system and the establishment of a unitary admissions review process.”

I am reducing the \$500,000 base funding for the Multi-campus Research Unit for Labor Studies. I am revising Provision 21 to conform to this action:

“21. Of the amount appropriated in Schedule (1), ~~\$6,000,000~~ \$5,500,000 shall be used for UC Berkeley/UCLA to support the Multi-campus Research Unit for Labor Studies.”

I am reducing \$310,000 base funding for substance abuse research. After this action, the budget still includes \$24,000,000 for this purpose. I am revising Provision 16 to conform to this action:

“16. Of the funds appropriated in Schedule (1), ~~\$24,310,000~~ \$24,000,000 is for substance abuse research at the University of California, San Francisco campus in the Neurology Department.”

Item 6610-001-0001—For support of California State University, I reduce this item from \$2,556,068,000 to \$2,535,208,000 by reducing:

- (1) Support from \$3,377,256,000 to \$3,357,006,000;
 - (2.5) 555005-Local Projects from \$910,000 to \$300,000;
- and by revising Provision 17, and deleting Provisions 15 and 16.

I am deleting the \$5,000,000 legislative augmentation for high cost programs. The University's budget includes full funding for enrollment increases at the agreed-upon "marginal cost" amount per full-time equivalent student. The marginal cost formula used to determine additional funding needed for enrollment growth addresses both high cost and low cost programs by providing an "average" marginal cost amount. The University has the discretion to decide how to allocate these funds to each particular program, whether it would be to provide the same amount to each program, or to provide additional funding for high cost programs and a lesser amount for lower cost programs. I am deleting Provision 16 to conform to this action.

I am deleting the \$250,000 legislative augmentation for the CSU Program for Education and Research in Biotechnology. This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. I am deleting Provision 15 to conform to this action.

I am reducing the \$910,000 legislative augmentation for various local projects by \$610,000. I am sustaining the remaining \$300,000 on a one-time basis. These actions are essential due to fiscal constraints and limited resources in the General Fund. I am revising Provision 17 to conform to this action:

"17. The funds appropriated in Schedule (2.50) of this item shall be allocated for the following local projects:

- (a) California State University of San Bernardino: Projects to establish the Water Resource Institute (50,000)
- (b) California State University: CSUPERB Biotechnology Center-Pasadena. These funds shall be used for final site assessment and development of the Pasadena Bioscience Innovation and Training Center, and for development of a pilot bioinnovation workforce training program. The California State University will provide an update to the Legislature on the progress of this project during the 2002-03 budget deliberations (~~250,000~~) (200,000)
- (c) ESU: Portuguese Study Center (~~260,000~~)
- (d) ESU, Stanislaus: Portuguese Studies (250,000)
- (e) San Francisco State University: Seeing Art at Work: Celebrating a Century of Labor Art in Northern California (100,000)"

The following actions are essential due to fiscal constraints and limited resources in the General Fund. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. I take these actions as a matter of consistency because the discretionary budgets for nearly all State departments funded from the General Fund have been reduced similarly:

The \$2,000,000 reduction in base funding is for Agricultural Research. After this reduction, the budget still includes \$4 million for this purpose.

The \$12,500,000 reduction is for the Teacher Technology Professional Development Program. In the January Budget, I proposed an \$18.5 million augmentation for this program. After this action, the Budget still includes \$12.5 million, a \$6 million increase over 2000-01.

The \$500,000 reduction is for Marine Studies Research. In the January Budget, I proposed a \$1 million augmentation for this program. After this action, the Budget still includes a \$500,000 augmentation for this purpose.

Item 6610-491—Reappropriation, California State University. I delete this item.

I am deleting this reappropriation of \$2,000,000 General Fund from Item 6610-301-0001, Budget Act of 2000, for design and construction of the Center for Animal and Veterinary Science Education, Phase 1A at the California State University, Pomona campus. The campus has not defined the final scope of this project, and I believe this funding, instead, should be used to build a prudent General Fund reserve in light of fiscal constraints.

Item 6870-001-0001—For support of, Board of Governors of the California Community College (Proposition 98). I reduce this item from \$14,129,000 to \$13,379,000 by reducing:

- (1) 10- Apportionments from \$1,412,000 to \$1,326,000;
- (2) 20-Special Services and Operations from \$18,904,000 to \$18,490,000;
- (3) 30.01-Administration from \$5,459,000 to \$5,373,000;
- (4) 30.02-Administration—Distributed from –\$5,459,000 to –\$5,373,000;
- (4.5) 97.20.004-Local Projects from \$750,000 to \$500,000;

and by revising Provision 3 and deleting Provision 2.

I am deleting the \$86,000 augmentation and eliminating one position to support Compliance Review (\$42,000) and Legal Affairs (\$44,000). This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties.

I am deleting the \$414,000 augmentation to support Enrollment Management (\$109,000), Extended Opportunities Programs and Services (EOPS) and Cooperative Agencies Resources for Education (CARE) (\$80,000), and five-year facilities planning (\$125,000), and to collect baseline data for the Teacher and Reading Development Program (\$100,000). These actions are necessary to provide for a prudent General Fund reserve for economic uncertainties. I am deleting Provision 2 to conform to this action.

I am adjusting Schedules (3) and (4) by –\$86,000, and \$86,000, respectively, to conform with my earlier action to delete augmentations for Legal Affairs and Compliance Review.

I am reducing the \$750,000 legislative augmentation to contract for the operation of Community College Leadership Institute by \$250,000. I am sustaining the remaining funds on a one-time basis. This action is essential due to fiscal constraints and limited resources in the General Fund. I am revising Provision 3 to conform to this action.

- “3. Of the funds appropriated in Schedule (4.5) of this item, ~~\$750,000~~ \$500,000 shall be available for the California Community Colleges to contract with an institution of higher education within California to operate a Community College Leadership Institute to coordinate education and training opportunities for community college faculty, classified staff, trustees, and administrators for leadership roles in California Community Colleges.”

Item 6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98). I reduce this item from \$2,733,941,000 to \$2,608,341,000 by reducing:

- (4) 10.10.040-Partnership for Excellence from \$307,600,000 to \$300,000,000;
 - (5) 20.10.005-Student Financial Aid Administration from \$18,149,000 to \$7,149,000;
 - (6) 20.10.010-Extended Opportunity Programs and Services and Special Services from \$93,439,000 to \$91,439,000;
 - (22) 20.30.050-Economic Development from \$50,172,000 to \$45,172,000;
 - (23) 20.30.070-Transfer Education and Articulation from \$3,974,000 to \$1,974,000;
- and by deleting:
- (24) 20.40.025-Scheduled Maintenance/Special Repairs (\$49,000,000);
 - (25) 20.40.035-Instructional Equipment and Library Materials Replacement (\$49,000,000);

and by revising Provisions 1, 6, 9, 10, 23, 24 and 27 and by deleting Provisions 8, 25, and 26.

I am deleting the legislative augmentation of \$7,600,000 to provide the Partnership for Excellence program with a cost-of-living adjustment (COLA). Increased funding for this program should be based solely on the merits of improving student outcomes.

Furthermore, this funding would create a pressure on the State to provide a COLA for other discretionary programs.

I am deleting the legislative augmentation of \$2,000,000 for Extended Opportunity Programs and Services (EOPS) book grants. This augmentation is not necessary as current law allows colleges to use base EOPS funding for books grants if so desired. The budget provides \$79,663,000 for EOPS, which includes an augmentation of \$5,200,000. I am revising Provisions 9 and 10 to conform to this action.

“9. Of the funds appropriated in Schedule (6), ~~\$81,663,000~~ *\$79,663,000* 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 \$6,000,000 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. \$11,775,000 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.”

“10. Of the funds appropriated in Schedule (6), at least ~~\$7,000,000~~ *\$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.”

I am deleting a \$5,000,000 augmentation to the Economic Development Program to provide additional Industry Driven Regional Collaboratives. These funds, instead, will be used to provide a set-aside of \$4 million for increased nursing enrollments, as well as \$1 million for curriculum development and pilot programs for training licensed nurses in specialty areas, pending enactment of legislation during the 2001–02 Regular Session. I am revising Provision 23 to conform.

“23. Of the funds provided in Schedule (22) 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 ~~\$21,387,000~~ *\$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. ~~Of this allocation, \$5,000,000 shall only be available for additional regional collaboratives to address information technology, nursing and biotechnology workforce development services. These funds shall not supplant the amount of resources used in the 2000–01 fiscal year for regional collaboratives in the above-mentioned service areas.~~
- (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 focused 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 88531 of the Education Code.

- (e) No more than \$2.1 million shall be allocated for 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 88531 of the Education Code. Funds allocated to districts for purposes of subdivisions (g) and (i) of Section 88531 of the Education 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 88531 of the Education Code for credit and noncredit instruction may be transferred to Schedules (1) or (3) 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 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."

I am deleting the proposed \$11,000,000 for Cal Grant implementation. This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. I am deleting Provision 8 to conform to this action.

I am deleting the legislative augmentation of \$2,000,000 for Transfer Grants. I am supportive of increasing transfers, but believe that the \$155 million augmentation I approved last year will greatly assist colleges in improving their transfer rates. I am revising Provisions 6 and 24 to conform.

- "6. Funds provided in Schedule (4) 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.

Colleges accepting Partnership for Excellence funds shall, in connection with their transfer center planning process and annual updates, prepare a set of campus goals for annual change in transfer of eligible students through the

2005–06 academic year; a rationale for selecting those goals; and a plan for achieving those goals. These campus transfer goals, rationale, and plans shall be submitted to the Chancellor's Office of the California Community Colleges, as part of the annual update of the transfer center plan, no later than December 1, 2001. The Chancellor's Office of the California Community Colleges shall compile and submit campus transfer goals for annual change; the rationale for selecting those goals; and plans to achieve those goals to the Governor and the Legislature no later than February 1, 2002.

In administering the provisions of Sections 66734 and 84754 of the Education Code, the chancellor shall review the capacity and readiness of each community college district to meet the needs of students desiring to transfer. From within existing resources, the chancellor shall provide technical assistance to community college districts as necessary to assure that each community college district identifies options to use its local resources most effectively for providing reasonable opportunities to transfer for students served by the district. Technical assistance shall be provided to any college with persistently low numbers or rates of transfer, with the goal that the number of transfers will increase by an average of 10 percent annually, as necessary to overcome these low numbers or rates by the 2004–05 academic year. On or before March 1, 2002, the chancellor shall provide a progress report to the Governor and the Legislature on this review and technical assistance, and, on or before April 15 of each year thereafter, shall report on progress each community college has made in increasing the number of transfers, along with campus expenditures on transfer-related activities, as part of the annual Partnership for Excellence report submitted to the Governor and the Legislature in accordance with paragraph (1) of subdivision (e) of Section 84754 of the Education Code."

- "24. Of the funds appropriated in Schedule (23), \$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 \$2,000,000 is to be used for transfer grants designed to improve student success in transferring to the University of California and the California State University at community colleges with historically low rates of transfer to those institutions. The \$2,000,000 for transfer grants shall be administered by the Chancellor of the California Community Colleges and may be used to augment existing transfer centers or to establish transfer academies at community colleges with historically low rates of transfer to the University of California and the California State University."

I am deleting \$98 million for Scheduled Maintenance and the Instructional Equipment and Library Materials Replacement programs. California is heading into a difficult year with its softening economy and substantial revenue decreases. Consequently, the General Fund expenditures in this Budget are down 1.7 percent over the prior year. Historically, the State provides funds for these programs on a one-time basis. I take these actions as a matter of consistency because the Budget includes no discretionary funding for scheduled maintenance and instructional equipment for the California State University and the University of California. While I would like to maintain these funds as a base effort in these areas, this action is essential due to fiscal constraints and limited resources in the General Fund. I am open to considering funding for these worthy programs in the future when the economy improves. I am deleting Provisions 25 and 26 and revising Provisions 1 and 27 to conform to this action.

- "1. The funds appropriated in Schedules (1), (2), (3), (4), (5), (6), (8), (10), (11), (12), (14), (15), (12.5), (19), (22), and (25) are for transfer by the Controller during the 2001–02 fiscal year to Section B of the State School Fund."

“27. Of the funds appropriated in Schedules (24), (25) and (26) 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 (24) and Schedule (26) 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 amount \$ in Schedules (24) and Schedule (26) shall be available for expenditure until June 30, 2003.”

Item 6870-102-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98). I reduce this item from \$945,000 to \$660,000 and revise Provision 1.

I am reducing the \$945,000 legislative augmentation for local projects by \$285,000. I am sustaining the remaining \$660,000 on a one-time basis. This action is essential due to fiscal constraints and limited resources in the General Fund. I am revising Provision 1 to conform to this action.

“1. The funds in this item shall be allocated for the following local projects:

- (a) City College of San Francisco: Support Funding for Phase 1 of the facility to be jointly used by City College and San Francisco State University for Teacher Preparation, Child Development and early Childhood Education, and Community Health (~~300,000~~) (200,000)
- (b) San Francisco Community College: Mission campus (200,000)
- (c) Santa Ana Community College: Phillips Hall renovation (~~70,000~~) (40,000)
- (d) Compton Community College: Compton Community College Stadium Retrofit (~~150,000~~) (100,000)
- (e) Hartnell Community College: Health Professions Skills Enhancement Program (~~225,000~~) (120,000)”

Item 6870-301-0574—For capital outlay, Board of Governors of the California Community Colleges. I reduce this item from \$155,892,000 to \$141,033,000 by deleting:

Allan Hancock Community College District

Allan Hancock College

(1.5) 40.02.112-Library/Media Tech Center—Preliminary plans (\$317,000);

Butte Community College District

Butte College

(4.1) 40.05.106-Learning Resource Center—Preliminary plans (\$597,000);

Contra Costa Community College District

Diablo Valley College

(18.1) 40.13.220-Life Science Remodel for Laboratories—Preliminary plans (\$162,000);

Los Medanos College

(18.2) 40.13.313-Learning Resource Center—Preliminary plans (\$359,000);

San Ramon Valley Center

(18.3) 40.13.400-Phase 1 Buildings—Preliminary plans (\$723,000);

Foothill-DeAnza Community College District

Foothill College

(19.5) 40.15.206-Center for Innovation and Interactive Learning—Equipment (\$1,656,000);

Glendale Community College District

Glendale College

(20.3) 40.18.122-Allied Health/Aviation Lab—Preliminary plans (\$340,000);

- Grossmont-Cuyamaca Community College District
Cuyamaca College
(20.5) 40.19.116-Science and Technology Mall—Preliminary plans (\$543,000);
Grossmont College
(21.1) 40.19.207-Science Building—Preliminary plans (\$397,000);
Hartnell Community College District
Hartnell College
(21.5) 40.20.101-Library/Learning Resource Center—Preliminary plans
(\$738,000);
Lake Tahoe Community College District
Lake Tahoe Community College
(24.1) 40.23.111-Learning Resource Center—Preliminary plans (\$407,000);
Los Angeles Community College District
Los Angeles Mission College
(28.5) 40.26.408-Child Development Center—Preliminary plans (\$300,000);
Los Angeles Southwest College
(29.1) 40.26.607-Child Development Center—Preliminary plans (\$230,000);
Los Angeles Trade-Tech College
(30.1) 40.26.702-Child Development Center—Preliminary plans (\$215,000);
Los Angeles Valley College
(30.2) 40.26.803-Health Science Building—Preliminary plans (\$661,000);
Los Rios Community College District
American River College
(30.4) 40.27.102-Learning Resource Center Expansion—Preliminary plans
(\$343,000);
North Orange Community College District
Cypress College
(39.5) 40.36.100-Library/Learning Resource Center—Preliminary plans
(\$650,000);
Palo Verde Community College District
Palo Verde College
(41.5) 40.37.102-Technology Building Phase 2—Preliminary plans (\$292,000);
Rancho Santiago Community College District
Santa Ana College
(46.1) 40.41.124-Physical Education Seismic Replacement/Expansion—
Preliminary plans (\$225,000);
Riverside Community College District
Moreno Valley Center
(47.1) 40.44.207-Child Development Center—Preliminary plans (\$67,000);
Norco Valley Center
(47.2) 40.44.307-Child Development Center—Preliminary plans (\$76,000);
San Francisco Community College District
Mission Center
(55.1) 40.48.106-Mission Center Building—Working drawings (\$190,000);
Chinatown Center
(55.2) 40.48.108-Chinatown Campus Building—Preliminary plans (\$1,334,000);
San Luis Obispo County Community College District
Cuesta College
(58.1) 40.51.112-Theater Arts Building—Preliminary plans (\$472,000);
Santa Barbara Community College District
Santa Barbara City College
(63.5) 40.53.120-Gymnasium Remodel—Preliminary plans (\$163,000);

Sequoias Community College District

College of the Sequoias

(66.1) 40.56.112-Science Center—Preliminary plans (\$471,000);

Shasta-Tehama-Trinity Jt. Community College District

Shasta College

(66.5) 40.57.103-Library Addition—Preliminary plans (\$245,000);

Sonoma County Community College District

Santa Rosa Junior College

(67.5) 40.61.402-Learning Resource Center—Preliminary plans (\$1,199,000);

Chabot-Las Positas Community College District

Las Positas College

(67.7) 40.62.215-Physical Education, Gymnasium Phase 1—Preliminary plans (\$461,000);

Southwestern Community College District

Southwestern College

(68.1) 40.63.104-Child Development Center—Preliminary plans (\$227,000);

State Center Community College District

Reedley College

(69.1) 40.64.400-Learning Resource Center Addition—Preliminary plans (\$187,000);

Ventura County Community College District

Moorpark College

(70.1) 40.65.109-Child Development Center—Preliminary plans (\$101,000);

West Hills Community College District

Kings County Center

(73.5) 40.67.204-Phase 2B Classrooms/Laboratories—Preliminary plans (\$298,000);

and

West Valley Mission Community College District

Mission College

(74.1) 40.69.208-Main Building 3rd floor Reconstruction—Preliminary plans (\$213,000).

I am deleting the legislative augmentation of \$14,859,000 for 34 projects at various campuses of the California Community Colleges, because this amount should be held in reserve to address any unanticipated cost increases needed to complete previously approved projects.

Item 7980-001-0001—For support of Student Aid Commission. I reduce this item from \$16,469,000 to \$14,969,000 by reducing:

(1) (15)-Financial Aid Grants Program from \$16,515,000 to \$15,015,000, and by deleting Provision 1.

I am deleting the \$1,500,000 legislative augmentation to provide outreach regarding the Cal Grant program, and to create the College Corps Program. I note that the Student Aid Commission's budget already includes funding for outreach purposes. This action is necessary to maintain State spending growth in line with revenues, and to provide for a prudent reserve for economic uncertainties.

Item 7980-101-0001—For local assistance, Student Aid Commission. I reduce this item from \$619,584,000 to \$618,584,000 by reducing:

(1) 15-Financial Aid Grants Program from \$631,962,000 to \$630,962,000, and by revising Provision 1 by deleting subschedule (i).

I am deleting the \$1,000,000 legislative augmentation to provide funds for organizations to host financial aid workshops and forums for high school students and their parents. This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. Never-

theless, I note that the California Student Opportunity and Access Program (Cal-SOAP), administered by the Student Aid Commission, includes over \$8 million to provide informational outreach to K–12 students. I encourage this program to emphasize financial aid outreach to ensure all qualified students apply for and receive a Cal Grant award.

I am revising Provision 1 to conform to this action.

“1. Funds appropriated in Schedule (1) are for the purposes of all of the following:

- (a) Awards in the Cal Grant Program under Chapter 1.7 and 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 2000–01 award year except as otherwise provided by law.
- (i) Notwithstanding any other provision of law, of the amount in this schedule, \$1,000,000 shall be used to conduct Cal Grant and financial aid outreach by providing funds for organizations to host financial aid workshops and forums to directly assist high schools and students and their families regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) form and information about the expanded Cal Grant Program. The workshops and forums shall target those high schools that have an Academic Performance Index (API) that ranks in the lowest two deciles in the state.”

Item 7980-103-0001—For local assistance, California Student Aid Commission.

I am sustaining this item which appropriates funding for the Jackie Robinson Foundation on a one-time basis only.

Item 8100-001-0001—For support of Office of Criminal Justice Planning. I reduce this item from \$4,493,000 to \$4,343,000 to make a technical correction to the Budget Bill.

The program schedules and funding details reflected in this item are correct; however, the total appropriation exceeds the sum of the schedules by \$150,000. Therefore, in order to correct this technical error, I am reducing the item appropriation total by \$150,000, which will conform the Budget Act to the action taken by the Legislature.

Item 8100-101-0001—For local assistance, Office of Criminal Justice Planning. I reduce this item from \$98,341,000 to \$96,935,000 by reducing:

- (26.5) 97.20.004-Local Projects from \$4,593,000 to \$3,187,000 by deleting \$350,000 for the following subschedules:

- (y) OK (Our Kids) Mentoring Program: OK (Our Kids) Mentoring Program Expansion (\$100,000);
- (z) Unity One: Unity 1 Gang Prevention Program in Los Angeles (\$100,000);
- (aa) Banning Police Department: Police Department Expansion (\$50,000);
- (ac) Juvenile Hall Auxiliary of Contra Costa County: Field of Dreams (\$100,000);

and by reducing \$1,056,000 from the following subschedules:

- (c) City of Gardena: Police Detective Vehicles from (\$250,000) to (\$200,000);
- (d) City of San Gabriel: San Gabriel Police Department from (\$200,000) to (\$150,000);
- (f) Orange County District Attorney's Office: High Tech Crime Unit from (\$250,000) to (\$100,000);
- (g) Tariq Kamisa Foundation: Youth Violence Prevention Program from (\$500,000) to (\$200,000);
- (i) County of Alameda Sheriffs Department: MOMS (Maximizing Opportunities for Mothers to Succeed) from (\$800,000) to (\$600,000);
- (j) City of Hayward: Police Facility Addition for Expansion of Youth & Family Services Bureau Counseling Services from (\$350,000) to (\$300,000);
- (k) Orange County District Attorney's Office: Orange County Community Education Services from (\$125,000) to (\$95,000);
- (l) Orange County District Attorney's Office: TracKRS from (\$125,000) to (\$95,000);
- (n) Glendale Police Department: Purchase of one van for the Glendale Police Department Police Activities League Program from (\$40,000) to (\$25,000);
- (s) Hollywood Police Activities League from (\$75,000) to (\$60,000)
- (t) City of Rialto Police Department: Police Activities League from (\$100,000) to (\$60,000);
- (u) Adopt-a-Bike and Computer, Inc.: Computer Repair Program from (\$28,000) to (\$20,000);
- (v) South Coast Ecumenical Council: Long Beach BLAST from (\$25,000) to (\$20,000);
- (w) Long Beach Police Athletic League: Long Beach Police Athletic League Program from (\$50,000) to (\$40,000);
- (ad) Devonshire PALS: Building for PALS Youth Center from (\$100,000) to (\$50,000);
- (ae) City of Pacifica: Completion of the Pacifica Police Station from (\$175,000) to (\$147,000);
- (af) Tulare County District Attorney's Office: Tulare County Gang Task Force Operations from (\$100,000) to (\$75,000).

This action is essential due to fiscal constraints and limited resources in the General Fund. I am sustaining the remaining funding for the projects identified in this schedule on a one-time basis.

I am also deleting Provision 4 of this item, which would specify that the funding appropriated in Schedule 25 is available for competitive grants for the construction and upgrade of local crime laboratories, and would require at least 25 percent to be allocated for projects that are currently in the process of being constructed. This language is unnecessary because I have already directed the Office of Criminal Justice Planning to distribute the grants on a competitive basis. In addition, the requirement that 25 percent of the funds be used for projects that are currently in progress unnecessarily

restricts the allocation process by predefining the method by which a portion of the funds may be used.

Item 8100-101-0597—For local assistance, Office of Criminal Justice Planning. I delete Provision 4.

I am deleting Provision 4, which would require that \$3,300,000 of the funds appropriated in this item be allocated for high technology identity theft pilot projects as specified in SB 222. This provision unnecessarily ties this funding to legislation, which may not be enacted and could limit the ability of the Executive Branch to effectively manage programs.

Item 8100-102-0001—For local assistance, Office of Criminal Justice Planning. I delete this item and Provision 1.

I am deleting this item, which would provide law enforcement assistance grants of \$500,000 each to 36 rural and small counties in California on an ongoing basis. I am vetoing this funding because I intend to sign a budget trailer bill that would provide annual grants of an equal amount to the same rural and small counties identified in this item.

Item 8260-103-0001—For local assistance, California Arts Council. I reduce this item from \$12,631,000 to \$9,132,000 by reducing:

(a) Local Projects from \$12,631,000 to \$9,132,000 by deleting \$1,300,000 for the following subschedules:

- (18) San Diego Maritime Museum: Education Pilot Project (\$125,000);
- (22) Armand Hammer Museum: Renovation of the Armand Hammer Museum located on the UCLA campus (\$750,000);
- (38) Tulare County: History of Transportation wing in the Mooney Grove Museum Complex (\$75,000);
- (39) County of Riverside: Edward Dean Museum and Gardens Education Program (\$50,000);
- (41) Fullerton Railway Plaza Association: Railway Museum, City of Fullerton (\$50,000);
- (44) High Desert Arts Foundation: High Desert Center for the Arts property acquisition (\$75,000);
- (45) Beverly Hospital Foundation (\$100,000);
- (47) Fender Museum of the Arts Foundation: Fender Museum (\$75,000);

and by reducing \$2,199,000 from the following subschedules:

- (2) Armenian Film Foundation: Armenian Film Foundation from (\$190,000) to (\$150,000);
- (3) B Street Theatre, Sacramento: Children's Theater of Sacramento, California from (\$250,000) to (\$200,000);
- (5) Community Redevelopment agency of the City of Los Angeles: NoHo Theater Arts District Marquis Project from (\$100,000) to (\$50,000);
- (7) La Raza Galeria Posada, Sacramento: La Raza Galeria Posada Arts Education Programs from (\$50,000) to (\$30,000);
- (9) San Fernando Valley Chinese Cultural Association, Chinese Heritage Foundation: Chinese Heritage Center from (\$250,000) to (\$50,000);
- (10) City of Los Angeles: Children's Museum from (\$1,000,000) to (\$500,000);
- (12) City of Los Angeles: Children's Museum from (\$1,000,000) to (\$500,000);
- (13) Centro Cultural de Mexico en Orange County: Cultural Arts Center from (\$36,000) to (\$32,000);
- (14) Mexican Cultural Institute: Cultural and educational programs from (\$100,000) to (\$50,000);
- (16) City of Glendale: Glendale Police Department Memorial from (\$25,000) to (\$20,000);

- (17) Santa Barbara Community Youth Performing Arts Center: Santa Barbara Junior High School theater from (\$100,000) to (\$95,000);
- (20) Hollywood Entertainment Museum: Educational Center for Entertainment Arts from (\$250,000) to (\$180,000);
- (21) City of West Hollywood: Russian Cultural Center at Plummer Park from (\$55,000) to (\$30,000);
- (26) City of Chino: Community Theatre expansion from (\$100,000) to (\$55,000);
- (27) Skirball Cultural Center: Skirball Cultural Arts Center from (\$500,000) to (\$400,000);
- (28) Valley Public Television, KVPT Channel 18/65: Purchase Eagles Lodge Building for office and production expansion from (\$15,000) to (\$10,000);
- (31) City of Palo Alto: Children's Theatre sound and light systems from (\$300,000) to (\$175,000);
- (32) B Street Theater: The Children's Theater of California from (\$225,000) to (\$100,000);
- (33) Capital Unity Council from (\$100,000) to (\$50,000);
- (34) Sacramento Theater Company: Kids Write Plays from (\$100,000) to (\$45,000);
- (36) The Natural History Museum of Los Angeles County: Seismic strengthening and historic preservation of the Natural History Museum of Los Angeles County from (\$250,000) to (\$125,000); and
- (37) Miners Cultural Center from (\$100,000) to (\$50,000).

This action is essential due to fiscal constraints and limited resources in the General Fund. The remaining augmentations are being sustained on a one-time basis.

Item 8300-001-0001—For support of Agricultural Labor Relations Board. I reduce this item from \$5,611,000 to \$5,341,000 by reducing:

- (2) 20-General Counsel Administration from \$3,240,000 to \$2,970,000.

I am deleting the \$270,000 legislative augmentation to the Agricultural Labor Relations Board for additional field staff. I believe the augmentation of \$457,000 and three additional staff that I proposed to investigate unfair labor practice cases is sufficient to address workload in this area.

Item 8350-001-0001—For support of Department of Industrial Relations. I reduce this item from \$157,214,000 to \$153,777,000 by reducing:

- (7) 50-Enforcement and Promulgation of Laws Relating to Wages, Hours and Conditions of Employment, and Licensing and Adjudication from \$44,749,000 to \$41,862,000;
- (8) 60-Promotion, Development, and Administration of Apprenticeship and other On-the-Job Training from \$9,102,000 to \$8,552,000;

and by deleting Provision 1.

I am deleting the \$500,000 legislative augmentation for the Department of Industrial Relations to assess the information needs for managing and tracking the Department's workload. There is insufficient information to justify funding at this time. I am also deleting Provision 1, which specifies the purpose of the assessment, to conform to this action.

I am sustaining \$2,000,000 of the \$4,937,000 legislative augmentation to provide increased labor law enforcement efforts, inclusive of industries with high labor enforcement issues, in the Divisions of Labor Standards Enforcement and Apprenticeship Standards. Although I am supportive of efforts to protect the workforce of California, I am reducing this augmentation by \$2,937,000 due to fiscal constraints and limited General Fund resources.

Item 8660-001-0462—For support of Public Utilities Commission. I reduce this item from \$65,629,000 to \$64,116,000 by reducing:

- (1) 10-Regulation of Utilities from \$82,128,000 to \$80,615,000.

I am deleting the legislative augmentation of \$1,513,000 and 9.4 personnel years for the Consumer Affairs Branch to address the consumer complaints backlog. While I am supportive of reducing the backlog, my proposed 2001–02 Budget already included additional resources for this purpose, which the Legislature sustained. Further augmentations to this activity are not warranted until the Commission can demonstrate that the approved resources along with operational efficiencies recommended for implementation by the Commission are insufficient to reduce the backlog.

Item 8700-001-0001—For support of California Victim Compensation and Government Claims Board. I revise this item by reducing:

- (1) 11-Citizens Indemnification from \$53,901,000 to \$50,901,000, and
(10) Amount payable from the Restitution Fund (Item 8700-001-0214) from
–\$42,951,000 to –\$39,951,000.

I am revising this item to conform to the action I have taken in Item 8700-001-0214.

Item 8700-001-0214—For support of California Victim Compensation and Government Claims Board. I reduce this item from \$42,951,000 to \$39,951,000 and delete Provision 3.

I am deleting the \$3,000,000 legislative augmentation to establish three Victim Recovery Resource and Treatment Centers. A similar program is currently being operated by the University of California, San Francisco, and is in the early stages of implementation. While I support programs that provide assistance to victims of crime, it is premature to expand the use of Victim Recovery Centers until an evaluation of the pilot project is completed in 2005.

I am deleting Provision 3 to conform to this action.

Item 8860-025-0001—For support of Department of Finance. I reduce this item from \$3,000,000 to \$2,999,000, and by revising Provision 1.

I am reducing this item by \$1,000 and revising Provision 1.

This language would restrict the State Controller's ability to audit school district attendance, and would conflict with current law by attempting to prohibit recovery of funds not claimed in accordance with law. The language infringes on the separation of powers in that it usurps Executive Branch authority to effectively administer State programs. Further, the language represents a substantive change of law inappropriate for inclusion in the Budget Act.

I am revising Provision 1.

- “1. (a) The funds appropriated in this item shall be used to fund a contract with the Controller's Office to perform audits of school attendance records. The audits shall be limited to data pertaining to the prior three fiscal years.
- (b) Prior to conducting the audit, the Controller shall submit an audit plan to the Joint Legislative Budget Committee. The plan shall comply with American Institute of Certified Public Accountants (AICPA) Generally Accepted Auditing Standards and shall identify (1) the scope and limitations of the attendance audit; (2) the records that shall be retained and supplied by the local agency during the course of the audit; and (3) the state advisories or institutional memoranda describing the obligations of the local agencies subject to the audit.
- (c) It is the intent of the Legislature in providing for these audits that, except as provided in subdivision (d) of this provision, school district attendance audits shall be prospective in application only and shall not be retroactive in the imposition of any apportionment penalty.

- (d) The audits may be used to impose a retroactive apportionment penalty in cases of either (1) an intentional act to defraud the State of California or (2) purposeful falsification of records.”

Item 8955-301-0701—For capital outlay, Department of Veterans Affairs. I delete this item.

I am deleting the \$12,000,000 legislative augmentation for the design and construction of a new veterans' home in Lancaster, California. I have received correspondence from the state commanders of the Veterans of Foreign Wars of the United States, AMVETS, and The American Legion urging me to move forward with building more veterans' homes in southern California with greater attention given to location, services, and resources available to better serve our veterans.

In addition, my Blue Ribbon Task Force on Veterans' Homes has recommended that any future veterans' homes be located in proximity to a United States Department of Veterans Affairs Medical Center and close to available nursing professionals. The Lancaster site does not meet either of these criteria. I look forward to the recommendations of the Governor's Commission on Veterans Homes on the establishment of future veterans' homes.

Item 8960-301-0001—For capital outlay, Veterans' Home of California—Yountville. I reduce this item from \$2,550,000 to \$2,339,000 by deleting:

- (3.5) 80.20.440-Remodel Recreation Center—Preliminary plans and working drawings (\$211,000)

I am deleting the \$211,000 legislative augmentation for this project because it is not a critical fire and life safety issue that requires immediate correction and because of the need to fund higher competing priorities. In addition, the scope of the project has not been defined, and the associated out-year costs have not been evaluated.

Item 8960-490—Reappropriation, Veterans' Home of California—Yountville. I delete this item.

I am deleting the \$1,600,000 reappropriation for support costs associated with the Memorial Chapel project, Item 8960-011-0001, Budget Act of 2000. The Legislature deleted the capital outlay funding for the Memorial Chapel project; therefore, the support costs associated with the project are not needed.

Item 9100-101-0046—For local assistance, Agricultural and Rural Relief Rebates Program, tax relief, sales and use tax rebates for diesel fuel for producing and harvesting agricultural products. I delete this item and Provision 1.

I am deleting the \$8,000,000 legislative augmentation for the Agricultural and Rural Relief Rebates Program. This augmentation would provide sales and use tax rebates for diesel fuel for producing and harvesting agricultural products and transporting these products to the marketplace. Although I am supportive of tax relief for the agricultural industry, providing that relief in the form of rebates is not the most efficient method to deliver tax relief, and would result in unnecessary administrative costs. I intend to sign budget trailer legislation that provides agricultural tax relief in the form of tax exemptions.

Item 9100-102-0001—For local assistance, Agricultural and Rural Relief Rebates Programs, Tax Relief. I delete this item and Provision 1.

I am deleting the \$19,300,000 legislative augmentation for the Agricultural and Rural Relief Rebates Program. This augmentation would provide tax rebates for liquefied petroleum gas for residential and agricultural business use, farm and forestry equipment and machinery, and racehorse breeding stock. Although I am supportive of tax relief for these purposes, providing that relief in the form of rebates is not the most efficient method to deliver tax relief, and would result in unnecessary administrative costs. I intend to sign budget trailer legislation that provides tax relief for these purposes in the form of tax exemptions.

Item 9210-107-0001—For local assistance, Local Government Financing. I reduce this item from \$25,526,000 to \$6,405,000 by reducing:

- (a) Local Projects from \$25,526,000 to \$6,405,000 by deleting \$17,555,000 for the following subschedules:
 - (1) City of Anaheim: Playground Renovation in Anaheim (\$250,000);
 - (2) City of Banning: San Gorgonio Memorial Hospital Foundation (\$800,000);
 - (3) City of Big Bear: Relocate Moonridge Zoo (\$850,000);
 - (4) City of Brea: Retrofit American Legion Building in Brea (\$195,000);
 - (5) City of Citrus Heights: Civic Center Energy Conservation Retrofit Project (\$150,000);
 - (6) City of Colton: Alternative Fuel Park and Ride Project (\$25,000);
 - (9) City of Fontana: City Park (\$709,000);
 - (10) City of Fountain Valley: Mile Square Park, Fountain Valley (\$500,000);
 - (11) City of Fullerton: Playground equipment for Independence Park, Fullerton (\$77,000);
 - (12) City of Fullerton: Replace illuminated street signs, Fullerton (\$148,000);
 - (13) City of Fullerton: Convert Lions Field Lighting, Fullerton (\$200,000);
 - (14) City of Fullerton: Convert Lighting at Leonard Andrews Tennis Court (\$200,000);
 - (15) City of Fullerton: Installation of new traffic control system, Fullerton (\$299,000);
 - (18) City of La Habra: La Bonita Park Improvement, La Habra (\$250,000);
 - (19) City of Laguna Hills: Community Center Paleontological Lobby, Laguna Hills (\$150,000);
 - (21) City of Merced: Merced Grandstands (\$260,000);
 - (22) City of Merced: South Dos Palos Park, Merced (\$333,000);
 - (23) City of Merced: Historic Merced Library (\$1,435,000);
 - (24) City of Morgan Hill: Morgan Hill Wildlife Education Center (\$250,000);
 - (26) City of Orange: Mobile command post (\$150,000);
 - (27) City of Orange: Landfill rehabilitation (\$187,500);
 - (29) City of Redlands: Shoppin' for Seniors (\$300,000);
 - (39) City of Valley Springs: New Hogan Lake Conservatory (\$2,000,500);
 - (40) City of Watsonville: Watsonville Community Center (\$250,000);
 - (41) City of Westminster: Westminster MultiCultural Community Center (\$200,000);
 - (42) County of Los Angeles: Search and rescue services, LA County (\$241,000);
 - (44) County of Orange: Eli Home (\$200,000);
 - (45) County of San Diego: Lakeside Elementary School District, Playground Equipment (\$50,000);
 - (48) Diamond Bar: Summit Ridge Park (\$250,000);
 - (50) LaVerne: LeRoy Haynes Center, LaVerne (\$500,000);
 - (51) Monterey County: Hazardous Material Response Truck (\$35,000);
 - (52) Monterey County: Natavidad Hospital (\$250,000);
 - (53) Oceanside: Mission San Luis Rey, water from Oceanside (\$280,000);
 - (54) Pomona: Corporate Kids CyberKlub, Pomona (\$100,000);
 - (55) Pomona: Bulkhead for Ganesha Park Pool, Pomona (\$110,000);
 - (56) Pomona: Westmont Park, Pomona (\$150,000);
 - (57) Pomona: JFK Park, Pomona (\$210,000);
 - (60) Salinas: Ariel Childrens Theater, Salinas (\$100,000);
 - (61) Salinas: Salinas Municipal Pool Upgrade (\$150,000);

- (62) Salinas: Symphony Center, Salinas (\$185,000);
- (63) Salinas: Senior Center, Greenfield (\$250,000);
- (64) Salinas: Senior Center, Salinas (\$250,000);
- (65) City of San Diego: Water for Industry Program, San Diego (\$400,000);
- (67) San Luis Rey: Seismic stabilization of Mission, San Luis Rey (\$500,000);
- (68) Seal Beach: Concrete Sheetpile Groin Repair Project, Seal Beach (\$300,000);
- (71) Walnut: Suzanne Park, Walnut (\$300,000);
- (72) Walnut: Community Center Facility, Walnut (\$375,000);
- (73) Whittier: Flomar Drive Drainage Project, Whittier (\$460,000);
- (74) City of Exeter: Exeter-A Festival of Arts (\$45,000);
- (75) Tulare County: Boys & Girls Club of Tulare (\$150,000);
- (76) City of Bakersfield: HVAC for the Fox Theater in Bakersfield (\$250,000);
- (77) County of Fresno: Hart Lake water supply pipeline (\$411,000);
- (78) City of Visalia: Visalia PAL purchase of Mobil Recreation Centers (\$125,000);
- (79) County of Kern: Kern County Tot Lot Replacement (\$259,000);
- (80) City of Visalia: Visalia Garden Street Pedestrian Plaza (\$100,000);
- (81) City of Bakersfield: Energy efficient tree planting (\$100,000);
- (82) County of Fresno: Fresno Discovery Museum (\$100,000);
- (91) City of Waterford: Government Center Construction (\$100,000);
- (96) Rancho Cordova Community & Economic Development Corporation: Rancho Cordova Incorporation (\$50,000)
- (97) Castaic Area Town Council: Incorporation Study for the Town of Castaic (\$50,000)

and by reducing \$1,566,000 from the following subschedules:

- (7) City of Colton: Restoration of Carnegie Public Library from (\$125,000) to (\$50,000);
- (8) City of Fontana: Upgrades to the Civic Auditorium from (\$50,000) to (\$25,000);
- (16) City of Hawthorne: Street Upgrade from (\$150,000) to (\$100,000);
- (17) City of Huntington Beach: Olympic Pool-National Aquatic Center from (\$490,000) to (\$300,000);
- (20) City of Manhattan Beach: Manhattan Beach Pier Roundhouse Rehabilitation from (\$200,000) to (\$100,000);
- (25) City of Ontario: Library Expansion Project from (\$50,000) to (\$25,000);
- (30) City of Rialto: Rialto Fire Department, New Ambulance from (\$50,000) to (\$25,000);
- (31) City of Riverside: Riverside National Cemetery from (\$840,000) to (\$400,000);
- (32) City of San Bernardino: Santa Fe Depot Area Plan from (\$100,000) to (\$25,000);
- (33) City of San Diego: Encanto Community Fund, Inc., for Encanto Street Fair from (\$50,000) to (\$20,000);
- (34) City of San Diego: Water for industry program phase II from (\$500,000) to (\$175,000);
- (37) City of Signal Hill: Signal Hill Police Department, Complete Construction of Emergency Operations Center from (\$250,000) to (\$200,000);
- (47) County of San Mateo: Creating a Water Connection at Sawyer Camp from (\$200,000) to (\$100,000);
- (83) County of Contra Costa: Animal Shelter from (\$115,000) to (\$112,000);

- (84) City of Cudahy: Volunteers on Patrol Program from (\$50,000) to (\$35,000);
- (85) City of Downey: Downey Animal Shelter from (\$50,000) to (\$40,000);
- (88) San Joaquin County Sheriff's Department: Equipment from (\$48,000) to (\$45,000); and
- (89) City of Tracy: Tracy Animal Shelter from (\$125,000) to (\$100,000)

This action is essential due to fiscal constraints and limited resources in the General Fund. The augmentations provided in this item are being sustained on a one-time basis.

SEC. 4.60—Building Rental Rate. I revise this Control Section to make a technical correction to the Budget Bill.

This technical veto will make a technical correction to the Budget Bill to conform with the Legislature's intent, and is consistent with the legislative conference action taken in Item 1760-001-0666, which would not require the Department of General Services to establish a separate building rate for the Ronald Reagan Building, recalculate the statewide building rental rate based on the deletion of the costs for the Ronald Reagan Building, and add five cents per square foot per month to initiate the Maintenance and Repairs System (MARS) special repair and recurring maintenance program.

I am revising Control Section 4.60 as follows:

“SEC. 4.60. Notwithstanding any other provision of law, the Department of Finance shall adjust any item of appropriation of this act, as appropriate, to fund the rent for state office buildings as ~~adjusted by the Department of General Services establishment of a separate building rate for the Ronald Reagan Building and the recalculated statewide building rental rate based on the deletion of costs for the Ronald Reagan Building plus five cents per square foot per month to initiate the MARS special repair and recurring maintenance program, as required under Item 1760-001-0666 .~~”

I realize this control section does not require the Department of Finance to notify the Joint Legislative Budget Committee of any adjustments made to Section 2.00 of this Act. However, I am directing the Department of Finance to provide a 30-day notification to the Joint Legislative Budget Committee, as was required by the intended legislative action.

SEC. 7.00—Dymally-Alatorre Bilingual Services Act. I delete this control section.

I am deleting this control section that would appropriate funding to four departments to assist in the provision of bilingual services to the public. The need for funding for these four departments has not been justified. All State departments must comply with the Dymally-Alatorre Act, and most have done so within existing resources. I am directing all State departments to comply with the Act within existing budgeted resources.

With the above deletions, revisions, and reductions, I hereby approve Senate Bill 739.

GRAY DAVIS, Governor

- 2 [Ch. 155] I am signing Assembly Bill No. 441, however, I am vetoing the \$40 million appropriated in the bill as there are sufficient funds remaining in the Proposition 98 Reversion Account to fund this measure. I am setting sufficient funding aside in that account for subsequent legislation to fulfill my commitment for \$40 million of equalization funding.

I also object to the intent statement in the bill to fully meet the funding targets by the 2006–2007 fiscal year. Any consideration for future equalization funding will be contingent on sufficient revenues to meet other, higher priorities. Because I have already approved nearly \$2.3 billion in discretionary funding increases for school districts beyond statutory requirements in the prior two budgets, and because the state

is already in compliance with court requirements for equalized funding, I do not believe that further equalization funding is of a sufficiently high priority to require the level of commitment intended by this statement when there may be more pressing priorities for school reforms that can help ensure increased student achievement.

GRAY DAVIS, Governor

- 3 [Ch. 443] I am signing SB 664, legislation requires the California Postsecondary Education Commission (CPEC) to conduct a review and analysis of admission procedures and attrition rates for two-year associate degree nursing programs.

Nursing programs in the California Community Colleges are currently impacted and the system should take steps to ensure that students admitted into the program are academically prepared. This study should help identify strategies to maximize the number of nursing students that can graduate and help meet California's high demand for nurses. However, due to our rapidly declining economy, I am vetoing the appropriation of \$130,000 and requesting that CPEC conduct the study or contract out within existing resources.

GRAY DAVIS, Governor

- 4 [Ch. 468] I am signing Senate Bill 314, however, I am vetoing Section 4 of the bill which would appropriate \$75,000 from the Controller for disbursement to the Department of Justice in order to implement the provisions of this bill.

I believe that the inclusion of statistical data related to minors who are subject to the jurisdiction of an adult criminal court in the Department of Justice's annual report would be beneficial in order to assess the public safety impact and fiscal consequences of trying minors as adults. However, due to the economic situation facing the State, the Department of Justice should fund the implementation of this bill through the \$350,000 of federal funding that is available from the Office of Criminal Justice Planning and through existing resources of the Department.

GRAY DAVIS, Governor

- 5 [Ch. 523] I am signing Assembly Bill 780. However, due to the rapid decline in our economy and a budget shortfall of \$1.1 billion in the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending. As a result, I am deleting the \$7 million General Fund appropriation contained in the bill.

This bill reauthorizes the pesticide mil assessment, which funds approximately 60% of the programmatic activity of the Department of Pesticide Regulation (DPR), at the current rate of 17.5 mils until June 30, 2004. I am signing this bill to maintain the current assessment rate because it does not add an additional financial burden on the regulated industries. Moreover, this action will avoid the potential for the assessment to revert to an unacceptably low level in future years.

However, I am directing the Director of DPR to bring the stakeholders together as specified by this bill to help craft a longer term solution for support of the Department.

I am committed to the continuation of California's nationally renowned pesticide regulatory program and the benefits it provides. Because DPR has sufficient funding for the current fiscal year, I believe that addressing the funding shortfall for the 2002-03 fiscal year during the budget development process would be more appropriate.

GRAY DAVIS, Governor

- 6 [Ch. 558] I am signing Assembly Bill 876 which would appropriate \$100,000 to the State Department of Education to conduct a study of reading programs in schools with grades K–6 where at least 75 percent of the pupils have scored at or above the 80th percentile on the Standardized Testing and Reporting Program (STAR).

Ensuring that students learn to read is one of my primary education priorities. I am signing this measure but eliminating the appropriation. I am asking the Superintendent of Public Instruction to perform this study within existing resources.

Further, the state has provided millions of dollars for the development and adoption of English-Language Arts Academic Content Standards and Reading/Language Arts Frameworks. In addition, it is anticipated that the State Board Education will adopt reading/language arts materials by early 2002, all of which can be used to assist schools in developing successful reading programs.

GRAY DAVIS, Governor

- 7 [Ch. 566] I am signing Assembly Bill 1312, which establishes an Asian Pacific American Anti-Hate Program at the Department of Justice. However, given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I am deleting the \$250,000 General Fund appropriation contained in this bill and requesting the DOJ to conduct this important program using existing resources.

GRAY DAVIS, Governor

- 8 [Ch. 576] I am signing Senate Bill 321, which would authorize the Los Angeles Unified School District to develop a 5 year pilot program for training newly hired teachers serving on emergency permits that are assigned to schools that have 20% or more teachers on emergency permits. However, I am deleting Section 3, which appropriates two million (\$2,000,000) from the General Fund.

Supporting the appropriate training of teachers serving on emergency permits is an important step toward improving the instruction for students in hard to staff schools. Unfortunately, given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending. However, I am directing the Office of the Secretary for Education to identify existing funds that can be used to support this pilot program.

GRAY DAVIS, Governor

- 9 [Ch. 577] I am signing SB 442 which specifies that the strategy for coordinating the housing activities of state and local agencies include housing assistance for various special populations such as the elderly and the disabled communities.

Further, in light of the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending. Therefore, I am deleting Section 4 of the bill that would make a \$150,000 General Fund appropriation to the Director of e-Government. The Director is authorized to do as much as he can within existing resources.

GRAY DAVIS, Governor

10 [Ch. 579] I am signing Senate Bill 502, however, I am vetoing Section 2 of the bill which would appropriate \$100,000 from the General Fund.

This bill would require the Office of Criminal Justice Planning (OCJP) to establish medical forms, instructions, and examination protocol for victims of domestic violence and elder and dependent adult abuse and neglect, using specified guidelines, in cooperation with specified state and local entities.

Given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund Spending. Therefore, I am vetoing Section 2 of the bill that would appropriate \$100,000 from the General Fund to the Office of Criminal Justice Planning (OCJP) in order to implement the provisions of this bill.

I am directing the OCJP to implement the provisions of this measure within their existing resources.

GRAY DAVIS, Governor

11 [Ch. 682] I am signing Assembly Bill 830, a bill that will establish a task force to study and recommend innovative measures to improve the delivery of legal services to California's senior citizens.

Many California seniors of low and moderate means are in need of legal advice and assistance to help them navigate through complex issues of daily living. The task force will provide the California Department of Aging and the Legislature with valuable insight and advice regarding uniform standards, accountability in service delivery, and local sources of funding for senior legal services. I support the author's efforts to enhance both the quantity and quality of legal services provided to one of California's most vulnerable populations. I am further directing the California Department of Aging to establish the task force within existing resources.

GRAY DAVIS, Governor

12 [Ch. 692] I am signing Senate Bill 639 which would require the California Health and Human Services Agency to develop a strategic plan for improving access to mental health services for persons with Alzheimer's disease or related dementia.

However, given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending. I am directing the Health and Human Services Agency to develop the strategic plan within existing resources.

GRAY DAVIS, Governor

13 [Ch. 721] I am signing Senate Bill 223, but I am deleting the \$9.6 million General Fund appropriation for drug testing and thereby reducing the overall appropriation in this bill from \$18 million to \$8.4 million.

This bill would allow drug testing for clients treated under the Substance Abuse and Crime Prevention Act of 2000 (Proposition 36) and would provide \$9.6 million General Fund and \$8.4 million federal Substance Abuse Prevention and Treatment (SAPT) Block Grant funds for that purpose.

I strongly support drug testing as a component of substance abuse treatment and I am retaining the \$8.4 million federal funding in the bill for that purpose. The DADP estimates that the federal SAPT funds are sufficient to meet local needs for drug testing. In addition, given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending.

I am directing the Department of Alcohol and Drug Programs (DADP) to use \$8.4 million from the federal fiscal year (FFY) 2001 SAPT award for drug testing in 2001–02. Because the need for drug testing will continue, I will include funding from the FFY 2002 award for drug testing in my 2002–03 Budget. Further, I direct the DADP to encourage the counties to make drug testing a priority for use of these federal funds.

GRAY DAVIS, Governor

- 14 [Ch. 736] I am signing Assembly Bill 306 with a deletion. This bill would authorize local education agencies (LEA) to reinforce Braille instruction using a Braille instructional aide; allow Braille instruction for the functionally blind, require LEAs to provide instructional aides with notification of the specified teaching credential programs listed in the bill; appropriate \$227,000 General Fund to the California Community Colleges to offer additional training in Braille and require publishers of instructional materials to provide the state with free electronic versions of each state adopted literary title if the publisher doesn't already offer a large print version or other specialized media version.

I believe this bill will encourage earlier and greater Braille proficiency and lead to greater employment levels for Californians who are blind. However, given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to reduce the appropriation in the bill from \$227,000 General Fund to \$100,000 General Fund.

GRAY DAVIS, Governor

- 15 [Ch. 737] I am signing Assembly Bill 466, which establishes the Mathematics and Reading Professional Development Program. The Program will greatly assist efforts to increase academic performance in California schools by enabling 176,000 teachers and 22,000 instructional aides or paraprofessionals to participate in high-quality professional development activities over a four-year period.

However, I am reducing from the bill the \$1.0 million of the \$1.2 million appropriation to the Department of Education for purposes of administering the Mathematics and Reading Professional Development Program. The compelling need for this level of funding is unclear, as the 2001 Budget Act appropriates \$515,000 to the Department of Education for the purpose of Program administration, which is responsible for the most significant workload. I am sustaining \$200 thousand to assist the Superintendent of Public Instruction in allocating the funding for this important program.

Additionally, in subsequent legislation, the provision requiring the State Board of Education to establish an appeal process for audit findings for this program should be removed. This provision conflicts with current law, which established the Education Audits Appeal Panel.

GRAY DAVIS, Governor

- 16 [Ch. 743] I am signing Senate Bill 891, however I am reducing the General Fund appropriation to \$100,000. This bill would have authorized the expenditure of \$250,000 for the New Economics for Women transitional housing project, known as La Posada. This program and those it serves will benefit greatly from the added funds this bill will provide for needed classroom space and a security system.

However, given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to fund less than the requested amount.

I would also note that this bill designates the Department of Parks and Recreation as the department that would administer this grant. This is an inappropriate designation. I am requesting cleanup legislation in January that would designate the Department of Housing and Community Development as administrator of this grant to the La Posada project.

GRAY DAVIS, Governor

17 [Ch. 746] I am signing AB 31 with a deletion. This bill would create the Central Valley Infrastructure Grant Program to incentivize infrastructure improvements to eight Central Valley counties. This program was to receive funding from a \$15 million appropriation contained in the 2001 Budget Act.

Given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I am directing the Department of Housing and Community Development to use \$12 million for this grant program and to revert \$3 million to the General Fund.

GRAY DAVIS, Governor

18 [Ch. 749] I am signing Assembly Bill 961, however I am reducing the appropriation made in section 8 of this bill by \$2,142,000. This section would appropriate \$3.0 million to the Department of Education for training and administration costs associated with this program. Absent a detailed expenditure plan from the Department of Education justifying this need, I am unable to support an augmentation in excess of that which I believe is necessary to begin implementation of this program.

While I am signing this bill, I am concerned that numerous sections within this bill are unclear and may be interpreted in a way not intended, potentially resulting in significant costs. I am signing this bill with the understanding that the author will introduce urgency legislation to clean up these issues.

GRAY DAVIS, Governor

19 [Ch. 768] I have signed Senate Bill 480 with a deletion. This bill would have appropriated \$100,000 from the General Fund to the Department of Parks and Recreation for a local assistance grant to the California Military Museum.

The Museum currently operates on funds raised by its Foundation, donations, and occasional legislative appropriations. If it does not receive funds this year, it could close its doors. The Museum provides a vital service to the state in honoring the men and women who have served in the military.

Although I have deleted the General Fund appropriation, I am directing the Department of Parks and Recreation to allocate \$100,000 from existing funds to the California Military Museum to ensure their continued operations.

GRAY DAVIS, Governor

20 [Ch. 827] I am signing Senate Bill 293 which would require the Board of Pharmacy (BOP) to adopt regulations establishing standards for compounding injectable sterile drug products in a pharmacy, require some pharmacies that compound these drug products to be specially licensed and provide for inspection and investigations of compounding pharmacies. The bill appropriates \$580,000 from the Pharmacy Contingent Fund for this purpose.

The Board advises that due to the length of time necessary to promulgate regulations, this bill will not be implemented until the next budget year. As a consequence, I am deleting the funds and will review any funding and related positions as part of next year's budget process.

GRAY DAVIS, Governor

21 [Ch. 837] I have signed Assembly Bill 70, which establishes a thermal imaging equipment program within the Office of Emergency Services and creates an advisory committee to develop specifications and information to facilitate the purchase of thermal imaging equipment at competitive rates. However, I am deleting Section 3, which appropriates fifty thousand dollars (\$50,000) from the General Fund.

In signing this bill, I am directing the Office of Emergency Services to begin establishing the program within existing resources. State revenues have fallen \$1.1 billion below projections in the first three months of this fiscal year alone. While I am strongly committed to protecting state public safety and firefighting efforts from budget reductions, I have no choice but to oppose additional General Fund spending.

GRAY DAVIS, Governor

22 [Ch. 860] I am signing SB 1059, which would create the Council on Mentally Ill Offenders within the Youth and Adult Correctional Agency. This Council will investigate and promote cost effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who are likely to become offenders or who have a history of offending. However, I am deleting Section 2, which appropriates one hundred thousand dollars (\$100,000) from the General Fund.

Identifying cost-effective ways to efficiently expend resources to address the needs of this population would improve services and serve to lower costs for local law enforcement, local courts and the correctional system. Unfortunately, given the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending. I am directing the affected state agencies to identify existing funds that can be used to support this program.

GRAY DAVIS, Governor

23 [Ch. 870] I am signing Senate Bill 41, which requires the State Librarian to develop instructional resources for use in public schools and an information project to educate the general public on the State's Native Americans.

While I believe this new project will have a significant impact on how our students learn about Native Americans, I must reduce the appropriations as follows: The sum of \$175,000 is hereby appropriated from the General Fund for the purposes of this act as follows:

a) One hundred thousand dollars (\$100,000) to the State Librarian for the purpose of Part 8.7 (commencing with Section 13040) of the Education Code.

b) Twenty-five thousand dollars (\$25,000) to the State Librarian for the purposes of Section 3 of this act.

c) Fifty thousand dollars (\$50,000) to the State Department of Education for supporting the Curriculum Development and Supplemental Materials Commission and the State Board of Education in the review of the standards-based instructional resources pursuant to this act.

GRAY DAVIS, Governor

24 [Ch. 879] I have signed SB 307 with a deletion of the \$450,000 General Fund appropriations.

This bill would create the California Japantown Preservation Pilot Project, which would require the State Librarian to provide a one-time grant to the City of Los Angeles, the City of San Jose and the City and County of San Francisco to promote the preservation of these important neighborhoods.

Although I am deleting the appropriation, I am signing AB 1602 that, if enacted by the voters, will provide \$267.5 million for cultural and historical preservation capital outlay projects. Additionally, I am directing the Department of Parks and Recreation to provide \$150,000 from existing resources for the purposes of the bill until other appropriate sources of funding are available.

GRAY DAVIS, Governor

25 [Ch. 885] I have signed Assembly Bill 343 with a deletion. I am deleting the appropriation in Section 4(b) of up to \$250,000 for the educational grant program created in Section 2 of this bill. Section 2 would create the grant program by adding Section 31119 to the Public Resources Code. Section 4(b) would allocate funds originally appropriated in Schedule (3) of Item 3760-301-00001 of the 2000 Budget Act to fund the new program.

This bill would allow the State Coastal Conservancy to use up to \$250,000 of a General Fund capital outlay appropriation to undertake educational projects for all ages relating to the protection, preservation, enhancement or maintenance of coastal resources and to award grants to nonprofit organizations, educational institutions and public agencies for this purpose. The bill would also allow the reallocation of \$3,750,000 General Fund originally appropriated for the purchase and restoration of the Bel Marin Keys property to purchase alternate properties in Marin County.

I cannot support the \$250,000 General Fund allocation at this time. To the extent that grant funding is awarded by the Conservancy to local educational agencies or to community colleges, such funds would raise the Proposition 98 funding guarantee by the same amount, thus reducing future budgetary flexibility.

Although grants awarded from non-General Fund sources should not affect the Proposition 98 guarantee, I am concerned that there may be confusion on this point in the future. Consequently, I urge the legislature to pass corrective legislation clarifying that this program cannot be used to award grants to local educational agencies or community colleges when the source of funds for those grants is the General Fund.

GRAY DAVIS, Governor

26 [Ch. 886] I am signing Assembly Bill 1018 with a line item veto.

This bill establishes the Industry-Based Certification Incentive Grant Program, which is an innovative approach to using one-time funds for matching the skills that are taught to students with the certification standards that are set by an industry. AB 1018 would allow the Department of Education (SDE) to redirect funds identified in this bill to develop model curriculum standards. Finally, this bill would require the SDE to allocate any savings resulting from this program for the purposes of the School-to-Career Technology Training Center Program, which is contained in AB 769 (Goldberg).

I am signing this bill, with the understanding that the funding earmarked for this bill will fully fund both planning grants and implementation grants, on a one-time basis, for the Industry-Based Certification Incentive Grant Program. I must however, delete the funding which is provided for the SDE for model curriculum standards, as this provision would be in conflict with the constitutional restrictions on the use of Proposition 98 funds. In addition, I am deleting the provision that requires the SDE to allocate any

savings from the Industry-Based Certification Incentive Grant Program to the Industry Based Certification Incentive Grant Program. AB 769 would result in significant costs, which I cannot commit to given the fiscal condition of the state.

The following language reflects my veto action:

SEC. 3. (a) (1) Of the amount specified in Schedule (27) of Item 6110-485 of Section 2.00 of the Budget Act of 2001, four million three hundred fifty thousand dollars (\$4,350,000) is hereby allocated to the State Department of Education as follows:

(1) Four million three hundred fifty thousand dollars (\$4,350,000) for purposes of the Industry-Based Certification Incentive Grant Program established by Article 3.5 (commencing with Section 52360) of Chapter 9 of Part 28 of the Education Code.

GRAY DAVIS, Governor

27 [Ch. 891] I am signing Senate Bill No. 735, however I am reducing the \$98 million appropriation to the Chancellor of the California Community Colleges in Section 34(a) by a total of \$66 million. Given the rapid decline in our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to reduce the level of General Fund expenditure to these programs. My Administration has strongly supported the Community College system. Last year alone I increased the Partnership for Excellence funding for Community Colleges to \$300 million — more than double the level of funding from the previous year. However, given the expected budget shortfall in the next fiscal year, if we do not make difficult decisions on expenditures for maintenance and equipment today, we will need to make even more drastic reductions in instructional programs tomorrow.

My office worked with the Chancellor's office and members of the Community College Board of Trustees to identify specific funding needs related to equipment for academic programs or safety-related deferred maintenance projects. The \$32 million remaining should provide sufficient resources to fund the most critical fire and life safety hazards and the most essential instructional materials acquisition needs of the colleges. I have also sustained the full \$14.9 million requested in Section 34(b) from the 1998 Higher Education Capital Outlay Bond Fund for 34 capital outlay projects for a total of nearly \$47 million.

Additionally, I am signing this bill with the understanding that clean-up language will be introduced to correct a technical error which may reduce funding for the Targeted Instructional Improvement Grant Program below the current base level.

I am revising Section 34(a) of SB 735 to conform to this action as follows:

SEC. 34. (a) (1) The sum of thirty-two million dollars (\$32,000,000) is hereby appropriated, for allocation in the 2001–02 fiscal year, to the Chancellor of the California Community Colleges, in augmentation of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2001, for allocation to community college districts as follows:

(A) Seventeen million dollars (\$17,000,000) from the Proposition 98 Reversion Account for allocation for scheduled maintenance and special repair projects.

(C) Fifteen million dollars (\$15,000,000) from the General Fund for allocation for the purchase of instructional equipment and library materials.

(2) The amount appropriated in paragraph (1) shall be allocated by the Chancellor of the California Community Colleges to community college districts for the purposes of scheduled maintenance and special repair projects and instructional equipment and library materials.

(3) The chancellor shall allocate the funding for scheduled maintenance and special repair so that, for every dollar of funds allocated pursuant to subparagraphs (A) and (B) of paragraph (1), a recipient district shall provide one dollar in matching funds. Priority for the allocation of funding provided for scheduled maintenance and special repairs

shall be given to fire and life safety, seismic safety, and other critical need projects. The amounts appropriated in subparagraphs (A) and (B) of paragraph (1) shall be available for encumbrance until June 30, 2003.

(4) The chancellor shall allocate the funding for instructional equipment and library materials so that, for every three dollars of funds allocated pursuant to subparagraph (C) of paragraph (1), a recipient district shall provide one dollar in matching funds. In expending the funds provided under this section for instructional equipment and library materials, a district shall give first priority to making payments on any multiyear lease agreements.

GRAY DAVIS, Governor

28 [Ch. 913] I am signing Senate Bill 19, which will help to significantly improve the nutrition and eating habits of California's school children. This bill establishes, as of January 1, 2004, various prohibitions on the sale of beverages in elementary and middle schools and places nutritional standards on the type of foods that may be sold to pupils during school breaks and through vending machines. The bill also increases the reimbursement a school receives for free and reduced-price meals and permits schools districts to convene a Child Nutrition and Physical Activity Advisory Committee. The bill appropriates \$5.5 million for grants to local school districts to implement the new nutrition standards and for monitoring and technical assistance costs of the State Department of Education.

Childhood obesity has become an epidemic in the United States and is a primary factor in type 2 diabetes and other long-term health problems. While poor diet and physician inactivity have been found to adversely influence the ability to learn and decrease motivation and attentiveness, healthy food has a positive impact on academic achievement.

While I am supportive of the new standards contained in SB19, I am deleting the appropriation of \$5.5 million in the bill because it is premature to allocate General Fund without first exploring the use of federal funds for this purpose. California does not currently use its full allotment of federal child nutrition funding that may be available to assist local districts in meeting the nutrition standards in this bill. Since the provisions of the bill are not intended to be operative for another two years, there is sufficient time to consider alternative funding options without jeopardizing timely implementation of the new standards.

GRAY DAVIS, Governor

29 [Ch. 932] I have signed Assembly Bill 936 with a reduction.

This bill would appropriate \$1.75 million General Fund to the Department of Housing and Community Development (HCD) to provide a grant to the City of San Diego to purchase two facilities for the homeless. The bill would also clarify that funds appropriated in the Budget Act of 2001 to the City of San Diego for a grant to the Stein Education Center shall be allocated directly to the Education Center; reappropriate funds provided in the Budget Act of 2000 for the Guadalupe Trail in the City of San Jose; and would revise provisions in the Budget Act of 2001 to direct the Department of Boating and Waterways to recalculate a specified loan to the owner of a marina at Lake Oroville.

I am reducing the appropriation to HCD from \$1.75 million to \$750,000 due to fiscal constraints and limited resources in the General Fund.

GRAY DAVIS, Governor

30 [Ch. 7 (1st Ex. Sess.)] I have signed Senate Bill 5X with the following line item vetoes and reductions to more closely align the bill with my expenditure plan and to prioritize conservation measures for this summer.

I am eliminating the following appropriation:

\$10 million to the California Energy Commission (CEC) for incentives for installation of light-emitting diode (LED) traffic signals.

In addition, I am reducing the following allocations:

From the funds appropriated to the Public Utilities Commission, reduce the allocation from \$16.3 million to \$12 million for pump and motor retrofits for oil and gas producers and pipelines.

From the funds appropriated to the CEC, reduce the allocation from \$60 million to \$40 million for allocation to locally owned public utilities for energy efficiency, peak demand reduction and low-income assistance measures. However, I am directing the Department of Community Services and Development to offset this reduction by proportionally increasing the Low-Income Home Energy Assistance Program (LIHEAP) funds appropriated by this bill to community based organizations in areas served by locally owned public utilities.

From the funds appropriated to the CEC, reduce the allocation from \$35 million to \$30 million for programs for the low-energy usage building materials program.

From the funds appropriated to the CEC, reduce the allocation from \$75 million to \$70 million for the purchase of high-efficiency electrical agricultural equipment.

From the funds appropriated to the Department of General Services, reduce the allocation from \$50 million to \$40 million for energy efficiency projects in state buildings, including community colleges.

Regretfully, a previous version of this bill contained a \$15.4 million appropriation to the Department of Water Resources to implement recommendations from my Advisory Drought Planning Panel. These funds would have provided incentives to better manage surface and groundwater resources to create greater energy and water efficiencies. I encourage the Legislature to appropriate funds for this important purpose.

GRAY DAVIS, Governor

31 [Ch. 8 (1st Ex. Sess.)] I have signed Assembly Bill AB 29X with the following line item vetoes and reductions to more closely align the bill with my expenditure plan and to prioritize conservation measures for this summer.

I am eliminating the following:

\$25,150,000 million re-appropriation from the Proposition 98 Reversion Account to the Chancellor of the California Community Colleges for energy efficient projects and a statewide utility usage database. These funds are already budgeted for other purposes and are required by law to be used by community colleges for educational purposes.

\$20 million to the Department of Community Services and Development to supplement the Low-Income Housing Energy Assistance Program (LIHEAP). \$120 million has been provided for this program in SB 5X.

\$50 million to the California Energy Commission (CEC) for loans and grants for construction and retrofit projects and \$50 million to the CEC for the Small Business Energy Efficiency Refrigeration Loan Program. These new programs require the establishment of administrative procedures and will not deliver peak reduction savings for this summer.

\$24 million to the Department of Corrections to install systems to retrofit generating units. These funds would not increase electricity supply or reduce demand.

\$15 million to the Public Utilities Commission to fund a study of real-time meters. This bill appropriates funds for the purchase and installation of these meters.

In addition, I am reducing the following allocations:

From the funds allocated to the California Conservation Corps, reduce the allocation from \$40 million to \$20 million for the Mobile Efficiency Brigade. In order to achieve the most effective energy savings by this summer, I am directing the Conservation Corps to use these funds to purchase materials and mobilize crews to deliver high efficiency lighting to low-income residences.

While I am signing this bill, it is my understanding that the Legislature will enact subsequent legislation to remove the mandate created by the Statewide Energy Management Program. I am also requesting subsequent legislation to continuously appropriate the Renewable Energy Loan Guarantee Program. It is standard for loan guarantee programs to be continuously appropriated and not contingent upon the annual budget. As drafted, this bill removes the incentive for banks to participate in this worthy program.

GRAY DAVIS, Governor

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46	587	161	350	285	498
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59	894	174	382	296	124
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62	513	179	149	302	916
63	915	180	383	303	551
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77	62	196	833	314	18
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79	646	201	621	322	516
84	809	202	180	326	244
87	514	205	36	328	367
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92	756	209	13	333	675
93	946	210	151	334	454
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98	838	212	123	341	884
99	546	213	37	343	885
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110	410	219	109	349	843
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380	517	495	648	661	626
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392	660	510	781	664	707
395	207	521	294	668	249
398	481	527	201	671	627
399	778	530	845	672	27
401	647	532	208	673	906
402	455	533	368	674	847
405	245	536	352	677	708
408	305	538	353	678	226
409	552	539	702	682	75
413	65	540	814	685	679
414	861	544	662	696	917
416	314	548	520	699	591
423	157	549	905	701	334
426	156	553	225	705	747
427	125	559	458	706	387
429	111	560	500	708	369
430	171	563	14	711	663
431	81	564	308	715	748
434	136	574	649	717	709
435	112	583	703	719	918
436	701	584	415	720	388
437	333	585	704	722	250
438	113	586	501	723	227
440	197	587	261	729	664
441	155	589	521	730	28
443	205	590	677	731	816
445	114	594	86	732	153
446	306	599	522	733	919
447	625	603	199	734	322
449	260	606	363	735	101
451	456	608	815	737	183
452	307	609	57	740	184
453	482	614	100	743	430
457	56	616	782	760	553
458	386	620	705	761	309
459	499	621	862	762	848
464	779	624	931	764	87
466	737	632	348	770	710
469	483	635	757	771	163
471	198	636	678	780	523
472	414	637	738	783	554
477	82	639	502	793	665
479	351	645	238	795	389
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864	390	1019	419	1207	562
865	711	1021	88	1212	685
866	650	1023	527	1214	31
867	784	1024	190	1217	254
870	696	1025	821	1220	759
871	460	1029	486	1230	392
873	417	1031	337	1233	771
876	558	1038	786	1241	714
891	651	1044	202	1245	850
895	785	1046	370	1249	393
898	391	1048	264	1253	420
899	683	1049	528	1258	465
901	644	1060	265	1259	461
906	365	1066	217	1261	686
910	863	1069	134	1262	789
913	880	1070	758	1263	324
929	210	1071	239	1277	715
931	336	1075	684	1278	230
933	366	1078	849	1280	504
935	881	1082	787	1281	790
936	932	1083	311	1286	563
938	817	1084	882	1287	564
941	666	1088	312	1295	887
942	211	1090	560	1297	505
945	524	1093	933	1298	488
946	315	1099	433	1301	947
948	667	1103	52	1302	394
950	188	1107	750	1304	231
951	525	1112	487	1307	565
952	212	1115	920	1311	325
955	503	1116	191	1312	566
959	19	1118	895	1318	356
961	749	1123	251	1323	39
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STATUTORY RECORD

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STATUTORY RECORD

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Abbreviations

Ad =Added
Ad(RN) =Added by Renumbering
Am =Amended
Art. =Article
Ch. =Chapter
Div. =Division
Inc. Ref. =Incorrect Reference
Pt. =Part
R =Repealed
Am & RN =Amended and Renumbered
S =Supplemented (See below)
Sec. =Section
Stats. =Statutes
* =Urgency
1X =First Extraordinary Session
2X =Second Extraordinary Session

SUPPLEMENTS

CODIFIED SECTIONS	“S” denotes a placeholder for superior notes. This is not the latest amended form.
STATS OTHER THAN CODES	If the “S” has a superior note attached it is a placeholder for the superior note reference to an effect on a new or existing law.
BUDGET	A reference to an augmentation, reappropriation, or reversion. This is not the latest amended form.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
22	1999	656	Am	650.1	2000	836	Am
27	1999	655	Am	651	1999	631	Am (by Sec. 1 of Ch.)
	1999	784 *	Am ⁸²				
	2000	927	Am	1999	856	Am (by Sec. 2 of Ch.)	
2001	159	Am ³⁰⁵					
30	1999	652	Am (by Sec. 1.5 of Ch.)	2000	135	Am ²⁰³	
		655	Am				
101	2000	697	Am (by Sec. 1 of Ch.)	655.5	2000	251	Am
		681	Am				
		2001	615 *	Am	680	1999	411
2001	687	Am (by Sec. 1.5 of Ch.)	2000	135			
101.1	1999	983			Am	681	1999
		2000	277	Am			
		2001	159	Am ³⁰⁵	704	1999	631
113	2001	159	Am ³⁰⁵	730			
119	2000	568	Am		730.5	1999	83
		2000	1055 *	Am			
120	2000	1055 *	Am	800	1999	252	Am
		2001	306				
121.5	2001	435	Ad	802	2001	728	Am
		2001	728				
125.3	2001	728	Am	803	2001	728	Am
		2000	197				
125.9	2001	309	Am	803.1	2000	836	Am
		2001	728				
128.5	2000	1054	Am	803.2	2001	728	Am
		2000	1054				
130	2000	1054	Am	803.5	2000	867	Am
		2001	159				
138	1999	67 *	Am	805	1999	252	Am
		1999	67 *				
139	1999	67 *	Ad	2001	614	Am	Am
		2000	1054				
144	2000	1054	Am	805.1	2001	614	Am
		2001	159				
146	2001	687	Am	805.2	2001	614	Ad
		2001	357				
146.5	2001	357	Am	2001	615 *	Ad	Ad
		2000	1054				
149	2000	1054	Am (by Sec. 2 of Ch.) ¹⁴	805.5	1999	655	Am
		2000	1055 *				
205	2000	1054	Am (by Sec. 2.5 of Ch.) ²⁵	2001	614	Am	Am
		2000	1054				
350	2001	687	Am	805.6	2001	614	Ad
		2000	984				
351	2000	984	Ad ²⁸⁹	805.7	2001	614	Ad
		2000	984				
352	2000	984	Ad ²⁸⁹	806	2001	614	Am
		2000	984				
473.1	2000	393	Am	808.5	1999	655	Ad
		2000	393				
473.15	2000	199	Am	852	2000	802	Ad
		2000	393				
473.16	2000	393	R	853	2000	802	Ad
		2000	393				
473.17	2000	393	R	1003	2000	867	Ad ²⁵¹
		2000	393				
473.2	2000	393	Am	1004	2000	867	Ad ²⁵¹
		2000	393				
473.3	2000	393	Am	1206.5	1999	70	Am
		2001	399				
473.5	2000	393	Am	2001	501	Am (by Sec. 1 of Ch.)	Am (by Sec. 1.5 of Ch.)
		2000	568				
488	2000	568	Ad	1220.5	1999	748	Ad
		1999	545				
511.1	2000	1069	Am	1241	2000	322	Am
		2000	843				
650	2000	843	Am	1242	1999	695	Am
		2000	867				
		2001	728	Am			
650	2000	867	Am ⁸²	1242.5	1999	695	Am
		2001	728				
650	2000	867	Am ⁸²	1246.5	2001	80	Am
		2001	728				
650	2001	728	Am	1247.4	1999	979	Am
		2000	393				
650	2000	393	Am	1247.63	1999	979	Am ³⁶¹³
		2000	393				
650	2000	393	Am	1247.64	1999	979	Am ³⁶¹³
		2001	399				
650	2001	399	Am	1247.66	1999	979	Am ³⁶¹³
		2000	393				
650	2000	393	Am	1247.95	1999	979	R
		2000	568				
650	1999	545	Ad ⁵⁶	1265	1999	70	Am
		2000	1069				
650	2000	1069	Am	2000	322	Am	Am
		2000	843				
650	2000	843	Am	1269	1999	695	Am
		2000	867				
650	2001	728	Am	1269.5	2000	322	Ad
		2000	867				
650	2001	728	Am	1281.1	2000	322	Ad
		2000	867				
650	2001	728	Am	1282.2	2000	322	Ad

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	Year	Chapter	Effect		Year	Chapter	Effect
1282.3	2000	322	Ad	1601.3	2001	615*	Ad ³⁴⁵
	2001	854	Am				R ⁶³
1287	2000	322	Am	1603	2001	532	Am
1288.3	1999	748	Ad ²⁵	1616.1	2001	745*	R
1300	1999	70	Am	1616.5	2001	532	Am ⁵
	1999	979	Am ¹¹³				Ad ⁷⁰
1301	2000	322	Am				R ⁶³
1311	2000	322	Ad	1618.5	1999	525	Am ¹¹²
1324	2000	322	Am		2000	857	Am ²⁰³
1416	2001	687	Ad	1620.1	2001	615*	Ad
1416.1	2001	687	Ad	1621	2001	728	R & Ad
1416.10	2001	687	Ad	1621.1	2001	728	R
1416.12	2001	687	Ad	1621.3	2001	728	R
1416.2	2001	687	Ad	1621.4	2001	728	R
1416.20	2001	687	Ad	1621.5	2001	728	R
1416.22	2001	687	Ad	1621.6	2001	728	R
1416.24	2001	687	Ad	1626.5	1999	655	Ad
1416.26	2001	687	Ad	1628	2001	532	Am (as am by
1416.28	2001	687	Ad				Sec. 1,
1416.30	2001	687	Ad				Stats. 1997,
1416.32	2001	687	Ad				Ch. 792) ¹⁹
1416.34	2001	687	Ad				Am (as ad by
1416.36	2001	687	Ad				Sec. 2,
1416.38	2001	687	Ad				Stats. 1997,
1416.4	2001	687	Ad				Ch. 792) ²²
1416.40	2001	687	Ad	1635.5	2001	507	Ad ³⁵
1416.42	2001	687	Ad	1636	2001	532	Am ¹⁹
1416.44	2001	687	Ad	1636.5	2001	532	Am ¹⁹
1416.45	2001	687	Ad	1638.7	2001	532	Ad
1416.46	2001	687	Ad	1640	1999	655	Am
1416.48	2001	687	Ad	1640.1	1999	655	Ad
1416.50	2001	687	Ad	1640.2	1999	655	Ad
1416.55	2001	687	Ad	1641	1999	655	Am
1416.57	2001	687	Ad	1642	1999	655	Am
1416.6	2001	687	Ad	1645.1	2001	532	Ad
1416.60	2001	687	Ad	1646.7	1999	177	Am (as am by
1416.62	2001	687	Ad				Sec. 1,
1416.64	2001	687	Ad				Stats. 1998,
1416.66	2001	687	Ad				Ch. 505) ⁵
1416.68	2001	687	Ad				Am (as ad by
1416.69	2001	687	Ad				Sec. 2,
1416.70	2001	687	Ad				Stats. 1998,
1416.72	2001	687	Ad				Ch. 505) ⁸
1416.74	2001	687	Ad		2001	728	R (as am by
1416.75	2001	687	Ad				Sec. 2,
1416.76	2001	687	Ad				Stats. 1999,
1416.77	2001	687	Ad				Ch. 177)
1416.78	2001	687	Ad				Am (as am by
1416.80	2001	687	Ad				Sec. 1,
1416.82	2001	687	Ad				Stats. 1999,
1416.84	2001	687	Ad				Ch. 177) ¹³
1416.86	2001	687	Ad	1646.9	1999	177	Am ⁵
1601	1999	655	Am		2001	728	Am ⁷⁵
	2001	532	Am ⁵	1647.11	2000	9*	Am
	2001	625	Am ⁸²		2001	159	Am ³⁰⁵
1601.1	2001	532	Ad (by Sec. 2.5 of Ch.) ⁷⁰	1647.12	2001	728	Am
			R ⁶³	1648.15	2001	532	Ad
	2001	625	Ad ⁷⁰	1658.1	2000	224	R & Ad
			R ⁶³	1680	2001	308	Am
				1682	2001	308	Am
				1684	1999	655	Ad

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1684 (Cont.)				2253	2000	692	Am
	2000	836	Am (as ad by	2259.7	1999	631	Ad
			Stats. 1999,	2273	2000	867	Am
			Ch. 655) & RN	2277	1999	655	Am
1684.1	2000	836	Ad(RN)	2313	2001	518	Am
1686	1999	655	Am		2001	614	Am
1701.1	1999	655	Ad	2341	2000	836	Am
1701.5	1999	655	Am	2342	2000	836	Am
1716.1	2001	728	Am	2344	2000	836	Am
1742	2001	532	Am ^{70 18}	2350	2000	836	Am
1743	2001	728	Am	2352	2000	836	Am
1744	2001	728	Am	2352.1	2000	836	Ad
1749	2001	532	Am	2354	2000	836	Am
1753	1999	655	Am	2355	2000	836	Am
	2001	532	Am	2401	2001	321	Am
1753.5	2001	532	Ad	2415	2000	568	Am
2027	1999	784 *	Am	2417	2000	867	Ad
2028	2001	464	Ad		2001	328	R & Ad
2065	2001	728	Am	2420	2000	836	Am
2066	2000	836	Am	2425.1	2001	509	Ad
	2001	728	Am	2425.3	2001	509	Ad
2069	2001	358	Am	2442	1999	631	Ad
2070	2001	358	Am	2454	2000	197	R
2072	2001	728	Am	2467	2000	836	Am
2073	2001	728	Am	2468	2000	836	Am
2079	1999	177	Am ⁵	2470	2001	435	Am
	2001	728	Am ⁷⁵	2471	2001	435	Am ⁷³
2083	1999	631	Am				R ²²
2085	1999	655	Am	2475	1999	655	Am (as am by
2088	2001	728	R				Sec. 19 and
2089	1999	403	Am				Sec. 20,
2099.5	2000	197	Am				Stats. 1998,
2102	2001	728	Am				Ch. 736)
2103	1999	655	Am		2001	615 *	R (as am by
2107	1999	655	Am				Sec. 27,
2111	1999	655	Am				Stats. 1999,
2113	1999	655	Am				Ch. 655) & Ad
2119	1999	655	R	2486	2000	568	Am
2168.2	1999	655	Am	2489	2000	836	R
2178	1999	655	R	2499.5	1999	655	Am
2179.5	2000	440	R		1999	977	Am
2183	2000	440	Am		2001	728	Am
2185	1999	655	R	2500	2000	660	Ad
2190.2	2000	440	Ad	2501	2000	660	Ad
2190.3	2000	440	Ad	2506	1999	655	Am
2190.5	2001	518	Ad	2508	2000	303	R & Ad
2191.2	2000	440	Am	2512.5	1999	655	Am
2216.1	1999	944	Ad	2513	1999	655	Am
2216.2	1999	944	Ad	2520	1999	655	Am
	2000	6 *	Am	2530.2	1999	83	Am ³⁰
2220.6	2000	867	Ad		1999	436	Am
2230.5	2000	269	Am	2530.5	1999	436	Am
	2001	617	Am	2531	1999	436	Am ^{21 20}
2240	1999	944	Ad		2001	728	Am ⁷⁵
2241.6	2001	518	Ad	2532.3	1999	655	Am
2242	2000	835	Am	2532.6	1999	436	Am
2242.1	2000	681	Ad		2001	728	Am
2244	1999	922	Ad	2532.7	1999	436	Ad
2245	1999	177	Am ⁵	2532.8	1999	436	Ad
	2001	728	Am ⁷⁵	2533	2000	568	Am
2249	2001	730	Ad	2535.2	2001	435	Am

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
2535.3	2000	568	R	2843	1999	655	Am
2538.1	1999	655	Am	2878.7	2001	728	R & Ad
	2001	173 *	Am	2892.1	2001	435	Am
2538.3	2001	173 *	Am	2895	1999	655	Am
2544	2000	676	Am	2903	2001	728	Am
2546.9	2000	836	Am	2914	2000	625	R & Ad
2561	2000	836	Am		2001	728	Am
2565	1999	655	Am	2946	2000	836	Am
2566	1999	655	Am	2960	1999	655	Am
2566.1	1999	655	Am		2000	836	Am (by Sec. 20 of Ch.)
2570	2000	697	R ³⁴	2960.05	1999	459	Ad
			Ad		2001	617	Am
2570.1	2000	697	Ad	2962	2000	836	Am
2570.10	2000	697	Ad	2969	2000	836	Am
2570.11	2000	697	Ad	2984	2001	435	Am
2570.13	2000	697	Ad	2995	2000	836	Am
2570.14	2000	697	Ad		2001	159	Am ³⁰⁵
2570.15	2000	697	Ad	3041	2000	676	Am
2570.16	2000	697	Ad	3041.1	2000	676	R
2570.17	2000	697	Ad	3059	2000	676	Am
2570.18	2000	697	Ad		2001	159	Am ³⁰⁵
2570.185	2000	697	Ad	3147	2001	435	Am
2570.19	2000	697	Ad ⁹⁸	3300	2000	277	Am
			R ¹⁰⁰	3301	2000	277	R
	2001	159	Am ³⁰⁵	3302	2000	277	R
2570.2	2000	697	Ad	3303	1999	440	Am
2570.20	2000	697	Ad		2000	277	R
2570.21	2000	697	Ad	3304	2000	277	R
2570.22	2000	697	Ad	3305	2000	277	R
2570.3	2000	697	Ad	3305.5	2000	277	R
	2001	728	Am	3306	2000	277	Am
2570.4	2000	697	Ad	3320	2000	277	Ad(RN)
2570.5	2000	697	Ad	3321	1999	440	Am
2570.6	2000	697	Ad		2000	277	Am & RN & Ad
	2001	159	Am ³⁰⁵	3322	2000	277	R
2570.7	2000	697	Ad	3323	2000	277	R
2570.8	2000	697	Ad	3325	1999	440	Am
	2001	159	Am ³⁰⁵		2000	277	Am
2570.9	2000	697	Ad	3326	2000	277	Am
2585	2001	628	Am	3327	2000	277	Am
2586	2001	628	Am	3327.5	2000	277	Am
2620.5	2000	427	Ad	3328	2000	277	Am
2684	2001	435	Am	3329	2000	277	Am
2725.1	1999	83	Am ³⁰	3330	2000	277	Am
	1999	914	Am	3350	2000	277	Am
	2001	289	Am	3352	2000	277	Am
2725.3	1999	945	Ad	3353	2000	277	Am
2733	2000	568	Am	3354	2000	277	Am
2746.51	2001	289	Am	3356	2000	277	Am
2761	2000	568	Am	3357	2000	277	Am
2770.11	1999	655	Am	3358	2000	277	Am
2770.12	1999	655	R & Ad	3360	2000	277	Am
2770.13	1999	655	Am	3362	2000	277	Am
2770.14	1999	655	Am	3364	2000	277	Am
2770.2	1999	655	Am		2001	159	Am ³⁰⁵
2770.8	1999	655	Am	3400	2000	277	Am
2786	2001	435	Am	3401	2000	277	Am
2815.1	1999	146 *	Am ²⁰	3402	2000	277	Am
	1999	149 *	Am ¹³	3403	2000	277	Am
2836.1	1999	749	Am		2001	159	Am ³⁰⁵
2836.2	1999	749	Am				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
3404	2000	277	Am	4040.5	1999	655	Ad
3421	2000	277	Am	4043	1999	655	Am
3422	2000	277	Am	4050	2001	262	Am
3423	2000	277	Am	4051	2001	262	Am
3424	2000	277	Am	4052	1999	83	Am ³⁰
3426	2000	277	Am		1999	375	Am
3430	2000	277	Am		2001	262	Am (by Sec. 3 of Ch.)
3451	2000	277	Am		2001	900	Am (by Sec. 2 of Ch.)
3452	2000	277	Am	4052.1	2001	501	Ad
3454	2000	277	Am	4052.5	1999	784*	Ad ¹⁴⁸
3455	2000	277	Am				R ²⁵
3456	2000	277	Am		2001	631	Ad
3502.1	1999	749	Am	4052.7	2001	728	Ad
	2000	835	Am	4053	2000	837	Am ⁴
	2000	836	Am				R ⁸
3508	2001	435	Am				Ad ⁹⁶
3524	2001	435	Am		2001	728	Am
3750.51	1999	459	Ad	4056	1999	900*	Am
	2001	615*	Am	4057	1999	655	Am
	2001	617	Am	4059	2000	837	Am ⁴
3901	2001	687	R				R ⁸
3902	2001	687	R				Ad ⁹⁶
3903	2001	687	R		2001	159	Am (as am by Sec. 5, Stats. 2000, Ch. 837) ³⁰⁵
3904	2001	687	R				
3905	2001	687	R	4060	1999	749	Am
3906	2001	687	R		2001	289	Am
3911	2001	687	R	4061	1999	914	Am
3912	2001	687	R		2001	289	Am
3914	2001	687	R	4067	2000	681	Ad
3915.5	2001	687	R	4070	2000	293	Am
3916	2001	687	R	4071.1	2000	293	Ad
3917	2001	687	R	4074	1999	900*	Am
3918	2001	687	R	4076	1999	914	Am
3920	2001	687	R		2001	289	Am
3921	2001	687	R	4078	1999	655	Am
3923	2001	687	R	4081	2000	837	Am ⁴
3924	2001	687	R				R ⁸
3925	2001	687	R				Ad ⁹⁶
3926	2001	687	R	4101	2000	837	Am ⁴
3927	2001	687	R				R ⁸
3927.5	2001	687	R				Ad ⁹⁶
3928	2001	687	R	4102	1999	655	Am
3928.5	2001	687	R		2001	501	R
3929	2001	687	R	4105	2000	837	Am ⁴
3930	2001	687	R				R ⁸
3930.5	2001	687	R				Ad ⁹⁶
3931	2001	687	R	4110	2001	728	Am
3932	2001	687	R	4112	1999	73	Am
3940	2001	687	R		2000	135	Am ²⁰³
3941	2001	687	R	4115	1999	900*	Am
3942	2001	687	R		2001	352	Am
3950	2001	687	R		2001	728	Am (by Sec. 29.2 of Ch.)
4008	2001	728	Am	4115.5	1999	655	Am
4009	1999	190	Ad	4116	1999	900*	Am
4019	2000	858	Am	4119	2000	836	Am
4022	1999	655	Am	4119.2	2001	458	Ad
4033	2001	728	Am				
4034	2000	837	R ⁹⁶				
4040	1999	749	Am				
	2000	836	Am				
	2001	289	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
4125	2000	677	Ad ⁸	4400	2000	837	Am ⁴
4126	2001	631	Ad				R ⁸
4127	2001	827	Ad ^{37 359 360}				Ad ⁹⁶
4127.1	2001	827	Ad ^{37 359 360}		2001	728	Am
4127.2	2001	827	Ad ^{37 359 360}	4402	1999	655	Am
4127.3	2001	827	Ad ^{37 360}	4404	2000	836	Am
4127.4	2001	827	Ad ^{37 360}	4425	1999	946	Ad & R ²⁰
4127.5	2001	827	Ad ^{37 360}		2001	745*	Am
4127.6	2001	827	Ad ^{37 360}	4426	1999	946	Ad & R ²⁰
4130	2000	837	R ⁹⁶		2001	693	Am
4131	2000	837	R ⁹⁶	4427	1999	946	Ad & R ²⁰
4132	2000	837	R ⁹⁶	4518	1999	655	Am
4133	2000	837	R ⁹⁶	4519	2000	208	Am
4134	2000	837	R ⁹⁶	4524	2001	728	R & Ad
4135	2000	837	R ⁹⁶	4545	2001	435	Am
4136	2000	837	R ⁹⁶	4548	1999	655	Am
4136.5	2000	837	R ⁹⁶	4827	1999	83	Am ³⁰
4137	2000	837	R ⁹⁶	4841.5	2001	306	Am
4138	2000	837	R ⁹⁶	4842.2	2001	306	Am
4139	2000	837	Ad ²¹	4843.5	2001	306	Am
			R ³⁴	4846.5	2000	995	Am
4160	2001	728	Am	4848	2001	167	Am
4161	2001	728	Am	4857	1999	418	Ad
4170	1999	914	Am	4883	2001	306	Am
	2001	289	Am	4901	2001	306	Am
4174	1999	749	Am	4927	1999	655	Am
4175	1999	914	Am	4929	1999	655	Am
	2001	289	Am	4929.5	1999	655	Am
4186	2001	310	Ad	4930	1999	655	Am
4196	2001	728	Am	4931	1999	655	Am
4200.5	1999	655	Am	4933	1999	655	Am
	2001	728	Am	4934	1999	655	Am
4201	2000	837	Am ⁴	4935	1999	655	Am
			R ⁸		2000	568	Am
			Ad ⁹⁶	4937	2001	361	Am
4202	1999	655	Am	4938	1999	67*	Am
4301	2001	631	Am		2000	568	Am
	2001	728	Am	4939	2000	568	Am
4305.5	2000	836	Am	4940	1999	655	Am
	2000	837	Am ⁴	4941	1999	655	Am
			R ⁸	4944	1999	655	Am
			Ad ⁹⁶	4945	2000	568	Am
	2001	728	Am	4946	1999	655	Am
4312	2000	837	Am ⁴	4947	1999	655	Am
			R ⁸	4955	1999	655	Am
			Ad ⁹⁶		2000	568	Am
	2001	159	Am (as ad by	4956	1999	655	Am
			Sec. 19,	4959	1999	655	Am
			Stats. 2000,	4960.5	1999	655	Am
			Ch. 837) ³⁰⁵	4961	1999	655	Am
4331	2000	836	Am (by Sec. 26	4963	1999	655	Am
			of Ch.)	4964	1999	655	Am
	2000	837	Am ⁴	4965	1999	655	R (as am by
			R ⁸				Sec. 18,
			Ad ⁹⁶				Stats. 1991,
	2001	728	Am				Ch. 983)
4344	2000	837	R ⁹⁶				Am (as ad by
4382	1999	525	Am ¹¹²				Sec. 19,
	2000	857	Am ²⁰³				Stats. 1991,
							Ch. 983)

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
4966	1999	655	Am	4992.31	1999	459	Ad
4967	1999	655	Am		2001	617	Am
4970	2000	568	Am	4992.6	2001	728	R
4972	1999	655	Am	4992.8	1999	655	Ad
4973	1999	655	Am	4996.17	2000	836	Am
4975	1999	655	Am	4996.18	2000	836	Am
4977	1999	655	Am		2001	728	Am
4979	1999	655	Am	4996.2	2001	728	Am
4980	2000	836	Am	4996.21	1999	657	Am
4980.03	2000	836	Am		2001	728	Am
4980.38	2001	435	Am	4996.23	2001	728	Ad
4980.40	2001	728	Am	4996.6	2000	836	Am
4980.41	1999	406	Am		2001	159	Am ³⁰⁵
	2001	435	Am	4996.8	1999	655	Am
4980.43	2000	836	Am	4998	1999	657	Am
4980.44	2000	836	Am		2000	135	Am ²⁰³
	2001	728	Am	4998.1	1999	657	R & Ad
4980.45	1999	657	Am	4998.2	1999	657	R & Ad(RN)
	2001	435	Am		2000	135	Am ²⁰³
4980.50	2000	836	Am	4998.3	1999	657	Am & RN
	2001	728	Am				& Ad(RN)
4980.80	2000	836	Am	4998.4	1999	657	Am & RN
	2001	159	Am ³⁰⁵				& Ad(RN)
4980.90	2000	836	Am	4998.5	1999	657	Am & RN
	2001	159	Am ³⁰⁵				& Ad(RN)
4982	1999	657	Am		2000	135	Am ²⁰³
	2000	135	Am ²⁰³	4998.6	1999	657	Am & RN
	2001	435	Am				& Ad(RN)
4982.05	1999	459	Ad		2000	135	Am ²⁰³
	2001	617	Am	4998.7	1999	657	Am & RN
4984	2000	836	Am	4999	1999	535	Ad
4984.9	1999	655	Ad		2000	857	Am ²⁰³
4986.10	2000	836	Am	4999.1	1999	535	Ad
4986.20	2000	836	Am	4999.2	1999	535	Ad
	2001	728	Am		2001	728	Am
4986.21	2000	836	Ad	4999.3	1999	535	Ad
	2001	728	Am	4999.4	1999	535	Ad
4986.42	2000	836	Ad		2000	857	Am ²⁰³
4986.43	2000	836	Ad	4999.5	1999	535	Ad
4986.44	2000	836	Ad	4999.6	1999	535	Ad
4986.45	2000	836	Ad		2000	857	Am ²⁰³
4986.46	2000	836	Ad	4999.7	1999	535	Ad
4986.47	2000	836	Ad		2000	857	Am ²⁰³
	2001	728	Am		2001	728	Am
4986.60	2000	836	R	4999.8	1999	535	Ad
4986.70	1999	657	Am	4999.9	1999	535	Ad
	2000	836	Am	5000	1999	656	Am ^{21 20}
4987.5	1999	657	Am		1999	657	Am ^{21 20}
4987.6	1999	657	R & Ad		2001	718	Am ^{98 75}
4987.7	1999	657	R & Ad(RN)	5015.6	1999	656	Am ^{21 20}
4987.8	1999	657	Am & RN		2001	718	Am ^{98 75}
			& Ad(RN)	5018	2000	1055*	Am
4987.9	1999	657	Am & RN	5020	2001	718	Am
4988.1	1999	657	Am	5030	1999	657	Am
4988.2	1999	657	Am	5070.5	1999	657	Am
4990.5	1999	655	Am	5070.6	1999	657	Am
	1999	657	Am	5076	2001	704	Ad
4992.1	2000	836	Am		2001	718	Ad
	2001	728	Am	5081	2001	704	Am
4992.3	1999	657	Am		2001	718	Am
	2001	728	Am	5081.1	2001	704	Am & R ⁴³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
5081.1 (Cont.)				5408.7	1999	320	Ad ⁶⁶ R ⁶⁷
	2001	718	Am & R ⁴³				
5082	2001	704	Am	5440	1999	280	Am
	2001	718	Am		2001	54*	Am
5082.1	2001	704	Am		2001	825	Am
	2001	718	Am	5442.10	2001	54*	Ad
5082.2	2001	704	Am & R ⁴³	5442.11	2001	825	Ad
	2001	718	Am & R	5442.9	1999	280	Ad
5082.3	2001	704	Am	5490.5	2000	787	Ad
	2001	718	Am	5502	2000	1054	Am
5082.4	2001	704	Am	5510	1999	982	Am
	2001	718	Am	5536	2000	1054	Am
5082.5	2001	704	Ad		2001	159	Am ³⁰⁵
	2001	718	Ad		2001	854	Am
5083	2001	704	Am & R ⁴³	5536.1	1999	982	Am
	2001	718	Am & R ⁴³	5536.25	1999	982	Am
5084	2001	704	Am & R ⁴³	5536.26	2001	728	Ad
	2001	718	Am & R ⁴³	5558	2001	313	Ad
5087	2001	704	Am	5565	2000	1054	Am
	2001	718	Am	5582.1	1999	982	Am
5088	2001	704	Am	5601	2000	1054	Am
	2001	718	Am	5602	2000	1054	Am
5090	2001	704	Ad	5603	2000	1054	Am
	2001	718	Ad	5610	2000	1054	Am
5091	2001	704	Ad	5616	1999	982	Am
	2001	718	Ad	5620	2000	1054	Am
5092	2001	704	Ad	5640	2000	1054	Am
	2001	718	Ad	5642	2000	1054	Am
5093	2001	704	Ad	5643	2000	1054	R
	2001	718	Ad	5650	2000	1054	Am
5094	2001	704	Ad	5651	2000	1054	Am
	2001	718	Ad	5680.1	2001	306	Am
5095	2001	704	Ad	5681	2000	1054	Am
	2001	718	Ad	5682	2000	1054	Am
5110	2000	1054	Ad	5683	2000	1054	Am
5111	2000	1054	Ad	5800	2001	495	Am ¹⁹
	2001	159	Am ³⁰⁵	5801	2001	495	S ¹⁹
5112	2000	1054	Ad	5801.1	2001	495	Ad & R ¹⁹
5113	2000	1054	Ad	5802	2001	495	S ¹⁹
5133	1999	657	Am	5803	2001	495	S ¹⁹
5134	2001	718	Am	5804	2001	495	S ¹⁹
5150	2000	1055*	Am	5805	2001	495	S ¹⁹
5151	2000	1054	Am	5810	2001	495	Am ¹⁹
5154	2000	1054	Am	5811	2001	495	Ad & R ¹⁹
5211	2000	787	Ad	5812	2001	495	Ad & R ¹⁹
5216.2	2000	787	Am & RN	6008.6	1999	342	Ad
5216.3	2000	787	Am & RN & Ad(RN)	6031.5	1999	342	Ad
			Am & RN & Ad	6032	2001	24	R
5216.4	2000	787	Am & RN & Ad	6033	2001	24	R
5216.5	2000	787	Ad(RN)	6034	2001	96	R
5216.6	2000	787	Ad(RN)	6060	2001	46	Am
5217	2000	787	R	6060.3	2001	46	Am
5272	2000	787	Am	6062	2001	46	Am
5273.5	1999	818	Ad	6068	1999	221	Am
5300	2000	787	Am		1999	342	Am
5403	2000	787	Am		2001	24	Am
	2001	284	Am	6068.11	2000	472	Ad & R ⁵
5405	2000	787	Am		2001	438*	Am ²⁰
5405.6	2001	928	Ad	6070	1999	342	Am
5408	2000	787	Am	6072	2001	880	Ad ^{37 34}

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6079.1	1999	221	Am R & Ad ⁵¹		2000	386*	Am (as am by Sec. 1, Stats. 1999, Ch. 892)
	2000	246	Am (as ad by Sec. 3, Stats. 1999, Ch. 221)	6401	1999	892	Am (as ad by Sec. 5, Stats. 1998, Ch. 1079)
6085	1999	221	Am				
	1999	342	Am				
6086.15	2001	745*	Am	6401.6	1999	892	Am
6086.65	1999	221	Am	6402	2000	386*	Am (as am by Sec. 8 and as ad by Sec. 9, Stats. 1998, Ch. 1079)
	2000	135	R & Ad ⁵¹ Am ²⁰³				
	2000	246	Am (as ad by Sec. 6, Stats. 1999, Ch. 221)	6403	2000	386*	Am (as am by Sec. 10 and as ad by Sec. 11, Stats. 1998, Ch. 1079)
6092	2001	24	Am				
6094.5	2001	745*	Am				
6095.1	1999	221	Ad		2001	159	Am (as am by Sec. 4 and Sec. 5, Stats. 2000, Ch. 386) ³⁰⁵
6106.5	2000	867	Am				
6106.6	2000	867	Ad				
6126.5	2001	304	Ad				
6140	1999	342	Ad & R ²⁴				
	2000	118	Am ⁵				
	2001	24	Am ¹⁹	6404	2000	386*	Am
6140.05	1999	342	Ad	6405	1999	892	Am
6140.10	2001	24	R		2000	386*	Am (by Sec. 7 of Ch.)
6140.15	2001	24	R				
6140.16	2000	246	Am	6406	2001	35	Am (as am by Sec. 12.5 and as ad by Sec. 12.6, Stats. 1998, Ch. 1079)
6140.55	2001	24	Am				
6140.8	2001	24	R				
6140.9	2001	129	Am				
6141.1	1999	342	Am				
6143.5	2000	808*	Am	6411	1999	892	Am (as am by Sec. 21, Stats. 1998, Ch. 1079)
6145	1999	342	R & Ad				
6153	2000	867	Am				
6157.5	2000	674	Ad				
6175	1999	454	Ad	6450	2000	439	Ad
6175.3	1999	454	Ad				
6175.4	1999	454	Ad		2001	311	R & Ad ²² Am (as ad by Sec. 1, 1st and 2nd text, Stats. 2000, Ch. 439)
6175.5	1999	454	Ad				
6175.6	1999	454	Ad				
6176	1999	454	Ad				
6177	2000	442	Ad				
6230	2001	129	Ad	6451	2000	439	Ad
6231	2001	129	Ad		2001	311	Am
6232	2001	129	Ad	6452	2000	439	Ad
6233	2001	129	Ad	6453	2000	439	Ad
6234	2001	129	Ad	6454	2000	439	Ad
6235	2001	129	Ad	6455	2000	439	Ad
6236	2001	129	Ad	6456	2000	439	Ad
6237	2001	129	Ad	6704.1	2000	1006	Ad
6238	2001	129	Ad		2001	615*	Am
6301	2001	52	Am	6706	2000	1006	Am
6301.1	1999	344*	Am	6710	1999	656	Am ^{4.5}
6301.5	2001	52	Am		2000	1006	Am ^{21 20}
6400	1999	892	Am (as ad by Sec. 3, Stats. 1998, Ch. 1079)		2001	495	Am ^{70 18}
				6712	2000	1006	Am
				6714	1999	656	Am ^{4.5}
					2000	1006	Am ^{21 20}

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6714 (Cont.)	2001	495	Am ^{70 18}	7058.1	1999	708	Ad
6716	2000	976	Am	7059.1	2001	728	Am
	2001	159	Am ³⁰⁵	7065.05	2000	1005	Am
6717	2000	1006	Am	7071.10	1999	795	Am
6730.2	2000	1006	Am	7071.11	1999	795	Am
	2001	159	Am ³⁰⁵		2001	728	Am
6731.5	2000	1006	Ad	7071.5	1999	795	Am
6731.6	2000	1006	Ad	7074	2001	728	Am
6735	2000	1006	Am	7091	2001	728	Am
	2001	495	Am	7092	2000	1005	Ad & R ²⁵⁸
6735.2	2000	1006	R		2001	159	Am ³⁰⁵
6735.3	2000	1006	Am		2001	615*	Am
	2001	495	Am	7112	2001	728	Am
6735.4	2000	1006	Am	7112.1	2001	728	Ad
	2001	495	Am	7124.6	2001	494	Am ²¹ R ³⁴
6738	2000	1006	Am	7137	1999	982	Am
6741	2000	1006	Am	7141	1999	982	Am
6749	2000	976	Ad	7153	2001	728	Am
6755.1	2000	1006	Am	7159	1999	982	Am
6755.2	2000	1006	R	7159.2	1999	512	Am
6756	2000	1006	Am	7159.3	2000	1005	Ad ²⁵⁹
	2001	159	Am ³⁰⁵	7164	2000	1005	Am
6760	2000	1006	Am	7195	2001	773	Am
6762.5	1999	983	Ad	7200	2001	495	Am ^{300 317}
6763.1	2000	1006	Ad	7215.6	1999	983	Am
6775	2000	976	Am		2001	495	Am ^{300 317}
6775.1	2000	1006	Ad	7301	2000	568	S ^{54 57}
6776	2000	1006	Am	7302	2000	568	Ad
6787	1999	983	Am	7303	2000	568	Ad
	2000	1006	Am	7304	2000	568	Am ^{54 57}
6795	2001	495	Am	7305	2000	568	R
6799	1999	983	Am	7306	2000	568	R
	2001	495	Am	7307	2000	568	R
6980.18	1999	318	Am	7308	2000	568	R
6980.42	1999	318	Am	7309	2000	568	Am ^{54 57}
6980.59	2000	568	Am	7311	2000	568	Am ^{54 57}
6980.74	2000	568	Am	7312	2000	568	Am ^{54 57}
6980.79	2001	607	Am	7313	2000	568	S ^{54 57}
7000.5	1999	656	Am ^{4 5}	7314	2000	568	Am ^{54 57}
	2000	1005	Am ^{73 19}	7315	2000	568	S ^{54 57}
7001	2000	1005	Am	7316	2000	37	Am
7002	2000	1005	Am		2000	568	S ^{54 57}
7003	1999	983	Am	7317	2000	568	Am ^{54 57}
	2000	1005	Am	7318	2000	568	S ^{54 57}
7006	2001	728	Am	7319	2000	568	S ^{54 57}
7007	2000	1005	Am	7319.5	2000	568	Am ^{54 57}
7011	1999	656	Am ^{4 5}	7320	2000	568	S ^{54 57}
	2001	615*	Am ^{73 19}	7320.1	2000	568	S ^{54 57}
7011.7	2000	1005	Am	7320.2	2000	568	S ^{54 57}
7011.8	2001	745*	Am	7320.3	2000	568	S ^{54 57}
7017	2001	745*	Am	7320.4	2000	568	S ^{54 57}
7021	2000	1005	Ad	7321	2000	568	Am ^{54 57}
7026	1999	708	Am	7321.5	2000	568	Am ^{54 57}
	2001	728	Am	7324	2000	568	Am ^{54 57}
7027.3	2001	728	Am	7326	2000	568	Am ^{54 57}
7028.13	2001	728	Am	7330	2000	568	Am ^{54 57}
7028.7	2001	728	Am	7331	2000	568	Am ^{54 57}
7031	2001	226	Am	7331.5	2000	568	Am ^{54 57}
7034.1	2001	847	Ad ⁸²	7332	2000	568	Am ^{54 57}
7058	1999	708	Am	7333	2000	568	Am ^{54 57}

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
7334	2000	568	Am ^{54 57}	7407	2000	568	Am ^{54 57}
7335	2000	568	Am ^{54 57}	7408	2000	568	Am ^{54 57}
7336	2000	568	Am ^{54 57}	7409	2000	568	Am ^{54 57}
7337	2000	568	Am ^{54 57}	7410	2000	568	S ^{54 57}
7337.5	2000	568	Am ^{54 57}	7411	2000	568	S ^{54 57}
7338	2000	568	Am ^{54 57}	7413	2000	568	S ^{54 57}
7340	2000	568	Am ^{54 57}	7414	2000	568	Am ^{54 57}
7340.5	2000	568	S ^{54 57}	7414.1	2000	568	Am ^{54 57}
7341	2000	568	Am ^{54 57}	7414.2	2000	568	S ^{54 57}
7342	2000	568	Am ^{54 57}	7414.3	2000	568	Am ^{54 57}
7343	1999	983	R	7414.4	2000	568	Am ^{54 57}
7344	2000	568	Am ^{54 57}	7414.5	2000	568	S ^{54 57}
7345	2000	568	S ^{54 57}	7414.6	2000	568	Am ^{54 57}
7346	2000	37	Am	7415	2000	568	Am ^{54 57}
	2000	568	S ^{54 57}	7416	2000	568	Am ^{54 57}
7347	2000	568	Am ^{54 57}	7417	2000	568	S ^{54 57}
7348	2000	568	S ^{54 57}	7418	2000	568	S ^{54 57}
7349	2000	568	Am ^{54 57}	7419	2000	568	S ^{54 57}
7349.1	2000	568	S ^{54 57}	7420	2000	568	S ^{54 57}
7350	2000	568	S ^{54 57}	7421	2000	568	Am ^{54 57}
7351	2000	568	S ^{54 57}	7422	2000	568	Am ^{54 57}
7352	2000	568	S ^{54 57}	7423	2000	568	S ^{54 57}
7353	2000	568	Am ^{54 57}	7423.5	2000	568	S ^{54 57}
7354	2000	568	Am ^{54 57}	7424	2000	568	S ^{54 57}
7355	2000	568	Am ^{54 57}	7425	2000	568	S ^{54 57}
7356	2000	568	Am ^{54 57}	7426	2000	568	S ^{54 57}
7357	2000	568	Am ^{54 57}	7426.5	1999	983	Ad
7358	2000	568	S ^{54 57}		2000	568	Am
7359	2000	568	Am ^{54 57}	7427	2000	568	R
7360	2000	568	S ^{54 57}	7500.3	1999	456	Am
7361	2000	568	S ^{54 57}	7502.1	1999	456	Am
7362	2000	568	Am ^{54 57}	7502.2	1999	456	Am
7362.1	2000	568	Am ^{54 57}	7503.1	1999	318	Am
7362.2	2000	568	Am ^{54 57}	7503.10	1999	456	Am
7362.3	2000	568	Am ^{54 57}	7504	1999	456	Am
7362.5	2000	568	S ^{54 57}	7506.11	1999	456	Am
7364	2000	568	Am ^{54 57}	7506.13	1999	456	Am
7365	2000	568	Am ^{54 57}	7506.14	1999	456	Am
7366	2000	568	Am ^{54 57}	7506.3	1999	456	Am
7367	2000	568	Am ^{54 57}	7506.5	1999	318	Am (by Sec. 4 of Ch.)
7368	2000	568	S ^{54 57}		1999	456	Am (by Sec. 6.5 of Ch.)
7389	2000	568	Am ^{54 57}	7506.9	1999	456	Am
7389.5	2000	568	S ^{54 57}	7507	2000	568	Am
7390	2000	568	Am ^{54 57}	7507.10	2001	554	Am
7391	2000	568	Am ^{54 57}	7507.13	1999	991	Am ^{96 114}
7392	2000	568	Am ^{54 57}	7507.2	1999	456	Am
7393	2000	568	Am ^{54 57}	7507.4	2000	375	Am
7394	2000	568	Am ^{54 57}	7510.1	1999	456	Am
7395	2000	568	Am ^{54 57}	7511	1999	456	Am
7395.1	2000	568	Am ^{54 57}	7520.5	2000	216	Am
7396	2000	568	Am ^{54 57}	7522	1999	123	Am
7397	2000	568	S ^{54 57}	7525.1	1999	318	Am
7398	2000	568	S ^{54 57}	7527.1	2001	309	Ad
7399	2000	568	S ^{54 57}	7529	2000	216	Am
7400	2000	568	Am ^{54 57}	7533.5	2000	568	Am
7402	2000	568	S ^{54 57}	7541.1	2000	216	Am
7403	2000	568	Am ^{54 57}	7541.2	2001	309	Ad
7404	2000	568	Am ^{54 57}	7567	2001	309	Ad
7404.1	2000	568	S ^{54 57}	7570	2001	607	Am
7405	2000	568	Am ^{54 57}				
7406	2000	568	Am ^{54 57}				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
7581	2001	306	Am	7662	2000	568	Am
7582.12	2001	607	Am	7664	2000	568	Am
7582.19	2000	568	Am	7665	2000	568	Am
7582.20	2001	607	Am	7666	2000	568	Am
7582.21	2001	607	Am	7667	2000	568	Am
7582.22	1999	665	Am	7668	2000	568	Am
7582.26	2001	607	Am	7669	2000	568	Am
7582.27	2001	607	Am	7670	2000	568	Am
7582.28	2001	607	Am	7685	2001	715	Am
7582.7	1999	318	Am	7685.2	1999	657	Am
7583.11	2000	683	Am ⁶²		2000	568	Am
			R ²²	7685.3	1999	657	Am
	2001	159	Am ³⁰⁵		2000	568	Am
7583.2	2000	683	Am		2001	305	Am
7583.20	2000	568	Am	7685.5	2000	568	Am
7583.7	2001	607	Am		2001	715	Am
7583.9	1999	318	Am	7685.6	2001	715	Ad ³⁵
	2000	683	Am	7686	2000	568	Am
7587.10	2001	607	Am	7686.5	2000	568	Am
7587.12	2001	607	Am	7687	2000	568	Am
7587.14	2001	607	Am	7690	2000	568	Am
7587.15	2000	683	Ad	7708	2000	568	Am
7587.7	2001	607	Am	7709	2000	568	Am
7587.8	2000	683	Am	7711	2000	568	Am
	2001	607	Am	7725	2000	568	Am
7587.9	2001	607	Am	7725.2	2000	568	Am
7588	2001	607	Am		2001	306	Am
7593.1	1999	318	Am	7725.5	2000	568	Am
7598.4	1999	318	Am	7727	2000	568	Am
7599.32	2000	568	Am	7735	1999	241	Am
7599.70	2001	607	Am		2000	757	Am
7601	2000	568	Am	7735.5	2001	715	Ad
7602	2000	568	Am	7736	2000	757	Am
7606	2000	568	Am	7737.3	2000	568	Am
7607	2000	568	Am	7740	2000	568	Am
7608	2000	568	Am	7740.5	2000	568	Am
7610	2000	568	Am	7801	2000	393	Am
7616.2	2000	568	Am	7810	2000	393	Am ^{79 43}
7617.1	2001	305	Am	7815.5	2000	393	Am ^{79 43}
7618	2000	568	Am	7881	2001	306	Am
7619.2	2000	568	Am	8000	2000	1007	Am ^{79 43}
7621	2000	568	Am	8005	2000	1007	Am ^{79 43}
7622.3	1999	241	R	8006	2001	616	R
7623	2001	305	Am	8008	2001	616	Am
7625	2000	568	Am	8011	2001	615*	Ad
7626	2000	568	Am	8016	1999	983	Am
7626.5	2000	568	Am	8017	2000	1009	Am
7628	2000	568	Am	8020	2001	616	R & Ad ²²
7629	2000	568	Am	8024	2001	616	Am
7630	2001	305	Am	8024.2	1999	983	Am
7631	2000	568	Am		2001	616	Am
7635	2000	568	Am	8024.3	1999	983	Am
7641	2000	568	Am	8024.4	1999	983	Am
7642	2000	568	Am	8024.6	1999	983	Am
7643	2000	568	Am	8025	1999	983	Am
7646	2000	568	Am		2001	616	Am
7647	2000	568	Am	8027	2000	1009	Am
7647.5	2000	568	Am		2001	159	Am ³⁰⁵
7650	2000	568	Am		2001	615*	Am
7651	1999	241	R		2001	616	Am (by Sec. 9 of Ch.)
7661	2000	568	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
8027.5	2001	615 *	Ad	8708	2000	1006	Am
8028	2000	334	Ad & R ¹⁹	8710	1999	656	Am ^{4,5}
8028.2	2000	334	Ad & R ¹⁹		2000	976	Am ^{73,19}
8028.4	2000	334	Ad & R ¹⁹		2001	495	Am ^{70,18}
8030.2	2000	1007	Am ^{79,43}	8729	2000	1006	Am
8030.4	2000	1007	Am (by Sec. 4 of Ch.) ^{79,43}	8730	1999	125	Am
				8741	2000	678	Am
8030.6	2000	1007	Am (by Sec. 5 of Ch.) ^{79,43}	8741.1	2000	1006	Am
					2001	495	Am
8030.8	2000	1007	Am ^{79,43}	8747	2000	1006	Am
8031	1999	983	Am	8747.5	1999	983	Ad
8507.1	2001	306	Am	8751	2000	1006	Am
8513	2001	306	Am	8753	2000	1006	Am
8516	1999	983	Am	8759	2000	976	Ad
	2001	306	Am	8761	1999	608	Am
8516.1	1999	983	Am		2000	678	Am (by Sec. 2 of Ch.)
	2001	306	R				
8516.2	2001	306	R		2000	1054	Am
8517	2001	306	Am	8762	2000	678	Am
8518	1999	983	Am	8765	1999	608	Am
	2001	306	Am	8771	2000	678	Am (by Sec. 4 of Ch.)
8519.5	1999	983	Am				
8520	2000	539	Am ^{79,43}		2000	1054	Am
8528	2000	539	Am ^{79,43}	8773.1	1999	608	Am
8538	2000	234	Am	8773.2	2000	678	Am
	2001	306	Am	8773.4	1999	608	Am
8550	1999	257	Am		2000	1006	Am
8551.5	2001	306	Am		2001	159	Am ³⁰⁵
8556	1999	983	Am	8775	2000	1006	Am
8560	2001	306	Am	8780	1999	983	Am
8562	2001	306	Am		2000	976	Am
8564	2001	306	Am	8780.1	2000	1006	Ad
8564.5	2001	306	Am	8781	2000	1006	Am
8565	2001	306	Am	8792	1999	983	Am
8565.5	2001	306	Am		2000	1006	Am
8566	2001	306	Am	8801	2001	495	Am
8566.5	2001	306	Am	8805	1999	983	Am
8593	2001	306	Am		2001	495	Am
8614	1999	983	R	9603	2000	568	Am
8615	1999	983	R	9625	2000	568	Am
8616.5	2001	306	Am	9630	2000	568	Am
8617	1999	983	Am	9631	2000	568	Am
8651	2001	306	Am	9650	2000	568	Am
8652	1999	983	Am	9650.1	2000	568	Am
8656	1999	983	Am	9650.2	2000	568	Am
8662	1999	983	Am	9650.3	2000	568	Am
8674	1999	983	Am	9650.4	2000	568	Am
	2000	539	Am	9651	2000	568	Am
8674.5	1999	983	Am	9652	2000	568	Am
8698	1999	982	Am ⁹⁵	9652.1	2000	568	Am
	1999	983	Am ⁹⁵	9653	2000	568	Am
8698.1	1999	982	Am ⁹⁵	9654	2000	568	Am
	1999	983	Am ⁹⁵	9655	2000	568	Am
8698.2	1999	982	S ⁹⁵	9656	2000	568	Am
	1999	983	S ⁹⁵	9656.1	2000	568	Am
8698.3	1999	982	S ⁹⁵	9656.2	2000	568	Am
	1999	983	S ⁹⁵	9656.25	2000	568	Am
8698.5	1999	982	Am ⁹⁵	9656.3	2000	568	Am
	1999	983	Am ⁹⁵	9656.4	2000	568	Am
8698.6	1999	982	Am ⁹⁵	9656.45	2000	568	Am
	1999	983	Am ⁹⁵	9656.5	2000	568	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
9657	2000	568	Am	9756	2000	568	Am
9658	2000	568	Am	9758	2000	568	R
9659	2000	568	Am	9759	2000	568	Am
9662	2000	568	Am	9760	2000	568	Am
	2001	305	Am	9761	2000	568	Am
9663	2000	568	Am	9762	2000	568	Am
9676	2000	568	Am	9763	2000	568	Am
9679	2000	568	Am	9764	2000	568	Am
9680	2000	568	Am	9765	2000	568	Am
9682	2000	568	Am	9766	2000	568	Am
9683	2000	568	Am	9767	2000	568	Am
9685	2000	568	Am	9769	2000	568	Am
9700	2000	568	Am	9780	2000	568	Am
9700.5	2000	568	Am		2001	305	Am
9700.6	2000	568	Am	9780.5	2001	305	Ad
9701	2000	568	Am	9781	2000	568	Am
9702.1	2000	568	Am	9782	2000	568	Am
9702.2	2000	568	Am	9783	2000	568	Am
9702.5	2000	568	Am	9784	2000	568	Am
9703	2000	568	Am	9785	2000	568	Am
9704	2000	568	Am	9786	2000	568	Am
9705	2000	568	R	9787	2000	568	Am
9710	2000	568	Am	9789	2000	568	Am
9711	2000	568	Am	9801	2001	306	Am
9712	2000	568	Am	9833	2001	306	Am
9713	2000	568	Am	9884	1999	983	Am
9714	2000	568	Am	9884.8	2000	336	Am
9715	2000	568	Am	9884.9	2000	336	Am
9716	2000	568	Am	9889.25	2000	867	Ad & R ¹⁹
9717	2000	568	Am	9889.26	2000	867	Ad & R ¹⁹
9718	2000	568	Am	9889.27	2000	867	Ad & R ¹⁹
9719	2000	568	Am	9889.28	2000	867	Ad & R ¹⁹
9720	2000	568	Am	9889.29	2000	867	Ad & R ¹⁹
9726	2000	568	Am	9889.30	2000	867	Ad & R ¹⁹
9727	2000	568	Am	9889.8	2001	357	Am
9727.1	2000	568	Am	10133.1	1999	407	Am
9727.2	2000	568	Am	10145	1999	83	Am ³⁰
9728	2000	568	Am	10151.5	1999	1000	Am
9729	2000	568	Am	10153.2	2001	26	Am
9730	2000	568	Am	10167	2000	473	Am
9737	2000	568	Am	10167.10	2000	473	Am
9740	2000	568	Am	10167.11	2000	473	Am
9741	2000	568	Am	10167.12	2000	473	Am
9741.1	2000	568	Am	10167.2	2000	473	Am
9742	2000	568	Am		2001	159	Am ³⁰⁵
9744	2000	276	Am	10167.3	2000	473	Am
9744.5	2000	568	Am	10167.7	2000	473	Am
9745	2000	276	Am (by Sec. 2	10167.9	2000	473	Am
			of Ch.)	10176.1	2001	660	Ad
	2000	568	Am (by	10177	1999	83	Am ³⁰
			Sec. 215.5		2001	389	Am
			of Ch.)	10229	1999	83	Am ³⁰
9746	2000	568	Am		2000	636	Am
	2001	306	Am		2001	389	Am
9749.5	2000	568	Am	10232	1999	83	Am ³⁰
9750	2001	306	Am	10232.2	2000	636	Am
9751	2000	568	Am	10232.25	2000	636	Am
9752	2000	568	Am	10232.5	2000	636	Am
9753	2000	568	Am	10236.4	1999	41	Am
9754	2000	568	Am	10240	2001	389	Am
9755	2000	568	Am	10471	2001	389	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
10471.1	2001	389	Am	14461	1999	1000	Am
10471.5	2001	389	Am	14482	2000	506	Am
10471.6	2001	389	Am	14483	1999	1000	Am
10472	2001	389	Am		2000	506	Am
10472.1	2001	389	Am	14492.5	1999	1000	R
11003.5	2000	522	Am	16300	2000	1070	Ad ⁸²
11010	2001	642	Am		2001	36	Ad
11010.05	2000	1004	Am ⁹⁶	16760	2001	74	Am
11010.10	2000	279	Ad	17210	1999	354	Ad
11010.11	2001	307	Ad	17525	2000	218	Ad
11010.2	2000	279	Am	17526	2000	218	Ad
11010.3	2000	279	Am	17527	2000	218	Ad
11010.35	2000	279	Ad	17528	2000	218	Ad
11011	2000	279	Am	17530.5	2000	1084	Am
11018.1	2000	522	Am	17530.6	2000	1084	Ad ⁸²
11018.10	2000	522	Am	17537.11	1999	907	Ad
11018.12	1999	83	Am ³⁰		2000	135	Am ²⁰³
11341	1999	974	Am	17539.15	1999	83	Am ³⁰
11360	1999	974	Am	17550.14	1999	83	Am ³⁰
11404	1999	974	Am	17550.16	1999	83	Am ³⁰
11405	1999	974	Am	17550.23	1999	83	Am ³⁰
11411	1999	974	Am	17550.41	1999	83	Am ³⁰
11412	1999	974	Am	17590	2001	695	Ad
12015.3	2000	512	Am ⁴³	17591	2001	695	Ad
12029	2001	745*	R	17592	2001	695	Ad
12209.6	2000	511	Am	17593	2001	695	Ad
12240	2000	512	S ⁴³	17594	2001	695	Ad
12242	2000	512	S ⁴³	17595	2001	695	Ad
12243	2000	512	S ⁴³	17910.5	2001	728	Am
12244	2000	512	S ⁴³	17913	2001	728	Am
12246	2000	512	Am ⁴³	17917	2001	728	Am
12531	1999	364	R & Ad	17923	2001	728	Am
12532	1999	364	R & Ad	18602	2000	393	Am ^{79 43}
12533	1999	364	R & Ad	18613	2000	393	Am ^{79 43}
12534	1999	364	R & Ad	18800	2001	776	Am
12535	1999	364	R & Ad	18824	2000	436	Am
12536	1999	364	R & Ad				R & Ad ⁸⁰
12537	1999	364	R & Ad		2001	776	Am (as am by
12538	1999	364	R				Sec. 1,
12539	1999	364	R				Stats. 2000,
12540	1999	364	R & Ad				Ch. 436)
12541	1999	364	R & Ad	18882	2001	776	Am
12542	1999	364	R & Ad	18896.8	1999	1000	Am
12543	1999	364	R & Ad	19051	2000	837	Am
12544	1999	364	R & Ad	19055	2000	837	Am
12545	1999	364	R	19059.5	2000	837	Am
12546	1999	364	R	19089.5	2001	199	Am
12547	1999	364	R	19161	2001	199	Am
12548	1999	364	R	19170	2001	199	Am
12701	1999	815	Am	19403.5	2000	1082	Am
13401	2001	596*	Am	19405	2000	1082	Am
13405	2001	596*	Ad	19407.5	2000	1082	Am
13651	1999	583	Am	19410	2000	1082	Am
13700	1999	494	Am	19410.8	2000	1082	Am
13710	1999	494	Am	19411	2000	1082	Am
13710.5	1999	494	Am ²⁰		2001	198	Am
14233	1999	1000	Am				R & Ad ⁶⁹
14250	1999	1000	Am	19412	2000	1082	Am
14260	1999	1000	Am	19414	2000	1082	Am
14320	2000	673	Am	19414.5	2000	1082	Am
14427	1999	1000	Am	19415.8	2000	1082	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUSINESS AND PROFESSIONS CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
19416.5	2000	1082	Am	19541	2000	1082	R
19416.6	2000	1082	Ad	19546	2000	1082	Am
19417.5	2000	1082	Am	19547	2000	1082	Am
19417.6	2000	1082	R & Ad	19548	2000	1082	Am
19417.7	2000	1082	Am	19549	1999	218	Am
19417.9	2000	1082	R		2000	1082	Am
19423	2000	1082	Am	19549.1	2000	1082	Am
19424.5	2000	1082	Am	19549.10	2000	1082	R
19428	2000	1082	Am	19549.11	2000	1082	R
19430	2000	1082	Am	19549.14	2001	848	Ad
19432	2000	1082	Am	19549.5	2000	1082	R
19435	2000	1082	Am	19550	2000	1082	Am
19437	2000	1082	Am	19554	1999	170	Am
19440	2000	1082	Am	19556	1999	170	Am
19441	2000	1082	Am	19556.5	2000	1082	Am
19442.2	2000	1082	Am	19565	2000	1082	Am
19444	2000	1082	Am	19567	2000	1082	Am
19455	2001	198	Ad	19568	2000	1082	Am
	2001	783	Am (as ad by Stats. 2001, Ch. 198)	19569	2000	1082	Am
19455.2	2001	198	Ad	19572	2000	1082	Am
19455.4	2001	198	Ad	19574	2000	1082	Am
19461	2001	198	Am	19577	2000	1082	Am
19461.5	2001	198	Ad	19578	2000	1082	Am
19464	2000	1082	Am	19578.1	2000	1082	Am
19480	2000	1082	Am	19580	2000	1082	Am
19481	2000	1082	Am	19581	2000	1082	Am
19481.5	2000	1082	Am	19582	2001	933	Am
	2001	198	Am	19590	2000	1082	Am
	2001	783	Am (as ad by Stats. 2001, Ch. 198)		2001	198	Am
19485	2000	1082	Am				R & Ad ⁶⁹
19485.5	2000	1082	R	19591	2000	1082	Am
19487	2000	1082	Am	19592	2000	1082	Am
19488	2000	1082	Am	19592.5	2000	1082	Am
19489	2000	1082	Am	19595	2001	198	Am
19490	2000	1082	Am				R & Ad ⁶⁹
19491	2000	1082	Am	19596.1	1999	28*	Am
19497	2000	1082	Am	19596.2	1999	219*	Am
19510	2000	1082	Am		2001	936	Am
19511	2000	1082	R	19596.4	2001	936	Ad
19512	2000	1082	Am	19597	2000	1082	Am
19515	2000	1082	Am	19598	2000	1082	Am
19516	2000	1082	Am	19599	2000	1082	Am
19517.5	2001	933	Ad	19601	2000	1082	Am
19518	2000	1082	Am	19601.2	2001	27	Am
19520	2000	1082	Am	19602	2000	1082	Am
19521	2000	1082	Am	19604	2001	198	Ad & R ⁶⁸
19523	2000	1082	Am	19605	2000	1082	Am
19525	2000	1082	Am	19605.1	2000	1082	Am
19526	2001	198	Ad	19605.2	2000	1082	Am
19527	2001	935	Ad	19605.3	2000	1082	Am
19528	2001	935	Ad	19605.35	2000	779	Am
19530	2000	1082	Am	19605.51	2000	1082	Am
19531	2000	1082	Am	19605.6	2000	1082	Am
19533	2000	1082	Am	19605.61	2001	936	Am
19534	2000	1082	R	19605.7	2000	1082	Am
19535	2000	1082	Am		2001	65*	Am
19540	2000	1082	Ad	19605.71	2000	1082	Am
					2001	65*	Am
				19605.73	2001	933	Am ^{70 18}
				19606.1	2000	53*	Am
				19608.5	2000	1082	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
19608.6	2000	1082	Am	21630	2000	994	Am
19610.2	2000	1082	Am	21701.1	1999	83	Am ³⁰
19610.4	2000	1082	Am	21702	2000	156	Am
19611.5	2000	1082	Am		2001	159	Am ³⁰⁵
19612.6	2000	1082	Am	21713.5	2000	156	Ad
19612.8	2000	1082	Am	21800	2000	120	Am
19612.9	2000	1082	Am	22250	1999	983	Am
19613	2000	1082	Am		2001	495	S ^{300 317}
	2001	198	Am	22251	1999	983	Am
			R & Ad ⁶⁹		2000	1084	Am
19613.8	2001	198	Ad		2001	495	Am ^{300 317}
19614	2000	1082	Am		2001	728	Am
19614.2	2000	1082	Am	22252	2001	495	S ^{300 317}
19616.51	2000	342	Ad	22252.5	2001	495	S ^{300 317}
19617.75	2001	65 *	Ad	22253	1999	983	Am
19618	1999	127	Am		2000	1084	Am
19618.1	1999	127	Ad		2001	495	S ^{300 317}
19620.1	2000	53 *	Am	22254	1999	983	Am
19622.3	2001	423	Am		2001	495	Am ^{300 317}
19630	1999	370	Am		2001	728	Am
19633	2000	1082	R	22255	1999	983	Am
19634	2000	1082	R		2001	495	Am ^{300 317}
19636	2000	1082	Am	22256	2001	495	S ^{300 317}
19637	2000	1082	Am	22257	2001	495	S ^{300 317}
19641.2	2001	198	Ad	22258	2000	1055 *	Am
19660	2000	1082	Am		2001	495	S ^{300 317}
19661	2001	933	Am	22259	2001	495	Am ^{300 317}
19662	2000	1082	Am	22350	1999	892	Am
19664	2000	1082	Am	22351	1999	892	Am
19805	2000	1023 *	Am	22351.5	1999	892	Am
	2001	941	Am	22353	1999	892	Am
	2001	945	Am	22354	2001	35	Am
19818	2001	945	R	22355	2001	728	Am
19818A	2001	945	Ad	22357	1999	892	Am
19823.5	2001	945	Ad	22433	2000	185	Am
19823A	2001	945	Am	22442.2	2000	674	Am
19827	2001	945	Am	22442.4	1999	336	Ad
19830	2001	945	R	22443.1	1999	336	Am ¹³
19834	2001	945	R		2001	304	Am
19835.6	2001	254	Ad	22443.3	2001	304	Ad
19841A	2001	945	Am	22445	1999	336	Am
19846	1999	351 *	Ad(RN)		2000	674	Am
19846A	1999	351 *	Am & RN	22447	2001	304	Am ¹³
19851.5	2000	1023 *	Am	22453.1	2001	728	Am
	2001	945	Am	22456	2001	35	Am
19853.5	1999	351 *	Am	22911	1999	991	Am ^{96 114}
	2001	945	Am	22912	1999	991	Am ^{96 114}
19870	2000	1055 *	Am	22914	1999	991	Am ^{96 114}
19880	2000	1055 *	Am	22916	1999	991	Am ^{96 114}
19910	2001	945	Am	22917	1999	991	Am ^{96 114}
19910.5A	2001	945	Am	22921	1999	991	Am ^{96 114}
19950.2	1999	83	Am ³⁰	22922	1999	991	Am ^{96 114}
	2000	1023 *	Am ⁷⁵	22940	1999	343	Ad
19950.3	2000	1023 *	Ad & R ⁷⁵	22941	1999	343	Ad
	2001	945	Am		2000	674	Am
19980	2000	1023 *	Ad	22952	2001	376	Am
21140.2	1999	523	Am	22962	2001	376	Ad
21140.3	1999	523	Am	23050	2000	979	Am
21148	1999	523	Am	23100	2000	979	Am
21600	2001	60	Am		2001	657	R & Ad
21628	2000	994	Am	23104.2	1999	83	Am ³⁰

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
23104.2 (Cont.)	2001	657	Am	25354	1999	787	Am
23320	2001	488	R & Ad	25500.1	2000	205	Ad
23320.2	2001	488	R	25500.2	2000	979	Ad
23320.3	2001	488	R		2000	980	Ad
23320.6	1999	288	Am		2001	567*	R (as ad by
23355.1	1999	699	Am				Sec. 6,
23357.2	2001	488	Am				Stats. 2000,
23358.3	2001	488	Am				Ch. 979)
23366.3	2001	488	Am				Am (as ad by
23373	2001	567*	Am				Sec. 1,
23389	2001	488	Am				Stats. 2000,
23390	2001	488	Am	25502.1	1999	666	Ch. 980)
23396.2	2000	231	Ad		2000	162	Ad
23399	1999	699	Am		2000	979	Am
	2001	488	Am		2000	980	Am
23399.4	2000	384	Ad		2001	567*	Am
	2001	488	Am	25503.16	2001	567*	Am
23800	1999	499	Am	25503.2	1999	699	Am
	2000	979	Am	25503.24	2001	567*	Am
	2001	931	Am	25503.26	2000	979	Am
23805	1999	499	Am		2001	567*	Am
23817.5	2000	979	Am	25503.30	2000	162	Am
23817.7	2001	931	Am	25503.6	1999	937*	Am
23824	2000	7*	Am		2000	7*	Am
	2000	979	Am		2000	979	Am
23985.5	2001	931	Am		2000	980	Am
23986	2000	979	Am		2001	582	Am
23987	2001	931	Am	25503.8	1999	937*	Am
24042	2001	488	Am		2000	424*	Am
24042.5	2001	488	Am		2000	979	Am
24045.11	2001	488	Am		2001	567*	Am
24045.12	2001	53	Ad	25503.85	2000	979	Am
24045.5	1999	699	Am		2001	567*	Am
24045.7	2001	488	Am	25512	2000	979	Am
	2001	567*	Am	25611.1	2001	207	Am
24045.85	2001	488	Am	25612.5	1999	787	Am
24048	2001	488	Am	25620	2000	381	Am
24071.2	1999	699	Am	25658	1999	786	Am
25000	2001	567*	Am		1999	787	Am
25000.6	1999	860	Ad	25658.1	1999	786	Am
	2001	567*	Am	25658.4	1999	786	Am
25000.7	2000	1083	Ad	25658.5	1999	787	Am
25000.9	2000	1083	Ad	25661	1999	787	Am
25241	2000	831	Ad	25662	1999	787	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
43.97	2000	857	Am ²⁰³	56.265	2000	278	Ad
43.98	1999	525	Am ¹¹²	56.30	1999	526	Am
48.8	2001	570	Ad		2000	1067	Am
51	2000	1049	Am	56.31	1999	766	Ad
51.11	1999	324	Am	56.35	1999	527	Am
	2000	1004	Am (by Sec. 5 of Ch.)	56.36	1999	526	Am
				56.37	1999	526	Am
51.12	2000	1004	Am	682.1	2000	645	Ad ⁹⁶
51.2	1999	324	Am	798.13	2000	471	Ad
	2000	1004	Am	798.24	2001	83	Am
51.3	1999	324	Am	798.25	1999	323	Am
	2000	1004	Am (by Sec. 3 of Ch.)	798.26	2000	423	Am
				798.33	2000	551	Am
51.4	2000	1004	Am (by Sec. 4 of Ch.)	798.37.5	2000	423	Ad
				798.39	2001	151	Am
51.5	1999	591	Am	798.43.1	2001	437	Ad
	2000	1049	Am	798.44	1999	326	Ad
51.6	2001	312	Am		2000	232	Am
51.9	1999	964	Am	798.51	2001	83	Am
52	1999	964	Am (by Sec. 2 of Ch.)	798.73.5	2000	554	Ad
				798.75.5	1999	517	Ad
	2000	98	Am	801.5	2000	537	Am
	2001	261	Am	827	2000	680	Am
52.1	2000	98	Am				R & Ad ⁸⁰
	2001	261	Am		2001	593*	Am (as am by Sec. 2, Stats. 2000, Ch. 680)
52.3	2000	622	Ad				
54	2000	1049	Am	846.1	1999	775	Am
54.8	2001	824	Am	954.5	1999	991	Am ^{96 114}
56.05	1999	526	Am	955	1999	991	Am ^{96 114}
	2000	1067	Am	955.1	1999	991	Am ^{96 114}
56.07	2000	1066	Ad	990	1999	998	Am & RN
56.10	1999	526	Am		1999	1000	Am & RN (by Sec. 9.5 of Ch.)
	2000	1065	Am (by Sec. 1 of Ch.)	1092	1999	608	Am
				1102	1999	517	Am
				1102.1	1999	517	Am
				1102.17	1999	876	Ad
				1102.18	2001	466	Ad & R ¹⁹
				1102.2	1999	119	Am
					1999	517	Am (by Sec. 4.5 of Ch.)
							Am ²⁰³
56.101	1999	526	Ad		2000	135	Am
	2000	1067	Am	1102.3a	1999	517	Ad
56.104	1999	527	Ad (by Sec. 3 of Ch.)	1102.6	2001	584	Am
				1102.6b	2001	673	Am
56.11	1999	526	Am	1102.6c	1999	83	Am ³⁰
	2000	1066	Am		1999	876	R
56.12	1999	526	Am	1102.6d	1999	517	Ad
56.14	1999	526	Am	1102.9	1999	517	Am
56.17	1999	311	Am	1103	1999	876	Ad
	1999	525	Am ¹¹²		2000	135	Am ²⁰³
	2000	857	Am ²⁰³	1103.1	1999	876	Ad
	2000	941	Am	1103.10	1999	876	Ad
				1103.11	1999	876	Ad
				1103.12	1999	876	Ad
				1103.13	1999	876	Ad
				1103.14	1999	876	Ad
				1103.2	1999	876	Ad
				1103.3	1999	876	Ad
Div. 1, Pt. 2.6, Ch. 5, heading (Sec. 56.26 et seq.)	2000	278	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1103.4	1999	876	Ad	1748.9	1999	171	Ad ⁵⁶
1103.5	1999	876	Ad	1748.95	2001	493	Ad
1103.7	1999	876	Ad	1749.60	1999	586	Ad ⁵⁶
1103.8	1999	876	Ad	1749.61	1999	586	Ad ⁵⁶
1103.9	1999	876	Ad	1749.63	1999	586	Ad ⁵⁶
1180	1999	20	Am	1749.64	1999	586	Ad ⁵⁶
1181	1999	20	Am	1749.65	1999	586	Ad ⁵⁶
1351	2000	26*	Am	1782	1999	1000	Am
1352.5	1999	589	Ad	1785.10	2000	978	Am ⁹⁶
1360.5	2000	551	Ad		2001	236	Am (as am by
	2001	176	Am				Sec. 1,
1363	2000	257	Am				Stats. 2000,
	2000	636	Am				Ch. 978) ³⁴
1365	1999	898	Am		2001	354	Am (by Sec. 1.5
	2000	1055*	Am				of Ch.)
1365.5	1999	898	Am	1785.11	2000	1012	Am
1366	2000	125	Am	1785.11.1	2001	720	Ad ³⁵
1368	2000	257	Am	1785.11.2	2001	720	Ad ³⁴
1375	2001	824	Am ^{35 384}	1785.11.3	2001	720	Ad ³⁴
			R ¹⁹²	1785.11.4	2001	720	Ad
1375.05	2001	824	Ad ^{35 384}	1785.11.6	2001	720	Ad
			R ¹⁹²	1785.11.8	2001	354	Ad
1632	2001	306	Am	1785.13	2000	1012	Am
1633	1999	213*	Ad	1785.15	2000	978	Am ⁹⁶
1633.1	1999	428	Ad		2001	720	Am
1633.10	1999	428	Ad	1785.15.1	2000	978	Ad ⁹⁶
1633.11	1999	428	Ad	1785.15.2	2000	978	Ad ⁹⁶
1633.12	1999	428	Ad	1785.16	2000	978	Am ⁹⁶
1633.13	1999	428	Ad		2001	354	Am
1633.14	1999	428	Ad	1785.16.1	2001	354	Ad
1633.15	1999	428	Ad	1785.16.2	2001	354	Ad
1633.16	1999	428	Ad	1785.20.2	2000	978	Ad ⁹⁶
1633.17	1999	428	Ad	1785.20.3	2001	354	Ad
1633.2	1999	428	Ad	1785.3	2000	808*	Am
1633.3	1999	428	Ad	1785.31	1999	836	Am
1633.4	1999	428	Ad	1785.35	1999	836	Am
1633.5	1999	428	Ad	1785.5	2001	236	Am ³⁴
1633.6	1999	428	Ad	1786	2001	354	Am
1633.7	1999	428	Ad	1786.10	2001	354	Am
1633.8	1999	428	Ad	1786.11	2001	354	Am
1633.9	1999	428	Ad	1786.16	2001	354	Am
1714.01	2001	893	Ad	1786.18	2001	354	Am
1714.10	2000	472	Am	1786.2	2001	354	Am
1714.21	1999	163	Ad	1786.20	2001	354	Am
1714.9	2001	140	Am	1786.24	2001	354	Am
1739.7	1999	83	Am ³⁰	1786.26	2001	354	Am
1747.02	2001	294	Am	1786.28	2001	354	Am
1747.06	1999	423	Ad ⁵⁶	1786.29	2001	354	Ad
1747.9	1999	423	Ad ⁷⁶	1786.40	2001	354	R
1748.10	2000	375	Am	1786.50	2001	354	Am
	2000	977	Am	1786.52	2001	354	Am
	2001	159	Am ³⁰⁵	1786.53	2001	354	Ad
1748.11	2000	375	Am	1788	1999	319	Am
	2001	159	Am ³⁰⁵		2000	375	Am
1748.12	2000	977	Am ²⁸⁵	1788.17	1999	319	Ad
			R ³⁴		2000	688	Am
			Ad ²⁸⁶	1793.22	1999	83	Am ³⁰
1748.13	2001	711	Ad ³³⁸		1999	448	Am
1748.22	2000	375	Am		2000	679	Am
1748.30	1999	244	Ad	1793.26	2000	258	Am
1748.31	1999	244	Ad	1798.16	1999	784*	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1798.61	2000	962	Am	2079.10a	1999	876	Am
1798.69	2000	962	Ad	2225	2000	261	Am
1798.75	2000	962	Am	2870	1999	720	Ad ¹⁷⁰
1798.80	2000	1039	Ad		1999	721	Am (as ad by
1798.81	2000	1039	Ad				Stats. 1999,
1798.82	2000	1039	Ad				Ch. 720) ¹⁷¹
1798.85	2001	720	Ad	2871	1999	720	Ad ¹⁷⁰
1798.92	2001	354	Ad		1999	721	Am (as ad by
1798.93	2001	354	Ad				Stats. 1999,
1798.94	2001	354	Ad				Ch. 720) ¹⁷¹
1798.95	2001	354	Ad	2924	1999	974	Am
1798.96	2001	354	Ad		2000	636	Am
1798.97	2001	354	Ad	2924b	2001	438*	Am
1799.1a	2000	1084	Ad ²⁸³	2924c	1999	974	Am
1799.100	1999	991	Am ^{96 114}		2000	135	Am ²⁰³
1799.103	1999	991	Am ^{96 114}		2001	438*	Am ⁸
1804.1	1999	512	Am	2924d	2001	438*	Am ⁸
1810.20	2000	375	Am	2924f	1999	974	Am
1812.201	2000	413	Am		1999	991	Am ^{96 114}
1810.21	2000	375	Am		2000	1003	Am ⁹⁶
	2001	159	Am ³⁰⁵	2924g	2000	636	Am
1812.101	2001	178	Am		2001	438*	Am ⁸
1812.509	2001	326	Am	2924j	1999	974	Am
1812.53	1999	1024	Am	2924k	1999	974	Am
1812.54	1999	1024	Am	2924l	1999	974	Am
1812.540	2001	326	Ad	2934a	1999	974	Am (as ad by
1812.541	2001	326	Ad				Sec. 2.5,
1812.542	2001	326	Ad				Stats. 1993,
1812.543	2001	326	Ad				Ch. 754)
1812.544	2001	326	Ad	2941	2000	1013	Am
1812.601	1999	991	Am ^{96 114}		2001	560	Am
1812.64	1999	1024	Am	2941.1	2001	438*	Am ⁸
1812.66	1999	1024	R	2943	2000	636	Am
1812.69	1999	1024	Am		2001	560	Am
1812.84	2001	233	Am	2944	1999	991	Am ^{96 114}
1815	1999	83	Am ³⁰	2948.5	2001	302	Am
1834.7	2001	139	Am ³⁵	2952	2000	924	Am
1834.8	2000	476	Ad	2954.4	2001	159	Am ³⁰⁵
	2001	159	Am (as ad by	2954.5	2001	159	Am ³⁰⁵
			Sec. 1,	2954.6	2001	137	Am ³⁵
			Stats. 2000,	2955.5	1999	412	Am ⁵⁶
			Ch. 476)	2981	1999	212	Am
			& RN ³⁰⁵	2982	1999	212	Am
1834.9	2001	159	Ad(RN) ³⁰⁵		2001	287	Am
1865	1999	354	Ad	2982.2	1999	212	R
1936	2001	661	Am (as ad by	2983.8	1999	991	Am ^{96 114}
			Sec. 2,	2985.8	2001	287	Am
			Stats. 1996,	2985.9	2001	287	Ad
			Ch. 992)	2991	1999	235	Ad ²⁵
1936.5	1999	760	Ad	2992	2001	287	Ad
1940.7.5	2001	466	Ad & R ¹⁹	3040	2000	848	Ad
1940.8	2000	234	Ad	3071	1999	376	Am
1942.6	1999	590	Ad		2001	127*	Am
1946.1	2001	729	Ad & R ¹⁸	3072	1999	376	Am
1950.8	2001	368	Ad		2001	127*	Am
1954.52	2001	729	Am	3089	1999	795	Am
1954.53	1999	590	Am	3097	1999	795	Am
1954.535	1999	590	Ad		2000	13*	Am
1962	2001	729	Am		2001	159	Am ³⁰⁵
1962.5	2001	729	Am	3098	1999	795	Am
1962.7	2001	729	Am	3110.5	2001	823	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
3111	1999	795	Am	3320	2000	776*	Am
3111.5	1999	795	R	3333.7	2001	298	Ad
3248	2000	760	Am	3343.5	1999	991	Am ^{96 114}
3260.1	1999	982	Am	3344.1	1999	998	Ad(RN)
3269	1999	83	Am ³⁰		1999	1000	Ad(RN)
3272	1999	698	Ad ⁴	3428	1999	536	Ad
3272.1	1999	698	Ad ⁴	3439.08	1999	991	Am ^{96 114}
3272.2	1999	698	Ad ⁴	3440.1	1999	991	Am ^{96 114}
3272.3	1999	698	Ad ⁴	3440.5	1999	991	Am ^{96 114}
3272.4	1999	698	Ad ⁴		2000	1003	Am (as am by
3272.7	1999	698	Ad ⁴				Stats. 1999,
3272.9	1999	698	Ad ⁴				Ch. 991) ⁹⁶
3296	1999	525	Am ¹¹²	3482.6	1999	329	Am
	2000	857	Am ²⁰³				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
10	2001	542	Am		2001	824	Am
12a	2001	542	Am	403.050	1999	344*	Ad
77	1999	344*	Am		2001	824	R & Ad
	1999	853	Am (by Sec. 1.5 of Ch.)	403.060	1999	344*	Ad
					2001	824	R & Ad
86	2001	44	Am	403.070	1999	344*	Ad
87	1999	344*	Ad	403.080	1999	344*	Ad
88	1999	344*	Ad	403.090	1999	344*	Ad
89	2001	44	Ad				
116.220	1999	982	Am	Pt. 2,			
116.760	2000	447	Am	Title 4,			
116.950	1999	344*	Am	Ch. 2,			
	2001	745*	Am	heading			
128	1999	508	Am	(Sec. 404	1999	344*	Am & RN
131.3	2001	473	R ³⁶⁹	et seq.)			
131.4	2000	135	Am ²⁰³	Pt. 2,			
	2001	473	R ³⁶⁹	Title 4,			
131.5	2001	473	R ³⁶⁹	Ch. 3,			
131.6	2001	473	R ³⁶⁹	heading			
131.7	2001	473	R ³⁶⁹	(Sec. 404			
135	2001	542	Am	et seq.)	1999	344*	Ad(RN)
185	1999	662	Am	404	2000	688	Am
204	2000	43	Am	411.35	1999	176	Am
206	2000	242	Am	422.30	1999	344*	Am
210.5	2000	266	Ad	425.10	2001	812	Am
215	2000	127*	Am	425.11	2001	812	Am
219	2001	55	Am	425.16	1999	960*	Am
221	2001	115	R	472b	2001	44	Am
223	2000	192	Am	481.020	1999	991	Am ^{96 114}
231.5	2000	43	Ad	481.030	1999	991	Am ^{96 114}
270	2001	115	R	481.040	1999	991	Am ^{96 114}
340.1	1999	120	Am	481.080	1999	991	Am ^{96 114}
340.9	2000	1090	Ad	481.090	1999	991	Am ^{96 114}
354.4	2000	543*	Am	481.115	1999	991	Am ^{96 114}
354.5	1999	827*	Am	481.117	1999	991	Am ^{96 114}
354.6	1999	216*	Ad	481.207	1999	991	Am ^{96 114}
366.3	2000	17	Ad	481.220	1999	991	Am ^{96 114}
377.60	2001	893	Am	488.375	1999	991	Am ^{96 114}
384	2001	96	Am	488.385	1999	991	Am ^{96 114}
				488.405	1999	991	Am ^{96 114}
Pt. 2,				488.500	1999	991	Am ^{96 114}
Title 4,				489.220	2001	812	Am
heading				527	2000	688	Am
(Sec. 392				527.6	1999	661	Am
et seq.)	1999	344*	Am		2000	688	Am
Pt. 2,				527.8	1999	661	Am
Title 4,					2000	688	Am
Ch. 1,				564	2001	44	Am
heading				568.2	2001	414	Ad
(Sec. 392				568.3	2001	414	Ad
et seq.)	1999	344*	Am	631	1999	83	Am ³⁰
395.9	1999	344*	R		2000	127*	Am
399.5	1999	344*	R	631.3	2000	447	Am
400	1999	344*	Am		2001	824	Am
403	2000	688	Am	638	2000	644	Am ²⁶³
403.010	1999	344*	Ad		2001	44	Am
403.020	1999	344*	Ad	639	2000	644	Am (by Sec. 2 of Ch.) ²⁶³
	2001	159	Am ³⁰⁵		2000	1011	Am (by Sec. 1.5 of Ch.) ²¹⁴
	2001	824	Am		2001	362	Am
403.030	1999	344*	Ad	640	2000	644	Am
	2001	824	Am				
403.040	1999	344*	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
640.5	2001	362	Ad		2000	135	Am ²⁰³
641	2000	644	Am		2001	42	Am
641.2	2000	644	Am	704.114	2000	808*	Am
642	2000	644	R & Ad	704.115	1999	98	Am
643	2000	644	Am		2000	135	Am ²⁰³
644	2000	644	Am	704.120	2000	808*	Am
645	2000	644	Am	704.130	2000	808*	Am
645.1	2000	644	Am	704.160	2000	808*	Am
	2001	159	Am ³⁰⁵	706.030	2000	808*	Am
645.2	2000	644	Ad		2001	755*	Am
674	2000	639	Am	708.730	2000	808*	Am
	2001	159	Am ³⁰⁵	708.740	2000	808*	Am
680.120	1999	991	Am ^{96 114}	708.780	1999	652	Am ¹⁵³
680.130	1999	991	Am ^{96 114}	720.160	2001	812	Am
680.135	2000	639	Ad	720.260	2001	812	Am
680.140	1999	991	Am ^{96 114}	726.5	1999	60	Am
680.170	1999	991	Am ^{96 114}	730.5	1999	991	Am ^{96 114}
680.180	1999	991	Am ^{96 114}	736	1999	60	Am
680.210	1999	991	Am ^{96 114}	798.39	2001	151	Am
680.220	1999	991	Am ^{96 114}	867.5	2000	723	Ad
680.340	1999	991	Am ^{96 114}	871.3	1999	344*	Am
680.350	1999	991	Am ^{96 114}		2000	688	Am
683.130	2000	808*	Am	877.6	2001	812	Am
683.310	2000	808*	Am	904.1	1999	960*	Am
685.030	2001	812	Am	912	2001	44	Am
689.020	2000	808*	Am	917.7	1999	346	Am
689.030	2000	808*	Am		2001	48	Am
689.040	2000	808*	Am	995.311	2001	181	Ad
689.050	2000	808*	Am	995.710	1999	892	Am
695.211	2000	808*	Am	998	1999	353	Am
695.221	2000	808*	Am		2001	153	Am
697.530	1999	991	Am ^{96 114}	1005	1999	43	Am
697.580	1999	991	Am ^{96 114}	1010.5	2001	824	Am
697.590	1999	991	Am ^{96 114}	1010.6	1999	514	Ad
697.610	1999	991	Am ^{96 114}		2001	824	Am
697.640	1999	991	Am ^{96 114}	1012.5	2001	115	R
697.650	1999	991	Am ^{96 114}	1013	2001	812	Am
697.660	1999	991	Am ^{96 114}	1014	1999	344*	Am
697.730	1999	991	Am ^{96 114}	1018	1999	1000	R
697.740	1999	991	Am ^{96 114}	1021.1	2001	719	Ad & R ¹⁸
697.750	1999	991	Am ^{96 114}	1068	1999	344*	Am
697.920	1999	991	Am ^{96 114}	1085	1999	344*	Am
699.510	2000	639	Am (by Sec. 3 of Ch.)	1094.5	1999	446*	Am
	2000	808*	Am (by Sec. 12.1 of Ch.)		2000	402*	Am
	2001	159	Am ³⁰⁵	1094.7	1999	446*	R
699.520	2000	639	Am	1094.8	1999	49*	Ad
699.540	2000	639	Am	1103	1999	344*	Am
699.545	2000	639	Am	1134	2001	812	Am
700.010	2000	639	Am	1141.28	2000	447	Am
700.160	2000	639	Am	1161	2001	729	Am
701.040	1999	991	Am (as am by Sec. 17, Stats. 1998, Ch. 932 and as ad by Sec. 1.5, Stats. 1990, Ch. 1125) ^{96 114}	1161.2	2001	824	Am
				1167.25	2001	115	R
				1167.3	1999	83	Am ³⁰
					1999	344*	Am
				1174.3	2001	115	Am
				1204	1999	202	Am (by Sec. 1 of Ch.)
				1206	2001	44	Am
				1211	2001	754	Am
703.140	1999	98	Am	1218	2000	808*	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

CODE OF CIVIL PROCEDURE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
Pt. 3,				1730	1999	67*	Ad & R ¹⁹
Title 7,					2000	127*	Am
Ch. 5,				1731	1999	67*	Ad & R ¹⁹
Art. 6,					2000	688	Am
heading				1732	1999	67*	Ad & R ¹⁹
(Sec. 1250.410				1733	1999	67*	Ad & R ¹⁹
et seq.)	2001	428	Am	1734	1999	67*	Ad & R ¹⁹
1250.410	1999	102	Am		2000	127*	Am
	2001	428	Am	1735	1999	67*	Ad & R ¹⁹
1250.420	2001	428	Ad		2000	127*	Am
1250.430	2001	428	Ad	1736	1999	67*	Ad & R ¹⁹
1255.010	2001	428	Am	1737	1999	67*	Ad & R ¹⁹
1255.030	2001	428	Am	1738	1999	67*	Ad & R ¹⁹
1258.220	1999	102	Am		2000	688	Am
	2001	428	Am	1739	1999	67*	Ad & R ¹⁹
1258.260	2001	428	Am	1740	1999	67*	Ad & R ¹⁹
1260.040	2001	428	Ad	1741	1999	67*	Ad & R ¹⁹
1260.250	1999	892	Am	1742	1999	67*	Ad & R ¹⁹
1268.610	2001	192	Am		2000	127*	Am
1276	2000	111	Am	1743	1999	67*	Ad & R ¹⁹
1277	2000	33	Am (by Sec. 1.5 of Ch.)	1776	1999	720	Ad ¹⁷⁰
	2000	111	Am (by Sec. 4 of Ch.)	1777	1999	720	Ad ¹⁷⁰
	2000	688	Am (by Sec. 8.3 of Ch.)	1778	1999	720	Ad ¹⁷⁰
1278	2000	33	Am (by Sec. 2.5 of Ch.)		1999	721	Am (as ad by Stats. 1999, Ch. 720) ¹⁷¹
	2000	111	Am (by Sec. 7 of Ch.)	1779	1999	720	Ad ¹⁷⁰
1279	2000	506	R	1780	1999	720	Ad ¹⁷⁰
1281.1	2000	906	Ad	1781	1999	720	Ad ¹⁷⁰
1281.6	2001	362	Am	1782	1999	720	Ad ¹⁷⁰
1281.85	2001	362	Ad	1783	1999	720	Ad ¹⁷⁰
1281.9	2001	362	Am	1784	1999	720	Ad ¹⁷⁰
1281.91	2001	362	Ad	1800	1999	202	Am
1282.4	2000	1011	Am (as am by Sec. 1, Stats. 1998, Ch. 915) ⁴³	1834.7	2001	139	Am ³⁵
			Am (as ad by Sec. 2, Stats. 1998, Ch. 915) ⁸⁰	1985.3	1999	444	Am
1286.2	2001	362	Am	1985.6	1999	444	Am
1299	2000	906	Ad	1986.1	2000	377	Ad
1299.2	2000	906	Ad	2017	2001	812	Am
1299.3	2000	906	Ad	2020	1999	444	Am
1299.4	2000	906	Ad	2024	2000	688	Am
1299.5	2000	906	Ad	2025	1999	892	Am
1299.6	2000	906	Ad		2000	474	Am
1299.7	2000	906	Ad		2001	812	Am (by Sec. 9.6 of Ch.)
1299.8	2000	906	Ad	2025.5	2000	474	Am
1299.9	2000	906	Ad	2026	2000	474	Am
1513	1999	835	Am		2001	812	Am
1563	2000	16*	Am	2027	2000	474	Am
	2000	924	Am	2031	1999	48	Am
1577.5	2000	267	Ad		2000	688	Am
1714.9	2001	140	Am	2033.5	2001	812	Am
				2093	2001	812	Am
				2094	2000	688	Am
				2095	2000	688	R
				2096	2000	688	R
				2097	2000	688	R
				2103	1999	991	Am ^{96 114}
				2104	1999	1000	Am
				2954.6	2001	137	Am ³⁵

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

COMMERCIAL CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1105	1999	991	Am ^{96 114}	2000	1003	Am (as ad by	
1201	1999	991	Am ^{96 114}			Sec. 35,	
	2000	135	Am ²⁰³			Stats. 1999,	
	2000	1003	Am ⁹⁶			Ch. 991) ⁹⁶	
1206	1999	991	Am ^{96 114}	9206	1999	991	R & Ad ^{96 114}
2103	1999	991	Am ^{96 114}	9207	1999	991	R & Ad ^{96 114}
2210	1999	991	Am ^{96 114}	9208	1999	991	R & Ad ^{96 114}
	2000	135	Am ²⁰³	9209	1999	991	Ad ^{96 114}
	2000	1003	Am ⁹⁶	9210	1999	991	Ad ^{96 114}
2326	1999	991	Am ^{96 114}		2000	1003	Am ⁹⁶
2502	1999	991	Am ^{96 114}	9301	1999	991	R & Ad ^{96 114}
	2000	135	Am ²⁰³	9302	1999	991	R & Ad ^{96 114}
	2000	1003	Am ⁹⁶	9303	1999	991	R & Ad ^{96 114}
2716	1999	991	Am ^{96 114}	9304	1999	991	R & Ad ^{96 114}
4210	1999	991	Am ^{96 114}	9305	1999	991	R & Ad ^{96 114}
4406	2000	122	Am (as am by	9306	1999	991	R & Ad ^{96 114}
			Sec. 13,	9307	1999	991	R & Ad ^{96 114}
			Stats. 1997,		2000	1003	Am (as ad by
			Ch. 442) ¹⁸				Sec. 35,
			Am (as am by				Stats. 1999,
			Sec. 14,				Ch. 991) ⁹⁶
			Stats. 1997,	9308	1999	991	R & Ad ^{96 114}
			Ch. 442) ⁶³	9309	1999	991	R & Ad ^{96 114}
5118	1999	991	Am ⁹⁶	9310	1999	991	R & Ad ^{96 114}
6102	1999	991	Am ^{96 114}	9311	1999	991	R & Ad ^{96 114}
6103	1999	991	Am ^{96 114}		2000	1003	Am (as ad by
7503	1999	991	Am ^{96 114}				Sec. 35,
8103	1999	991	Am ^{96 114}				Stats. 1999,
8106	1999	991	Am ^{96 114}				Ch. 991) ⁹⁶
8110	1999	991	Am ^{96 114}	9312	1999	991	R & Ad ^{96 114}
8301	1999	991	Am ^{96 114}	9313	1999	991	R & Ad ^{96 114}
8302	1999	991	Am ^{96 114}	9314	1999	991	R & Ad ^{96 114}
8510	1999	991	Am ^{96 114}	9315	1999	991	R & Ad ^{96 114}
8603	1999	991	Am ^{96 114}	9316	1999	991	R & Ad ^{96 114}
9101	1999	991	R & Ad ^{96 114}	9317	1999	991	R & Ad ^{96 114}
9102	1999	991	R & Ad ^{96 114}		2000	1003	Am ⁹⁶
	2000	1003	Am ⁹⁶	9318	1999	991	R & Ad ^{96 114}
9103	1999	991	R & Ad ^{96 114}	9319	1999	991	Ad ^{96 114}
9104	1999	991	R & Ad ^{96 114}		2000	1003	Am ⁹⁶
	2000	1003	Am (as ad by	9320	1999	991	Ad ^{96 114}
			Sec. 35,	9321	1999	991	Ad ^{96 114}
			Stats. 1999,				R & Ad ^{22 114}
			Ch. 991) ⁹⁶	9322	1999	991	Ad ^{96 114}
9105	1999	991	R & Ad ^{96 114}	9323	1999	991	Ad ^{96 114}
9106	1999	991	R & Ad ^{96 114}		2000	1003	Am ⁹⁶
9107	1999	991	R & Ad ^{96 114}		2001	159	Am ³⁰⁵
9108	1999	991	R & Ad ^{96 114}	9324	1999	991	Ad ^{96 114}
9109	1999	991	R & Ad ^{96 114}	9325	1999	991	Ad ^{96 114}
9110	1999	991	R & Ad ^{96 114}		2000	1003	Am ⁹⁶
9112	1999	991	R ^{96 114}	9326	1999	991	Ad ^{96 114}
9113	1999	991	R ^{96 114}	9327	1999	991	Ad ^{96 114}
9114	1999	991	R ^{96 114}	9328	1999	991	Ad ^{96 114}
9115	1999	991	R ^{96 114}	9329	1999	991	Ad ^{96 114}
9116	1999	991	R ^{96 114}	9330	1999	991	Ad ^{96 114}
9201	1999	991	R & Ad ^{96 114}	9331	1999	991	Ad ^{96 114}
9202	1999	991	R & Ad ^{96 114}		2000	1003	Am ⁹⁶
9203	1999	991	R & Ad ^{96 114}		2001	159	Am ³⁰⁵
9204	1999	991	R & Ad ^{96 114}	9332	1999	991	Ad ^{96 114}
9205	1999	991	R & Ad ^{96 114}	9333	1999	991	Ad ^{96 114}

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

COMMERCIAL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
9334	1999	991	Ad ^{96 114}		2000	1003	Am (as ad by
9335	1999	991	Ad ^{96 114}				Sec. 35,
9336	1999	991	Ad ^{96 114}				Stats. 1999,
	2000	1003	Am ⁹⁶				Ch. 991) ⁹⁶
9337	1999	991	Ad ^{96 114}	9407.1	1999	991	R ^{96 114}
9338	1999	991	Ad ^{96 114}	9407.2	1999	991	R ^{96 114}
9339	1999	991	Ad ^{96 114}	9407.3	1999	991	R ^{96 114}
9340	1999	991	Ad ^{96 114}	9408	1999	991	R & Ad ^{96 114}
9341	1999	991	Ad ^{96 114}		2000	1003	Am (as ad by
9342	1999	991	Ad ^{96 114}				Sec. 35,
9401	1999	991	R & Ad ^{96 114}				Stats. 1999,
9402	1999	991	R & Ad ^{96 114}				Ch. 991) ⁹⁶
9403	1999	991	R & Ad ^{96 114}		2001	159	Am ³⁰⁵
	1999	1000	Am	9409	1999	991	R & Ad ^{96 114}
	2000	1003	R (as ad by		1999	1000	Am
			Sec. 35,		2000	1003	R (as ad by
			Stats. 1999,				Sec. 35,
			Ch. 991)				Stats. 1999,
			R (as am by				Ch. 991)
			Sec. 14,				R (as am by
			Stats. 1999,				Sec. 18,
			Ch. 1000)				Stats. 1999,
			& Ad ⁹⁶				Ch. 1000)
9403.1	1999	991	R ^{96 114}				& Ad ⁹⁶
9403.5	1999	991	R ^{96 114}	9501	1999	991	R (as am by
9404	1999	991	R & Ad ^{96 114}				Sec. 25,
	1999	1000	Am				Stats. 1998,
	2000	1003	R (as ad by				Ch. 932 and as
			Sec. 35,				am by Sec. 7,
			Stats. 1999,				Stats. 1992,
			Ch. 991)				Ch. 1095)
			R (as am by				& Ad ^{96 114}
			Sec. 15,	9502	1999	991	R (as am by
			Stats. 1999,				Sec. 26,
			Ch. 1000)				Stats. 1999,
			& Ad ⁹⁶				Ch. 932 and as
9405	1999	991	R & Ad ^{96 114}				ad by Sec. 3.5,
	1999	1000	Am				Stats. 1990,
	2000	1003	R (as ad by				Ch. 1125)
			Sec. 35,				& Ad ^{96 114}
			Stats. 1999,		2000	1003	Am (as ad by
			Ch. 991)				Sec. 35,
			R (as am by				Stats. 1999,
			Sec. 16,				Ch. 991) ⁹⁶
			Stats. 1999,	9503	1999	991	R & Ad ^{96 114}
			Ch. 1000)	9504	1999	991	R (as am by
			& Ad ⁹⁶				Sec. 27,
9406	1999	991	R & Ad ^{96 114}				Stats. 1998,
	1999	1000	Am				Ch. 932 and as
	2000	1003	R (as ad by				ad by Sec. 4.5,
			Sec. 35,				Stats. 1990,
			Stats. 1999,				Ch. 1125)
			Ch. 991)				& Ad ^{96 114}
			R (as am by	9505	1999	991	R & Ad ^{96 114}
			Sec. 17,		2000	1003	Am (as ad by
			Stats. 1999,				Sec. 35,
			Ch. 1000)				Stats. 1999,
			& Ad ⁹⁶				Ch. 991) ⁹⁶
9407	1999	991	R & Ad ^{96 114}	9506	1999	991	R & Ad ^{96 114}

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

COMMERCIAL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
9507	1999	991	R & Ad ^{96 114}		2000	1003	Am ⁹⁶
9508	1999	991	R & Ad ^{96 114}	9614	1999	991	Ad ^{96 114}
9509	1999	991	Ad ^{96 114}		2000	188	Am
	2000	1003	Am ⁹⁶	9615	1999	991	Ad ^{96 114}
9510	1999	991	Ad ^{96 114}		2000	1003	Am ⁹⁶
9511	1999	991	Ad ^{96 114}	9616	1999	991	Ad ^{96 114}
9512	1999	991	Ad ^{96 114}	9617	1999	991	Ad ^{96 114}
9513	1999	991	Ad ^{96 114}	9618	1999	991	Ad ^{96 114}
	2000	1003	Am ⁹⁶	9619	1999	991	Ad ^{96 114}
9514	1999	991	Ad ^{96 114}	9620	1999	991	Ad ^{96 114}
9515	1999	991	Ad ^{96 114}	9621	1999	991	Ad ^{96 114}
9516	1999	991	Ad ^{96 114}	9622	1999	991	Ad ^{96 114}
9517	1999	991	Ad ^{96 114}	9623	1999	991	Ad ^{96 114}
9518	1999	991	Ad ^{96 114}	9624	1999	991	Ad ^{96 114}
9519	1999	991	Ad ^{96 114}	9625	1999	991	Ad ^{96 114}
	2000	1003	Am ⁹⁶		2000	1003	Am ⁹⁶
9520	1999	991	Ad ^{96 114}	9626	1999	991	Ad ^{96 114}
9521	1999	991	Ad ^{96 114}		2000	1003	Am ⁹⁶
9522	1999	991	Ad ^{96 114}	9627	1999	991	Ad ^{96 114}
9523	1999	991	Ad ^{96 114}	9628	1999	991	Ad ^{96 114}
9524	1999	991	Ad ^{96 114}	9629	1999	991	Ad ^{96 114}
	2000	1003	Am ⁹⁶	9701	1999	991	Ad ^{96 114}
9525	1999	991	Ad ^{96 114}	9702	1999	991	Ad ^{96 114}
	2000	1003	Am ⁹⁶		2000	1003	Am ⁹⁶
9526	1999	991	Ad ^{96 114}	9703	1999	991	Ad ^{96 114}
9527	1999	991	Ad ^{96 114}	9704	1999	991	Ad ^{96 114}
9528	1999	991	Ad ^{96 114}	9705	1999	991	Ad ^{96 114}
	2000	135	Am ²⁰³		2000	1003	Am ⁹⁶
9601	1999	991	Ad ^{96 114}	9706	1999	991	Ad ^{96 114}
9602	1999	991	Ad ^{96 114}		2000	135	Am ²⁰³
9603	1999	991	Ad ^{96 114}	9707	1999	991	Ad ^{96 114}
9604	1999	991	Ad ^{96 114}		2000	1003	Am & RN & Ad ⁹⁶
9605	1999	991	Ad ^{96 114}	9708	1999	991	Ad ^{96 114}
9606	1999	991	Ad ^{96 114}		2000	1003	Am & RN
9607	1999	991	Ad ^{96 114}				& Ad(RN) ⁹⁶
9608	1999	991	Ad ^{96 114}	9709	2000	1003	Ad(RN) ⁹⁶
	2000	1003	Am ⁹⁶	10103	1999	991	Am ^{96 114}
9609	1999	991	Ad ^{96 114}	10303	1999	991	Am ^{96 114}
9610	1999	991	Ad ^{96 114}	10307	1999	991	Am ^{96 114}
9611	1999	991	Ad ^{96 114}	10309	1999	991	Am ^{96 114}
	2000	1003	Am ⁹⁶	13102	1999	991	Am ^{96 114}
9612	1999	991	Ad ^{96 114}	13105	1999	991	Am ^{96 114}
9613	1999	991	Ad ^{96 114}	14106	1999	991	Am ^{96 114}

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**CONSTITUTIONAL AMENDMENTS
APPROVED AT STATEWIDE ELECTIONS
MARCH 2000–NOVEMBER 2000**

<i>Sub-division</i>	<i>Affected By</i>		<i>Effect</i>	<i>Year Res. Ch.</i>	<i>Sub-division</i>	<i>Affected By</i>		<i>Effect</i>	<i>Year Res. Ch.</i>
	<i>Election</i>	<i>Prop.</i>				<i>Election</i>	<i>Prop.</i>		
Art. IV					(c)	11-7-00	39	Ad	Initiative
Sec. 19	3-7-00	1A	Am	99:142	Art. XVI				
	3-7-00	17	Am	99:123	Sec. 18	11-7-00	39	Am	Initiative
(a)	3-7-00	1A	Am	99:142	(a)	11-7-00	39	Ad	Initiative
(c)	3-7-00	17	Am	99:123	(b)	11-7-00	39	Ad	Initiative
(e)	3-7-00	17	Am	99:123	(c)	11-7-00	39	Ad	Initiative
(f)	3-7-00	1A	Ad	99:142	Art. XXII				
	3-7-00	17	Ad	99:123	Sec. 1	11-7-00	35	Ad	Initiative
Art. XIII A					Sec. 2	11-7-00	35	Ad	Initiative
Sec. 1	11-7-00	39	Am	Initiative					
(b)	11-7-00	39	Am	Initiative					

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**CONSTITUTIONAL AMENDMENTS
PASSED BY LEGISLATURE IN 1999–2001**

<i>Sub- division</i>	<i>Affected By</i>		<i>Effect</i>	<i>Sub- division</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Res. Ch.</i>			<i>Year</i>	<i>Res. Ch.</i>	
Art. II				(f)	1999	123	Ad
Sec. 2.5	2001	114	Ad		1999	142	Ad
Art. IV				Art. XIX B			
Sec. 4.5	2000	83	Am	Sec. 1	2001	87	Ad
Sec. 19	1999	123	Am	(a)	2001	87	Ad
	1999	142	Am	(b)	2001	87	Ad
(a)	1999	142	Am	(c)	2001	87	Ad
(c)	1999	142	Am	(d)	2001	87	Ad
(e)	1999	123	Am	(e)	2001	87	Ad

CORPORATIONS CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
158	2000	485	Am	6019.1	1999	437	Ad
160	1999	437	Am	6020	1999	437	Am
163	2000	1015 *	Am	6021	1999	437	Am
163.1	2000	485	Ad	6022	1999	437	Am
168	1999	437	Am	6210	1999	1000	Am
174.5	1999	437	Am	6211	1999	453	Am
175	1999	437	Am	6325	1999	453	Ad
181	1999	437	Am	6611	1999	453	Am
201.3	2000	1015 *	R	6810	2000	415	Am
202	2000	485	Am		2001	159	Am ³⁰⁵
301.5	2000	485	Am	7122.3	1999	453	Ad
305	2000	485	Am	7220	2000	485	Am
306	2000	485	Am	7222	1999	453	Am
503	2000	485	Am	7236	1999	453	Am
504	2000	112	Am		2000	135	Am ²⁰³
602	2000	485	Am	7512	2000	485	Am
603	2000	485	Am	8010	1999	437	Am
1001	1999	437	Am	8011	1999	453	Am
1100	1999	437	Am	8018	1999	453	Am
1101	1999	437	Am	8019.1	1999	437	Ad
1101.1	1999	437	Am	8020	1999	437	Am
1107.5	1999	1000	Ad	8021	1999	437	Am
	2001	50	Am	8022	1999	437	Am
1108	2000	201	Am	8210	1999	1000	Am
1109	1999	437	Am	8211	1999	453	Am
1113	1999	437	Am	8325	1999	453	Ad
	2000	201	Am	8611	1999	453	Am
1200	1999	437	Am	8723	1999	453	Am
1201	1999	437	Am	9220	2000	485	Am
1300	1999	470	Am	9222	1999	453	Am
1502	1999	1000	Am	9245	1999	453	Am
1905	1999	1000	Am	9412	2000	485	Am
2105	1999	896	Am	9640	1999	437	Am
2113	2000	201	Am	10251	1999	145	Am
2115	2000	206	Am	10821	1999	525	Am ¹¹²
2117	1999	1000	Am		2000	857	Am ²⁰³
2200	2000	206	Am	12242.5	1999	437	Ad
	2001	159	Am ³⁰⁵	12242.6	1999	437	Ad
2205	1999	1000	Am	12302.1	1999	453	Ad
5008.6	1999	1000	Am	12360	2000	485	Am
5063.5	1999	437	Ad	12362	1999	453	Am
5064.5	1999	437	Ad	12376	1999	453	Am
5220	2000	485	Am	12462	2000	485	Am
5222	1999	453	Am	12530	1999	437	Am
	2000	135	Am ²⁰³	12531	1999	453	Am
5237	1999	453	Am	12539	1999	453	Am
5512	2000	485	Am	12540.1	1999	437	Ad
5819	1999	453	Am	12550	1999	437	Am
5913	1999	850	Am	12551	1999	437	Am
5915	1999	850	Am	12552	1999	437	Am
5916	1999	850	Am	12571	1999	453	Am
5919	1999	850	Am	12594	1999	453	Ad
5920	1999	850	Ad	12631	1999	453	Am
5921	1999	850	Ad	12662	1999	453	Am
5922	1999	850	Ad	13401	1999	657	Am
5923	1999	850	Ad		2000	197	Am
5924	1999	850	Ad		2000	836	Am
5925	1999	850	Ad	13401.3	2000	508	Ad
5930	2000	801	Ad		2001	597	Am
6010	1999	437	Am	13408.5	1999	525	Am ¹¹²
6018	1999	453	Am		2000	857	Am ²⁰³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
14000	2000	135	Am ²⁰³	17375	1999	1000	Ad
14030	2000	135	Am ²⁰³		2000	508	Am
14030.1	2000	135	Am ²⁰³	17540.1	1999	250	Ad
14035	2000	135	Am ²⁰³		2000	201	Am
14036	2000	135	Am ²⁰³	17540.2	1999	250	Ad
14037.6	2001	508	Am ⁷⁵		2000	201	Am
14038	2000	127*	Am	17540.3	1999	250	Ad
14060.6	2000	650	Ad		2000	201	Am
	2001	674	Am		2001	159	Am ³⁰⁵
14068	2001	508	Am	17540.4	1999	250	Ad
14202	2000	1055*	Am		2000	201	Am
15677.1	1999	250	Ad	17540.5	1999	250	Ad
	2000	201	Am	17540.6	1999	250	Ad
15677.2	1999	250	Ad	17540.7	1999	250	Ad
	2000	201	Am	17540.8	1999	250	Ad
15677.3	1999	250	Ad		2000	201	Am
	2000	201	Am	17540.9	1999	250	Ad
15677.4	1999	250	Ad	17600	1999	250	Am
	2000	201	Am		1999	437	Am (by Sec. 32.5 of Ch.)
15677.5	1999	250	Ad	17654	1999	1000	Am
15677.6	1999	250	Ad	17700	1999	1000	R
15677.7	1999	250	Ad	17701	1999	1000	R
15677.8	1999	250	Ad	17702	1999	1000	R
	2000	201	Am	17703	1999	1000	R
15677.9	1999	250	Ad	17704	1999	1000	R
15679.1	1999	250	Am	17705	1999	1000	R
	1999	437	Am (by Sec. 26.5 of Ch.)	21304	1999	1000	Am
15800	1999	1000	Am	24003	1999	1000	Am
16101	1999	250	Am	24004	1999	1000	Am
	2001	595	Am	25005.1	2000	201	Ad
16901	1999	250	Am	25010	2000	705	Am
	1999	437	Am	25014.7	2000	485	Am
16903	1999	250	Am	25019	2000	705	Am
16905	1999	250	Am	25023	2000	705	Ad
16906	1999	250	Am	25100	2000	485	Am
16907	1999	250	Am	25101	2000	485	Am
16908	2000	201	Am	25102	1999	83	Am ³⁰
16911	1999	250	Am		2000	705	Am
	1999	437	Am		2001	58	Am
16914	1999	250	Am		2001	159	Am ³⁰⁵
	1999	437	Am	25103	2000	201	Am
	2000	201	Am		2001	159	Am ³⁰⁵
16915	1999	250	Am	25117	2000	485	Am
	1999	437	Am	25118	2000	468	Ad
	2000	201	Am	25120	2000	201	Am
16916	1999	250	Am		2001	159	Am ³⁰⁵
	1999	437	Am	25205	2001	264	R
16953	1999	1000	Am	25207	2000	135	Am ²⁰³
	2001	425	Am	25209	2000	705	Ad
16954	1999	1000	Am	25219	1999	470	Am
16959	1999	1000	Am	25221	2001	547	Ad
16960	1999	1000	Am	25247	2001	264	Am
16962	1999	1000	Am	25508.5	2000	705	Ad
17001	1999	490	Am	25604	2001	264	R & Ad
17050	1999	490	Am	25607	2001	264	Am
	2001	425	Am	25608	2001	264	Am
17060	1999	1000	Am	25608.2	2001	264	Am
17101	1999	490	Am	25608.3	2001	118*	Ad
17356	1999	1000	Am	25612.5	2001	264	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

CORPORATIONS CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Effect</i>	<i>Section</i>	<i>Affected By</i>			<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>				<i>Year</i>	<i>Chapter</i>		
28956	1999	83		Am ³⁰	31108	1999	325		Ad
29530	2000	705		Am					

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
30.5	2001	745 *	Am	2567	1999	680	Ad
	2001	750	Am	2568	2000	71 *	Ad
200	1999	587	Am	5322	1999	667	Am
220	1999	587	Am		2000	1081	Am
220.5	1999	587	Ad(RN)	5324	1999	667	Am
221	1999	587	Am & RN	5325	1999	667	Am
224.5	2000	459	Ad	5361	1999	667	Am
233	2000	955	Am	5362	1999	667	Am
233.8	2000	959	Ad	5363	2000	1081	Am
241	1999	587	Ad	8006	2000	1058	Am
313	1999	678	Ad	8007	2000	1058	Am
	2000	71 *	Am		2001	750	Am
	2001	159	Am ³⁰⁵	8070	2000	1058	Am
400	1999	71	Ad	Title 1,			
	2000	77 *	Am	Div. 1,			
402	1999	71	Ad	Pt. 6,			
404	1999	71	Ad	Ch. 1,			
	2000	77 *	Am	Art. 5,			
406	1999	71	Ad	heading			
	2000	77 *	Am	(Sec. 8090			
	2000	986	Am	et seq.)	2000	1058	Am
	2001	159	Am ³⁰⁵	8092	2000	1058	Am
408	1999	71	Ad	8092.5	2000	1058	Am
410	1999	71	Ad	8093	2000	1058	Am
420	2000	71 *	Ad ⁷³	8100	2000	1058	Am
			R ²²	8201	1999	823	Am
421	2000	71 *	Ad ⁷³	8202	1999	823	Am (by Sec. 4
			R ²²				of Ch.)
422	2000	71 *	Ad ⁷³	8203.3	1999	78 *	Am
			R ²²	8208	1999	646	Am
423	2000	71 *	Ad ⁷³		2001	734 *	Am
			R ²²	8212	1999	823	Am
424	2000	71 *	Ad ⁷³	8215	1999	548	Am ^{36 13}
			R ²²		2001	745 *	Am
425	2000	71 *	Ad ⁷³	8222.5	1999	882	Am
			R ²²	8226	1999	823	Ad
426	2000	71 *	Ad ⁷³	8234	2000	1058	R
			R ²²	8236	2001	750	Am
	2001	159	Am ³⁰⁵	8261.5	1999	646	Ad
427	2000	71 *	Ad ⁷³	8264.5	2001	734 *	Am
			R ²²	8277.5	1999	492	Am
	2001	159	Am ³⁰⁵		2001	118 *	Am
428	2000	71 *	Ad ⁷³	8277.6	1999	492	Am
			R ²²		2001	118 *	Am
1090	2001	401	Am	8278	2000	71 *	Am
1209	1999	838	Ad	8278.3	2000	1057	Am
	2000	135	Am ²⁰³		2000	1058	Am
1240	2001	620	Am		2001	734 *	Am
1241.5	2001	620	Am		2001	750	Am
1279	1999	838	Ad	8280	2001	750	R
1280	1999	838	Ad	8282	2001	629	Ad
1281	1999	838	Ad	8290	2000	548	Ad
1302	1999	838	Ad	8290.1	2000	548	Ad
1317	1999	646	Am	8290.2	2000	548	Ad
1340	2001	430	Am	8300	2000	547	Ad
1982.3	1999	152 *	Am	8358	2001	745 *	Am
2550	1999	680	Am	8359	1999	646	Am
	2000	71 *	Am	8420	2001	734 *	R
2551	1999	680	Am ¹²	8421	2001	734 *	R
			R ¹	8422	2001	734 *	R
2558.45	1999	78 *	Am	8423	2001	734 *	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

EDUCATION CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
8424	2001	734 *	R	8483.5	2001	545	Ad
8425	2001	734 *	R	8483.7	1999	872 *	Am
8426	2001	734 *	R		2001	545	Am (as am by
8427	2001	734 *	R				Stats. 1999,
8428	2001	734 *	R				Ch. 872)
8429	2001	734 *	R	8483.75	2001	545	Ad
8430	2001	734 *	R	8483.8	2001	545	R (as ad by
8431	2001	734 *	R				Stats. 1998,
8432	2001	734 *	R				Ch. 318 and
8447	1999	78 *	Am				Ch. 319)
8451	2001	745 *	Am				Am (as ad by
Title 1, Div. 1, Pt. 6, Ch. 2, Art. 22.5, heading (Sec. 8482 et seq.)				8484	2001	545	Stats. 1998, Ch. 320)
8482	2001	545	Am				R (as ad by
	2001	545	R (as ad by				Stats. 1998, Ch. 319)
			Am (as ad by				Ch. 319)
			Stats. 1998, Ch. 320)				Am (as ad by
8482.3	1999	78 *	Am				Stats. 1998, Ch. 320)
	2001	545	R (as am by	8484.3	2001	545	R (as ad by
			Stats. 1998, Ch. 318 and Ch. 319)				Stats. 1998, Ch. 318 and Ch. 319)
			Am (as am by				Am (as ad by
			Stats. 1998, Ch. 320)				Stats. 1998, Ch. 320)
8482.6	2001	545	R (as ad by	8484.6	1999	108	Ad
			Stats. 1998, Ch. 318 and Ch. 319)	8488.5	2001	453	Ad & R ¹⁸
			Am (as ad by	8488.7	2001	453	Ad & R ¹⁸
			Stats. 1998, Ch. 320)	8488.9	2001	453	Ad & R ¹⁸
				8489.1	2001	453	Ad & R ¹⁸
				8489.2	2001	453	Ad & R ¹⁸
				8489.3	2001	453	Ad & R ¹⁸
				8489.4	2001	453	Ad & R ¹⁸
				8489.6	2001	453	Ad & R ¹⁸
				8489.8	2001	453	Ad & R ¹⁸
				8489.9	2001	453	Ad & R ¹⁸
				8494	2000	1057	Am
				8499.10	2001	629	Ad
				8660	1999	78 *	Am ⁵⁷
8482.8	1999	872 *	Ad	8661	1999	78 *	Am ⁵⁷
	2001	545	Am	8662	1999	78 *	Am ⁵⁷
8483	1999	872 *	Am	8663	1999	78 *	Am ⁵⁷
	2000	582	Am	8664	1999	78 *	Am ⁵⁷
	2001	545	R (as ad by	8665	1999	78 *	R
			Stats. 1998, Ch. 318 and Ch. 319)	8666	1999	78 *	Am ⁵⁷
			Am (as am by	8667	1999	78 *	Am ⁵⁷
			Stats. 1999, Ch. 872)	8668	1999	78 *	Am ⁵⁷
8483.1	2001	545	Ad	8669	1999	78 *	Am ⁵⁷
8483.2	2001	545	Ad	8669.1	1999	78 *	Am ⁵⁷
8483.4	2001	545	R (as ad by	8669.2	1999	78 *	R
			Stats. 1998, Ch. 318 and Ch. 319)	8815	2001	750	Am
			Am (as ad by	8920	2001	541	Ad ⁷³
			Stats. 1998, Ch. 320)				R ²²
				8921	2001	541	Ad ⁷³
							R ²²
				8922	2001	541	Ad ⁷³
							R ²²
				8923	2001	541	Ad ⁷³
							R ²²

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
8924	2001	541	Ad ⁷³	15274	2000	44	Ad ¹⁸⁵
			R ²²	15276	2000	44	Ad ¹⁸⁵
8925	2001	541	Ad ⁷³	15278	2000	44	Ad ¹⁸⁵
			R ²²	15280	2000	44	Ad ¹⁸⁵
8926	2001	541	Ad ⁷³	15282	2000	44	Ad ¹⁸⁵
			R ²²	15284	2000	44	Ad ¹⁸⁵
8927	1999	83	Am ³⁰	15288	2000	44	Ad ¹⁸⁵
8951	2001	734*	Am	15340	1999	858	Am
8980	1999	965	Ad		2001	132	Am
8981	1999	965	Ad	15341	1999	858	R
8982	1999	965	Ad	15348	2001	132	Am
10551	2000	71*	Am	15359.3	2001	132	Ad
10554	1999	646	Am ¹⁴	15720	2000	1058	R
	2000	71*	Am ¹⁹¹	15750	2001	745*	R
	2001	891*	Am ³³⁴	16098	2000	1058	R
10555	2000	71*	Am	16730	2000	1058	R
10901	2001	734*	Am	17001.5	2001	745*	R
11020	1999	78*	Am	17009.5	1999	858	Am
	2001	734*	S ^{79 43}		2000	753	Am
11021	1999	78*	Am	17052	2000	753	Ad
	2001	734*	S ^{79 43}	17070.15	1999	858	Am
11022	2001	734*	S ^{79 43}	17070.50	1999	992	Am
11023	2001	734*	Am ^{79 43}	17070.51	2000	590	Ad
11024	2001	734*	S ^{79 43}	17070.70	2000	127*	Am
11024.5	2001	734*	Am ^{79 43}	17070.71	2000	530*	Ad
11700	2000	462	Ad	17070.75	1999	858	Am
	2001	159	Am ³⁰⁵		2001	734*	Am
13030	2000	132	Am	17070.77	2001	194	Ad
13040	2001	870*	Ad ³⁷	17071.10	1999	857	Am
13041	2001	870*	Ad ³⁷		1999	858	Am
13042	2001	870*	Ad ³⁷	17071.25	1999	858	Am
14002	1999	78*	Am ²¹	17071.46	2000	458	Ad
			R ³⁴		2001	159	Am ³⁰⁵
			Ad ³⁵	17071.75	1999	858	Am
14504.2	2000	1055*	Am	17072.10	1999	858	Am ¹⁴⁷
14505	2000	1055*	Am	17072.12	2001	647	Am
14550	2000	71*	Ad	17072.13	1999	992	Ad
15100	1999	667	Am		2000	725	Am
15102	2000	44	Am ¹⁸⁵	17072.17	1999	858	Ad
15106	2000	44	Am ¹⁸⁵	17072.18	2000	443*	Ad
15120	1999	646	Am	17072.20	1999	858	Am
15140	1999	667	Am	17072.25	1999	178	Am
15146	1999	667	Am	17074.10	1999	858	Am
15150	1999	667	Ad	17074.50	2001	725	Ad
15205	1999	667	Ad	17074.52	2001	725	Ad
15232	2001	176	Am	17074.54	2001	725	Ad
15233	2001	176	Am	17074.56	2001	725	Ad
15264	2000	44	Ad ¹⁸⁵	17076.10	1999	858	Am
15266	2000	44	Ad ¹⁸⁵	17076.11	1999	133	Ad
	2001	132	Am	17077.10	1999	709	Ad
15268	2000	44	Ad ¹⁸⁵		1999	981	Ad
	2000	580	Am (as ad by Stats. 2000, Ch. 44)	17088.2	2000	590	Ad
				17092	2000	590	Am
				17096	1999	709	Ad
15270	2000	44	Ad ¹⁸⁵	17150	1999	646	Am
	2000	580	Am (as ad by Stats. 2000, Ch. 44)		2001	734*	Am
				17180	1999	718*	Am
	2001	132	Am		2000	193	Am
15271	2001	132	Ad	17199.1	1999	718*	Am
15272	2000	44	Ad ¹⁸⁵		2000	193	Am
				17210	1999	1002	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
17210 (Cont.)	2000	135	Am ²⁰³	18201	1999	78*	Ad
	2000	443*	Am	18202	1999	78*	Ad
	2001	159	Am ³⁰⁵	18203	1999	78*	Ad
17210.1	1999	1002	Ad	19325	2001	654	Am
	2000	443*	Am	19325.1	2001	654	Ad
	2001	865*	Am	19985	1999	726*	Ad ¹⁶⁵
17212.5	2001	422	Am	19985.5	1999	726*	Ad ¹⁶⁵
17213.1	1999	1002	Ad	19986	1999	726*	Ad ¹⁶⁵
	2000	443*	Am	19987	1999	726*	Ad ¹⁶⁵
	2001	865*	Am	19988	1999	726*	Ad ¹⁶⁵
17213.2	1999	992	Ad	19989	1999	726*	Ad ¹⁶⁵
	2000	443*	Am	19990	1999	726*	Ad ¹⁶⁵
17213.3	1999	992	Ad	19991	1999	726*	Ad ¹⁶⁵
	2001	750	R	19992	1999	726*	Ad ¹⁶⁵
17215	1999	837	Am	19993	1999	726*	Ad ¹⁶⁵
17215.5	2000	135	Ad(RN) ²⁰³	19994	1999	726*	Ad ¹⁶⁵
17250.10	2001	421	Ad & R ⁷⁵	19995	1999	726*	Ad ¹⁶⁵
17250.15	2001	421	Ad & R ⁷⁵	19996	1999	726*	Ad ¹⁶⁵
17250.20	2001	421	Ad & R ⁷⁵	19997	1999	726*	Ad ¹⁶⁵
17250.25	2001	421	Ad & R ⁷⁵	19998	1999	726*	Ad ¹⁶⁵
17250.30	2001	421	Ad & R ⁷⁵	19999	1999	726*	Ad ¹⁶⁵
17250.35	2001	421	Ad & R ⁷⁵	20000	1999	726*	Ad ¹⁶⁵
17250.40	2001	421	Ad & R ⁷⁵	20001	1999	726*	Ad ¹⁶⁵
17250.45	2001	421	Ad & R ⁷⁵	20002	1999	726*	Ad ¹⁶⁵
17250.50	2001	421	Ad & R ⁷⁵	20003	1999	726*	Ad ¹⁶⁵
17268	1999	992	Am	20004	1999	726*	Ad ¹⁶⁵
17284.5	1999	304	Ad	20005	1999	726*	Ad ¹⁶⁵
	2000	135	Am ²⁰³	20006	1999	726*	Ad ¹⁶⁵
	2000	202	Am	20007	1999	726*	Ad ¹⁶⁵
17292	2000	747*	Am	20008	1999	726*	Ad ¹⁶⁵
17293.5	2000	65*	Ad & R ⁵	20009	1999	726*	Ad ¹⁶⁵
17295	2001	422	Am	20010	1999	726*	Ad ¹⁶⁵
17307.5	2000	463	Ad	20011	1999	726*	Ad ¹⁶⁵
17316	2000	348	Am	22000	1999	939	Am ³⁰
17317	1999	622	Ad	22007	1999	939	Am ³⁰
	2001	159	Am ³⁰⁵	22008	1999	939	Am ³⁰
17453.1	2001	896	Ad		2000	74	Am
17524	2001	430	Am	22101.5	2000	74	Ad
17578	1999	646	Am		2000	1021	Ad
17582	2001	734*	Am	22102	2000	74	Am
17584	1999	390	Ad(RN)		2000	1021	Am
	2001	734*	Am	22104.5	1999	939	Ad ³⁰
17584.1	1999	390	Ad (by Sec. 3 of Ch.)	22104.7	2000	74	Ad
	2000	718	Ad	22104.9	2000	74	Ad
17608	2000	718	Ad	22105	2000	74	Am
17609	2000	718	Ad	22105.5	2000	74	Ad
17610	2000	718	Ad	22106	2000	1025	Am ²⁸⁷
17610.5	2000	718	Ad	22106.1	1999	939	Ad ³⁰
	2001	159	Am ³⁰⁵	22106.2	1999	939	Ad ³⁰
17611	2000	718	Ad	22107	2000	74	Am
17612	2000	718	Ad	22108	2000	74	Am
17613	2000	718	Ad	22109.5	1999	939	Ad ³⁰
17620	1999	300	Am	22115	2000	1021	Am ²⁶⁹
	2000	135	Am ²⁰³	22115.2	1999	939	Ad ³⁰
18025	2000	506	Am	22115.5	1999	939	Ad ³⁰
18181	1999	646	Am	22119.2	1999	939	Am ³⁰
18182	1999	646	Am		2000	1021	Am ⁷⁰
18185	1999	646	Ad				R ²²
	2000	1058	R		2001	803	Ad ²⁶⁹
18200	1999	78*	Ad				Am ³⁷³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
22122.7	2000	74	Am	22170.5	1999	939	Ad ³⁰
22123	2001	802	R (as ad by Sec. 9.5, Stats. 1996, Ch. 1165) Am (as ad by Sec. 9, Stats. 1996, Ch. 1165) ¹³	22176	2000	74	Ad
				22177	2000	1021	Ad
				22206	2000	1021	Am
				22302	2000	74	Ad
					2000	1021	Am (as ad by Stats. 2000, Ch. 74) & RN
22127.2	2000	74	Ad	22302.5	2000	1021	Ad(RN)
22128	1999	939	Am ³⁰	22303.5	2001	734*	Am
	2000	1025	Am ²⁸⁷	22304	2000	74	Am
22132	2000	74	Am	22306	1999	939	Am ³⁰
22133.5	2000	74	Ad	22307	2000	1025	Am ²⁸⁷
22134	1999	939	Am ³⁰	22309	2000	74	Am
22134.5	2000	1028	Ad	22311	2000	74	R & Ad
22135	1999	939	Am ³⁰	22311.5	2000	74	Ad
22136	1999	939	Am ³⁰		2000	1021	Ad
22136.5	2000	1028	Ad	22311.7	2000	74	Ad
	2001	803	R ³⁷³	22315	1999	465	R
22138.5	1999	939	Am ³⁰	22316	1999	465	R
	2000	1025	Am ²⁸⁷	22317	1999	465	R
22138.6	2001	803	Am ³⁷³	22327	1999	939	Am ³⁰
22139	2001	802	R (as ad by Sec. 12.5, Stats. 1996, Ch. 1165)	22352	2001	803	Am ³⁷³
				22360	1999	939	Am ³⁰
					2001	802	Am
22139.5	2000	74	Ad	22360.5	1999	939	Ad ³⁰
22140	2000	74	Am	22400	1999	939	Am ³⁰
22141	2000	1025	Am ²⁸⁷	22402	2000	1025	Am ²⁸⁷
	2000	1026	Am	22453	2000	74	Am
	2000	1027	Am		2000	1021	Am
22144.5	2000	1021	Ad	22455.5	1999	939	Am ³⁰
22146	2000	1025	Am ²⁸⁷	22457	1999	939	Am ³⁰
22146.7	2000	74	Ad	22458	1999	939	Am ³⁰
	2000	1021	Ad	22459	1999	939	Am ³⁰
22147.5	1999	939	Am ³⁰	22460	2000	74	R & Ad
	2000	1025	Am ²⁸⁷		2000	1021	R & Ad
22148	1999	939	Am ³⁰	22500	2000	1025	Am ²⁸⁷
	2000	1025	Am ²⁸⁷	22502	1999	939	Am ³⁰
22149	2000	1025	Am ²⁸⁷	22503	1999	939	Am ³⁰
22151	2000	1025	Am ²⁸⁷	22504	1999	939	Am ³⁰
	2001	803	Am ³⁷³	22508	1999	939	Am ³⁰
22156	2000	1025	Am ²⁸⁷		2000	880	Am
22156.05	2000	74	Ad		2000	1025	Am ²⁸⁷
22156.1	1999	939	Ad ³⁰		2001	77	Am
	2000	1025	Am ²⁸⁷	22508.5	1999	939	Am ³⁰
22156.2	1999	939	Ad ³⁰	22508.6	2000	402*	Ad
22156.5	1999	939	Ad ³⁰	22514	1999	939	Am ³⁰
22158	2000	1021	R & Ad	22516	1999	939	Am ³⁰
22160	2000	1025	Am ²⁸⁷	22601.5	1999	939	Am ³⁰
22161	1999	939	Am ³⁰	22602	1999	939	Am ³⁰
22161.5	2000	74	Am	22604	1999	939	Am ³⁰
	2000	1021	Am	22651	2000	74	Am
	2000	74	R & Ad		2000	1021	Am
22162	2000	74	R & Ad	22652	2000	74	Am
22163	1999	939	Am ³⁰		2000	1020	Am ⁹⁶
	2000	1025	Am ²⁸⁷		2000	1021	Am (by Sec. 19.5 of Ch.)
22164	1999	465	Ad	22655	2000	74	Am
22165	2000	1025	Am ²⁸⁷		2000	1021	Am
22166.5	2000	74	Ad	22656	2000	74	Am
22170	2000	1021	Am		2000	1021	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
22658	2000	74	Am				Am ²⁷⁴
22659	2000	74	Am				R ⁶³
	2000	1021	Am				Ad ²⁷⁵
22660	2000	74	Am	22955.5	2000	1021	Ad
	2000	1021	Am	22956	2000	1025	Am ²⁸⁷
	2001	159	Am ³⁰⁵	23001	2000	1025	Am ²⁸⁷
22661	2000	74	Am	23003	1999	939	Am ³⁰
	2000	1021	Am	23004	1999	939	Am ³⁰
22662	2000	74	Am	23006	1999	939	Am ³⁰
	2000	1020	Am ⁹⁶	23008	2000	1025	Am ²⁸⁷
	2000	1021	Am (by Sec. 25.5 of Ch.)	23100	2000	74	Am
22664	1999	939	Am ³⁰	23102	2000	1025	Am ³⁸⁷
	2000	74	Am	23200	2000	1020	Am ⁹⁶
	2000	1021	Am	23201	1999	939	Am ³⁰
	2001	803	Am ³⁷³		2000	1020	Am ⁹⁶
22665	2000	74	Am	23202	2000	1020	Am ⁹⁶
22701	2000	1025	Am ²⁸⁷	23300	2000	74	R
22703	2000	1021	Am ²⁶⁹				Ad ⁸²
22705	2000	1020	Am		2000	1025	R
22706	2000	74	Am				Ad (by Sec. 28.5 of Ch.)
	2000	1021	Am	23702	1999	939	Am ³⁰
22713	1999	939	Am ³⁰	23800	2000	1025	Am ²⁸⁷
	2000	1025	Am ²⁸⁷	23805.5	1999	939	Ad ³⁰
22714	1999	939	Am ³⁰	23812	1999	432	Ad
22717	1999	939	Am ³⁰		2000	135	Am ²⁰³
22717.5	2000	402 *	Ad	23850	2000	1025	Am ²⁸⁷
22718	1999	939	Am ³⁰	23851	1999	939	Am ³⁰
22724	1999	939	Ad ³⁰	23881	2000	74	R & Ad
22801	1999	939	Am ³⁰	24001	2001	803	Am ³⁷³
22801.5	2000	402 *	Ad	24001.5	2001	803	Am ³⁷³
22802	2000	1020	Am	24101	2001	803	Am ³⁷³
	2001	802	Am	24101.5	1999	939	Am ³⁰
22803	1999	939	Am ³⁰	24201	1999	939	Am ³⁰
22805	1999	939	Am ³⁰		2000	1025	Am ²⁸⁷
22811	2001	803	Ad ³⁷³	24202.5	2000	74	Am
22820	1999	939	Am ³⁰	24203.5	1999	939	Am ³⁰
	2001	803	Am ³⁷³		2001	803	Am ³⁷³
22823	1999	939	Am ³⁰	24203.6	2000	1029	Ad
22826	1999	939	Am ³⁰		2001	803	Am ³⁷³
22900	2000	1025	Am ²⁸⁷	24205	1999	939	R & Ad ³⁰
	2001	803	Am ³⁷³	24206	2000	74	Am
22901.1	2001	365 *	Ad ⁷³	24209	2000	1025	Am ²⁸⁷
			R ²²		2001	803	Am ³⁷³
22901.5	2000	74	Ad & R ¹¹¹	24209.3	2001	800 *	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	24211	1999	939	Am ³⁰
22905	2000	1021	Am ²⁷⁰		2000	1025	Am ²⁸⁷
			R ²²		2001	803	Am ³⁷³
			Ad ²⁶⁹	24212	1999	939	Am ³⁰
22906	2000	74	R & Ad		2001	803	Am ³⁷³
	2000	1021	R & Ad	24213	1999	939	Am ³⁰
22950	2000	1032	Am	24214	2000	896	Am
	2001	159	Am ³⁰⁵				R & Ad ⁶⁹
22951	2000	1025	Am ²⁸⁷	24216	2000	22 *	Am ²⁴
22954	2000	1021	Am ²⁷⁴				Ad ²⁵
			R ⁶³	24216.5	1999	40 *	Am
			Ad ²⁷⁵		2000	70 *	Am ¹⁸⁷
22955	1999	939	Am ³⁰	24216.6	2000	351	Ad
				24230	2000	897	Ad & R ¹¹¹

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Section	Affected By			Section	Affected By				
	Year	Chapter	Effect		Year	Chapter	Effect		
24231	2000	897	Ad & R ¹¹¹		2000	1026	Am		
24232	2000	897	Ad & R ¹¹¹		2000	1027	Am		
24233	2000	897	Ad & R ¹¹¹		2001	840	Am		
24234	2000	897	Ad & R ¹¹¹	24600	1999	939	Am (as am by		
24235	2000	897	Ad & R ¹¹¹				Sec. 204,		
24236	2000	897	Ad & R ¹¹¹				Stats. 1998,		
24237	2000	897	Ad & R ¹¹¹				Ch. 965) ³⁰		
24237.5	2000	897	Ad & R ¹¹¹						
24238	2000	897	Ad & R ¹¹¹				2000	74	Am
24250	1999	465	Ad				2000	1021	Am (as am by
24255	1999	465	Ad						Stats. 1998,
	2000	135	Am ²⁰³						Ch. 965)
	2001	803	Am ³⁷³						R (as am by
24260	1999	465	Ad			Stats. 2000,			
	2001	803	Am ³⁷³			Ch. 74)			
24270	1999	465	Ad	2001	802	Ad ⁸			
24275	1999	465	Ad			R (as ad by			
24300	1999	939	Am (as ad by					Sec. 42,	
			Sec. 2,					Stats. 2000,	
			Stats. 1998,					Ch. 1021)	
			Ch. 349) ³⁰					Am (as am by	
24300.5	2000	74	Ad					Sec. 40,	
	2001	803	Am ³⁷³					Stats. 2000,	
24300.6	2000	1020	Ad ⁹⁶			24615	1999	939	Am ³⁰
24305.3	2000	74	Ad			24616	2000	1021	Am
	2000	1021	Ad	24617	2000	1021	Am		
24305.5	1999	939	Am ³⁰	24750	2000	1020	Am ⁹⁶		
24306	1999	939	Am (as ad by	24751	2000	1020	Am ⁹⁶		
			Sec. 4,	24975	1999	740*	Ad(RN)		
			Stats. 1998,	24976	1999	740*	Ad(RN)		
			Ch. 349) ³⁰		2001	430	Am		
24307	1999	939	Am (as ad by	25000	1999	740*	Am & RN & Ad		
			Sec. 7,				2000	74	Am & RN & Ad
			Stats. 1998,				Am (as ad by		
			Ch. 349) ³⁰				Stats. 2000,		
	2000	1025	Am ²⁸⁷				Ch. 74)		
24402	2001	803	Am ³⁷³	25000.5	2000	1032	Am & RN		
			Am ³⁷³				2000	74	Ad
24404	2001	803	Am ³⁷³				Am (as ad by		
24410.5	1999	632	Ad				Stats. 2000,		
			Ad				Ch. 74)		
	2000	1025	Am ²⁸⁷	25000.7	2000	74	Ad		
	2000	1026	Am	25001	1999	740*	Am & RN		
24410.6	2000	1026	Ad		2000	74	Ad		
			Ad					Am (as ad by	
	2001	803	Am ³⁷³		2000	1021	Stats. 2000,		
24410.7	2000	1027	Ad				Ch. 74)		
24411	2000	74	Am	25002	2000	74	Ad		
			Am				2000	1021	Am (as ad by
24412	2000	74	Am				Stats. 2000,		
	2001	840	Am				Ch. 74)		
24415	2000	74	Am	25003	2000	74	Ad		
			Am (by	25004	2000	74	Ad		
			Sec. 36.5 of Ch.)	25005	2000	74	Ad		
	2000	1026	Am	25006	2000	74	Ad		
	2000	1027	Am				Am (as ad by		
	2001	840	Am				Stats. 2000,		
24416	2001	840	Am				Ch. 74)		
24417	2000	74	Am	25007	2000	74	Ad		
			Am (by	25008	2000	74	Ad		
			Sec. 37.5 of Ch.)						

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
25008 (Cont.)	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
25009	2000	74	Ad	Title 1, Div. 1, Pt. 13, Ch. 38, Art. 6, heading (Sec. 25024 et seq.)			
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)				
25010	2000	74	Ad		2001	803	Am & RN ³⁷³
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)				
25011	2000	74	Ad	Title 1, Div. 1, Pt. 13, Ch. 38, Art. 7, heading (Sec. 25024 et seq.)			
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)				
25012	2001	803	Am ³⁷³		2001	803	Ad(RN) ³⁷³
	2000	74	Ad	25024	2000	74	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
25013	2000	74	Ad	25025	2000	74	Ad
25014	2000	74	Ad	25026	2000	74	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2001	803	R ³⁷³
25015	2001	803	Am ³⁷³	25100	1999	740*	Ad
	2000	74	Ad		2000	74	Am & RN
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25110	1999	740*	Ad
25016	2001	803	Am ³⁷³		2000	74	Am & RN
	2000	74	Ad	25115	1999	740*	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2000	74	Am & RN
25017	2000	74	Ad	25120	1999	740*	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2000	74	Am & RN
25018	2000	74	Ad	25125	1999	740*	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2000	74	Am & RN
25019	2001	803	Am ³⁷³	25900	2000	74	Ad(RN)
	2000	74	Ad		2000	1032	Ad(RN)
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25901	2000	74	Ad(RN)
25020	2001	803	Am ³⁷³	25910	2000	74	Ad(RN)
	2000	74	Ad	25915	2000	74	Ad(RN)
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25920	2000	74	Ad(RN)
25021	2000	74	Ad	25921	2001	803	Ad ³⁷³
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25923	2000	1032	Ad
25022	2001	803	Am ³⁷³	25925	2000	74	Ad(RN)
	2000	74	Ad		2001	803	Ad ³⁷³
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25926	2001	803	Ad ³⁷³
25023	2000	74	Ad	25930	2000	1032	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2001	803	Am ³⁷³
25022	2000	74	Ad	25931	2000	1032	Ad
25023	2000	74	Ad	25932	2000	1032	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25933	2000	1032	Ad
25021	2000	74	Ad		2001	159	Am ³⁰⁵
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	Title 1, Div. 1, Pt. 13.5, Ch. 4, heading (Sec. 25940 et seq.)	2001	803	Am ³⁷³
25022	2001	803	Am ³⁷³	25940	2000	1032	Ad
25022	2000	74	Ad				
25023	2000	74	Ad				

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
25940 (Cont.)					1999	646	Am (as ad by Stats. 1999, Ch. 51)
	2001	803	Am ³⁷³				
25950	2000	874	Ad				
26104	2000	1025	Am ²⁸⁷		2000	71 *	Am
26135	1999	939	Am ³⁰		2000	955	Am
26144.5	2000	1020	Ad		2001	734 *	Am
26202	1999	939	Am ³⁰	32228.2	1999	51 *	Ad
26215	1999	939	Am ³⁰		1999	646	Am (as ad by Stats. 1999, Ch. 51)
26301	1999	939	Am ³⁰				
26303	1999	939	Am ³⁰				
26400	2001	803	Am ³⁷³	32228.3	1999	645 *	Ad
26401	2001	803	Am ³⁷³	32228.5	1999	646	Ad
26401.5	1999	939	Am ³⁰	32237	2001	745 *	Am
	2000	1020	R		2001	750	R
26402	2001	803	Am ³⁷³	Title 1,			
26403	2000	1020	Ad	Div. 1,			
26501.5	2000	1020	Ad	Pt. 19,			
26503.5	2000	1020	Ad	Ch. 2,			
26504	1999	939	Am ³⁰	Art. 3.8,			
26603	1999	939	Am ³⁰	heading			
26604	1999	939	Am ³⁰	(Sec. 32239.5	1999	86	Am (as ad by Stats. 1999, Ch. 51)
26807	2001	803	Am ³⁷³	et seq.)			
26906	2001	803	Am ³⁷³				
26911	2001	803	Am ³⁷³	32239.5	1999	51 *	Ad
27004	2001	803	R & Ad ³⁷³		1999	86	Am (as ad by Stats. 1999, Ch. 51)
27007	2001	803	Am ³⁷³				
27008	2001	803	Am ³⁷³				
27410	1999	939	Am ³⁰				
32000	2001	725	R		2001	745 *	Am
32001	2001	725	Am	32261	2001	890	Am
32002	2001	725	R	32270	2001	890	Am
32003	2001	725	R	32270.5	1999	872 *	Ad
32004	2001	725	Am	32271	2001	890	Am
Title 1,				32280	2001	890	Am
Div. 1,				32290	2001	890	Am
Pt. 19,				32295	2001	890	Am
Ch. 2,				32320	1999	689	Am
Art. 3.6,				33050	2000	71 *	Am
heading					2000	1058	Am (as am by Stats. 2000, Ch. 71)
(Sec. 32228	1999	86	Am (as ad by Stats. 1999, Ch. 51)				
et seq.)				33054	2000	464	Ad ⁷⁹
							R ⁸⁰
	1999	645 *	Am (as ad by Stats. 1999, Ch. 51)	33126	2000	996 *	Am
				33126.1	2000	996 *	Ad
32228	1999	51 *	Ad		2001	159	Am ³⁰⁵
	2000	71 *	Am	33126.2	2000	996 *	Ad
	2000	955	Am	33128.5	2001	872 *	Ad
	2001	734 *	Am	33319.3	2000	642	Ad
	2001	735	Am (by Sec. 1.5 of Ch.)	33328	1999	1009 *	Ad
				33333	2001	430	Am
32228.1	1999	51 *	Ad	33352	2000	585	R (as am by Stats. 1993, Ch. 487)
	1999	86	Am (as ad by Stats. 1999, Ch. 51)				Am (as am by Stats. 1996, Ch. 151) ⁵
	1999	645 *	Am (as ad by Stats. 1999, Ch. 51)		2001	888	Am ⁷⁵
				33353	2000	585	Am ⁵

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
33353 (Cont.)	2001	888	Am ⁷⁵	35721.5	2000	761	Ad
	2001	889	Am ⁷⁵	35735.3	2000	1058	R
33354	2000	585	Am ⁵	35756	2000	1058	Am
	2001	888	Am ⁷⁵	37220.5	2000	213	Am
	2001	889	Am ⁷⁵	37220.6	2000	213	Ad
33420	2000	1055 *	Am		2000	1058	Am (as ad by
33533	2001	734 *	Am				Stats. 2000,
33541	2001	926	Ad				Ch. 213)
35012	2000	135	Am ²⁰³	37252	2001	734 *	Am
35021	2001	40	Am		1999	78 *	Am (as am by
35021.2	1999	476	Ad				Stats. 1999–2000
35029.1	2001	135 *	Ad				(1st Ex. Sess.),
35041.3	1999	189	Ad				Ch. 1) ¹
35106	2000	1058	Am		1X 1999–2000	1	Am
35120	2001	401	Am		2000	72 *	Am
35160.5	1999	389	Am		2000	135	Am ²⁰³
	2000	135	Am ²⁰³	37252.2	2001	159	Am ³⁰⁵
35178.4	2001	598 *	Ad		2000	72 *	Ad ³⁴
35179	2000	585	Am ⁵		2001	159	Am ³⁰⁵
	2001	888	Am ⁷⁵	37252.5	1999	78 *	Am
	2001	889	Am ⁷⁵		2000	72 *	Am & R ²⁰
35179.2	2001	745 *	Am	37252.6	2000	72 *	Ad & R ²⁰
35182.5	1999	374	Ad	37252.8	2000	72 *	Ad ¹⁸⁸
35183.5	2001	575	Ad	37253	1999	78 *	Am
35233	2000	44	Am ¹⁸⁵		2000	72 *	Am
35254	1999	646	Am	37253.5	2000	72 *	Ad
35294.1	1999	996	Am	37619	2001	159	Am ³⁰⁵
35294.10	1999	996	Ad	38020	1999	646	R
35294.11	1999	996	Ad	38021	1999	646	R
35294.12	1999	996	Ad	38022	1999	646	R
35294.13	1999	996	Ad	38023	1999	646	R
35294.14	1999	996	Ad	38024	1999	646	R
35294.15	1999	996	Ad	38025	1999	646	R
35294.2	1999	996	R (as ad by	38026	1999	646	R
			Sec. 4,	38027	1999	646	R
			Stats. 1997,	38028	1999	646	R
			Ch. 736)	38029	1999	646	R
			Am (as ad by	38030	1999	646	R
			Sec. 3,	38040	1999	646	R
			Stats. 1997,	38045	1999	646	R
			Ch. 736) ¹³	38046	1999	646	R
	2001	646	Am	38047	1999	646	R
	2001	890	Am	38047.5	1999	648	Ad
35294.5	1999	996	Am	38048	1999	646	R
35294.6	1999	996	Am		1999	647 *	Am & RN (by
35294.7	1999	996	Am				Sec. 1 of Ch.)
35294.8	1999	996	Am				Ad(RN) (by
35294.9	1999	996	Am				Sec. 1 of Ch.)
35400	1999	295 *	Ad & R ²⁴		1999	648	Am & RN (by
	2000	750	Am ¹⁸				Sec. 2.5 of Ch.)
35401	1999	295 *	Ad & R ²⁴	38049	1999	646	R
	2000	750	Am ¹⁸	38050	1999	646	R
35500	2000	1058	Am	38051	1999	646	R
35556	1999	205	Am	38052	1999	646	R
35700.5	2000	761	Ad	38053	1999	646	R
35704	2000	1058	Am	38054	1999	646	R
35706.5	2000	599	Ad	38055	1999	646	R
35707	2000	1058	Am	38056	1999	646	R
35720.5	2000	1058	Am	38057	1999	646	R
35721	2000	761	Am	38058	1999	646	R
				38059	1999	646	R

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
38060	1999	646	R	40087	1999	646	Ad
38065	1999	646	R	40088	1999	646	Ad
38139	1999	832	Am	40089	1999	646	Ad
38150	1999	646	R	40090	1999	646	Ad
38155	1999	646	R	40090.5	1999	646	Ad
38156	1999	646	R	41020	2000	1055*	Am
38157	1999	646	R	41020.5	2000	1055*	Am
38158	1999	646	R	41020.6	2001	750	Am
38159	1999	646	R	41023	1999	646	Am
38160	1999	646	R	41203.1	1999	78*	Am
38161	1999	646	R		2000	71*	Am
38162	1999	646	R		2001	891*	Am
38163	1999	646	R	41204.1	1999	84*	Am ²⁹
38164	1999	646	R	41329	2000	578	Ad ⁷⁹
38165	1999	646	R				R ⁸⁰
38166	1999	646	R	41329.1	2000	578	Ad & R ¹⁹
38167	1999	646	R		2001	159	Am ³⁰⁵
38168	1999	646	R	41344	1999	78*	Ad
39006	2000	135	Am & RN ²⁰³		2000	1058	Am
39619	1999	390	Am & RN	41344.2	1999	646	Ad
39800	1999	646	Ad	41344.3	2001	574*	Ad
39801	1999	646	Ad	41365	1999	736*	Am
39801.5	1999	646	Ad		2000	429*	Am (by Sec. 1 of Ch.)
39802	1999	646	Ad		2000	586	Am (by Sec. 1.5 of Ch.)
39803	1999	646	Ad				
39805	1999	646	Ad	41366.5	2000	586	Ad
39806	1999	646	Ad	41366.7	2000	586	Ad
39807	1999	646	Ad	41367	2000	586	Ad
39807.5	1999	646	Ad	41374	2001	734*	Am
39808	1999	646	Ad	41380	1999	646	R
39809.5	1999	646	Ad	41407	2001	750	R
39820	1999	646	Ad	41409	2001	734*	Am
39830	1999	646	Ad	41601.1	2000	942	Am ⁵
39830.1	1999	646	Ad		2001	382	Am ²⁰
39831	1999	646	Ad	41841.6	2000	640*	Am ⁴⁵
39831.5	1999	646	Ad ⁸²				R ²⁵
	1999	648	Ad(RN) (by Sec. 2.5 of Ch.)				Ad ⁵⁶
39832	1999	646	Ad	41851.12	2000	1058	Am
39833	1999	646	Ad	41852	1999	646	Am
39834	1999	646	Ad	41857	1999	78*	Ad
39835	1999	646	Ad	42101	1999	646	R
39836	1999	646	Ad	42127.6	2001	620	Am
39837	1999	646	Ad	42127.8	2000	584	Am
39837.5	1999	646	Ad	42127.85	2000	584	Ad & R ⁴³
39838	1999	646	Ad	42238	1999	78*	Am
39839	1999	646	Ad		1999	646	Am (as am by Stats. 1999, Ch. 78) ¹⁶⁴
39840	1999	646	Ad				
39841	1999	646	Ad		2000	1058	Am (by Sec. 26 of Ch.)
39842	1999	646	Ad				
39860	1999	646	Ad	42238.1	1999	78*	Am
40070	1999	646	Ad	42238.12	2001	794*	Am
40080	1999	646	Ad	42238.145	1999	78*	Am
40081	1999	646	Ad	42238.146	2001	891*	Ad
40082	1999	646	Ad	42238.2	2000	581	Am
40083	1999	646	Ad	42238.23	2000	71*	Ad
40084	1999	646	Ad	42238.44	2001	155*	Ad ³⁷
40084.5	1999	646	Ad		2001	734*	Am
40085	1999	646	Ad	42238.95	1999	83	Am ³⁰
40085.5	1999	646	Ad	42239	1999	78*	Am
40086	1999	646	Ad				

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42239 (Cont.)	2000	72 *	R & Ad	44226	2001	342	R
	2000	1058	Am (as ad by Stats. 2000, Ch. 72)	44227	1999	623 *	Am
	2001	159	Am ³⁰⁵		2000	135	Am ²⁰³
42239.1	1999	78 *	Am		2000	703 *	Am (by Sec. 1 of Ch.)
	1X 1999–2000	2 *	Ad		2001	342	Am
42239.15	2000	72 *	Am	44227.2	2001	342	R
	2000	404 *	Ad	44227.3	2001	342	R
42239.2	2001	734 *	Am	44230	2001	342	Am
	1X 1999–2000	2 *	Ad	44235	1999	78 *	Am
	2000	72 *	Am	44239.5	2001	342	R
	2000	404 *	Am	44242.5	2001	342	Am
	2000	1058	Am (as am by Stats. 2000, Ch. 72)	44242.7	2001	342	Am
42239.5	2000	72 *	R	44243	2001	342	Am
42239.6	2000	72 *	R	44244	2001	342	Am
42243.6	2001	891 *	R	44244.1	2001	342	Am
42243.8	2001	891 *	R	44245	2001	342	Am
42243.9	2001	891 *	R	44252.1	2001	565	Ad ³⁷⁶
42246	2001	891 *	R	44252.5	1999	704	Am
42247	2001	891 *	R	44252.6	2001	342	R
42247.1	2001	891 *	R	44252.9	1999	704	Ad
42247.2	2001	891 *	R		2001	745 *	Am
42247.3	2001	891 *	R	44253	1999	623 *	Am
42247.4	2001	891 *	R		2000	703 *	Am
42247.5	1999	78 *	Am	44253.10	1999	685	Am
	2001	891 *	R	44253.2	2000	955	Am
42249	2001	891 *	R	44253.3	2000	955	Am
42249.2	2001	891 *	R	44253.8	1999	737	Am
42249.4	2001	891 *	R	44255.5	2001	342	R
42249.6	2001	891 *	R	44255.6	2001	342	Am
42249.65	2001	891 *	R	44259	1999	623 *	Am
42249.8	2001	891 *	R		2000	135	Am ²⁰³
42261	2000	1058	Am	44259.2	2001	269	Ad
42263	2000	1058	Am	44259.3	1999	83	Am ³⁰
42263.5	2000	751	Ad	44259.5	1999	711	Ad
42267	2000	1058	Am		2001	745 *	Am
42269	1999	154	Ad	44259.8	1999	737	Ad & R ¹⁸
42285.3	1999	191 *	Am ^{21 20}	44265.10	2000	951	Ad
	2001	561	Am ^{70 18}	44268.5	2000	109	Ad & R ¹⁸
42638	2001	620	Am	44270.3	2000	703 *	Ad
42650	2001	734 *	Am	44270.4	2000	703 *	Ad
42850	2001	734 *	Am	44274	2000	703 *	Am
44000.5	2001	342	Ad	44274.1	2000	703 *	Ad
44002	2001	342	Am	44274.2	2000	703 *	Am
44010	1999	281	Am		2001	342	Am
	2001	342	Am	44274.4	2000	703 *	R
44015.1	1999	286	Ad	44275.3	1999	623 *	Am
44031	2000	886	R & Ad		2000	135	Am ²⁰³
44110	2000	531	Ad		2000	703 *	Am
44111	2000	531	Ad		2001	342	Am
44112	2000	531	Ad	44275.4	2000	703 *	Ad
44113	2000	531	Ad		2001	342	Am
44114	2000	531	Ad		2000	703 *	Ad
	2001	159	Am ³⁰⁵	44277	1X 1999–2000	2 *	Am
44225.6	1999	381	Ad		2000	283	Am (by Sec. 1 of Ch.)
	2000	135	Am ²⁰³	44279.2	2001	745 *	Am
44225.7	1999	381	Ad	44283.2	1999	623 *	Am
				44285	2001	342	R
				44300	2001	585 *	Am
				44302	1999	400 *	Ad
				44303	2001	576	Ad & R ^{37 75}

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44305	1999	623 *	Am	44507	1999	646	Am
	2001	342	Am		1X 1999-2000	4	Ad
44309	2000	986	Ad & R ²⁰	44508	1X 1999-2000	4	Ad
44322	2001	342	Am	44510	2001	697	Ad ⁹⁸
44329	2001	745 *	R				R ¹⁰⁰
44332	1999	281	Am	44511	2001	697	Ad ⁹⁸
44341	2001	342	Am				R ¹⁰⁰
44346.1	1999	281	Am	44512	2001	697	Ad ⁹⁸
	1999	710	Am				R ¹⁰⁰
	2001	342	Am	44513	2001	697	Ad ⁹⁸
44386	2000	70 *	Am				R ¹⁰⁰
44393	2001	342	Am	44514	2001	697	Ad ⁹⁸
44395	2000	70 *	Am				R ¹⁰⁰
44395.5	2001	734 *	Ad	44515	2001	697	Ad ⁹⁸
44396	2000	70 *	Am				R ¹⁰⁰
44397	2000	70 *	Am & RN	44516	2001	697	Ad ⁹⁸
44398	2000	70 *	Ad(RN)				R ¹⁰⁰
44399	2001	342	Ad	44517	2001	697	Ad ⁹⁸
44403	1999	83	Am ³⁰				R ¹⁰⁰
44420	2001	342	Am	44579.1	1999	78 *	Am
44421.1	2001	342	Am	44579.4	1999	83	Am ³⁰
44421.5	2001	342	Am		1999	646	Am
44423	2001	342	Am	44579.5	2001	737	Ad
44424	1999	281	Am	44650	1999	52 *	Ad
	1999	710	Am	44651	1999	52 *	Ad
	2000	135	Am ²⁰³	44652	1999	52 *	Ad
44439	2001	342	Am	44653	1999	52 *	Ad
44440	2001	342	Am	44654	1999	52 *	Ad
44452	2001	342	Am	44661.5	1999	279	Ad
44453	2001	342	Am	44662	1X 1999-2000	4	Am
44454	2001	342	Am	44664	1X 1999-2000	4	Am
44456	2001	342	Am	44670.3	2000	960	Am
44468	2001	269	Ad	44689.1	2000	935	Ad
44470	2001	884	Ad	44689.2	2000	935	Ad
44471	2001	884	Ad	44689.5	2000	1058	R
44472	2001	884	Ad	44695	1999	646	Am
44490	1X 1999-2000	4	S ^{4 5}	44695.7	1999	646	Am
44491	1X 1999-2000	4	S ^{4 5}	44731	1999	83	Am ³⁰
44492	1X 1999-2000	4	S ^{4 5}	44735	2000	70 *	Ad
44492.3	1X 1999-2000	4	S ^{4 5}		2001	268	Am
44493	1X 1999-2000	4	S ^{4 5}	44751	2000	70 *	Ad
44494	1999	939	Am ³⁰	44751.5	2000	70 *	Ad
	1X 1999-2000	4	S ^{4 5}	44752	2000	70 *	Ad
44495	1X 1999-2000	4	S ^{4 5}	44752.5	2000	70 *	Ad
44496	1X 1999-2000	4	S ^{4 5}	44753	2000	70 *	Ad
44497	1X 1999-2000	4	S ^{4 5}	44753.5	2000	70 *	Ad
44498	1999	646	Am	44754	2000	70 *	Ad
	1X 1999-2000	4	Ad ⁴	44754.5	2000	70 *	Ad
			R ⁸	44784	2001	745 *	Am
44500	1X 1999-2000	4	Ad	44810	1999	1013	Am
44501	1X 1999-2000	4	Ad	44811	1999	1013	Am
44502	1X 1999-2000	4	Ad	44831	1999	623 *	Am
44503	1999	646	Am	44922	2000	1025	Am ²⁸⁷
	1X 1999-2000	4	Ad	44930	1999	80	Am
	2001	734 *	Am	45005.25	2000	1022	Ad ²⁸⁴
44504	1999	646	Am				R ¹⁹²
	1X 1999-2000	4	Ad		2001	159	Am & RN ³⁰⁵
44505	1999	646	Am		2001	394 *	Am & RN
	1X 1999-2000	4	Ad	45005.30	2000	1022	Ad ²⁸⁴
44506	1999	646	Am				R ¹⁹²
	1X 1999-2000	4	Ad		2001	159	Am & RN ³⁰⁵

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45005.30 (Cont.)	2001	394 *	Am & RN	47612.5	1999	162	Ad
45023.1	2000	69 *	Ad		2000	135	Am ²⁰³
	2000	1058	Am (as ad by Stats. 2000, Ch. 69)		2001	586 *	Am
45023.4	2001	159	Am ³⁰⁵	47613	1999	78 *	R & Ad(RN)
	2001	891 *	Am	47613.1	1999	646	Ad
	1999	53 *	Ad	47613.5	1999	78 *	R
	1999	646	Am (as ad by Stats. 1999, Ch. 53)	47613.7	1999	78 *	Am & RN
45048	2000	405 *	Am	47614	2000		
	1999	287	Am		Initiative (Prop. 39 adopted Nov. 7, 2000)		
45049	1999	287	Am				Am
45105	2000	1 *	Am	47614.5	2001	892	Ad
45113	2001	839	Am (by Sec. 1 of Ch.)	47616.7	2001	892	Ad
	2001	844	Am (by Sec. 1.5 of Ch.)		Title 2, Div. 4, Pt. 26.8, Ch. 5, Art. 1, heading (Sec. 47620 et seq.)		
45122	2000	1 *	Am		1999	828	Ad
45125	1999	78 *	Am	47626	1999	828	Ad
45201	1999	80	Am	47630	1999	78 *	Ad
45210	2001	260	Am	47630.5	1999	78 *	Ad
45243	2000	1 *	Am	47631	1999	78 *	Ad
45244	2000	1 *	Am	47632	1999	78 *	Ad
45245	2000	1 *	Am		1999	646	Am (as ad by Stats. 1999, Ch. 78) ¹⁶⁴
45246	2000	1 *	Am	47632.5	1999	78 *	Ad
45249	2000	1 *	Am	47633	1999	78 *	Ad
45286	2000	488	Am	47634	1999	78 *	Ad
	2000	1 *	Am		1999	646	Am (as ad by Stats. 1999, Ch. 78) ¹⁶⁴
45304	2000	1 *	Am	47634.2	2001	586 *	Am
46111	2001	87	Am	47634.2	2001	892	Ad
46200	2001	573	Am	47634.3	1999	646	Ad ¹⁶⁴
46200.5	2001	573	Am	47634.5	1999	78 *	Ad
46201	2001	573	Am	47635	1999	78 *	Ad
46201.5	2001	573	Am	47635	1999	78 *	Ad
46202	2001	573	Am	47635	1999	78 *	Ad
46206	2001	573	R & Ad	47636	2001	586 *	Am
46300	1999	78 *	Am	47636	1999	78 *	Ad
47605	1999	828	Am		1999	646	Am (as ad by Stats. 1999, Ch. 78) ¹⁶⁴
47605.7	2000	580	Am		2000	1058	Am
	2001	344	Am	47638	1999	78 *	Ad
47607.5	2001	892	Am (by Sec. 1.5 of Ch.)	47640	1999	78 *	Ad
	2000	88	Ad	47641	1999	78 *	Ad
Title 2, Div. 4, Pt. 26.8, Ch. 3, heading (Sec. 47610 et seq.)	2000	160	Ad	47642	1999	78 *	Ad
	1999	78 *	Am		1999	646	Am (as ad by Stats. 1999, Ch. 78) ¹⁶⁴
47611	1999	939	Am ³⁰	47643	1999	78 *	Ad
47611.3	2000	1025	Am ²⁸⁷	47644	1999	78 *	Ad
	2000	466	Ad	47645	1999	78 *	Ad
47611.5	1999	828	Ad				
47612	2000	135	Am ²⁰³				
	1999	78 *	Am				

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47646	1999	78 *	Ad		2001	394 *	Am ^{319 38}
	1999	646	Am (as ad by Stats. 1999, Ch. 78) ¹⁶⁴	48200.7	2000	942	Am ¹³
				48200.8	2001	382	Ad
47647	1999	78 *	Ad	48201	2000	345	Am
47650	1999	78 *	Ad	48205	1999	312	Am
47651	1999	78 *	Ad	48209	1999	397	S ^{73 19}
47652	1999	646	Ad ¹⁶⁴	48209.1	1999	397	S ^{73 19}
	2000	71 *	Am	48209.10	1999	397	S ^{73 19}
47660	1999	78 *	Ad	48209.11	1999	397	S ^{73 19}
	1999	646	Am (as ad by Stats. 1999, Ch. 78) ¹⁶⁴	48209.12	1999	397	S ^{73 19}
				48209.13	1999	397	S ^{73 19}
47661	1999	78 *	Ad	48209.14	1999	397	S ^{73 19}
	1999	736 *	Am (as ad by Stats. 1999, Ch. 78)	48209.15	1999	397	S ^{73 19}
				48209.16	1999	397	Am ^{73 19}
47661.5	2001	734 *	Ad	48209.17	1999	397	Ad ⁷³
47662	1999	78 *	Ad				R ²²
47663	1999	78 *	Ad	48209.2	1999	397	S ^{73 19}
47664	2001	586 *	Am	48209.3	1999	397	S ^{73 19}
47763.5	1999	78 *	Am	48209.4	1999	397	S ^{73 19}
	2000	662 *	Am	48209.5	1999	397	S ^{73 19}
47771.5	1999	78 *	Am	48209.6	1999	397	S ^{73 19}
	2000	662 *	Am	48209.7	1999	397	S ^{73 19}
47773	2001	734 *	Am	48209.9	1999	397	S ^{73 19}
48005.10	2000	1022	Ad ²⁸⁴		2000	1058	Am
			R ¹⁹²	48264.5	2001	734 *	Am
	2001	394 *	Am ^{319 38}	48293	2000	465	Am
48005.11	2001	394 *	Ad ^{319 38}	48321	2000	222	Am
48005.13	2000	1022	Ad ²⁸⁴	48325	2000	222	Am
			R ¹⁹²	48660	1999	646	Ad ¹⁶⁴
	2001	394 *	Am ^{319 38}	48661	1999	646	Am
	2000	1022	Ad ²⁸⁴	48664	1999	78 *	Am
			R ¹⁹²		2000	71 *	Am
	2001	394 *	Am ^{319 38}		2000	1058	Am (as am by Stats. 2000, Ch. 71)
48005.15	2000	1022	Ad ²⁸⁴				Am ³⁰⁵
			R ¹⁹²		2001	159	Am
	2001	394 *	Am ^{319 38}	48800	2000	1073	Am
48005.20	2000	1022	Ad ²⁸⁴	48800.5	2000	1073	Am
			R ¹⁹²	48900	2001	484	Am
	2001	394 *	Am ^{319 38}	48900.3	1999	646	Am
48005.25	2001	159	Ad(RN) ³⁰⁵	48900.6	2000	225	R (as ad by Sec. 1, Stats. 1993, Ch. 212)
	2001	394 *	Ad(RN) ^{319 38}				Am (as am by Stats. 1995, Ch. 972)
48005.30	2001	159	Ad(RN) ³⁰⁵				
	2001	394 *	Ad(RN) ^{319 38}	48915	2001	116	Am
48005.33	2000	1022	Ad ²⁸⁴	48916.1	1999	646	Am
			R ¹⁹²	48918	1999	332	Am
	2001	394 *	S ^{319 38}	48919	2000	147	Am
48005.35	2000	1022	Ad ²⁸⁴	48923	2000	147	Am
			R ¹⁹²	48938	2001	430	Am
	2001	394 *	R	48980	IX 1999-2000	1	Am
48005.40	2000	1022	Ad ²⁸⁴		2000	73 *	Am
			R ¹⁹²	48980.3	2000	718	Ad
	2001	394 *	Am ^{319 38}	49068.6	1999	832	Ad
48005.45	2000	1022	Ad ²⁸⁴	49069.3	2000	67	Ad
			R ¹⁹²	49075	2001	894	Am
	2001	394 *	Am ^{319 38}	49076	2000	222	Am
48005.50	2000	1022	Ad ²⁸⁴	49079	2000	345	Am
			R ¹⁹²				
48005.55	2000	1022	Ad ²⁸⁴				
			R ¹⁹²				

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49080	1999	78 *	Ad	51122	1999	78 *	Ad
49080.5	1999	78 *	Ad		1999	734	R (as ad by
49081	1999	78 *	Ad				Stats. 1999,
49082	1999	78 *	Ad				Ch. 78) & Ad
49082.5	1999	78 *	Ad	51123	1999	734	Ad
49083	1999	78 *	Ad	51130	1999	734	Ad
49335	2000	265	Ad	51131	1999	734	Ad
49370	1999	1013	Ad	51132	1999	734	Ad
49413	2001	745 *	Am	51133	1999	734	Ad
	2001	750	Am	51140	1999	734	Ad
49414	2001	458	Ad	51141	1999	734	Ad
49423.5.1	2000	281	Ad	51142	1999	734	Ad
49423.6	2000	281	Ad	51143	1999	734	Ad
49430	2001	913	Ad ³⁷	51201.5	1999	83	Am ³⁰
49430.3	2001	913	Ad ³⁷	51210	2001	734 *	Am
49430.5	2001	913	Ad ^{37,335}	51215	1X 1999–2000	1	S ^{11,2}
49431	2001	913	Ad ^{37,22}	51216	1X 1999–2000	1	S ^{11,2}
49432	2001	913	Ad ³⁷	51217	1X 1999–2000	1	S ^{11,2}
49433	2001	913	Ad ³⁷	51217.5	1X 1999–2000	1	S ^{11,2}
49433.5	2001	913	Ad ³⁷	51217.7	1X 1999–2000	1	S ^{11,2}
49433.7	2001	913	Ad ³⁷	51218	1X 1999–2000	1	S ^{11,2}
49433.9	2001	913	Ad ³⁷	51220	2000	1058	Am
49434	2001	913	Ad ³⁷		2001	734 *	Am
49435	2001	913	Ad ³⁷	51220.3	2001	386	Ad
49436	2001	913	Ad ³⁷	51220.4	2000	833	Ad
49494	2000	20 *	Ad	51224	2000	1058	Am
49545.5	1999	78 *	Ad	51224.5	2000	1024	Ad
49550.3	2000	71 *	Am		2001	734 *	Am
49557	2001	894	Am	51225.3	2000	1058	Am
49557.1	2000	93 *	Ad	51225.4	2000	1058	Am
49557.2	2001	894	Ad	51226	2000	1058	Am
49558	2001	894	Am	51226.4	2001	926	Ad & R ⁷⁵
49581	2000	1058	R	51264	2001	750	Am
49590.5	2001	745 *	R	51412	2000	1058	Am
49605	2001	250	Ad & R ²⁰	51511	2001	734 *	Am
51008	2000	213	Ad	51553	1999	234	Am
Title 2, Div. 4, Pt. 28, Ch. 1.5, Art. 1, heading (Sec. 51100 et seq.)	1999	78 *	Ad		1999	853	Am (by Sec. 2.5 of Ch.)
51101	2001	749 *	Am	51554	1999	83	Am ³⁰
Title 2, Div. 4, Pt. 28, Ch. 1.5, Art. 2, heading (Sec. 51120 et seq.)	1999	734	Am (as ad by Stats. 1999, Ch. 78)	51555	1999	83	Am ³⁰
51120	1999	78 *	Ad	51725	2001	705	Ad & R ²⁰
51121	1999	78 *	Ad	51726	2001	705	Ad & R ²⁰
	1999	734	R (as ad by Stats. 1999, Ch. 78) & Ad	51727	2001	705	Ad & R ²⁰
				51728	2001	705	Ad & R ²⁰
				51729	2001	705	Ad & R ²⁰
				51747.3	1999	162	Am
				51795	1999	713	Ad
				51796	1999	713	Ad
				51797	1999	713	Ad
				51798	1999	713	Ad
				51810	2001	734 *	Am
				Title 2, Div. 4, Pt. 28, Ch. 5, Art. 15, heading (Sec. 51870 et seq.)	2001	734 *	S ¹⁸
				51870	1999	830	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
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51871	1999	83	Am ³⁰	2000	695*		Am (by Sec. 8
	2001	734*	S ¹⁸				of Ch.)
51871.3	1999	830	Ad	2001	891*		Am
51871.4	1999	830	Ad	52058	1X 1999-2000	3	Ad
51871.5	1999	830	Ad	2000	695*		Am
	2000	135	Am ²⁰³	2001	749*		Am
51872	1999	830	Am	52060	2001	734*	S ¹⁹
	2001	734*	S ¹⁸	52061	2001	734*	S ¹⁹
51873	2001	734*	S ¹⁸	52062	2001	734*	S ¹⁹
51874	2001	734*	Am ¹⁸	52063	2001	734*	S ¹⁹
52050	1X 1999-2000	3	Ad	52064	2001	734*	S ¹⁹
52050.5	1X 1999-2000	3	Ad	52065	2001	734*	S ¹⁹
52051	1X 1999-2000	3	Ad	52066	2001	734*	Am ¹⁹
52051.5	1X 1999-2000	3	Ad	52067	2001	734*	Am ¹⁹
52052	1X 1999-2000	3	Ad	52084	1999	78*	Am
	2000	695*	Am	52086	1999	78*	Am
	2001	745*	Am	52122	1999	83	Am ³⁰
	2001	887	Am		2000	743	Am
52052.2	2001	887	Ad	52122.1	2000	749	Am
52052.3	2000	71*	Ad	52123	2000	743	Am
	2000	695*	Am (as ad by	52136	2001	750	R
			Stats. 2000,	52177	2001	750	Am
			Ch. 71)	52201	2000	1073	Am
52052.5	1X 1999-2000	3	Ad	52204	2000	748	R
52053	1X 1999-2000	3	Ad	52205	2000	748	Am
	2000	695*	Am	52206	2000	748	Am
	2001	887	Am	52208	2000	748	R
52053.5	1X 1999-2000	3	Ad	52209	2000	748	Am
52054	1X 1999-2000	3	Ad	52211	2000	748	R & Ad
	2000	190	Am	52212	2000	748	Am
	2000	695*	Am	52244	1999	646	Am
	2001	159	Am ³⁰⁵	52247	2000	73*	Ad
	2001	749*	Am ³⁷	52262	2001	546	Am
	2001	887	Am	52270	2000	78*	Ad
52054.3	2001	749*	Ad ³⁷		2000	1058	Am (as ad by
52054.5	1X 1999-2000	3	Ad				Stats. 2000,
	2000	695*	Am				Ch. 78)
52055	1X 1999-2000	3	Ad		2001	159	Am ³⁰⁵
	2000	695*	Am	52272	2000	78*	Ad
52055.5	1X 1999-2000	3	Ad	52290	2001	709	Ad & R ²⁰
	2000	695*	Am	52291	2001	709	Ad & R ²⁰
	2001	887	Am	52292	2001	709	Ad & R ²⁰
52055.51	2001	749*	Ad ³⁷	52292.5	2001	709	Ad & R ²⁰
52055.600	2001	749*	Ad ³⁷	52293	2001	709	Ad & R ²⁰
52055.605	2001	749*	Ad ³⁷	52294	2001	709	Ad & R ²⁰
52055.610	2001	749*	Ad ³⁷				
52055.615	2001	749*	Ad ³⁷	Title 2,			
52055.620	2001	749*	Ad ³⁷	Div. 4,			
52055.625	2001	749*	Ad ³⁷	Pt. 28,			
52055.630	2001	749*	Ad ³⁷	Ch. 9,			
52055.640	2001	749*	Ad ³⁷	heading			
52055.645	2001	749*	Ad ³⁷	(Sec. 52300			
52055.647	2001	749*	Ad ³⁷	et seq.)	2000	1058	Am
52055.650	2001	749*	Ad ³⁷	52300	2000	1058	Am
52055.655	2001	749*	Ad ³⁷	52301	2000	1058	Am
52056	1X 1999-2000	3	Ad	52302	2000	1058	Am
	2000	695*	Am	52302.3	2000	1058	Am
52056.5	1X 1999-2000	3	Ad	52302.5	2000	1058	Am
52057	1X 1999-2000	3	Ad	52302.7	2000	1058	Am
				52302.9	2000	1058	Am

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52303	2000	1058	Am	Title 2,			
52305	2000	1058	Am	Div. 4,			
52309	2000	1058	Am	Pt. 28,			
52329	2000	1058	Am	Ch. 9,			
52331	2000	1058	Am	Art. 7.5,			
52334	2000	1058	Ad	heading			
	2001	734 *	Am	(Sec. 52460			
52336	2000	1058	Am	et seq.)	2000	1058	Am
52336.5	2000	1058	Am	52460	2000	1058	Am
52342	2000	1058	Am	52461	2000	1058	Am
Title 2,				52461.5	2000	1058	Am
Div. 4,				Title 2,			
Pt. 28,				Div. 4,			
Ch. 9,				Pt. 28,			
Art. 3,				Ch. 9,			
heading				Art. 9,			
(Sec. 52350				heading			
et seq.)	2000	1058	Am	(Sec. 52485			
52350	2000	1058	Am	et seq.)	2000	1058	Am
52351	2000	1058	Am	52485	2000	1058	Am
52353	2000	1058	Am		2001	159	Am ³⁰⁵
52354	2000	1058	Am	52487	2000	1058	Am
52360	2001	886	Ad ³⁷	52488	2000	1058	Am
52361	2001	886	Ad ³⁷	52489	2000	1058	Am
52362	2001	886	Ad ³⁷	52490	2000	1058	Am
52363	2001	886	Ad ³⁷	Title 2,			
52364	2001	886	Ad ³⁷	Div. 4,			
52365	2001	886	Ad ³⁷	Pt. 28,			
Title 2,				Ch. 9,			
Div. 4,				Art. 9.5,			
Pt. 28,				heading			
Ch. 9,				(Sec. 52495			
Art. 4,				et seq.)	2000	1058	Am
heading				52495	2000	1058	Am
(Sec. 52370				52497	2000	1058	Am
et seq.)	2000	1058	Am	52498	2000	1058	Am
52370	2000	1058	Am	52499	2000	1058	Am
52371	2000	1058	Am	52499.3	2000	1058	Am
52372	2000	1058	Am	52523	2001	734 *	Am
52372.1	2000	1058	Am	52656	2001	745 *	Am
52373	2000	1058	Am		2001	750	Am
52375	2000	1058	Am	52761	2001	734 *	Am
52376	2000	1058	Am	52853	1999	646	Am
52377	2000	1058	Ad	52900	2000	1058	S ^{149.5}
52381	2000	1058	Am		2001	187 *	S ^{36.75}
52382	2000	1058	Am	52900.1	2000	1058	S ^{149.5}
52383	2000	1058	Am		2001	187 *	S ^{36.75}
52384	2000	1058	Am	52901	2000	1058	S ^{149.5}
52388	2000	1058	Am		2001	187 *	S ^{36.75}
Title 2,				52902	2000	1058	S ^{149.5}
Div. 4,					2001	187 *	S ^{36.75}
Pt. 28,				52902.5	2001	187 *	Ad
Ch. 9,				52903	2000	1058	S ^{149.5}
Art. 7,					2001	187 *	S ^{36.75}
heading				52904	2000	1058	Am ^{149.5}
(Sec. 52450					2001	187 *	Am ^{36.75}
et seq.)	2000	1058	Am	52922	2001	557	Am
52450	2000	1058	Am	52980	2000	1058	R
52452	2000	1058	Am	52981	2000	1058	R
52453	2000	1058	Am	52982	2000	1058	R
52454	2000	1058	Am	53025	IX 1999–2000	2 *	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
53027	1X 1999-2000	2 *	Ad	54685.6	1999	955	S ^{70 18}
53029	1X 1999-2000	2 *	Ad	54685.7	1999	955	Am ^{70 18}
	2001	734 *	Am	54685.8	1999	955	S ^{70 18}
53031	1999	78 *	Am	54685.9	1999	955	Am ^{70 18}
	1X 1999-2000	2 *	Ad	54686	1999	955	Am ^{70 18}
53050	1X 1999-2000	2 *	Ad	54686.2	1999	955	Am ^{70 18}
53053	1X 1999-2000	2 *	Ad	54691	2001	216	Am
53055	1X 1999-2000	2 *	Ad	54696	2001	745 *	Am
53057	1X 1999-2000	2 *	Ad		2001	750	Am
53075	1X 1999-2000	2 *	Ad	54742	2000	1057	Am
53080	2000	793	Ad	54743	2000	71 *	Am
Title 2, Div. 4, Pt. 28, Ch. 17, heading (Sec. 53081 et seq.)				54744	2000	71 *	Am
				54745	1999	83	Am ³⁰
					2000	71 *	Am
					2000	1057	Am
				54746	2000	71 *	Am
					2000	1057	Am
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN		2001	734 *	Am
				54746.5	2001	734 *	Ad
				54747	2000	71 *	Am
					2000	1057	Am
Title 2, Div. 4, Pt. 28, Ch. 18, heading (Sec. 53081 et seq.)				54748	1999	83	Am ³⁰
					2000	71 *	Am
				54749	2000	71 *	Am
					2000	1057	Am
					2001	159	Am ³⁰⁵
	2001	734 *	Ad(RN)		2001	734 *	Am
53081	2000	404 *	Ad	54749.5	2000	71 *	Am
	2000	793	Ad		2000	1057	Am
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN	54750	2000	1058	R
				54751	2000	1058	R
				54751.1	2000	1058	R
53082	2000	404 *	Ad	54752	2000	1058	R
	2000	793	Ad	54761.3	1999	83	Am ³⁰
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN	56026	2001	734 *	Am
				56029	2001	734 *	Am
53083	2000	404 *	Ad	56044	1999	78 *	Ad
	2000	793	Ad		2001	734 *	R
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN	56045	1999	78 *	Ad
					1999	646	Am (as ad by Stats. 1999, Ch. 78)
53084	2000	404 *	Ad		2000	286	Am
	2000	793	Ad ³⁷		2001	159	Am ³⁰⁵
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN	56055	2001	734 *	Ad
				56138	2000	1058	R
53091	2001	734 *	Ad(RN)	56195.1	1999	78 *	Am
53092	2001	734 *	Ad(RN)	56200	2001	734 *	Am
53093	2001	734 *	Ad(RN)	56203	1999	78 *	Ad
53094	2001	734 *	Ad(RN)	56207	2001	734 *	Am
54200	2001	891 *	Ad	56207.5	1999	78 *	Ad
54201	2001	891 *	Ad	56213	2001	551	Ad
54203	2001	891 *	Ad	56341	2001	405	R & Ad
54444.5	1999	691 *	Ad	56341.1	2001	405	Ad
54685	1999	955	Am ^{70 18}	56351.5	2001	736	Ad ³⁷
54685.1	1999	955	S ^{70 18}	56352	2001	736	Am ³⁷
54685.2	1999	955	Am ^{70 18}	56366.1	2001	734 *	Am
	2000	135	Am ²⁰³	56366.3	2001	215	Am
54685.3	1999	955	Am ^{70 18}	56375	1999	392	Ad
	2000	135	Am ²⁰³		2000	1058	Am & RN
				56376	1999	392	Ad

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56376 (Cont.)	2000	1058	Am & RN	58026	1999	646	R
56377	1999	392	Ad	58027	1999	646	R
	2000	1058	Am & RN	58028	1999	646	R
56378	1999	392	Ad	58040	1999	646	R
	2000	1058	Am & RN	58041	1999	646	R
56390	2000	1058	Ad(RN)	58050	1999	646	R
56391	2000	1058	Ad(RN)	58051	1999	646	R
	2001	734 *	Am	58060	1999	646	R
56392	2000	1058	Ad(RN)	58061	1999	646	R
56393	2000	1058	Ad(RN)	58523	2001	745 *	Am
56400	2001	690	Ad		2001	750	Am
56402	2001	690	Ad	58550	2001	187 *	Ad ^{313 73}
56404	2001	690	Ad				R ²²
56406	2001	690	Ad	58551	2001	187 *	Ad ^{313 73}
56408	2001	690	Ad				R ²²
56410	2001	690	Ad	58552	2001	187 *	Ad ^{313 73}
56412	2001	690	Ad				R ²²
56414	2001	690	Ad	58553	2001	187 *	Ad ^{313 73}
56435	2001	629	Ad				R ²²
56449	2001	629	Ad	58553.5	2001	187 *	Ad ^{313 73}
56490	2000	591	Ad & R ¹⁹				R ²²
56491	2000	591	Ad & R ¹⁹	58554	2001	187 *	Ad ^{313 73}
56492	2000	591	Ad & R ¹⁹				R ²²
56493	2000	591	Ad & R ¹⁹	58555	2001	187 *	Ad ^{313 73}
56494	2000	591	Ad & R ¹⁹				R ²²
56495	2000	591	Ad & R ¹⁹	58556	2001	187 *	Ad ^{313 73}
56836.02	2001	734 *	Am				R ²²
56836.06	1999	78 *	Am	58557	2001	187 *	Ad ^{313 73}
56836.08	1999	78 *	Am				R ²²
56836.095	2001	891 *	Ad	58558	2001	187 *	Ad ^{313 73}
56836.10	2000	1058	Am				R ²²
56836.11	2000	1058	Am	58560	2001	187 *	Ad ^{313 73}
56836.15	1999	78 *	Am				R ²²
56836.156	2001	203 *	Ad	58561	2001	187 *	Ad ^{313 73}
56836.157	2001	203 *	Ad				R ²²
56836.158	2001	891 *	Ad	58562	2001	187 *	Ad ^{313 73}
56836.159	2001	891 *	Ad				R ²²
56845	2000	286	Ad	58922	2001	745 *	R
	2001	159	Am ³⁰⁵	58930	2001	629	Ad
56867	2001	536 *	Ad & R ⁷⁵	59150	2000	93 *	Ad
56885	2001	745 *	Am	60045	1999	276	Am
58000	1999	646	R	60048	1999	276	Ad
58001	1999	646	R	60061	2001	734 *	Am
58002	1999	646	R		2001	736	Am ³⁷
58010	1999	646	R	60119	1999	646	Am
58011	1999	646	R	60200	1999	276	Am
58012	1999	646	R	60200.2	1999	276	Ad
58013	1999	646	R		2000	135	Am ²⁰³
58014	1999	646	R	60240	2001	734 *	Am
58015	1999	646	R	60313	2001	734 *	Am
58016	1999	646	R	60400	2001	734 *	Am
58017	1999	646	R	60450.1	2001	914	Ad
58018	1999	646	R	60451	1999	15 *	Am
58019	1999	646	R		2001	591	Am
58020	1999	646	R	60501	2000	461	Ad
58021	1999	646	R	60600	2001	722	S ¹⁸
58022	1999	646	R	60601	2001	722	Am ¹⁸
58023	1999	646	R	60602	2001	722	S ¹⁸
58024	1999	646	R	60603	1999	83	Am ³⁰
58025	1999	646	R		2001	722	S ¹⁸
				60604	2000	576	Am

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60604 (Cont.)	2001	20*	Am	60645	2000	576	Am
	2001	722	S ¹⁸		2001	722	S ¹⁸
60605	1999	78*	Am	60646	1999	735*	R
	1999	735*	Am (as am by Stats. 1999, Ch. 78)	60647	2001	722	S ¹⁸
	2000	576	Am	60648	2000	576	Am
	2001	722	Am ¹⁸		2001	722	S ¹⁸
60605.1	2000	432	Ad	60649	2000	576	Ad
	2001	722	S ¹⁸		2001	722	S ¹⁸
60605.5	1999	735*	Ad	60650	2001	722	Am ¹⁸
	2001	722	S ¹⁸	60650.5	2001	722	S ¹⁸
60605.6	2001	722	Ad & R ¹⁸	60651	2001	722	S ¹⁸
60606	2001	722	S ¹⁸	60652	2001	722	S ¹⁸
60607	2001	722	Am ¹⁸	60653	2001	722	Ad & R ¹⁸
60608	2001	722	S ¹⁸	60810	1999	78*	Am
60609	2001	722	R		2001	745*	Am
60610	2001	722	S ¹⁸		2001	891*	Am
60611	2001	722	S ¹⁸	60811	1999	78*	Am
60612	2001	722	S ¹⁸	60812	1999	678	Ad
60613	2001	722	S ¹⁸	Title 2, Div. 4, Pt. 33, Ch. 8, heading (Sec. 60850 et seq.)			
60614	2001	722	S ¹⁸		2000	135	Am & R ²⁰³
60615	2001	722	S ¹⁸				
60616	2001	722	S ¹⁸				
60617	2001	722	S ¹⁸				
60618	2001	722	S ¹⁸				
60630	2001	722	Am ¹⁸				
60640	1999	78*	Am				
	1999	83	Am ³⁰				
	1999	735*	Am (as am by Stats. 1999, Ch. 78)				
	2000	576	Am				
	2001	20*	Am				
	2001	722	S ¹⁸				
60640.1	2001	722	R				
60641	1999	735*	Am (by Sec. 4 of Ch.)				
	2000	576	Am				
	2001	20*	Am				
	2001	722	Am ¹⁸				
60642	2001	722	Am ¹⁸				
60642.5	2000	576	Ad				
	2001	722	Am ¹⁸				
60643	1999	78*	Am				
	1999	735*	Am (by Sec. 5 of Ch., as am by Stats. 1999, Ch. 78)				
	2000	576	Am				
	2001	20*	Am				
	2001	722	Am ¹⁸				
60643.1	1999	735*	Ad ¹²⁹				
	2000	576	Am				
	2001	722	S ¹⁸				
60643.5	1999	78*	Ad				
	2001	722	Am ¹⁸				
60644	1999	735*	Am				
	2000	576	Am				
	2001	722	S ¹⁸				
				60850	1X 1999-2000	1	Ad
					2002	808	Am
				60851	1X 1999-2000	1	Ad
					2001	716	Am
				60852	1X 1999-2000	1	Ad
				60853	1X 1999-2000	1	Ad
				60855	1X 1999-2000	1	Ad
					2000	135	Am ²⁰³
				60856	1X 1999-2000	1	Ad
				60857	2001	716	Ad
				60859	2001	716	Ad
				62000.14	2001	611*	Am
				62000.4	2001	591	Am
				62000.8	2000	137*	Am
					2001	64*	R
				63000	2000	369	Am
				63050	2000	369	Ad
				63051	2000	369	Ad
					2001	734*	Am
				63052	2000	369	Ad
				63053	2000	369	Ad
				63054	2000	369	Ad
				63055	2000	369	Ad
				63056	2000	369	Ad
				64000	2001	724	Am
				64001	2001	724	Am
				66015	2001	745*	Am
				66021.2	2000	403*	Am
				66025	1999	72*	Am

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66057	2000	383	Ad	68121	1999	953 *	R
66201.7	2000	355	Ad	68130.5	2001	814	Ad
66251	1999	587	Am	69430	2000	403 *	Ad
66270	1999	587	Am	69431	2000	403 *	Ad
66270.5	1999	587	Ad(RN)	69432	2000	403 *	Ad
66271	1999	587	Am & RN	69432.5	2000	403 *	Ad
66293	2000	135	Am ²⁰³	69432.7	2000	403 *	Ad
	2001	745 *	R		2001	159	Am ³⁰⁵
66450	2000	574	Ad	69432.8	2000	403 *	Ad
66451	2000	574	Ad	69432.9	2000	403 *	Ad
66452	2000	574	Ad	69433	2000	403 *	Ad
66602	1999	251	Am	69433.5	2000	403 *	Ad
66721.5	2000	187	Ad	69433.6	2000	403 *	Ad
66750	1999	688	S ¹⁹	69433.7	2000	403 *	Ad
66751	1999	688	S ¹⁹	69433.8	2000	403 *	Ad
66752	1999	688	S ¹⁹	69433.9	2000	403 *	Ad
66752.5	1999	688	S ¹⁹	69434	2000	403 *	Ad
66753	1999	688	S ¹⁹		2001	8 *	Am
66753.5	1999	688	S ¹⁹	69434.5	2000	403 *	Ad
66754	1999	688	S ¹⁹		2001	159	Am ³⁰⁵
66755	1999	688	Am ¹⁹	69435	2000	403 *	Ad
	2001	745 *	Am	69435.3	2000	403 *	Ad
66756	1999	688	Am ¹⁹		2001	8 *	Am
66903	1999	916	Am	69436	2000	403 *	Ad
	2001	571	Am (by Sec. 1 of Ch.)		2001	8 *	Am
	2001	580	Am (by Sec. 2 of Ch.)	69436.5	2000	403 *	Ad
66903.5	2001	443	Ad & R ^{37 19}	69437	2000	403 *	Ad
66940	2000	467	R & Ad	69437.3	2000	403 *	Ad
66941	2000	467	R & Ad	69437.5	2000	403 *	Ad
66942	2000	467	R	69437.6	2000	403 *	Ad
66943	2000	467	R		2001	8 *	Am
66944	2000	467	R		2001	159	Am ³⁰⁵
66945	2000	467	R	69437.7	2000	403 *	Ad
66946	2000	467	R	69439	2000	403 *	Ad
66947	2000	467	R		2001	159	Am ³⁰⁵
66948	2000	467	R	69440	2000	403 *	Ad
67301	2001	745 *	Am	69505	1999	471 *	Ad
67302	1999	379	Ad	69514.5	2000	403 *	Ad
67359.20	2001	745 *	Am	69522	1999	636	Am
68074	2000	571	Am	69529	1999	636	Am
68074.1	2000	571	R	69530	2000	403 *	R ²³²
68075	2000	571	Am	69531	2000	403 *	R ²³²
68075.1	2000	571	R	69532	2000	70 *	Am
68078	2000	949 *	Am		2000	403 *	R ²³²
68120	1999	953 *	Am	69532.5	2000	403 *	R ²³²
	2000	40	Am (as am by Sec. 1 and as ad by Sec. 2, Stats, 1999, Ch. 953)	69533	2000	403 *	R ²³²
	2001	347	Am (as am by Sec. 1, Stats, 2000, Ch. 40) ¹⁹	69534.1	2000	403 *	R ²³²
			Am (as am by Sec. 2, Stats, 2000, Ch. 40) ²²	69534.3	2000	403 *	R ²³²
				69534.4	2000	403 *	R ²³²
				69535	2000	403 *	R ²³²
				69535.1	2000	403 *	R ²³²
				69535.5	2000	403 *	R ²³²
				69537	2000	403 *	R ²³²
				69538	2000	403 *	R ²³²
				69539	2000	403 *	R ²³²
				69540	2000	403 *	R ²³²
				69541	2000	108 *	Ad
					2000	403 *	R ²³²
				69544	2000	403 *	R ²³²
				69545	2000	403 *	R ²³²
				69546	2000	403 *	R ²³²

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
69546.5	2000	403 *	R ²³²	69615.4	1999	650	Am (by Sec. 6 of Ch.)
69547	2000	403 *	R ²³²				
69547.5	2000	403 *	Ad & R ³⁸		1999	651	Am (by Sec. 5.5 of Ch.)
69547.9	2000	403 *	Ad & R ³⁸				
69561.5	2000	588	Ad & R ⁴³		2000	70 *	Am
69612	1999	650	Am (by Sec. 1 of Ch.)		2000	583	Am (as am by Stats. 2000, Ch. 70)
	1999	651	Am (by Sec. 1.5 of Ch.)	69615.6	1999	72 *	Am
	2000	70 *	Am		1999	650	Am (by Sec. 7 of Ch., as am by Stats. 1999, Ch. 72)
	2000	583	Am (as am by Stats. 2000, Ch. 70)				
69612.5	1999	650	Am (by Sec. 2 of Ch.)		1999	651	Am (by Sec. 6.5 of Ch., as am by Stats. 1999, Ch. 72)
	1999	651	Am (by Sec. 2.5 of Ch.)				
	2000	70 *	Am		2000	70 *	Am
	2000	583	R (as am by Stats. 2000, Ch. 70)		2000	583	Am (as am by Stats. 2000, Ch. 70)
69613	1999	650	Am (by Sec. 3 of Ch.)	69616	2000	583	R
	1999	651	Am (by Sec. 3.5 of Ch.)	69618.1	1999	72 *	Am
	2000	70 *	Am		2000	460	Am
	2000	583	Am (as am by Stats. 2000, Ch. 70)	69618.2	1999	72 *	Am
					2000	460	Am
				69618.3	1999	72 *	Am
					2000	460	Am
69613.1	1999	650	Am (by Sec. 4 of Ch.)	69621	1999	83	Am ³⁰
	1999	651	Am (by Sec. 4.5 of Ch.)	69733	2001	745 *	R
	2000	70 *	Am	69740	2001	881	Ad
	2000	583	Am (as am by Stats. 2000, Ch. 70)	69741	2001	881	Ad
				69741.5	2001	881	Ad
				69742	2001	881	Ad
				69743	2001	881	Ad
				69743.5	2001	881	Ad
				69744	2001	881	Ad
				69745	2001	881	Ad
				69746	2001	881	Ad
69613.15	1999	904	Ad	69747	2001	881	Ad
	2000	583	R	69748	2001	881	Ad
69613.2	2000	583	Am	69761	1999	636	Am
69613.3	2000	70 *	R	69763	1999	636	Am
69613.4	2000	583	Am	69766	1999	636	Am
69613.5	2000	70 *	Am	69766.1	1999	636	Am
	2000	583	Am (as am by Stats. 2000, Ch. 70)	69767	1999	636	Am
				69768	1999	636	Am
69613.55	1999	650	R (as ad by Stats. 1998, Ch. 545)	69980	1999	664	Am
				69981	1999	664	Am
	2000	70 *	R		2000	404 *	Am
69613.6	2000	70 *	Am	69982	1999	664	Am
69613.7	2000	371	Ad	69983	1999	664	Am
69613.8	2000	583	Ad	69984	1999	664	Am
69614	2000	70 *	Am	69985	1999	664	Am
	2000	583	Am (as am by Stats. 2000, Ch. 70)	69986	1999	664	Am
				69989	1999	664	Am
				69993.5	1999	664	Am
69615	2000	583	Am	69993.7	1999	664	Ad
69615.2	2000	583	R	69995	2000	404 *	Ad
					2001	734 *	Am

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
69996	2000	404 *	Ad	87482.9	2001	850	Ad
	2001	734 *	Am	87610.1	2000	124	Am
69997	2000	404 *	Ad	87861	1999	738	Am ⁸⁴
	2001	734 *	Am	87863	1999	738	Am ⁸⁵
69998	2000	404 *	Ad ²⁰⁴	87865	1999	738	R
	2001	734 *	Am ³⁷⁹	87883	1999	738	Am ⁸⁶
69999	2000	404 *	Ad	87884	1999	738	Am
70000	2000	70 *	Ad	87885	2000	71 *	Am
70001	2000	70 *	Ad		2001	891 *	Am
70002	2000	70 *	Ad	88013	2001	839	Am (by Sec. 2 of Ch.)
70003	2000	70 *	Ad		2001	844	Am (by Sec. 2.5 of Ch.)
70004	2000	70 *	Ad				
70005	2000	70 *	Ad	88069	2000	488	Am
70901.2	2001	799	Ad	88091	2000	951	Am
71000	2000	390	Am	88210	2001	260	Am
71028	2001	745 *	Am	88500	2000	939	Ad & R ²⁰
72425	2001	401	Am	88510	2000	939	Ad & R ²⁰
72533	2000	44	Am ¹⁸⁵	88515	2000	939	Ad & R ²⁰
72681	2001	745 *	R	88520	2000	939	Ad & R ²⁰
74265	1999	82 *	Am	88525	2000	939	Ad & R ²⁰
74265.5	1999	82 *	Ad	88530	2000	939	Ad & R ²⁰
76001	2000	1073	Am	88531	2000	939	Ad & R ²⁰
76300	1999	72 *	Am	88540	2000	939	Ad & R ²⁰
	2000	71 *	Am	88541	2000	939	Ad & R ²⁰
78217	2001	745 *	R	88542	2000	939	Ad & R ²⁰
78275	2001	714	Ad	88543	2000	939	Ad & R ²⁰
78275.5	2001	714	Ad	88550	2000	939	Ad & R ²⁰
78300	2001	734 *	Am	88551	2000	939	Ad & R ²⁰
79210	2001	514	Ad	89005.5	2001	219	Am
81133.5	2000	463	Ad	89010	1999	83	Am ³⁰
81149	1999	179	Am	89030.1	2001	717	Am ²⁰
	2000	135	Am ²⁰³	89036	2001	219	Am
81400	2001	430	Am	89045	2001	219	Am
81450.5	2001	98	Ad	89048	2001	219	Am
81610	1X 2001-02	8 *	Ad & R ^{37.5}	89230	2001	734 *	Am
81611	1X 2001-02	8 *	Ad & R ^{37.5}	89260	1999	593 *	Ad
81612	1X 2001-02	8 *	Ad & R ^{37.5}	89260.3	1999	593 *	Ad
81613	1X 2001-02	8 *	Ad & R ^{37.5}	89260.5	1999	593 *	Ad
81614	1X 2001-02	8 *	Ad & R ^{37.5}	89260.7	1999	593 *	Ad
81615	1X 2001-02	8 *	Ad & R ^{37.5}	89304	2000	285	Am
81620	1X 2001-02	8 *	Ad	89305	2000	330	Ad
81621	1X 2001-02	8 *	Ad	89305.1	2000	330	Ad
81622	1X 2001-02	8 *	Ad	89305.4	2000	330	Ad
81623	1X 2001-02	8 *	Ad	89305.5	2000	330	Ad
81624	1X 2001-02	8 *	Ad	89305.7	2000	330	Ad
84040	2000	1055 *	Am (by Sec. 15 of Ch.)	89306	2000	330	Ad
				89306.5	2000	330	Ad
84750	1999	78 *	Am	89307	2000	330	Ad
87031	2000	886	R & Ad	89307.1	2000	330	Ad
87104	2001	745 *	Am	89307.2	2000	330	Ad
87160	2000	531	Ad	89307.4	2000	330	Ad
87161	2000	531	Ad	89415	2000	752	Ad & R ³⁸
87162	2000	531	Ad	89415.3	2000	752	Ad & R ³⁸
87163	2000	531	Ad	89415.5	2000	752	Ad & R ³⁸
87164	2000	531	Ad	89416	2000	752	Ad & R ³⁸
	2001	159	Am ³⁰⁵	89416.3	2000	752	Ad & R ³⁸
	2001	416	Am	89416.5	2000	752	Ad & R ³⁸
87458	2001	144	Am	89417	2000	752	Ad & R ³⁸
87470	2001	144	Am	89417.3	2000	752	Ad & R ³⁸
87482.4	1999	738	Ad				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
89417.5	2000	752	Ad & R ³⁸	94742.1	2000	273	Am R & Ad ⁶³
Title 3, Div. 8, Pt. 55, Ch. 4.7, heading (Sec. 89440 et seq.)				94806	2001	621	Am
89440	2001	403	Am	94808	2001	621	Am
	1999	285	Ad	94810	2001	621	Am
	2001	403	Am	94814.5	2000	625	Ad
89450	1999	1020	Ad	94825	2001	621	Am
89451	1999	1020	Ad	94840	2001	621	Am
89452	1999	1020	Ad	94877	2001	621	Am
89538	1999	283	Am	94944	2001	621	Am
89539	1999	283	Am	94945	2001	621	Am
89542.5	2001	808	Am	94960	2001	621	Am
89701	2000	285	Am	94985	2001	621	Am
89702	2000	285	Am	94995.3	2001	621	Ad
89702.1	2000	285	R	99030	2001	294	Ad
89703	2000	285	Ad	99105	2001	745*	R
89704	2000	285	Am	Title 3, Div. 14, Pt. 65, Ch. 5, Art. 2, heading (Sec. 99220 et seq.)			
89753	2001	745*	Am		2000	77*	Am
89761	2001	745*	Am	99220	1X 1999-2000	2*	Ad
89928	2000	330	Am		2000	77*	Am
90000	2000	285	Am		2000	986	Am
90001	2000	285	Am		2001	737	Am
90011	2000	285	Am	99221	1X 1999-2000	2*	Ad
92615	2000	1038	Ad		2000	77*	Am & RN & Ad
92655	2001	459	Ad & R ¹⁹		2000	986	Am
92665.1	2001	459	Ad		2001	737	Am
92820	2000	71*	Am	99222	2000	77*	Ad
92850	1X 1999-2000	2*	Ad		2000	986	Am
	2001	717	Am		2001	737	Am
92851	1X 1999-2000	2*	Ad	99223	2000	77*	Ad
92855	1X 1999-2000	2*	Ad		2000	986	Am
92856	1X 1999-2000	2*	Ad		2001	737	Am
92900	2000	79*	Ad	99224	2000	404*	Ad
	2001	891*	Am		2001	734*	Am
92901	2000	79*	Ad		2001	737	Am
	2001	159	Am ³⁰⁵	99224	2000	77*	Ad
	2001	891*	Am		2000	986	Am
94100	2001	569	Am (by Sec. 1 of Ch.)		2001	737	Am
94110	2001	569	Am (by Sec. 2 of Ch.)	99225	2000	77*	Ad
94123	2001	569	Am		2000	986	Am
94140	2001	569	Am (by Sec. 4 of Ch.)	99225.5	2000	77*	Ad
94144	2001	569	Am		2000	986	Am
94146	2001	569	Am	99226	2000	77*	Ad(RN)
94147	2001	569	Am (by Sec. 7 of Ch.)		2001	737	Am
94154	2001	569	Am (by Sec. 8 of Ch.)	99227	2001	737	Ad
94190	2001	569	Am	99230	2001	737	Ad ^{37 79}
94191	2001	569	Am				R ⁸⁰
94192	2001	569	Am	99231	2001	737	Ad ^{37 79}
94193	2001	569	Am				R ⁸⁰
94195	2001	569	Am	99232	2001	737	Ad ^{37 79}
94729.3	2000	625	Ad				R ⁸⁰
				99233	2001	737	Ad ^{37 79}
							R ⁸⁰
				99234	2001	737	Ad ^{37 79}
							R ⁸⁰
				99234.5	2001	737	Ad ^{37 79}
							R ⁸⁰

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
99235	2001	737	Ad ^{37 79} R ⁸⁰	99241	2001	737	R ⁸⁰ Ad ^{37 79}
99236	2001	737	Ad ^{37 79} R ⁸⁰	99242	2001	737	Ad ^{37 79} R ⁸⁰
99237	2001	737	Ad ^{37 79} R ⁸⁰	99306	2001	745*	Am
99238	2001	737	Ad ^{37 79} R ⁸⁰		2001	750	R
99239	2001	737	Ad ^{37 79} R ⁸⁰	100420	1999	858	Am
99240	2001	737	Ad ^{37 79}	125704	1999	819	Ad
				125710	1999	819	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
9	1999	312	Am		1999	791*	Am
13.5	1999	550*	Am ¹	6123	1999	790	Am
	2000	1081	Am	6140	1999	790	Am
100.5	2001	922	Am	6160	1999	312	Am
102	2001	105	Am		1999	791*	Am
354.5	2001	922	Ad	6180	1999	312	Am
1000	1999	2*	Am	6201	1999	791*	Am
	1999	6*	Am	6202	1999	791*	Am
1003	1999	858	Am	6203	1999	791*	Am
	2000	1081	Am	6204	1999	791*	Am
1405	2000	55	Am	6220	2000	55	Am
	2001	159	Am ³⁰⁵	6221	1999	791*	R
	2001	924	Am	6300	1999	159*	Am
2001	2000	898	R	6341	1999	312	Am
2035	2000	899	Am	6342	1999	312	Am
2102	2000	899	Am	6365	1999	790	Am
2107	2000	899	Am	6380	1999	790	R
2119	2000	899	Am	6381	1999	790	R
2150	1999	312	Am	6382	1999	790	Am
	2000	89	Am	6383	1999	790	Am
2151	2000	898	R (as ad by	6400	1999	790	Am
			Stats. 1994,	6420	2000	55	Am
			Ch. 920 and as	6421	2000	55	Am
			am by	6422	2000	55	Am
			Prop. 198) & Ad	6521	1999	312	Am
			Am	6522	1999	312	Am
			Am	6560	1999	790	Am
			Am	6586	1999	790	Am
			Am	6587	1999	790	Am
			Am (by Sec. 1.5	6588	1999	790	R
of Ch.)	6589	1999	790	R			
2185	2001	923	Am	6590	1999	790	R
2187	1999	312	Am	6591	1999	790	Am
	2000	899	Am	6592	1999	790	Am
3006	2000	1081	Am	6593	1999	790	Am
	2000	898	Am	6640	2000	55	Am
	2001	925*	Am	6641	2000	55	Am
3011	2001	916	Am	6642	2000	55	Am
3017	2001	916	Am	6643	2000	55	Am
3018	1999	368	Am	6723	1999	312	Am
3201	2001	918	Am	6724	1999	312	Am
	2001	922	Am	6760	1999	790	Am
3203	2001	922	Am	6786	1999	790	Am
3205	2001	925*	Am	6787	1999	790	Am
4001	2001	385	Ad & R ²⁰⁸	6788	1999	790	R
5000	2000	1081	Am	6789	1999	790	R
5100.5	2000	1081	Ad	6790	1999	790	R
6020	1999	791*	Am	6791	1999	790	Am
6022	1999	791*	Am	6792	1999	790	Am
6023	1999	791*	Am	6797	1999	790	Am
6041	1999	791*	Am	6842	2000	55	Am
6042	1999	312	Am	6843	2000	55	Am
	1999	791*	Am	6844	2000	55	Am
6081	1999	791*	Am	6845	2000	55	Am
6084	1999	791*	Am	6951	1999	312	Am
6086	1999	791*	Am	6953	1999	312	Am
6101	1999	791*	Am	6954	1999	312	Am
6108	1999	790	Am	7420	1999	159*	Am
6120	1999	790	R		2000	494	Am
6121	1999	790	R	7441	1999	159*	Am
6122	1999	790	Am		1999	791*	Am

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
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7441 (Cont.)				12241	2001	904	Am
	2000	494	Am				R & Ad ⁶³
7443	1999	159 *	Am	12261	2001	904	Am
7772.1	1999	312	Ad				R & Ad ⁶³
8023	2000	1081	Am	12285	2000	1081	Am
8040	2000	135	Am ²⁰³	12287	2000	29	Ad
	2001	159	Am ³⁰⁵	12304	2001	904	Am
8041	1999	790	Am				R & Ad ⁶³
8042	1999	790	R	13001	1999	790	Am (as am by
8065	1999	790	Am				Stats. 1996,
8066	1999	790	Am				Ch. 1102) ¹⁸
8150	1999	312	Am				Am (as am by
8409	1999	790	Am				Sec. 2,
8450	1999	790	R				Stats. 1996,
8451	1999	790	Am				Ch. 1102) ⁶³
8452	1999	790	Am	13102	2000	898	R (as ad by
8453	1999	790	R				Stats. 1994,
8454	1999	790	Am				Ch. 920 and as
8500	1999	790	Am				am by
8602	1999	790	Am				Prop. 198) & Ad
9014	2000	1081	Am		2001	925 *	Am
9021	2001	105	Am	13107	1999	312	Am
9022	2001	105	Am	13112	1999	312	Am
9085	1999	312	Ad		2000	1081	Am
9094	2000	899	Am	13203	2000	898	R (as ad by
9105	1999	312	Am				Stats. 1994,
9111	2000	496	Am				Ch. 920 and as
9115	2001	70	Am				am by
9116	2000	55	Am				Prop. 198) & Ad
9117	2000	55	R	13206	2000	898	R (as ad by
9118	2000	55	Am				Stats. 1994,
	2001	159	Am ³⁰⁵				Ch. 920 and as
9164	2000	1081	Am				am by
9203	1999	312	Am				Prop. 198) & Ad
9204	1999	312	Am	13230	2000	898	R (as ad by
9209	2001	105	Am				Stats. 1994,
9212	2000	496	Am				Ch. 920 and as
9214	2000	55	Am				am by
9215	2000	55	Am				Prop. 198) & Ad
9225	2000	55	R	13300	2000	898	R (as ad by
9237	2001	105	Am				Stats. 1994,
9237.5	1999	312	Ad				Ch. 920 and as
9238	2001	105	Am				am by
9283	2000	1081	Am				Prop. 198) & Ad
9305	2001	105	Am				(by Sec. 20 of
9307	2001	105	Am				Ch.)
9309	2001	70	Am		2000	899	R (as am by
9310	2000	55	Am				Stats. 1994,
9311	2000	55	Am				Ch. 920 and as
9401	2000	1081	Am				am by
9402	2000	1081	Am				Prop. 198) & Ad
9501	2000	1081	Am				(by Sec. 11.5 of
9501.5	2000	1081	Ad				Ch.)
9506	2000	1081	R	13300.5	1999	312	Ad
9507	2000	1081	R	13301	2000	898	R (as ad by
10262	1999	83	Am ³⁰				Stats. 1994,
10531	2000	1081	Am				Ch. 920 and as
10540	2000	1081	Am				am by
12223	2001	904	Am				Prop. 198) & Ad
			R & Ad ⁶³				

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<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
13302	2000	898	R (as ad by Stats. 1994, Ch. 920 and as am by Prop. 198) & Ad	21108	2001	348*	Ad
13303	2000	899	Am	21109	2001	348*	Ad
13306	2000	899	Am	21110	2001	348*	Ad
14222	2001	104	Am	21111	2001	348*	Ad
14310	2000	260	Am	21112	2001	348*	Ad
15111	1999	697	Am	21113	2001	348*	Ad
15112	1999	83	Am ³⁰	21115	2001	348*	Ad
15151	1999	18*	Am	21116	2001	348*	Ad
	1999	83	Am ³⁰	21117	2001	348*	Ad
15321	1999	697	Ad & R ²⁴	21118	2001	348*	Ad
15375	1999	18*	Am	21119	2001	348*	Ad
	2000	55	Am	21120	2001	348*	Ad
	2001	159	Am ³⁰⁵	21121	2001	348*	Ad
15500	1999	18*	Am	21122	2001	348*	Ad
15653	2000	1081	Am	21123	2001	348*	Ad
15700	2001	919	Ad ³⁸⁶	21124	2001	348*	Ad
15701	2001	919	Ad ³⁸⁶	21125	2001	348*	Ad
15702	2001	919	Ad ³⁸⁶	21126	2001	348*	Ad
Div. 18, Ch. 4, Art. 3, heading (Sec. 18320 et seq.)				21127	2001	348*	Ad
	2001	927	R	21128	2001	348*	Ad
18320	2001	927	Ad & R ²⁰	21129	2001	348*	Ad
18321	2001	927	Ad & R ²⁰	21130	2001	348*	Ad
18322	2001	927	Ad & R ²⁰	21131	2001	348*	Ad
18323	2001	927	Ad & R ²⁰	21132	2001	348*	Ad
18324	2001	927	Ad & R ²⁰	21133	2001	348*	Ad
18577	2001	922	Am	21134	2001	348*	Ad
19230	2001	902*	Ad ³⁸¹	21135	2001	348*	Ad
19231	2001	902*	Ad ³⁸¹	21136	2001	348*	Ad
19232	2001	902*	Ad ³⁸¹	21137	2001	348*	Ad
19233	2001	902*	Ad ³⁸¹	21138	2001	348*	Ad
19234	2001	902*	Ad ³⁸¹	21139	2001	348*	Ad
19234.5	2001	902*	Ad ³⁸¹	21140	2001	348*	Ad
19235	2001	902*	Ad ³⁸¹	21200	2001	349*	Ad
19236	2001	902*	Ad ³⁸¹	21201	2001	349*	Ad
19237	2001	902*	Ad ³⁸¹	21202	2001	349*	Ad
19238	2001	902*	Ad ³⁸¹	21203	2001	349*	Ad
19239	2001	902*	Ad ³⁸¹	21204	2001	349*	Ad
19240	2001	902*	Ad ³⁸¹	21205	2001	349*	Ad
19241	2001	902*	Ad ³⁸¹	21206	2001	349*	Ad
19242	2001	902*	Ad ³⁸¹	21207	2001	349*	Ad
19243	2001	902*	Ad ³⁸¹	21208	2001	349*	Ad
19244	2001	902*	Ad ³⁸¹	21209	2001	349*	Ad
19245	2001	902*	Ad ³⁸¹	21210	2001	349*	Ad
21000	1999	697	Am	21211	2001	349*	Ad
21001	2000	1081	Am	21212	2001	349*	Ad
21100	2001	348*	Ad	21213	2001	349*	Ad
21101	2001	348*	Ad	21214	2001	349*	Ad
21102	2001	348*	Ad	21215	2001	349*	Ad
21103	2001	348*	Ad	21216	2001	349*	Ad
21104	2001	348*	Ad	21217	2001	349*	Ad
21105	2001	348*	Ad	21218	2001	349*	Ad
21106	2001	348*	Ad	21219	2001	349*	Ad
21107	2001	348*	Ad	21220	2001	349*	Ad
				21221	2001	349*	Ad
				21222	2001	349*	Ad
				21223	2001	349*	Ad
				21224	2001	349*	Ad
				21225	2001	349*	Ad
				21226	2001	349*	Ad
				21227	2001	349*	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

ELECTIONS CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
21228	2001	349*	Ad	21400	2001	348*	Ad
21229	2001	349*	Ad	21401	2001	348*	Ad
21230	2001	349*	Ad	21402	2001	348*	Ad
21231	2001	349*	Ad	21403	2001	348*	Ad
21232	2001	349*	Ad	21404	2001	348*	Ad
21233	2001	349*	Ad	21405	2001	348*	Ad
21234	2001	349*	Ad	21406	2001	348*	Ad
21235	2001	349*	Ad	21407	2001	348*	Ad
21236	2001	349*	Ad	21408	2001	348*	Ad
21237	2001	349*	Ad	21409	2001	348*	Ad
21238	2001	349*	Ad	21410	2001	348*	Ad
21239	2001	349*	Ad	21411	2001	348*	Ad
21240	2001	349*	Ad	21412	2001	348*	Ad
21241	2001	349*	Ad	21413	2001	348*	Ad
21242	2001	349*	Ad	21414	2001	348*	Ad
21243	2001	349*	Ad	21415	2001	348*	Ad
21244	2001	349*	Ad	21416	2001	348*	Ad
21245	2001	349*	Ad	21417	2001	348*	Ad
21246	2001	349*	Ad	21418	2001	348*	Ad
21247	2001	349*	Ad	21419	2001	348*	Ad
21248	2001	349*	Ad	21420	2001	348*	Ad
21249	2001	349*	Ad	21421	2001	348*	Ad
21250	2001	349*	Ad	21422	2001	348*	Ad
21251	2001	349*	Ad	21423	2001	348*	Ad
21252	2001	349*	Ad	21424	2001	348*	Ad
21253	2001	349*	Ad	21425	2001	348*	Ad
21254	2001	349*	Ad	21426	2001	348*	Ad
21255	2001	349*	Ad	21427	2001	348*	Ad
21256	2001	349*	Ad	21428	2001	348*	Ad
21257	2001	349*	Ad	21429	2001	348*	Ad
21258	2001	349*	Ad	21430	2001	348*	Ad
21259	2001	349*	Ad	21431	2001	348*	Ad
21260	2001	349*	Ad	21432	2001	348*	Ad
21261	2001	349*	Ad	21433	2001	348*	Ad
21262	2001	349*	Ad	21434	2001	348*	Ad
21263	2001	349*	Ad	21435	2001	348*	Ad
21264	2001	349*	Ad	21436	2001	348*	Ad
21265	2001	349*	Ad	21437	2001	348*	Ad
21266	2001	349*	Ad	21438	2001	348*	Ad
21267	2001	349*	Ad	21439	2001	348*	Ad
21268	2001	349*	Ad	21440	2001	348*	Ad
21269	2001	349*	Ad	21441	2001	348*	Ad
21270	2001	349*	Ad	21442	2001	348*	Ad
21271	2001	349*	Ad	21443	2001	348*	Ad
21272	2001	349*	Ad	21444	2001	348*	Ad
21273	2001	349*	Ad	21445	2001	348*	Ad
21274	2001	349*	Ad	21446	2001	348*	Ad
21275	2001	349*	Ad	21447	2001	348*	Ad
21276	2001	349*	Ad	21448	2001	348*	Ad
21277	2001	349*	Ad	21449	2001	348*	Ad
21278	2001	349*	Ad	21450	2001	348*	Ad
21279	2001	349*	Ad	21451	2001	348*	Ad
21280	2001	349*	Ad	21452	2001	348*	Ad
21300	2001	349*	Ad	21453	2001	348*	Ad
21301	2001	349*	Ad	21500.1	1999	429	Ad
21302	2001	349*	Ad	21601.1	1999	429	Ad
21303	2001	349*	Ad	21620	1999	429	Am
21304	2001	349*	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

EVIDENCE CODE

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
670	2001	854	Am	1109	2000	97	Am
822	2000	948	Am	1157	2000	136	Am
915	2001	812	Am	1160	2000	195	Ad
1010	2001	142	Am	1350	2001	854	Am
	2001	420*	Am (by Sec. 1 of Ch.) ¹⁹¹	1370	2000	1001	Am
			Am (by Sec. 1.5 of Ch.) ⁸	1380	1999	383	Ad
				1560	1999	444	Am
1036.2	2001	854	Am		2000	287	Am ²¹⁶
1107	2000	1001	Am	1561	1999	444	Am
1108	2001	517	Am	1563	1999	444	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FAMILY CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
113	2000	808 *	Ad	3046	1999	980	Ad
126	1999	980	Ad	3110.5	1999	932	Ad
145	1999	661	Am		2000	926	Am
150	2000	808 *	Am	3111	1999	932	Am
215	1999	980	Am	3112	2000	926	Am
243	1999	980	Am	3118	2000	926	Ad
	2000	90 *	Am	3135	1999	867	Ad
	2000	135	Am ²⁰³	Div. 8,			
290	2000	808 *	Am	Pt. 2,			
291	2000	808 *	R & Ad	Ch. 13,			
297	1999	588	Ad	heading			
	2001	893	Am	(Sec. 3200			
298	1999	588	Ad	et seq.)	1999	1004	Am
298.5	1999	588	Ad	3201	1999	985	Ad
299	1999	588	Ad		1999	1004	Ad
299.5	1999	588	Ad	3202	1999	1004	Ad
	2001	893	Am	3203	1999	1004	Ad
299.6	1999	588	Ad	3204	1999	1004	Ad
308.5	2000			3400	1999	867	R & Ad
	Initiative			3401	1999	867	R
	(Prop. 22			3402	1999	867	R & Ad
	adopted			3403	1999	867	R & Ad
	March 7,			3404	1999	867	R & Ad
	2000)		Ad	3405	1999	867	R & Ad
357	2001	39	Am	3406	1999	867	R & Ad
359	2001	39	Am	3407	1999	867	R & Ad
360	2001	39	Am	3408	1999	867	R & Ad
423	2001	39	Am	3409	1999	867	R & Ad
506	2001	39	Am	3410	1999	867	R & Ad
507	2001	39	R	3411	1999	867	R & Ad
508	2001	39	Am	3412	1999	867	R & Ad
509	2001	39	Am	3413	1999	867	R
510	2001	39	Am	3414	1999	867	R
531	2001	39	Am	3415	1999	867	R
750	2001	754	Am	3416	1999	867	R
771	1999	940	Am	3417	1999	867	R
911	1999	991	Am ^{96 114}	3418	1999	867	R
914	2001	702	Am	3419	1999	867	R
1101	2001	703	Am	3420	1999	867	R
1612	2001	286	Am	3421	1999	867	R & Ad
1615	2001	286	Am	3422	1999	867	R & Ad
1816	2000	926	Am	3423	1999	867	R & Ad
2024	2001	417	Am	3424	1999	867	R & Ad
2040	1999	118	Am	3425	1999	867	R & Ad
	2000	135	Am ²⁰³	3426	1999	867	Ad
	2001	417	Am	3427	1999	867	Ad
2100	2001	703	Am	3428	1999	867	Ad
2102	2001	703	Am	3429	1999	867	Ad
2105	2001	703	Am	3430	1999	867	Ad
2106	2001	703	Am	3441	1999	867	Ad
2107	2001	703	Am	3442	1999	867	Ad
2122	2001	703	Am	3443	1999	867	Ad
3011	1999	980	Am	3444	1999	867	Ad
3020	1999	980	Am	3445	1999	867	Ad
3021	1999	980	Am	3446	1999	867	Ad
	2000	135	Am ²⁰³	3447	1999	867	Ad
3027	2000	926	Am & RN & Ad	3448	1999	867	Ad
3027.1	2000	926	Ad(RN)	3449	1999	867	Ad
3027.5	1999	985	Ad	3450	1999	867	Ad
3030	2000	808 *	Am	3451	1999	867	Ad
3044	1999	445	Ad	3452	1999	867	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FAMILY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
3453	1999	867	Ad	4504	2001	651	Am
3454	1999	867	Ad	4506.3	2000	808 *	Am
3455	1999	867	Ad	4508	1999	980	Am
3456	1999	867	Ad		2001	755 *	Am
3457	1999	867	Ad	4550	2001	755 *	Am
3461	1999	867	Ad	4572	2001	755 *	Am
3462	1999	867	Ad	4573	2000	808 *	Am
3465	1999	867	Am	4701	2000	808 *	Am
3555	2000	808 *	Am	4721	2000	808 *	Am
3600	2001	293	Am	4729	2000	808 *	Am
Div. 9,				4901	1999	83	Am ³⁰
Pt. 1,				5000	1999	980	Ad
Ch. 6,					2000	808 *	Am
heading				5001	1999	980	Ad
(Sec. 3650					2000	808 *	Am
et seq.)	1999	653	Am	5002	1999	980	Ad
3652	1999	653	Am		2000	135	Am ²⁰³
3653	1999	653	Am		2000	808 *	Am
3654	1999	653	Am	5005	1999	652	Ad
3680.5	1999	652	Ad	5100	2000	808 *	Am
3690	1999	653	Ad (by 2nd text)	5101	2000	808 *	R
3691	1999	653	Ad	5102	2000	808 *	R
3692	1999	653	Ad	5208	1999	480	Am
3693	1999	653	Ad	5212	1999	480	Am
3751.5	2000	808 *	Am (by Sec. 28	5214	2000	808 *	Am
			of Ch.)		2001	755 *	Am
	2000	809	Am	5230	2000	808 *	Am
	2001	755 *	Am	5231	2000	808 *	Am
3752	2000	808 *	Am	5234	1999	480	Am
3760	2000	119	Am	5235	2000	808 *	Am
3761	2000	808 *	Am	5237	2000	808 *	Am
3767	2001	755 *	Am	5241	2000	808 *	Am
3771	2000	808 *	Am		2001	371	Am
3773	2000	119	Am	5244	2000	808 *	Am
4006	2000	808 *	Am	5245	2000	808 *	Am
4009	1999	653	Am (by Sec. 8	5246	1999	480	Am
			of Ch.)		1999	652	Am ⁸²
	2000	808 *	Am		2000	808 *	Am
4065	1999	980	Am		2001	111 *	Am
	2000	135	Am ²⁰³		2001	651	Am
	2000	808 *	Am	5247	2000	808 *	Am
4071.5	1999	653	R	5252	2000	808 *	Am
4200	2000	808 *	Am	5260	2000	808 *	Am
4201	2000	808 *	Am		2001	755 *	Am
4202	2000	808 *	Am	5261	2000	808 *	Am
4203	2000	808 *	Am	5280	2000	808 *	Am
4204	2000	808 *	Am	5600	2000	808 *	Am
4205	2000	808 *	Am	5601	2000	808 *	Am
4250	2000	808 *	Am	5602	2000	808 *	Am
4251	2000	808 *	Am	5603	2000	808 *	Am
4252	1999	83	Am ³⁰	6210	2001	110	Ad
4320	1999	284	Am	6221	1999	661	Am
	1999	846	Am (by Sec. 1.5	6222	2000	1001	Am
			of Ch.)	6228	1999	1022	Ad
	2001	293	Am	6240	1999	659	Am
4325	2001	293	Ad	6250	1999	561	Am
4330	1999	846	Am	6250.5	1999	659	Ad
4351	1999	83	Am ³⁰	6251	1999	561	Am
	2000	808 *	Am	6252	1999	561	Am
4352	2000	808 *	Am	6300	2001	572	Am
4502	2000	808 *	Am	6304	1999	662	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FAMILY CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
6306	2001	572	Ad	7660	2000	937	Am
6341	1999	980	Am	7662	2000	937	Am
6343	1999	662	Am	7810	1999	275 *	Ad
6380	1999	83	Am ³⁰	7895	2000	447	Am
	1999	561	Am (by Sec. 4 of Ch.)		2001	754	Am
	1999	661	Am (by Sec. 5.5 of Ch.)	7911	1999	881 *	Am
	2001	698	Am (by Sec. 2 of Ch.) ³²⁰	7911.1	1999	881 *	Am
	2001	816	Am (by Sec. 1.5 of Ch.)	8703	2000	910	Am
6380.5	1999	661	Am (by Sec. 6 of Ch.)	8714	2000	910	Am
	1999	662	Am (by Sec. 4.5 of Ch.)		2000	930	Am
	2001	816	R	8714.5	2000	910	Am
6381	1999	661	Am		2000	930	Am
6383	1999	661	Am	8714.7	2000	910	Am
	2001	698	Am ³²⁰		2000	930	Am
6387	2001	176	Am	8715	2000	910	Am
6389	1999	662	Am		2000	930	Am
6400	2001	816	Ad	8801.3	2000	937	Am
6401	2001	816	Ad		2001	688	Am
6402	2001	816	Ad	8802	2000	937	Am
6403	2001	816	Ad	8814.5	2000	937	Am
6404	2001	816	Ad		2001	688	Am
6405	2001	816	Ad	8919	2001	353	Am
6406	2001	816	Ad	9000	2001	893	Am
6407	2001	816	Ad	9001	2001	353	Am
6408	2001	816	Ad	9002	2001	893	Am
6409	2001	816	Ad	9004	2001	893	Am
6750	1999	940	Am	9005	2001	893	Am
6751	1999	940	Am	9102	2000	937	Am
6752	1999	940	R & Ad	9201	2000	910	Am
6753	1999	940	R & Ad	9202	2000	910	Am
6924	2000	519	Am	9203	2000	910	Am
7500	1999	940	Am	10003	1999	652	Am
7551.5	1999	652	Ad	10004	1999	652	Am
7552.5	1999	652	Am	10005	1999	652	Am
7558	2000	808 *	Am	10008	2000	808 *	Am
7571	1999	652	Am (by Sec. 8 of Ch.)	10013	1999	652	Ad
	2001	745 *	Am	10014	1999	652	Ad
	2001	755 *	Am	10015	1999	652	Ad
7572	1999	83	Am ³⁰	10100	1999	1004	R
	1999	652	Am (by Sec. 10 of Ch.)	10101	1999	1004	R
7573	2000	808 *	Am	10102	1999	1004	R
7574	2000	808 *	Am	15000	1999	886	S ¹⁹
7575	1999	83	Am ³⁰	15010	1999	886	Am ¹⁹
	1999	652	Am (by Sec. 11 of Ch.)	15012	1999	886	Am ¹⁹
	2000	808 *	Am	17000	1999	478	Ad
7630	2000	808 *	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2001	353	Am		2000	808 *	Am
7634	2000	808 *	Am	17200	1999	478	Ad
7642	1999	653	Am	17202	1999	478	Ad
				17204	1999	478	Ad
				17206	1999	478	Ad
				17208	1999	478	Ad
				17210	1999	478	Ad
				17211	1999	478	Ad
					1999	480	Am (as ad by Stats. 1999, Ch. 478)
				17212	1999	478	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FAMILY CODE—Continued

<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
17212 (Cont.)							
	1999	653	Am (as ad by Stats. 1999, Ch. 478)		2000	808 *	Am (as ad by Stats. 1999, Ch. 653)
	2000	808 *	Am				Am (as ad by Stats. 1999, Ch. 803) & RN
	2001	755 *	Am				
17300	1999	478	Ad		2001	755 *	Am
	1999	480	Am (as ad by Stats. 1999, Ch. 478)	17401.5	2000	808 *	Ad(RN)
				17402	1999	478	Ad
					1999	653	Am (as ad by Stats. 1999, Ch. 478)
17302	1999	478	Ad		2000	808 *	Am
	1999	480	Am (as ad by Stats. 1999, Ch. 478)	17402.1	2001	111 *	Ad
17303	1999	478	Ad	17404	1999	478	Ad
17304	1999	478	Ad		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	1999	480	Am (as ad by Stats. 1999, Ch. 478)		2000	808 *	Am
	2000	808 *	Am		2001	755 *	Am
17305	2001	755 *	Am	17405	1999	652	Ad
	1999	478	Ad	17406	1999	478	Ad
	1999	480	Am (as ad by Stats. 1999, Ch. 478)		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17306	1999	478	Ad		2000	808 *	Am
	1999	480	Am (as ad by Stats. 1999, Ch. 478)		2001	176	Am
				17407	1999	652	Ad
				17408	1999	478	Ad
	2001	111 *	Am	17410	1999	478	Ad
17308	1999	478	Ad	17412	1999	478	Ad
17309	1999	478	Ad	17414	1999	478	Ad
17310	1999	478	Ad	17415	1999	478	Ad
	1999	480	Am (as ad by Stats. 1999, Ch. 478)		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17312	1999	478	Ad		2001	463	Am
	1999	480	Am (as ad by Stats. 1999, Ch. 478)	17416	1999	478	Ad
				17418	1999	478	Ad
				17420	1999	478	Ad
17314	1999	478	Ad	17422	1999	478	Ad
17316	1999	478	Ad		2000	119	Am
17318	1999	478	Ad	17424	1999	478	Ad
17320	1999	478	Ad	17428	1999	478	Ad
17400	1999	478	Ad	17430	1999	478	Ad
	1999	480	Am (as ad by Stats. 1999, Ch. 478)		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	1999	980	Am (by Sec. 14.2 of Ch., as ad by Stats. 1999, Ch. 478)		1999	652	Am (as ad by Stats. 1999, Ch. 480)
	2000	808 *	Am		2000	808 *	Am
	2001	111 *	Am	17432	1999	478	Ad
17400.5	1999	653	Ad	17433	1999	653	Ad
	2000	808 *	R		2000	808 *	Am
	2001	651	Ad	17434	1999	478	Ad
17401	1999	653	Ad		2000	808 *	Am
	1999	803	Ad	17500	1999	478	Ad
					1999	480	Am (as ad by Stats. 1999, Ch. 478)

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FAMILY CODE—Continued

<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
17500 (Cont.)	2001	111 *	Am	17540	2000	808 *	Ad
	2001	651	Am	17550	2001	463	Ad
17501	1999	480	Ad	17552	2001	463	Ad
	2001	111 *	R	17600	1999	478	Ad ¹¹⁷
17502	1999	478	Ad		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17504	1999	478	Ad	17602	1999	478	Ad
	2000	808 *	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2001	159	Am ³⁰⁵				
17505	1999	478	Ad	17604	1999	478	Ad
	2000	808 *	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17506	1999	478	Ad				
	1999	652	Am (as ad by Stats. 1999, Ch. 478)				
17508	1999	478	Ad		2000	808 *	Am
	1999	652	Am (as ad by Stats. 1999, Ch. 478)	17700	1999	480	Ad
				17702	1999	478	Ad ¹¹⁸
	2000	808 *	Am	17702.5	2001	111 *	Ad
17509	1999	652	Ad	17703	2000	108 *	Ad
17510	1999	478	Ad	17704	1999	478	Ad
17512	1999	478	Ad		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17514	1999	478	Ad				
17516	1999	478	Ad		2001	111 *	Am
17518	1999	478	Ad	17706	1999	478	Ad
	2000	808 *	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17520	1999	478	Ad				
	1999	652	Am (as ad by Stats. 1999, Ch. 478)		2001	111 *	Am
				17708	1999	478	Ad
	1999	654	R (as ad by Stats. 1999, Ch. 478)		2001	755 *	Am
			Ad (by Sec. 3.5 of Ch.)	17710	1999	478	Ad
					1999	479 *	Am (as ad by Stats. 1999, Ch. 478) ¹
	2001	755 *	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17521	1999	653	Ad	17712	1999	478	Ad
17522	1999	478	Ad	17714	1999	478	Ad
	2001	755 *	Am		2000	808 *	Am
17523	1999	980	Ad		2001	755 *	Am
17524	1999	478	Ad	17800	1999	803	Ad
17525	1999	654	Ad		2001	755 *	Am
	2000	808 *	Am		1999	803	Ad
	2001	755 *	Am		2001	755 *	Am
17526	1999	478	Ad	17801	1999	803	Ad
	2001	755 *	Am	17802	1999	803	Ad
17528	1999	478	Ad	17803	1999	803	Ad
17530	1999	653	Ad	17804	1999	803	Ad
	2001	755 *	Am		2001	755 *	Am
17531	2000	808 *	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FINANCIAL CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
22	2000	375	Am	4002	2001	493	Ad
100	2000	1015 *	Am	4805.01	2000	1015 *	Am
102	2000	1015 *	Am	4805.02	2000	1015 *	Ad
103	2000	1015 *	Am	4805.10	2000	1015 *	Ad
105	2000	1015 *	Am	4821.5	2000	1015 *	Am
105.2	2000	1015 *	Ad	4823	2000	1015 *	Am
105.5	2000	1015 *	Ad	4826.5	2000	1015 *	Am
105.7	2000	1015 *	Ad	4827	2000	1015 *	Am
107	2000	1015 *	Am		2001	159	Am ³⁰⁵
107.5	2000	1015 *	Ad	4827.7	2000	1015 *	Am
109	2000	1015 *	Am	4871.5	2000	1015 *	Am
116	2000	1015 *	Am	4877.03	2000	1015 *	Am
139.6	2000	1015 *	R	4901.5	2000	1015 *	Am
146.1	2000	913	Ad ²⁸⁸	4970	2001	732	Ad
			R ⁶³		2001	733	Am (as ad by
200	2000	1015 *	Am				Stats. 2001,
205	1999	513	Ad & R ⁵				Ch. 732)
256	2000	1015 *	Am	4973	2001	732	Ad
	2001	745 *	R		2001	733	Am (as ad by
258	2000	1015 *	Am				Stats. 2001,
274	2000	1015 *	Am				Ch. 732)
275	2000	1015 *	Am	4974	2001	732	Ad
276	2000	1015 *	Am		2001	733	Am (as ad by
277	2000	1015 *	Am				Stats. 2001,
500	2000	204	Am				Ch. 732)
551	2000	204	R & Ad	4975	2001	732	Ad
552	2000	204	R		2001	733	Am (as ad by
557	2000	204	R				Stats. 2001,
558	2000	204	R				Ch. 732)
600	2000	1015 *	Am	4977	2001	732	Ad
761.5	2000	204	Ad		2001	733	Am (as ad by
	2001	159	Am ³⁰⁵				Stats. 2001,
765.5	2000	565	Ad				Ch. 732)
	2001	563	R	4978	2001	732	Ad
1400	2000	1015 *	Ad		2001	733	Am (as ad by
1401	2000	1015 *	Ad				Stats. 2001,
1402	2000	1015 *	Ad				Ch. 732)
1403	2000	1015 *	Ad	4978.6	2001	732	Ad
1410	2000	1015 *	Ad		2001	733	Am (as ad by
1411	2000	1015 *	Ad				Stats. 2001,
	2001	61	Am				Ch. 732)
1412	2000	1015 *	Ad	4979	2001	732	Ad
1500.1	2000	1015 *	Am		2001	733	Am (as ad by
1500.6	2000	204	Ad				Stats. 2001,
1561.1	1999	130	Am				Ch. 732)
1800.3	2000	1015 *	Am	4979.5	2001	732	Ad
1913.5	2000	1015 *	Am	4979.6	2001	732	Ad
3100	2000	1015 *	Am	4979.7	2001	732	Ad
3371	1999	57	Am		2001	733	Am (as ad by
	2000	1015 *	Am				Stats. 2001,
3373	2000	1060	Am				Ch. 732)
3390	2000	1015 *	Am	4979.8	2001	732	Ad
3391	2000	1015 *	Am	5805	1999	1000	R
3392	2000	1015 *	Am	6850.5	2000	565	Ad
3392.5	2000	1015 *	Am		2001	563	R
3800	2000	1015 *	Am		2001	745 *	R
3824	2000	1015 *	Am	8052	2001	745 *	R
3825	2000	1015 *	Am	12307.4	2000	1015 *	Am
3826	2000	1015 *	Am	14157	1999	385	Am
3827	2000	1015 *	Am		2000	612	R
3903	2000	1015 *	Am	14160	1999	385	Ad & R ²⁴
				14254.5	2000	612	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FINANCIAL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
14400	2000	411 *	Am	16525	2000	612	Ad
14405	2000	411 *	Am	16526	2000	612	Ad
14406	2000	529	Ad	16527	2000	612	Ad
14800	2000	411 *	Am	16528	2000	612	Ad
14860	2000	411 *	Am	16529	2000	612	Ad
14864	2000	411 *	R	16530	2000	612	Ad
15256	2000	411 *	R	16550	2000	612	Ad
16000	2000	612	Ad	16551	2000	612	Ad
16001	2000	612	Ad	16552	2000	612	Ad
16002	2000	612	Ad	16553	2000	612	Ad
16003	2000	612	Ad	16554	2000	612	Ad
16004	2000	612	Ad	16555	2000	612	Ad
16005	2000	612	Ad	16600	2000	612	Ad
16006	2000	612	Ad	16601	2000	612	Ad
16007	2000	612	Ad	16602	2000	612	Ad
16008	2000	612	Ad	16603	2000	612	Ad
16009	2000	612	Ad	16604	2000	612	Ad
16010	2000	612	Ad	16605	2000	612	Ad
16011	2000	612	Ad	16607	2000	612	Ad
16012	2000	612	Ad	16700	2000	612	Ad
16013	2000	612	Ad	16701	2000	612	Ad
16020	2000	612	Ad	16702	2000	612	Ad
16021	2000	612	Ad	16703	2000	612	Ad
16022	2000	612	Ad	16704	2000	612	Ad
16023	2000	612	Ad	16800	2000	612	Ad
16024	2000	612	Ad	16900	2000	612	Ad
	2001	159	Am ³⁰⁵	16900.5	2000	612	Ad
16075	2000	612	Ad	16901	2000	612	Ad
16076	2000	612	Ad	16902	2000	612	Ad
16077	2000	612	Ad	16903	2000	612	Ad
16100	2000	612	Ad	16904	2000	612	Ad
16101	2000	612	Ad	16905	2000	612	Ad
16102	2000	612	Ad	16906	2000	612	Ad
16103	2000	612	Ad	17003	2000	437	Am
16150	2000	612	Ad	17004.5	1999	441	Ad
16151	2000	612	Ad	17005.2	2000	437	Ad
16152	2000	612	Ad	17005.3	1999	441	Ad(RN)
16153	2000	612	Ad		2000	437	Ad
16154	2000	612	Ad	17005.5	1999	441	Am & RN & Ad
16200	2000	612	Ad	17005.6	1999	441	Am
16200.5	2000	612	Ad	17200	1999	441	Am
16201	2000	612	Ad	17200.8	2000	437	Am
16202	2000	612	Ad	17207	2001	499	Am (as am by
16203	2000	612	Ad				Sec. 38,
16204	2000	612	Ad				Stats. 1997,
16205	2000	612	Ad				Ch. 17) ⁴³
16206	2000	612	Ad				Am (as ad by
16500	2000	612	Ad				Sec. 1.5,
16501	2000	612	Ad				Stats. 1996,
	2001	159	Am ³⁰⁵				Ch. 670) ⁸⁰
16502	2000	612	Ad	17215	1999	441	Ad
16503	2000	612	Ad	17302	2001	662	Am
16504	2000	612	Ad	17304	2001	662	Am
16505	2000	612	Ad	17310	2001	662	Am
16506	2000	612	Ad	17312	1999	253	Am
16507	2000	612	Ad		2000	636	Am
16508	2000	612	Ad		2001	662	Am
16509	2000	612	Ad	17314	2001	662	Am
16510	2000	612	Ad	17320	2000	636	Am
16511	2000	612	Ad	17331.1	2001	662	Am
16512	2000	612	Ad	17345.1	1999	486	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FINANCIAL CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
17400	1999	441	Am	22551	1999	347	Am
17401	1999	441	R	31220	2000	1015*	Am
17403.1	1999	441	Am	32900	2X	2001-02 15*	S ^{348 349}
17403.2	1999	441	Am	32905	2X	2001-02 15*	S ^{348 349}
17403.3	1999	441	Am	32907	2X	2001-02 15*	S ^{348 349}
17403.4	1999	441	Am	32909	2X	2001-02 15*	S ^{348 349}
17403.5	2000	437	Ad	32911	2X	2001-02 15*	S ^{348 349}
17405	2001	499	Am	32920	2X	2001-02 15*	S ^{348 349}
17409	1999	253	Am	32922	2X	2001-02 15*	S ^{348 349}
17409.1	2000	437	Am	32924	2X	2001-02 15*	S ^{348 349}
17423.1	2001	660	Ad	32926	2X	2001-02 15*	S ^{348 349}
18003	2000	1015*	Am	32927	2X	2001-02 15*	S ^{348 349}
18003.2	2000	1015*	Ad	32928	2X	2001-02 15*	S ^{348 349}
18003.7	1999	345	Ad	32929	2X	2001-02 15*	S ^{348 349}
18210	1999	345	Am	32930	2X	2001-02 15*	S ^{348 349}
	2000	135	Am ²⁰³	32932	2X	2001-02 15*	S ^{348 349}
18321	1999	345	Am	32936	2X	2001-02 15*	S ^{348 349}
18437	1999	345	Am	32940	2X	2001-02 15*	S ^{348 349}
18586	2001	159	Am ³⁰⁵	32942	2X	2001-02 15*	S ^{348 349}
18608	1999	428	Am	32952	2X	2001-02 15*	S ^{348 349}
18631	2000	101	Am	32955	2001	745*	R
21200.1	2001	505	Am	32955	2X	2001-02 15*	S ^{348 349}
21200.6	2001	505	Am	32960	2X	2001-02 15*	Am ^{348 349}
21201.2	2001	505	Am	50003	2000	968	Am
21201.4	2000	128	Ad	50204	2000	968	Am
22050	2000	1015*	Am	50302	2000	968	Am
22056	2000	1055*	Am	50314	2000	968	Am
22105	2001	392	Am	50401	2000	968	Am
22109	2001	392	Am	50700	1999	407	S ⁷⁴
22154	2000	1015*	Am	50701	1999	407	S ⁷⁴
22203	1999	347	Am	50702	1999	407	S ⁷⁴
22251	1999	347	Am	50703	1999	407	S ⁷⁴
22305	1999	347	Am	50704	1999	407	R
22330	1999	347	Am	50705	1999	407	S ⁷⁴
22337	1999	991	Am ^{96 114}	50706	1999	407	S ⁷⁴
22467	1999	347	Am	50707	1999	407	Am ⁷⁴
22470	2001	493	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FISH AND GAME CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
16	2001	112	Ad	717	2001	398	Ad ³⁶²
70	2001	112	Am	717.1	2001	398	Ad ³⁶²
99	1999	483	Am	717.2	2001	398	Ad ³⁶²
103	1999	483	Am	1000.5	2001	745*	Am
105	1999	483	Am		2001	753	R
200	1999	483	S ²⁰	1050	2001	112	Am
	2001	398	S ⁵⁷	1050.6	2001	753	Ad
201	1999	483	S ²⁰	1051	2001	112	Am
	2001	398	S ⁵⁷	1053	2001	112	R & Ad
202	1999	483	S ²⁰		2001	753	Am (as ad by
	2001	398	S ⁵⁷				Stats. 2001,
203	1999	483	S ²⁰				Ch. 112)
	2001	398	S ⁵⁷	1055	2001	112	Am
203.1	1999	483	S ²⁰	1055.1	2001	112	Ad
	2001	398	S ⁵⁷	1055.5	2001	112	Am
204	1999	483	S ²⁰	1055.6	2001	112	Ad
	2001	398	S ⁵⁷	1056	2001	112	Am
205	1999	483	S ²⁰	1057	2001	112	Am
	2001	398	S ⁵⁷	1058	2001	112	Am
206	1999	483	S ²⁰	1059	2001	112	Am
	2001	398	S ⁵⁷	1060	2001	112	Am
207	1999	483	S ²⁰	1061	2001	112	Ad
	2001	398	S ⁵⁷	1348.3	2001	863	Ad
208	1999	483	S ²⁰	1352.5	2000	395	Ad
	2001	398	S ⁵⁷	1360	2001	588	Ad
209	1999	483	S ²⁰	1361	2001	588	Ad
	2001	398	S ⁵⁷	1362	2001	588	Ad
210	1999	483	S ²⁰	1363	2001	588	Ad
	2001	398	S ⁵⁷	1363.5	2001	588	Ad ³⁵⁵
211	1999	483	S ²⁰				R ³⁵⁶
	2001	398	S ⁵⁷	1364	2001	588	Ad
215	1999	483	S ²⁰	1365	2001	588	Ad
	2001	398	S ⁵⁷	1366	2001	588	Ad
217.5	1999	483	S ²⁰	1367	2001	588	Ad
	2001	398	S ⁵⁷	1368	2001	588	Ad
217.6	1999	483	S ²⁰	1369	2001	588	Ad
	2001	398	S ⁵⁷	1370	2001	588	Ad
218	1999	483	S ²⁰	1372	2001	588	Ad
	2001	398	S ⁵⁷	1506	2000	418	Ad & R ¹¹¹
219	1999	483	S ²⁰		2001	159	Am ³⁰⁵
	2001	398	S ⁵⁷	1525	2000	385	Am
220	1999	483	S ²⁰	1528	2000	385	Am
	2001	398	S ⁵⁷	1580	2000	385	Am
221	1999	483	Am ²⁰	1586	1999	66*	Am
	2001	398	R	1590	2000	385	Ad
309	1999	483	Am	1591	2000	385	Ad
391	2000	388	Am	1796	2001	745*	Am
704	2001	398	Am	1850	2000	950	Ad
714	2001	112	Am	1851	2000	950	Ad
716	2001	398	Ad ³⁶²	1852	2000	950	Ad
716.1	2001	398	Ad ³⁶²	2079	2001	745*	Am
716.2	2001	398	Ad ³⁶²	2099	2001	745*	R
716.3	2001	398	Ad ³⁶²	2300	2001	338*	Ad
716.4	2001	398	Ad ³⁶²	2357	2000	167	R
716.5	2001	398	Ad ³⁶²	2645	2001	745*	Am
716.6	2001	398	Ad ³⁶²	2801	2000	87*	Ad
716.7	2001	398	Ad ³⁶²	2811	2000	87*	Ad
716.8	2001	398	Ad ³⁶²	2815	2000	87*	Ad
716.9	2001	398	Ad ³⁶²	2850	1999	1015	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FISH AND GAME CODE—Continued

Section	Affected By			Section	Affected By			
	Year	Chapter	Effect		Year	Chapter	Effect	
2851	1999	1015	Ad					
2852	1999	1015	Ad	6436	2000	388	R	
	2000	385	Am		1999	185	S ¹⁹	
2853	1999	1015	Ad	6437	2000	388	R	
2854	1999	1015	Ad		1999	185	S ¹⁹	
2855	1999	1015	Ad	6438	2000	388	R	
2856	1999	1015	Ad		1999	185	S ¹⁹	
2857	1999	1015	Ad	6439	2000	388	R	
2858	1999	1015	Ad		1999	185	Am ¹⁹	
2859	1999	1015	Ad	6450	2000	388	Am & RN	
	2001	753	Am		2001	745*	Am	
2860	1999	1015	Ad	6453	2001	753	Am	
2861	1999	1015	Ad	6455	2001	753	Am	
	2001	753	Am	6459	2001	745*	R	
2862	1999	1015	Ad	6590	2001	89	S ⁵⁷	
2863	1999	1015	Ad	6591	2001	89	S ⁵⁷	
2920	2000	223	Ad & R ²⁰⁸	6592	2001	89	S ⁵⁷	
	2001	398	S ⁷⁴	6593	2001	89	S ⁵⁷	
2921	2000	223	Ad & R ²⁰⁸	6594	2001	89	S ⁵⁷	
	2001	159	Am ³⁰⁵	6595	2001	89	S ⁵⁷	
	2001	398	S ⁷⁴	6596	2001	89	S ⁵⁷	
2922	2000	223	Ad & R ²⁰⁸		2001	112	Am	
	2001	398	Am ⁷⁴	6596.1	2001	112	Ad	
2923	2000	223	Ad & R ²⁰⁸	6597	2001	89	S ⁵⁷	
	2001	398	Am ⁷⁴	6597.5	2001	89	S ⁵⁷	
3034	2001	112	R	6598	2001	89	S ⁵⁷	
3055	2001	112	Am	6599	2001	89	S ⁵⁷	
3055.1	2001	112	Ad		2001	745*	Am	
3409	2001	745*	Am	6600	2001	89	R	
3682	2001	112	Am	7000	1999	483	R	
3682.1	2001	112	Ad	7005	1999	483	R	
3682.2	2001	112	Ad	7010	1999	483	R	
3684	2001	112	Am	7011	1999	483	R	
3700	2001	112	Am	7015	1999	483	R	
3700.1	2001	112	Ad	7020	1999	483	R	
3700.2	2001	112	Ad	7022	1999	483	R	
3701	2001	112	Am	7025	1999	483	R	
3701.5	2001	112	R	7030	1999	483	R	
3951	2001	745*	Am	7057	1999	483	Ad	
4301	2000	373	Am	7059	1999	483	Am	
4336	2001	112	Am	7065	1999	483	Am	
4654	2001	112	Am	7066	1999	483	Am	
4657	2001	112	Am	7071	1999	483	Am	
4753	2001	112	Am	7072	1999	483	Am	
4801	1999	435*	Am		2000	388	Am	
4904	2001	745*	Am	7073	1999	483	Am	
5521.5	2000	388	Am	7074	1999	483	Am	
	2001	753	Am	Div. 6,				
5521.6	1999	483	Ad	Pt. 1.7,				
6420	1999	83	Am ³⁰	Ch. 8,				
6430	1999	185	S ¹⁹	heading				
	2001	753	Am	(Sec. 7090				
6431	1999	185	S ¹⁹	et seq.)	1999	483	Am	
6432	1999	185	S ¹⁹		7090	1999	483	Am
	2000	388	Am		7146	2001	112	R
6433	1999	185	S ¹⁹		7149	2001	112	Am (as am by
	2000	388	R & Ad(RN)					Sec. 5
6434	1999	185	S ¹⁹					and as ad by
	2000	388	R					Sec. 6,
6435	1999	185	S ¹⁹					Stats. 1998,
								Ch. 247)

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FISH AND GAME CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
7149 (Cont.)				8022	2000	388	Am
	2001	753	R (as am by	8043.2	1999	502*	Ad
			Sec. 38,	8051.2	2001	633	Am ⁷⁵
			Stats. 2001,	8051.3	2001	314	Am ⁷⁵
			Ch. 112)	8051.4	2001	314	Am ⁶⁸
			Am (as am by	8053	2001	753	Am
			Sec. 37,	8100	1999	483	Am
			Stats. 2001,	8101	1999	483	Am
			Ch. 112) ¹³		2000	388	Am
7149.05	2001	112	Ad	8150.5	2000	388	Am
			R & Ad ⁸	8150.7	2000	388	Am
7149.1	2001	112	Am	8150.8	2000	388	R
7149.15	2001	112	Ad	8150.9	2000	388	R
7149.4	2001	112	Am	8151	2000	388	R
	2001	753	Am (as am by	8152	2000	388	R
			Stats. 2001,	8226	1999	502*	Am
			Ch. 112)	8276.2	2000	410	Am ^{228 75}
7149.45	2001	112	Ad	8276.3	2000	410	Am ^{228 75}
	2001	753	Am (as ad by		2001	159	Am ³⁰⁵
			Stats. 2001,	8279.1	2000	410	Am ^{228 75}
			Ch. 112)	8280.1	2000	410	Am ^{228 75}
7149.8	2001	112	R & Ad	8280.2	2000	410	Am ^{228 75}
7150	2000	238	Am	8280.3	2000	410	Am ^{228 75}
7151	1999	83	Am ³⁰	8280.4	2000	410	Am ^{228 75}
7180	2001	112	Am	8280.5	2000	410	Am ^{228 75}
7180.1	2001	112	Ad	8280.6	2000	410	Am ^{228 75}
7181	2001	112	Am	8394.5	2000	388	Am
7181.1	2001	112	Ad	8405	2001	753	S ^{146 43}
7182	2001	112	Am	8405.1	2001	753	S ^{146 43}
7182.1	2001	112	Ad	8405.2	2001	753	S ^{146 43}
7183	2001	112	Am	8405.3	2001	753	S ^{146 43}
7183.1	2001	112	Ad	8405.4	2001	753	Am ^{146 43}
7184	2001	112	Am	8410	2000	388	R
7184.1	2001	112	Ad	8411	2000	388	Am
7186	2001	112	Am	8412	2000	388	Am
7186.1	2001	112	Ad	8413	2000	388	R
7360	2001	112	R & Ad	8414	2000	388	R
	2001	753	S ¹⁹	8415	2000	388	R
7360.1	2001	112	Ad	8420	2000	717	S ^{257 19}
	2001	753	S ¹⁹		2001	318	Am ^{54 57}
7361	2001	753	Am ¹⁹	8420.5	2000	717	S ^{257 19}
7362	2001	753	Am ¹⁹		2001	318	S ³³³
7363	2001	753	Am ¹⁹	8421	2000	717	S ^{257 19}
7655	2000	388	Am		2001	318	S ³³³
7700	2001	112	Am	8421.5	2000	717	S ^{257 19}
7704	1999	483	Am		2001	318	S ³³³
7710	1999	483	Am	8422	2000	717	Am ^{257 19}
7712	1999	483	Am		2001	318	S ³³³
7715	2000	144*	Am	8423	2000	717	Am ^{257 19}
7852.3	2001	753	Am		2001	318	Am ³³³
7860	2000	410	S ⁷⁵	8423.5	2000	717	S ^{257 19}
	2001	753	Am		2001	318	S ³³³
7861	2000	410	S ⁷⁵	8424	2000	717	S ^{257 19}
7861.1	2000	410	S ⁷⁵		2001	318	S ^{54 57}
7861.2	2000	410	S ⁷⁵	8425	2000	717	S ^{257 19}
7861.3	2000	410	S ⁷⁵		2001	318	R & Ad
7861.4	2000	410	S ⁷⁵	8426	2000	717	S ^{257 19}
7862	2000	410	S ⁷⁵		2001	318	S ³³³
7863	2000	410	Am ⁷⁵	8427	2000	717	S ^{257 19}
7881	2001	753	Am		2001	318	S ³³³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FISH AND GAME CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
8428	2000	717	S ^{257 19}	8601.5	2001	753	Am
	2001	318	R & Ad	8610.14	2000	385	Am
8429	2000	717	S ^{257 19}	8664.65	2000	388	R
	2001	318	Am ^{54 57}	8681.5	1999	483	Am
8429.5	2000	717	S ^{257 19}	8693.5	1999	483	R
	2001	318	S ^{54 57}	8695.5	1999	483	R
8429.7	2000	717	Am ^{257 19}	8780.1	1999	483	Ad
	2001	318	R & Ad	8837	1999	483	Am
8510	2000	410	Ad	9001.5	2001	753	Am
8550.5	2000	388	Am	9001.6	2001	753	Am ^{146 43}
8552.6	1999	502 *	Am	9001.8	2001	753	Ad
	2001	753	Am	10502.7	1999	502 *	Ad
8552.8	2000	388	Am	10503	2000	385	Am
8585.5	1999	483	Am	10656	1999	502 *	Ad
8586	1999	483	Am	10711	2000	385	Am
8587	1999	483	Am	11019	2000	388	Am
8587.1	1999	483	R & Ad	12002	2000	374	Am
8587.2	1999	483	R	12002.3	2000	388	Am
8598	1999	483	Am	12002.5	2001	398	Am
Div. 6,				12002.8	2001	753	Am
Pt. 3,				12006.6	2000	388	Am
Ch. 2,					2001	753	Am
Art. 20,				12009	2000	388	Am
heading				12157	2000	388	Am
(Sec. 8599				13005	2001	112	Am
et seq.)	1999	483	Am	16533	2001	745 *	R
8599.4	1999	483	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FOOD AND AGRICULTURAL CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
103.5	2001	373	R		2000	573 *	R (as ad by
221	1999	83	Am ³⁰				Sec. 3,
	2001	103 *	Am				Stats. 1999,
224	1999	890 *	Am				Ch. 890)
			R & Ad ⁹⁶				Am (as am by
	2001	145	Am (As ad by				Sec. 4,
			Sec. 2,				Stats. 1999,
			Stats. 1999,	2282.5	1999	890 *	Ch. 890)
			Ch. 890) ⁷³				Ad ⁴⁵
			R ²²				R ²⁵
			Ad ¹⁷⁵		2000	573 *	Am ^{36 13}
227	2001	103 *	Am	2287	1999	890 *	Ad
491	2000	589	Ad	3332.1	2001	423	Am
492	2000	589	Ad	4051.1	2001	423	Am
	2001	159	Am ³⁰⁵	4051.2	2001	423	Ad
500	2000	670	Ad	4101.2	1999	67 *	Ad
501	2000	670	Ad	4101.5	2001	745 *	R
522	2000	1082	Am	4108	2001	479	Am
529	2000	1082	Am	4155	1999	370	Am
531	2000	1082	Am	5852	1999	83	Am ³⁰
705	2000	1055 *	Am		2001	256	Am
821	2000	670	Am	6025	2000	338	S ⁴³
Div. 1,				6025.2	2000	338	S ⁴³
Pt. 3,				6025.5	2000	338	S ⁴³
heading				6026	2000	338	S ⁴³
(Sec. 1101				6026.5	2000	338	S ⁴³
et seq.)	2000	739 *	Am (as ad by	6027	2000	338	S ⁴³
			Stats. 2000,	6027.5	2000	338	Am ⁴³
			Ch. 144)	6028	2000	338	S ⁴³
1101	2000	144 *	Ad & R ¹⁹	6029	2000	338	Am ⁴³
	2000	739 *	Am (as ad by	6045	2000	21 *	Ad ¹⁷⁴
			Stats. 2000,				R ¹⁰⁰
			Ch. 144)	6046	2000	21 *	Ad ¹⁷⁴
1102	2000	144 *	Ad & R ¹⁹				R ¹⁰⁰
	2000	739 *	Am (as ad by		20	159	Am ³⁰⁵
			Stats. 2000,	6047	2000	21 *	Ad ¹⁷⁴
			Ch. 144)				R ¹⁰⁰
1103	2000	144 *	Ad & R ¹⁹	6047.1	2001	103 *	Ad & R ²⁹⁹
	2000	739 *	Am (as ad by	6047.10	2001	103 *	Ad & R ²⁹⁹
			Stats. 2000,	6047.11	2001	103 *	Ad & R ²⁹⁹
			Ch. 144)	6047.12	2001	103 *	Ad & R ²⁹⁹
	2X 2001–02	4 *	Am	6047.13	2001	103 *	Ad & R ²⁹⁹
1104	2000	144 *	Ad & R ¹⁹	6047.14	2001	103 *	Ad & R ²⁹⁹
1105	2000	144 *	Ad & R ¹⁹	6047.15	2001	103 *	Ad & R ²⁹⁹
1106	2000	144 *	Ad & R ¹⁹	6047.16	2001	103 *	Ad & R ²⁹⁹
1107	2000	144 *	Ad & R ¹⁹	6047.17	2001	103 *	Ad & R ²⁹⁹
	2000	739 *	Am (as ad by	6047.18	2001	103 *	Ad & R ²⁹⁹
			Stats. 2000,	6047.19	2001	103 *	Ad & R ²⁹⁹
			Ch. 144)	6047.2	2001	103 *	Ad & R ²⁹⁹
1108	2000	144 *	Ad & R ¹⁹	6047.3	2001	103 *	Ad & R ²⁹⁹
1109	2001	373	Ad	6047.4	2001	103 *	Ad & R ²⁹⁹
2181	2000	806	Am	6047.5	2001	103 *	Ad & R ²⁹⁹
2182	2000	806	Am	6047.6	2001	103 *	Ad & R ²⁹⁹
2282	1999	890 *	Ad & R ³⁹	6047.7	2001	103 *	Ad & R ²⁹⁹
			Am (as am by	6047.8	2001	103 *	Ad & R ²⁹⁹
			Sec. 5,	6047.9	2001	103 *	Ad & R ²⁹⁹
			Stats. 1998,	6253	2000	262	Am
			Ch. 870) ⁵⁶	6292	2001	442 *	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FOOD AND AGRICULTURAL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6292.1	2001	442 *	Ad	7272	1999	961	Ad
6292.2	2001	442 *	Ad		2000	315	Am
6292.3	2001	442 *	Ad	7272.5	2000	315	Ad
6293	2001	442 *	Ad	7273	1999	961	Ad
6293.1	2001	442 *	Ad		2000	315	Am
6293.10	2001	442 *	Ad	7274	1999	961	Ad
6293.11	2001	442 *	Ad	Div. 4,			
6293.12	2001	442 *	Ad	Pt. 5.5,			
6293.13	2001	442 *	Ad	heading			
6293.2	2001	442 *	Ad	(Sec. 8760			
6293.3	2001	442 *	Ad	et seq.)	2001	179	Am
6293.4	2001	442 *	Ad	8760	2001	179	Am
6293.5	2001	442 *	Ad	8761	2001	179	Am
6293.6	2001	442 *	Ad	8762	2001	179	Am
6293.7	2001	442 *	Ad	8764	2001	179	Am
6293.8	2001	442 *	Ad	8764.5	2001	179	Am
6293.9	2001	442 *	Ad	8764.6	2001	179	Am
6294	2001	442 *	Ad	8765	2001	179	Am
6294.1	2001	442 *	Ad	8766	2001	179	Am
6294.2	2001	442 *	Ad	8767	2001	179	Am
6294.3	2001	442 *	Ad	8768	2001	179	Am
6294.4	2001	442 *	Ad	8769	2001	179	Am
6294.5	2001	442 *	Ad	8770	2001	179	Am
6294.6	2001	442 *	Ad	8771	2001	179	Am
6294.7	2001	442 *	Ad	8772	2001	179	Am
6295	2001	442 *	Ad	9101	2001	503	R & Ad
6295.1	2001	442 *	Ad	9561	2001	503	Am
6295.2	2001	442 *	Ad	9562	1999	447	Am
6295.3	2001	442 *	Ad	9563	2001	503	Am
6295.4	2001	442 *	Ad	9564	2001	503	Am
6295.5	2001	442 *	Ad	9565	2001	503	R
6295.6	2001	442 *	Ad	9566	2001	503	R
6296	2001	442 *	Ad	9567	2001	503	R
6296.1	2001	442 *	Ad	9568	2001	503	R
6296.2	2001	442 *	Ad	9569	2001	503	Am
6296.3	2001	442 *	Ad	9570	2001	503	Am
6296.5	2001	442 *	Ad	9571	2001	503	R
6296.6	2001	442 *	Ad	9572	2001	503	R
6296.7	2001	442 *	Ad	9573	2001	503	Am
6296.8	2001	442 *	Ad	9574	2001	503	Am
6296.9	2001	442 *	Ad	9592	2001	503	Am
6297	2001	442 *	Ad	9593	2001	503	Am
6298	2001	442 *	Ad	9692	2001	503	Am
6299	2001	442 *	Ad	9693	2001	503	Am
6723	1999	450	Am ⁷⁹	9694	2001	503	Am
			R ⁸⁰	9695	2001	503	Am
			Ad ⁸¹	9696	2001	503	Am
6971	2000	154	Am ^{206 43}	9697	2001	503	Am
6972	2000	154	S ^{206 43}	10511	2001	503	Am
6973	2000	154	S ^{206 43}	10512	2001	503	Am
6974	2000	154	S ^{206 43}	10610	2000	425	Ad
6975	2000	154	S ^{206 43}		2001	503	Am
6976	2000	154	S ^{206 43}	10704	1999	447	Ad
6977	2000	154	S ^{206 43}	10721	1999	447	Am
6978	2000	154	Am ^{206 43}	10782	1999	447	Am & RN
6979	2000	154	Am ^{206 43}				Ad
7270	1999	961	Ad	10783	1999	447	Am & RN
	2000	315	Am				Ad
7270.5	2000	315	Ad	10784	1999	447	Ad
7271	1999	961	Ad ³⁷	10785	1999	447	Ad(RN)
	2000	315	Am	10786	1999	447	Ad(RN)

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FOOD AND AGRICULTURAL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
11480	1999	609	Ad	19447	1999	329	Am
11481	1999	609	Ad	19501	2000	373	Am
11482	1999	609	Ad	20437	2001	182	Am
11483	1999	609	Ad	20634	2001	182	R
11484	1999	609	Ad	20755	2001	182	Am
11485	1999	609	Ad	20797	1999	83	Am ³⁰
11517	1999	609	Am	21051	2001	182	Am
11518	1999	889	Ad	21052	2001	182	Am
11734	2000	1000	Am	21067	2001	182	Am
11937	2001	44	Am	21286	2001	182	R
12798.1	1999	627*	Ad & R ¹⁸	21855	1999	991	Am ^{96 114}
12841	2001	523	Am ³⁷	27522	1999	197	Ad
12841.1	2001	523	Am ^{37, 375}	27523	1999	197	Ad
12847.5	2001	523	Ad	27571	1999	197	Am
12976	2000	806	Am	27644	1999	197	Am
12999.4	2000	806	Am	31108	2000	567	Am
12999.5	2000	806	Am	31108.5	2000	567	Ad
12999.6	2000	806	Ad & R ²⁴⁴	31752	2000	567	Am
13000	1999	609	Am	31752.2	2000	567	Ad
13127.93	2001	745*	R	31753	1999	83	Am ³⁰
13135	2001	745*	Am		2000	567	Am
13180	2000	718	Ad	31754	2000	57	Am (as ad by
13181	2000	718	Ad				Sec. 16 and
13182	2000	718	Ad				Sec. 16.5,
13183	2000	718	Ad				Stats. 1998,
13184	2000	718	Ad				Ch. 752)
13185	2000	718	Ad		2000	567	Am (by Sec. 6.5
13186	2000	718	Ad				of Ch., as ad by
13187	2000	718	Ad				Sec. 16,
13188	2000	718	Ad				Stats. 1998,
14008	2000	806	Am				Ch. 752) ^{21 20}
14033	2000	806	Am				Am (by Sec. 7.5
14104	2001	745*	R				of Ch., as ad by
14651	1999	83	Am ³⁰				Sec. 16.5,
15051	2000	1000	Am				Stats. 1998,
15052	2000	1000	R				Ch. 752) ³⁵
15053	2000	1000	Am	31755	1999	81*	Ad & R ³⁹
15054	2000	1000	Am	33227	2000	115	Am
15055	2000	1000	Am	42801	1999	240	S ¹⁸
15061	2000	1000	Am	42802	1999	240	S ¹⁸
15062	2000	1000	Am	42803	1999	240	S ¹⁸
15072.5	2001	397	Ad	42804	1999	240	S ¹⁸
15080	2001	397	Am	42805	1999	240	S ¹⁸
15204	2000	1000	Am	42806	1999	240	S ¹⁸
18943	2000	373	Am	42807	1999	240	S ¹⁸
18946	2000	373	Am	42808	1999	240	S ¹⁸
18947	2000	373	Am	42809	1999	240	S ¹⁸
18963	2000	373	Ad	42810	1999	240	S ¹⁸
18991	2000	373	Am	42811	1999	240	S ¹⁸
19000	2000	373	Am	42812	1999	240	S ¹⁸
19001	2000	373	Am	42813	1999	240	S ¹⁸
19013	2000	373	Am	42814	1999	240	S ¹⁸
19016	2000	373	Am	42815	1999	240	Am ¹⁸
19020	2000	373	Am	42943	1999	452	Am
19213	1999	329	Am	44975	1999	609	Am
19300	1999	329	Am	46003	1999	609	Am
19300.5	1999	329	Ad	46003.5	1999	609	Am
19302	1999	329	Am	46008	1999	609	R
19304	1999	329	Am	47000	1999	833	Am
19305	1999	329	Am	47001	1999	833	Am
19306	1999	329	Am	47002	1999	833	R & Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FOOD AND AGRICULTURAL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
47003	1999	833	Am	55050	2000	579	Ad
47004	1999	833	Am	55051	2000	579	Ad
47004.1	1999	833	Ad	55052	2000	579	Ad
47005	2001	373	Ad	55060	2000	579	Ad
47005.1	2001	373	Ad	55061	2000	579	Ad
47005.2	2001	373	Ad	55062	2000	579	Ad
47005.3	2001	373	Ad	55063	2000	579	Ad
47010	1999	833	S ⁵⁷	55070	2000	579	Ad
47011	1999	833	Am ⁵⁷	55071	2000	579	Ad
47012	1999	833	S ⁵⁷	55072	2000	579	Ad
47013	1999	833	Am ⁵⁷	55074	2000	579	Ad
47014	1999	833	R	55075	2000	579	Ad
47020	1999	833	R (as ad by Sec. 1.5, (2nd text), Stats. 1966, Ch. 606) Am (as ad by Sec. 1.5, (1st text), Stats. 1996, Ch. 606) ¹³	55076	2000	579	Ad
				55080	2000	579	Ad
				55081	2000	579	Ad
				55082	2000	579	Ad
				55083	2000	579	Ad
				55100	2000	579	Ad
				55101	2000	579	Ad
				55102	2000	579	Ad
				55103	2000	579	Ad
				55104	2000	579	Ad
47021	1999	833	Ad & R ¹⁸	55105	2000	579	Ad
47022	2001	373	Ad	55106	2000	579	Ad
47022.1	2001	373	Ad	55107	2000	579	Ad
47022.2	2001	373	Ad	55108	2000	579	Ad
47022.3	2001	373	Ad	55484.75	1999	198	Am
47022.4	2001	373	Ad	55523	1999	198	Am
47022.5	2001	373	Ad		2000	768	Am
47022.6	2001	373	Ad	55601.5	1999	199	Am
47022.7	2001	373	Ad	55702	1999	991	Am ^{96 114}
47025	1999	833	S ¹⁸		2000	135	Am ²⁰³
	2001	373	Am	55722.5	2000	768	Am
47026	1999	833	Am ¹⁸	55861	1999	143	Am
48002	1999	507*	Am	55862	1999	198	Am
48002.5	1999	507*	Ad	55882	2000	768	Am
52100	2000	359	Ad	55901	2000	412	Am (by Sec. 1 of Ch.)
52456	2000	589	Am		2000	768	Am (by Sec. 4.5 of Ch.)
55000	2000	579	Ad	55922	2000	412	Am (by Sec. 2 of Ch.)
55001	2000	579	Ad		2000	768	Am (by Sec. 5.5 of Ch.)
55002	2000	579	Ad				
55003	2000	579	Ad				
55006	2000	579	Ad				
55007	2000	579	Ad				
55008	2000	579	Ad	56133.5	2000	768	Am
55009	2000	579	Ad	56183.5	1999	198	Am
55010	2000	579	Ad	56185.75	1999	198	Am
55010.5	2000	579	Ad	56382.5	2000	768	Am
55011	2000	579	Ad	56572	1999	198	Am
55012	2000	579	Ad	56621	2000	768	Am
55013	2000	579	Ad	56631	2000	412	Am (by Sec. 3 of Ch.)
55014	2000	579	Ad		2000	768	Am (by Sec. 9.5 of Ch.)
55015	2000	579	Ad				
55020	2000	579	Ad				
55020.5	2000	579	Ad	56652	2000	412	Am (by Sec. 4 of Ch.)
55021	2000	579	Ad		2000	768	Am (by Sec. 10.5 of Ch.)
55022	2000	579	Ad				
55040	2000	579	Ad				
55045	2000	579	Ad	57405	1999	991	Am ^{96 114}
55046	2000	579	Ad	57408	1999	991	Am ^{96 114}
55047	2000	579	Ad	57409	1999	991	Am ^{96 114}

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

FOOD AND AGRICULTURAL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
57411	1999	991	Am ^{96 114}	64600	2001	291	Am
57516	1999	991	Am ^{96 114}	64601	2001	291	Am
57517	1999	991	Am ^{96 114}	64605	2001	291	Am
57519	1999	991	Am ^{96 114}	64662	2001	291	Am
57530	1999	991	Am ^{96 114}	64663	2001	291	Am
57531	1999	991	Am ^{96 114}	64691	2001	291	Am
57540	1999	991	Am ^{96 114}	64691.5	2001	291	Am
57567	1999	991	Am ^{96 114}	64696	2000	1055*	Am
57568	1999	991	Am ^{96 114}	64702	2001	291	Am
57570	1999	991	Am ^{96 114}	67054	2000	587	Am
57581	1999	991	Am ^{96 114}	67105	2000	587	Am
57582	1999	991	Am ^{96 114}	74901	2000	587	Am
57590	1999	991	Am ^{96 114}	74901.5	2000	587	Ad
58750	2001	118*	Ad	75030	2001	384	Am
58897	1999	609	Ad	75033.5	2001	384	Ad
58937	2000	1055*	Am	75090.5	2001	384	Ad
59947	2000	1055*	Am	75131	2000	587	Am
61371	2000	164	R		2001	159	Am ³⁰⁵
61371.5	2000	164	R		2001	384	Am
61372	2000	164	R	76227	2001	397	Am
61373	2000	164	R	76229	2001	397	Am
61375	2000	164	R	76230	2001	397	Am
61375.5	2000	164	R	76233	2001	397	Am
61376	2000	164	R	76293	2001	397	Am
61377	2000	164	R	76293.5	2001	397	Ad
61378	2000	164	R	76294	2001	397	Am
61378.5	2000	164	R	76341	2001	397	Am
61379	2000	164	R	76341.7	1999	29*	Ad
61384	2000	164	Am	76342	2001	397	Am
61581	1999	682	Ad & R ⁵	76343	2001	397	Am
61582	1999	682	Ad & R ⁵	76361	2001	397	Am
61583	1999	682	Ad & R ⁵	76363	2001	397	Am
61584	1999	682	Ad & R ⁵	76906	2000	1055*	Am
61585	1999	682	Ad & R ⁵		2001	745*	Am
61586	1999	682	Ad & R ⁵	77002	1999	609	Am
61587	1999	682	Ad & R ⁵	77003.5	1999	609	Ad
62765	2001	828*	Ad	77003.6	1999	609	Ad
63901	2001	510	Am	77007.5	1999	609	Am
63901.3	2001	510	Ad	77008	1999	609	Am
63901.4	2001	510	Ad	77030	1999	609	Am
63902	2001	510	Am	77032	1999	609	Am
63905	2001	510	Ad	77034	1999	609	Am
64101	2000	298	Am	77090	1999	609	Am
64114	2000	298	Am	77091	1999	609	Am
64301	2000	298	Am	77093	1999	609	Am
64309	2000	1055*	Am	77095	1999	609	Am
64320	2000	298	Am	77096	1999	609	Am
64321	2000	298	Am	77097	1999	609	Am
64321.5	2000	298	Am	77123	1999	609	Am
64322	2000	298	Am	78558	2000	1055*	Am
64591	2001	291	Am	78636	2001	373	Am
64593	2001	291	Am	78674	2001	373	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
402	1999	416	Am	3543	2000	893	Am
402.5	2001	387	Ad		2001	805	Am
424.3	2001	100	Ad	3543.4	2001	159	Am ³⁰⁵
811.9	2000	447	Ad	3546	2000	893	R & Ad
831.8	2001	756	Am ³¹⁶		2001	805	Am
831.9	2001	756	Am ⁷⁵	3562	1999	971	Am
911.4	1999	620	Am	3562.2	2000	1030	Ad
927.1	2000	151	Am		2001	159	Am ³⁰⁵
927.2	1999	784*	Am		2001	793	Am
927.5	1999	784*	Am	3566	1999	971	Am
946.6	2001	44	Am	3572.5	2001	808	Am
1031	2001	29	Am	3579	1999	971	Am
1091	1999	349	Am	3583	1999	952	Am
1091.2	2000	108*	Am	3583.5	1999	952	Ad
1091.3	2001	101	Ad		2000	893	Am
1091.5	1999	349	Am		2001	159	Am ³⁰⁵
	2000	87*	Am	3584	1999	952	Ad
1156	1999	971	Am	3585	1999	952	Am
1156.1	2001	118*	Ad	4240	1X 2001-02	7*	Ad & R ³⁷²⁰
1322	1999	525	Am ¹¹²	4241	1X 2001-02	7*	Ad & R ³⁷²⁰
	2000	857	Am ²⁰³		1X 2001-02	13*	Am
1780	1999	312	Am	4242	1X 2001-02	7*	Ad & R ³⁷²⁰
1997.53	1999	446*	R	4243	1X 2001-02	7*	Ad & R ³⁷²⁰
3102	2000	506	Am	4244	1X 2001-02	7*	Ad & R ³⁷²⁰
3105	2000	506	Am	4245	1X 2001-02	7*	Ad & R ³⁷²⁰
	2001	176	Am	4246	1X 2001-02	7*	Ad & R ³⁷²⁰
3114	2001	745*	Am	4246.5	1X 2001-02	7*	Ad & R ³⁷²⁰
3306.5	2000	209	Ad	4247	1X 2001-02	7*	Ad & R ³⁷²⁰
3307.5	1999	338	Ad	4420	1999	521*	R & Ad
3500	2000	901	Am		2000	763	Am
3500.5	2000	901	Ad(RN)	4420.5	1999	521*	Am
3501	2000	901	Am		2001	734*	Am
3501.5	2000	1010	Am	4451	2000	989	Am
3501.6	2000	1010	R	4454	2000	989	Am
3502.1	2001	788	Ad	4459	2000	989	Ad
3502.5	2000	901	Am	4460	1999	386	Ad
	2001	259	Am	4529.10	2000		
3505.4	2000	316	Ad		Initiative		
3507.1	2000	901	R & Ad		(Prop. 35		
	2001	790	Am		adopted		
3508	1999	157	Am		Nov. 7,		
3508.1	2001	801	Ad		2000)		Ad
3508.5	2000	901	Am	4529.11	2000		
3509	2000	901	Am & RN		Initiative		
			Ad ⁹⁶		(Prop. 35		
3510	2000	901	Am & RN		adopted		
			& Ad(RN)		Nov. 7,		Ad
3511	2000	901	Ad		2000)		
3513	1999	918	Am	4529.12	2000		
3515.7	2000	879	Am		Initiative		
3517.6	1999	446*	Am		(Prop. 35		
	2001	364*	Am		adopted		
3517.65	1999	83	Am ³⁰		Nov. 7,		
	1999	446*	R		2000)		Ad
3517.8	2000	879	Ad	4529.13	2000		
3540.1	1999	828	Am (by Sec. 5		Initiative		
			of Ch.)		(Prop. 35		
	2000	135	Am ²⁰³		adopted		
	2000	893	Am		Nov. 7,		
3540.2	2001	734*	Am		2000)		Ad

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
4529.14	2000				2000	562	Am
	Initiative			6206	2000	562	Am
	(Prop. 35			6206.4	2000	33	Ad
	adopted			6206.5	2000	33	Am
	Nov. 7,				2000	562	Am (by Sec. 6.5
	2000)		Ad				of Ch.)
4529.15	2000			6206.7	2000	33	Am
	Initiative				2000	562	Am
	(Prop. 35			6207	2000	562	Am
	adopted			6208	2000	33	Am
	Nov. 7,			6208.5	2000	562	Am
	2000)		Ad	6209.5	2000	562	R
4529.16	2000			6209.7	2000	562	Am
	Initiative			6210	2000	33	Am
	(Prop. 35			6253	1999	83	Am ³⁰
	adopted				2000	982	Am
	Nov. 7,				2001	355	Am
	2000)		Ad	6253.1	2001	355	Ad
4529.17	2000			6253.2	1999	804*	Ad
	Initiative			6253.4	1999	525	Am ¹¹²
	(Prop. 35				2000	857	Am ²⁰³
	adopted			6253.8	2000	783	Ad ²⁵³
	Nov. 7,			6253.9	2000	982	Ad
	2000)		Ad	6254	2000	184	Am
4529.18	2000				2001	159	Am ³⁰⁵
	Initiative			6254.17	2000	198	Ad
	(Prop. 35			6254.22	1999	769	Ad
	adopted			6254.4	1999	312	Am
	Nov. 7,				2000	89	Am
	2000)		Ad	6254.5	1999	525	Am ¹¹²
4529.19	2000				2000	857	Am ²⁰³
	Initiative			6255	2000	982	Am
	(Prop. 35			6276.10	2001	214	Am
	adopted			6276.46	2000	198	Am
	Nov. 7,			6277	1999	784*	Ad ¹⁴⁹
	2000)		Ad				R ⁸
4529.20	2000			6500	1999	649	Am
	Initiative			6500.1	2000	506	Ad
	(Prop. 35			6505.5	1999	83	Am ³⁰
	adopted			6512.2	2001	38	Am
	Nov. 7,			6516.6	1999	649	Am
	2000)		Ad		2000	71*	Am ¹⁹⁰
4560	1999	83	Am ³⁰		2000	1058	Am
6103.9	2000	808*	Am		2001	159	Am ³⁰⁵
6159	1999	514	Am		2001	734*	Am
	2001	108	Am	6518	1999	1000	Am
	2001	824	Am	6523.5	2000	506	Am
6162	2001	427	Am	6523.6	2000	506	Am
6163	2001	427	Am	6523.7	2000	506	Am
6166	1999	203	Ad	6523.75	2000	506	Am & RN
Title 1,				6523.8	2000	227	Ad
Div. 7,				6523.9	2000	506	Ad(RN)
Ch. 3.1,				6528	2000	14*	Ad
heading				6530	2001	19	Ad
(Sec. 6205				6547.9	2001	186	Ad
et seq.)	2000	562	Am	6586.5	2000	723	Am
6205	2000	33	Am		2001	56	Am
	2000	562	Am (by Sec. 3.5	6586.7	2000	723	Ad
			of Ch.)		2000	724	Ad
6205.5	2000	33	Am	6588	1999	649	Am

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	Year	Chapter	Effect		Year	Chapter	Effect
6599	2000	723	Ad	8547.1	1999	673	R & Ad
6599.2	2000	723	Ad	8547.10	1999	673	Am
	2001	159	Am ³⁰⁵	8547.12	1999	673	Am
7060	1999	968	Am	8547.2	1999	673	Am
7060.2	1999	968	Am	8547.3	1999	673	Am
7060.4	1999	968	Am	8547.4	2001	883	Am
7060.7	1999	968	Am	8547.8	1999	673	Am
7072	2000	616	Am		2001	883	Am
7073	1999	83	Am ³⁰	8548	2001	883	Ad
	2000	616	Am	8548.1	2001	883	Ad
	2001	587	Am	8548.2	2001	883	Ad
7073.3	2000	616	R	8548.3	2001	883	Ad
7073.9	2000	865	Ad	8548.4	2001	883	Ad
7074	1999	137*	Am	8548.5	2001	883	Ad
	2000	616	Am	8557	1999	784*	Am
	2001	159	Am ³⁰⁵	8558	1999	784*	Am
7074.5	1999	137*	Ad	8570.5	2000	698*	Ad
7078	1999	61	Am (as ad by Stats. 1996, Ch. 955)	8571.5	2X 2001-02	13*	Ad & R ²⁰
				8571.6	2X 2001-02	13*	Ad & R ²⁰
				8574.10	2001	748	Am
7118	2001	412	Am	8574.21	2000	343	Am
7153	1999	991	Am ^{96 114}	8574.9	2001	748	Am
7154	1999	991	Am ^{96 114}	8587.5	2001	462	Ad
7157	1999	991	Am ^{96 114}	8587.7	1999	294	Ad
7159	1999	991	Am ^{96 114}	8588.7	1999	356	Ad
7170	1999	991	Am ^{96 114}	8588.8	1999	784*	Ad
7222	1999	991	Am ^{96 114}	8589.3	1999	876	Am
	2000	135	Am ²⁰³	8589.4	1999	876	Am
7226	1999	991	Am ^{96 114}	8590	2001	837*	Ad ³⁷
7260	1999	83	Am ³⁰	8590.1	2001	837*	Ad ³⁷
7262.5	1999	83	Am ³⁰	8590.2	2001	837*	Ad ³⁷
7267.2	2001	428	Am	8590.3	2001	837*	Ad ³⁷
7480	2000	808*	Am	8590.4	2001	837*	Ad ³⁷
	2001	493	Am (by Sec. 4 of Ch.)	8609	1999	784*	Ad
	2001	563	Am (by Sec. 3.5 of Ch.)	8609.1	1999	784*	Ad
				8609.2	1999	784*	Ad
7504	2000	1055*	Am	8654.1	2001	745*	Am
7513.5	1999	341	Ad	8655.5	1999	239	Am
7515	2000	320	R & Ad	8670.10	2001	748	Am
7516	2000	320	Ad	8670.14	2001	748	Am
7585	2001	745*	Am	8670.16	2001	748	Am
7591	2000	1055*	Am	8670.17	2001	748	Am
8169.5	1999	625*	Am	8670.17.2	2001	748	Am
8169.6	2001	672	Ad	8670.2	2001	748	Am
8175	1999	732*	Ad ³¹	8670.20	2001	748	Am
			R ³⁴	8670.21	2001	748	Am
				8670.23	2001	748	Am
8205	1999	658	Am ⁵⁶	8670.23.1	2001	748	Am
8211	2000	194	Am	8670.25	2001	748	Am
8223	2000	194	Am	8670.25.5	2001	748	Am
8247	2001	836	Ad	8670.27	2001	748	Am
8248	2001	836	Ad ³³⁶	8670.28	2001	748	Am
8249	2001	836	Ad	8670.29	2001	748	R & Ad
8250	2001	836	Ad ³³⁶	8670.3	2001	748	Am
8331	1999	784*	Am	8670.30	2001	748	R & Ad
8333	1999	405	Ad ⁷¹	8670.30.5	2001	748	Am
8334	1999	405	Ad ⁷¹	8670.31	2001	748	Am
8546	2000	1060	Am	8670.32	1999	687*	Am
8547	1999	673	Am				R & Ad ²⁵

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8670.32 (Cont.)				8850.4	2000	1059	R
	2000	721 *	R (as ad by Sec. 2, Stats. 1999, Ch. 687) Am (as am by Sec. 1, Stats. 1999, Ch. 687) ²⁰ Ad ³⁴	8850.5	2000	1059	R
				8850.6	2000	1059	R
				8855	2000	687	Am
				8855.5	2001	745 *	R
				8855.7	2001	745 *	R
				8855.8	2001	745 *	R
				8869.80	2000	331	Am
				8869.83	1999	637	Am
				8869.84	2000	331	Am
	2001	748	R (as am by Sec. 1 and as ad by Sec. 2, Stats. 2000, Ch. 721)		2001	734 *	Am
				8879.3	2001	745 *	Am
				8880.12	2000	509	Am
				8880.24	2000	131	Am
				8880.4	2000		
8670.33	2001	748	Am				
8670.34	2001	748	Am				
8670.35	1999	613	Am				
8670.36.1	2001	748	Am				
8670.37	2001	748	Am				
8670.37.5	2001	748	Am				
8670.37.51	2001	748	Am				
8670.37.53	2001	748	Am				
8670.37.55	2001	748	Am				
8670.37.58	2001	748	Ad R & Ad ³⁴				
8670.55	2001	745 *	Am				
	2001	748	Am				
8670.56.5	2001	748	Am				
8670.56.6	2001	748	Am				
8670.56.7	2001	748	Ad				
8670.64	2001	748	Am				
8670.68.1	2001	748	Ad				
8670.9	2001	748	Am				
8680.9	2001	822	Am				
8685	2001	822	Am				
8685.2	2001	822	Am				
8685.4	2001	822	Am				
8686.1	2001	822	R				
8686.4	2001	822	Am				
8686.8	2001	822	Am				
8687	2001	822	Am				
8687.6	2001	822	Am				
8690.6	1999	67 *	Am ^{21 20}				
	2001	822	Am ^{73 19}				
8760	2001	206	Ad				
8761	2001	206	Ad				
8762	2001	206	Ad				
8763	2001	206	Ad				
8765	2001	206	Ad				
8840	2000	1087	Ad				
8841	2000	1087	Ad				
8842	2000	1087	Ad				
8843	2000	1087	Ad				
8844	2000	1087	Ad				
8846	2000	1087	Ad				
8850	2000	1059	R				
8850.1	2000	1059	R				
8850.2	2000	1059	R				
8850.3	2000	1059	R				
				8880.56	2000	509	Am
				8880.68	2000	180	Am
				8899.10	2000	1055 *	Am
				8899.12	2000	1055 *	Am
				8899.16	2000	1055 *	Am
				8899.21	2000	1055 *	Am
				9149.20	1999	156	Ad
				9149.21	1999	156	Ad
				9149.22	1999	156	Ad
				9149.23	1999	156	Ad
				9191.5	1999	20	Am
				9357.3	1999	307	Am
				9358	1999	897	Am
				9359.01	1999	83	Am ³⁰
				9380	1999	307	R
				9381	1999	307	R
				9382	1999	307	R
				9383	1999	307	R
				9384	1999	307	R
				9385	1999	307	R
				10242.5	2001	745 *	Am
				10601	2001	745 *	Am
				11006.5	1999	784 *	Ad
				11007	2001	745 *	Am
				11011.18	2001	825	Am
				11011.21	2001	610	Am
				11012	2001	776	Am
				11015.5	1999	784 *	Am
				11016.5	2000	62 *	Ad
				11018.5	1999	784 *	Am
					2000	927	Am
				11019	2000	108 *	Am
					2000	295	Am (by Sec. 2 of Ch.)
				11019.9	2000	984	Ad
					2001	854	Am
				11042	1999	768	Am
				11121	2001	243	Am
				11121.1	2001	243	Ad

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11121.2	2001	243	R	Title 2, Div. 3, Pt. 1, Ch. 3.5, Art. 4, heading (Sec. 11344 et seq.)				
11121.7	2001	243	R		2000	1060	Am	
11121.8	2001	243	R		11344	2000	1060	Am
11122.5	2001	243	Ad		11344.1	2000	1059	Am
11123	2001	243	Am			2000	1060	Am (by Sec. 14.5 of Ch.)
11125	1999	393	Am ⁷¹		11344.2	2000	1060	Am
	2001	243	Am		11344.4	2000	1060	Am
11125.1	2001	670	Am		11344.6	2000	1060	Am
11125.3	2001	243	Am		11344.7	2000	1060	Am
11125.4	1999	393	Am ⁷¹		11344.9	2000	1060	Am
11125.5	1999	393	Am ⁷¹		11345	2000	1059	Ad
11126	1999	735 *	Am		11346	2000	1060	Am
	2000	1002	Am		11346.1	2000	1060	Am
	2000	1055 *	Am		11346.2	2000	1059	Am (by Sec. 9 of Ch.)
	2001	21 *	Am			2000	1060	Am (by Sec. 22.5 of Ch.)
	2001	243	Am (as am by Stats. 2001, Ch. 21)		11346.3	2000	1059	Am
11126.3	2001	243	Am			2000	1060	Am
11130	1999	393	Am		11346.4	2000	1059	Am
11130.3	1999	393	Am		11346.45	2000	1059	Ad
11135	2001	708	Am		11346.5	2000	1059	Am (by Sec. 13 of Ch.)
11139	1999	591	Am			2000	1060	Am (by Sec. 24.5 of Ch.)
	2001	708	Am		11346.54	2000	1059	R
11181	2001	74	Am			2000	1060	R
11187	2001	74	Am		11346.7	2000	1059	Ad
11340.5	2000	1060	Am		11346.8	2000	1059	Am (by Sec. 16 of Ch.)
11340.8	2000	1059	Ad			2000	1060	Am (by Sec. 26.5 of Ch.)
	2001	59	R		11346.9	2000	1060	Am
11340.85	2000	1060	Ad		11347	2000	1059	Ad
	2001	59	Am			2000	1060	Ad
11340.9	2000	1060	Ad		11347.1	2000	1060	Ad
11341	2000	1059	Ad		11347.3	2000	1060	Am
Title 2, Div. 3, Pt. 1, Ch. 3.5, Art. 2, heading (Sec. 11342 et seq.)	2000	1060	R		11347.6	2000	1059	Ad
	2000	1059	R		11348	2000	1059	Ad
	2000	1060	R		11349	2000	1060	Am
11342.510	2000	1060	Ad		11349.1	2000	1060	Am
11342.520	2000	1060	Ad		11349.2	2000	1060	Ad
11342.530	2000	1060	Ad		11349.6	2000	1060	Am
11342.535	2000	1059	Ad	11350	2000	1060	Am	
11342.540	2000	1060	Ad	11350.3	2000	1060	Am	
11342.550	2000	1060	Ad	11353	2000	1060	Am	
11342.560	2000	1060	Ad	11356	2000	1060	Am	
11342.570	2000	1060	Ad	11361	2000	87 *	Ad	
11342.580	2000	1060	Ad	11517	1999	339	R & Ad	
11342.590	2000	1060	Ad	11552	1999	525	Am ¹¹²	
11342.595	2000	1059	Ad		1999	918	Am	
	2001	59	Am		2000	808 *	Am (by Sec. 97 of Ch.)	
11342.600	2000	1060	Ad					
11342.610	2000	1060	Ad					
11343	2000	1060	Am					
11343.4	2000	1060	Am					
11343.5	2000	1060	Am					

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
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11552 (Cont.)				11753	1999	873	R Ad ²¹ R ³⁴
11700	2000 1999	857 873	Am ²⁰³ R Ad ²¹ R ³¹	11753.1	2000	108*	Ad R
11701	1999	873	R Ad ²¹ R ³⁴	11754	1999	873	R Ad ²¹ R ³⁴
11702	1999	873	R Ad ²¹ R ³⁴	11754.1	1999 1999	67* 873	Ad R Ad ²¹ R ³⁴
11710	1999	873	R Ad ²¹ R ³⁴	11755	1999	873	R Ad ²¹ R ³⁴
11711	1999	873	R Ad ²¹ R ³⁴	11770	1999	873	R Ad ²¹ R ³⁴
11712	1999	873	R Ad ²¹ R ³⁴	11771	1999	873	R Ad ²¹ R ³⁴
11713	1999	873	R Ad ²¹ R ³⁴	11772	1999	873	R Ad ²¹ R ³⁴
11714	1999	873	R Ad ²¹ R ³⁴	11773	1999	873	R Ad ²¹ R ³⁴
11720	1999	873	R Ad ²¹ R ³⁴	11774	1999	873	R Ad ²¹ R ³⁴
11725	1999	873	R Ad ²¹ R ³⁴	11775	1999	873	R Ad ²¹ R ³⁴
11726	1999	873	R Ad ²¹ R ³⁴	11780	1999	873	R Ad ²¹ R ³⁴
11730	1999	873	R Ad ²¹ R ³⁴	11785	1999	873	R Ad ²¹ R ³⁴
11735	1999	873	R Ad ²¹ R ³⁴	11786	2000	608*	Ad
11736	1999	873	R Ad ²¹ R ³⁴	11786.1	2000	608*	Ad
11737	1999	873	R Ad ²¹ R ³⁴	11786.2	2000	608*	Ad
11738	1999	873	R Ad ²¹ R ³⁴	11786.3	2000	608*	Ad
11739	1999	873	R Ad ²¹ R ³⁴	11786.4	2000	608*	Ad
11751	1999	873	R Ad ²¹ R ³⁴	11786.5	2000	608*	Ad
11752	1999	873	R Ad ²¹ R ³⁴	11786.6	2000	608*	Ad
				11805	2001	115	R
				11806	2001	115	R
				11807	2001	115	R
				11815	2001	745*	R
				11818	2001	745*	R
				12012.25	1999	874	Ad
				12012.5	2000		
					Referendum (Prop. 29 adopted March 7, 2000)		Ad ¹⁸⁴
				12012.75	1999	874	Ad
				12012.85	1999	874	Ad

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	Year	Chapter	Effect		Year	Chapter	Effect
12012.85 (Cont.)				12214	1999	1000	R
	2000	127 *	Am	12215	1999	1000	R
12019	2001	577	Ad ³⁷	12236	1999	360	Ad
12078	2000	329 *	Ad & R ¹⁹	12320	2001	430	Am
12092	2001	111 *	Ad & R ¹⁸	12325	2001	430	Am
12095.60	2001	745 *	R	12332	2000	723	Am
12164.5	1999	1000	R	12419.2	2000	940	Ad & R ²⁰
12164.7	1999	1000	R	12419.3	2000	299	Am
12168.5	1999	1000	Am		2000	808 *	Am (by
12168.7	2000	569	Am				Sec. 98.1 of Ch.)
12174	1999	416	Am	12419.8	2001	176	Am
12175	1999	1000	Ad	12439	2000	127 *	Am
12176	1999	1000	Ad	12440.1	2001	169	Am
12177	1999	1000	Ad	12463.1	2001	288	Am
12178	1999	1000	Ad	12512	2000	626	Am
12178.1	1999	1000	Ad	12519	2001	76	Am
12179	1999	1000	Ad	12520	2000	626	Am
12179.1	1999	1000	Ad	12529	1999	655	Am
12180	1999	1000	R & Ad		2000	836	Am
12181	1999	1000	R	12529.5	1999	655	Am
12182	1999	1000	R	12544	2000	626	Am
			Ad (by Sec. 54.5	12586.1	2000	475	Ad
			of Ch.)	12586.2	2000	475	Ad
12182.1	1999	1000	Ad	12591.1	2000	475	Ad
12182.5	1999	1000	R	12591.2	2000	475	Ad
12183	1999	1000	R & Ad	12598	2000	475	Am
	2000	1003	Am ⁹⁶	12652	1999	83	Am ³⁰
12184	1999	1000	R	12656	2001	69	Ad
12185	1999	1000	R & Ad	12803	1999	478	Am
12186	1999	1000	R & Ad	12803.2	1999	895	Ad & R ⁷⁵
12187	1999	1000	Ad	12805.1	2000	87 *	Ad
12188	1999	1000	R & Ad	12812.2	1999	65	Ad
12189	1999	1000	Ad	12812.3	1999	65	Ad
12190	1999	1000	R & Ad	12814	1999	784 *	Ad
12191	1999	1000	R & Ad	12920	1999	592	Am
12192	1999	1000	R & Ad	12921	1999	591	Am
12193	1999	1000	R & Ad		1999	592	Am (by Sec. 2.5
12194	1999	1000	R & Ad				of Ch.)
	2000	1003	Am ⁹⁶	12922	1999	913	Ad
12195	1999	1000	R & Ad	12926	1999	311	Am
12196	1999	1000	R		1999	591	Am (by Sec. 5.1
12197	1999	1000	R & Ad				of Ch.)
12197.1	1999	1000	R		1999	592	Am (by Sec. 3.7
12199	1999	1000	R				of Ch.)
12200	1999	1000	R		2000	1049	Am (by Sec. 5
12201	1999	1000	R				of Ch.)
12202	1999	1000	R	12926.1	2000	1049	Ad
12203.7	1999	1000	R	12926.2	1999	913	Ad
12204	1999	1000	R		2001	910	Am
12205	1999	1000	R	12927	1999	591	Am
12206	1999	1000	R	12928	1999	797	Ad
12207	1999	1000	R	12930	1999	591	Am
12208	1999	999	Am		1999	592	Am (by Sec. 4.5
	1999	1000	R				of Ch.)
12209	1999	1000	R	12931	1999	592	Am
12210	1999	1000	R	12935	1999	592	Am
12210.5	1999	1000	R	12940	1999	591	Am
12211	1999	1000	R		1999	592	Am (by Sec. 7.5
12212	1999	1000	R				of Ch.)
12213	1999	1000	R		2000	1047	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
12940 (Cont.)	2000	1049	Am (by Sec. 7.5 of Ch.)	13960	2001	712	R (as ad by Sec. 2.7, Stats. 1998, Ch. 697)
	2001	909	Am				Am (as am by Sec. 1.3, Stats. 1998, Ch. 895) ¹⁹
12941.1	1999	222	Ad				Am (as ad by Sec. 1.4, Stats. 1998, Ch. 895) ²²
12944	1999	592	Am	13960.6	2001	712	Ad & R ⁷⁵
12945	1999	591	Am	13960.7	2001	420*	Ad & R ⁵
12948	1999	591	Am	13961	2001	712	Am
12951	2001	295	Ad	13961.01	2001	552	Am ¹⁹
12955	1999	589	Am (by Sec. 2 of Ch.) ¹⁶²		2001	712	Am (by Sec. 6.5 of Ch.) ¹⁹
	1999	590	Am (by Sec. 4 of Ch.) & R ¹⁸	13961.05	2000	974	Ad
			Ad (by Sec. 5 of Ch.) ⁶³	13961.1	1999	584	Am
	1999	591	Am & R (by Sec. 11.4 of Ch.) ^{162 18}		2000	1016	Am
			Ad (by Sec. 11.5 of Ch.) ⁶³		2001	419	Am
	1999	592	Am & R (by Sec. 9.7 of Ch.) ^{162 18}	13961.6	2001	346*	Ad & R ¹⁹
			Ad (by Sec. 9.83 of Ch.) ⁶³	13964	2001	712	R (as ad by Sec. 2.7, Stats. 1998, Ch. 895)
12955.3	2000	1049	Am				Am (as am by Sec. 2.5, Stats. 1998, Ch. 895) ¹⁹
12955.8	1999	592	Am				Am (as ad by Sec. 4.7, Stats. 1998, Ch. 697) ²²
12956.1	1999	589	Ad	13965	1999	584	Am (as am by Sec. 3.5 and as ad by Sec. 3.7, Stats. 1998, Ch. 895)
	2000	291*	Am		2000	1016	R (as ad by Sec. 5.7, Stats. 1998, Ch. 697)
12960	1999	797	Am				Am (as am by Sec. 1.5 and Sec. 2, Stats. 1999, Ch. 584)
12965	1999	591	Am		2001	419	Am (by Sec. 2 of Ch., as am by Sec. 5, Stats. 2000, Ch. 1016) ¹⁹
	2000	189	Am				Am (by Sec. 3 of Ch., as am by Sec. 6, Stats. 2000, Ch. 1016) ²²
	2001	813	Am				
12970	1999	591	Am				
12987	2000	189	Am				
12989.2	1999	591	Am				
12989.3	1999	591	Am				
12993	1999	592	Am				
13100	1999	606	R & Ad				
13101	1999	606	R & Ad				
13101.5	1999	606	R				
13101.6	1999	606	R				
13102	1999	606	R & Ad				
13103	1999	606	R & Ad				
13103.5	2001	911*	Ad ³⁵⁷				
13104	1999	606	R & Ad				
13332.06	2001	745*	R				
13336.5	2001	745*	R				
13340	1999	50*	Am				
	2000	52*	Am				
	2000	861*	Am				
	2001	106*	Am				
13900	2000	1016	Am				
13901	2000	1016	Am				
13940	1999	95*	Ad				
13941	1999	95*	Ad				
13942	1999	95*	Ad				
13943	1999	95*	Ad				
13943.1	1999	95*	Ad				
13943.2	1999	95*	Ad				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
13965 (Cont.)				14529.11	1999	783 *	Ad
	2001	712	Am (by	14529.14	2001	597	R
			Sec. 10.5 of Ch.,	14529.17	1999	572	Ad
			as am by Sec. 5,	14529.19	1999	572	Ad
			Stats. 2000,	14529.23	1999	572	Ad
			Ch. 1016) ¹⁹	14529.3	1999	783 *	Ad
			Am (by		2001	825	R (as ad by
			Sec. 11.5 of Ch.,				Stats. 1999,
			as am by Sec. 6,				Ch. 783)
			Stats. 2000,	14529.5	2001	597	R
			Ch. 1016) ²²	14529.6	1999	783 *	Ad
13965.1	2000	1016	Ad	14532	2001	911 *	Ad ³⁵⁷
13965.2	1999	83	Am ³⁰	14536	2001	113 *	Am
13965.5	2000	974	Ad	Title 2,			
	2001	712	Am	Div. 3,			
13965.6	2001	346 *	Ad & R ¹⁹	Pt. 5.3,			
13968	2000	198	Am	Ch. 4,			
13968.5	1999	584	Ad & R ¹⁹	heading			
	2000	1016	Am	(Sec. 14550			
13968.7	2000	127 *	Ad ¹⁹⁸	et seq.)	1999	862	R & Ad
			R ^{63 37}	Title 2,			
	2001	346 *	Ad & R ¹⁹	Div. 3,			
13968.8	2001	346 *	Ad & R ¹⁹	Pt. 5.3,			
13969.5	2000	93 *	Ad	Ch. 4,			
13974.5	2000	1016	Ad & R ¹⁸	Art. 1,			
13974.6	2001	138	Ad	heading			
13974.7	2000	1016	Ad & R ¹⁸	(Sec. 14550			
13975	1999	525	Am ¹¹²	et seq.)	1999	862	R & Ad
	2000	857	Am ²⁰³	14550	1999	862	Ad
13975.2	1999	525	Ad ¹¹²	14552	1999	862	Ad
	2000	857	Am ²⁰³	14552.2	1999	862	Ad
14007.5	1999	783 *	Ad ⁶²		2001	113 *	Am
			R ²²	14552.4	1999	862	Ad
14035	1999	103	Am	14552.6	1999	862	Ad
14035.1	2001	115	R (as am by	14553	1999	862	Ad
			Sec. 1,	14553.2	1999	862	Ad
			Stats. 1992,	14553.4	1999	862	Ad
			Ch. 25)	14553.6	1999	862	Ad
14035.55	1999	458	Ad	14553.7	1999	862	Ad
14035.56	2000	788 *	Ad & R ²⁴⁰	14553.8	1999	862	Ad
14035.57	2000	788 *	Ad	14553.9	1999	862	Ad
14035.58	2001	245	Ad & R ³⁰⁸	14554	1999	862	Ad
14035.6	2001	745 *	R	14554.2	1999	862	Ad
14036	1999	373	Am	14554.4	1999	862	Ad
	2001	597	Am	14554.6	1999	862	Ad
14045	2001	115	R	14554.8	1999	862	Ad
14053	1999	783 *	Ad	14555	1999	862	Ad
14057	2001	333	Ad ^{342 21}	14555.2	1999	862	Ad
			R ³⁴	14555.4	1999	862	Ad
14070.2	2001	745 *	Am	14555.6	1999	862	Ad
14076.2	1999	724	Am	14555.8	1999	862	Ad
14102	2001	825	Ad	14555.9	1999	862	Ad
14105	2000	1034	Ad	14556	2000	91 *	Ad
14451	1999	724	R	14556.1	2000	91 *	Ad
14524	2000	91 *	Am		2001	113 *	Am
14525	2000	91 *	Am	14556.10	2000	91 *	Ad
14526	2000	91 *	Am	14556.11	2000	91 *	Ad
14527	2000	91 *	Am	14556.12	2000	91 *	Ad
	2001	815	Am	14556.13	2000	91 *	Ad
14529	2000	91 *	Am	14556.14	2000	91 *	Ad
14529.01	1999	783 *	Ad	14556.16	2000	91 *	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
14556.18	2000	91 *	Ad	14564	2001	597	R
14556.20	2000	91 *	Ad	14565	2001	597	R
14556.25	2000	91 *	Ad	14566	2001	597	R
14556.26	2000	91 *	Ad	14566.5	2001	597	R
	2000	656 *	Am	14566.7	2001	597	R
	2001	512 *	Am	14566.9	2001	597	R
14556.28	2000	91 *	Ad	14567	2001	597	R
14556.29	2000	656 *	Ad	14567.5	2001	597	R
14556.3	2000	91 *	Ad	14568	2001	597	R
14556.30	2000	91 *	Ad	14569	2001	597	R
14556.32	2000	91 *	Ad	14575	2001	597	R
14556.33	2001	908	Ad	14576	2001	597	R
14556.34	2000	91 *	Ad	14612	2001	118 *	Ad ³⁰³
14556.36	2000	91 *	Ad				R ³⁴
14556.40	2000	91 *	Ad ³⁷	14615.1	2000	590	Am
	2000	92	Ad ³⁷	14660.1	2001	745 *	Am
	2000	656 *	R (as ad by	14664	2000	528	Am
			Sec. 1,	14666.6	1999	676	Ad
			Stats. 2000,	14666.7	1999	676	Ad & R ¹⁸
			Ch. 92)	14669.14	1999	293	Ad
			Am (as ad by	14669.15	2001	603 *	Am
			Sec. 6,	14669.16	1999	147 *	R
			Stats. 2000,		2001	603 *	Ad
			Ch. 91)	14669.17	2001	540	Ad
14556.5	2000	91 *	Ad	14669.7	1999	951	Ad & R ²⁴
	2000	656 *	Am	14670.12	2000	528	Ad
14556.50	2000	91 *	Ad	14672	1999	243 *	Am
	2000	656 *	Am	14672.86	2001	610	Ad ^{18 70}
14556.52	2000	91 *	Ad	14672.9	2000	93 *	Am
	2000	656 *	Am	14672.98	2001	271	Ad
14556.6	2000	91 *	Ad	14672.99	2001	610	Ad
	2001	113 *	Am	14673.6	2000	449 *	Ad
14556.7	2001	113 *	Ad ³⁰⁰	14680.8	2001	115	R
			R ³⁰¹	14684	2X 2001–02	10	Ad
14556.8	2001	113 *	Ad ³⁰⁰	14710	1X 2001–02	8 *	Ad
			R ³⁰¹	14711.5	1X 2001–02	8 *	Ad
14556.9	2001	113 *	Ad ³⁰⁰	14712	1X 2001–02	8 *	Ad
			R ³⁰¹	14713	1X 2001–02	8 *	Ad
14560	2001	597	R	14714	1X 2001–02	8 *	Ad
14560.1	2001	597	R	14735	1999	991	Am ^{96 114}
14560.2	2001	597	R	14756	2000	569	Am
14560.5	2001	597	R	14836	2001	882	Am
14560.7	2001	597	R	14837	2001	882	Am
14561	2001	597	R	14838	2001	882	R & Ad
14561.3	2001	597	R	14838.5	1999	83	Am ³⁰
14562.1	2001	597	R		2000	775	Am
14562.10	2001	597	R		2000	776 *	Am (by Sec. 2
14562.11	2001	597	R				of Ch.) ¹⁴
14562.15	2001	597	R				Am (by Sec. 2.5
14562.2	2001	597	R				of Ch.) ²⁵
14562.3	2001	597	R		2001	183	Am
14562.4	2001	597	R		2001	882	Am
14562.5	2001	597	R	14839	2001	882	Am
14562.6	2001	597	R	14839.1	2001	882	Am
14562.7	2001	597	R	14840	2001	882	Am
14562.8	2001	597	R	14842	2001	882	Am
14562.9	2001	597	R	14842.5	2001	882	Am
14563	2001	597	R	14998.4	2000	1055 *	Am
14563.3	2001	597	R	14999.50	2000	700	Ad
14563.4	2001	597	R	14999.55	2000	700	Ad
14563.5	2001	597	R	15164.1	2001	34	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
15202	2000	127 *	Am ⁶³ Ad & R ¹⁸	15346.3	1999	425	Ad & R ⁷⁵
15277	2001	745 *	Am	15346.4	2000	769	Am
15290	2001	115	R	15346.4	1999	425	Ad & R ⁷⁵
15291	2001	115	R	15346.4	2000	769	Am
15292	2001	115	R	15346.5	1999	425	Ad & R ⁷⁵
15293	2001	115	R	15346.8	1999	425	Ad & R ⁷⁵
15294	2001	115	R	15346.9	1999	425	Ad & R ⁷⁵
15295	2001	115	R	15346.9	2000	135	Am ²⁰³
15296	2001	115	R	15346.9	2000	769	Am
15297	2001	115	R	15348	2000	1056	Ad
15298	2001	115	R	15348.5	2000	1056	Ad
15299	2001	115	R	15350	1X 2001-02	8 *	Ad
15300	2001	115	R	15351	1X 2001-02	8 *	Ad
15301	1999	67 *	Am	15352	1X 2001-02	8 *	Ad
	2000	958	Am	15353	1X 2001-02	8 *	Ad
15301.3	2000	958	Am	15354	1X 2001-02	8 *	Ad
15301.5	2001	745 *	R	15355	1X 2001-02	8 *	Ad
15301.6	2000	958	Am	15356	1X 2001-02	8 *	Ad
Title 2,				15357	2X 2001-02	9	Am
Div. 3,				15357	1X 2001-02	8 *	Ad
Pt. 6.7,				15358	1X 2001-02	8 *	Ad
Ch. 1,				15359	1X 2001-02	8 *	Ad
heading				15360	1X 2001-02	8 *	Ad
(Sec. 15310				15361	1X 2001-02	8 *	Ad
et seq.)	2000	1055 *	Am	15362	1X 2001-02	8 *	Ad
	2001	189	Am	15362.5	1X 2001-02	8 *	Ad
15310	2000	1056	Am	15363.10	2001	189	Am
15310.1	2000	1056	Ad	15363.50	2001	189	Am
15311	2000	1055 *	Am	Title 2,			
	2000	1056	Am	Div. 3,			
15313	2000	1056	Am	Pt. 6.7,			
15314	2001	189	Am	Ch. 1.3,			
15315	2001	189	Am	heading			
15316	2001	189	Am	(Sec. 15363.6			
15317	2001	189	Am	et seq.)	2001	189	Am
15318	1999	519	Ad & R ⁵	15363.6	2000	1055 *	Am
15325	2000	1056	Am	15363.6	2000	1056	Am
	2001	189	Am		2001	189	Am
15329	2000	1056	Ad	15363.70	2000	127 *	Ad
15330.05	1999	515	Ad & R ⁵	15363.71	2000	127 *	Ad
15331	1999	431	Am	15363.72	2000	127 *	Ad
15333.10	2000	1056	Ad		2000	699	Am
15333.11	2000	1056	Ad	15363.73	2000	127 *	Ad
15333.3	2001	745 *	Am		2000	699	R & Ad
	2001	752 *	R	15363.74	2000	127 *	Ad
15333.4	2001	745 *	Am	15363.75	2000	127 *	Ad
	2001	752 *	R		2000	699	Am
15333.6	2000	1056	R	15364.4	2001	189	R (as am by
	2001	752 *	Ad				Sec. 3,
15333.7	2001	752 *	Ad				Stats. 1994,
15333.8	2001	752 *	Ad				Ch. 929)
15339.2	2000	605	Am				Am (as am by
15339.3	2000	605	Am				Sec. 1,
15339.8	2000	605	Ad				Stats. 1995,
15346	1999	425	Ad & R ⁷⁵				Ch. 824)
15346.1	1999	425	Ad & R ⁷⁵	15364.5	2001	189	Am
15346.10	1999	425	Ad & R ⁷⁵	15364.6	2001	189	Am
15346.12	1999	425	Ad & R ⁷⁵	15364.7	2001	189	Am
15346.13	1999	425	Ad & R ⁷⁵	15364.71	2001	189	Am
15346.2	1999	425	Ad & R ⁷⁵	15364.74	2001	189	Am
				15364.76	2001	189	Am

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
15364.77	2001	189	Am	15379.28	1999	78 *	S ^{36 24}
	2001	430	Am (by Sec. 9.5 of Ch.)		2000	939	R
15364.78	2001	189	Am	15379.30	1999	78 *	S ^{36 24}
15364.79	2001	189	Am		2000	939	R
15364.80	2001	189	R	15379.33	1999	78 *	S ^{36 24}
15364.85	2001	189	R		2000	939	R
15365.11	1999	598	Ad	15379.35	1999	78 *	S ^{36 24}
	2001	189	Am		2000	939	R
15365.12	2001	189	Am	15379.40	1999	78 *	S ^{36 24}
	1999	141	Ad		2000	939	R
15365.30	2000	506	Am	15379.50	1999	78 *	S ^{36 24}
	1999	141	Ad		2000	939	R
15365.31	1999	565	Ad	15379.51	2000	1059	Ad
15365.40	1999	565	Ad		1999	78 *	S ^{36 24}
15365.41	1999	565	Ad	15379.52	2000	939	R
15365.42	1999	565	Ad		1999	78 *	S ^{36 24}
15365.43	1999	565	Ad	15379.60	2000	939	R
15365.44	1999	565	Ad		1999	78 *	S ^{36 24}
15365.45	1999	565	Ad	15379.61	2000	939	R
15365.46	1999	565	Ad		1999	78 *	S ^{36 24}
15365.6	2001	189	Am	15379.62	2000	939	R
15373.100	1999	597	Ad		1999	78 *	S ^{36 24}
15373.101	1999	597	Ad	15379.650	2000	939	R
15373.102	1999	597	Ad		1999	78 *	S ^{36 24}
15373.103	1999	597	Ad	15379.651	2000	939	R
15373.104	1999	597	Ad		1999	78 *	S ^{36 24}
15373.105	1999	597	Ad	15379.652	2000	939	R
15373.106	1999	597	Ad		1999	78 *	S ^{36 24}
15373.107	1999	597	Ad	15379.653	2000	939	R
15373.108	1999	597	Ad		1999	78 *	S ^{36 24}
15373.109	1999	597	Ad	15379.655	2000	939	R
15373.110	1999	597	Ad		1999	78 *	S ^{36 24}
15373.111	1999	597	Ad	15379.656	2000	939	R
15373.112	1999	597	Ad		1999	78 *	S ^{36 24}
15373.113	1999	597	Ad	15379.657	2000	939	R
15373.114	1999	597	Ad		1999	78 *	S ^{36 24}
15378	2001	745 *	Am	15379.658	2000	939	R
15379.20	1999	78 *	S ^{36 24}		1999	78 *	S ^{36 24}
	2000	939	R	15379.70	2000	939	R
15379.21	1999	78 *	S ^{36 24}		1999	78 *	S ^{36 24}
	2000	939	R	15379.71	2000	939	R
15379.21.5	1999	78 *	S ^{36 24}		1999	78 *	S ^{36 24}
	2000	939	R	15379.80	2000	939	R
15379.21.6	1999	78 *	S ^{36 24}		1999	78 *	Am ^{36 24}
	2000	939	R	15379.90	2000	939	R
15379.21.7	1999	78 *	S ^{36 24}		1999	78 *	S ^{36 24}
	2000	939	R	15392.1	2001	189	Am
15379.21.8	1999	78 *	S ^{36 24}		15399.10	1999	516
	2000	939	R	1999		812	Am
15379.22	1999	78 *	S ^{36 24}	15399.11	2001	118 *	S ¹⁹
	2000	939	R		1999	516	S ⁵
15379.23	1999	78 *	S ^{36 24}	15399.12	1999	812	Am
	2000	939	R		2001	118 *	S ¹⁹
15379.24	1999	78 *	S ^{36 24}	15399.13	1999	516	S ⁵
	2000	939	R		2001	118 *	S ¹⁹
15379.25	1999	78 *	S ^{36 24}	15399.14	1999	516	S ⁵
	2000	939	R		1999	812	Am
15379.26	1999	78 *	S ^{36 24}				
	2000	939	R				
15379.27	1999	78 *	S ^{36 24}				
	2000	939	R				

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	Year	Chapter	Effect		Year	Chapter	Effect
15399.14 (Cont.)	2001	118 *	S ¹⁹	15820.83	2000	71 *	Ad
15399.15	1999	812	Ad	15820.84	2000	71 *	Ad ¹⁸⁹ R ¹⁹²
	2001	118 *	S ¹⁹	15820.85	2000	71 *	Ad
15399.15.1	1999	812	Ad	15820.86	2000	71 *	Ad
	2001	118 *	S ¹⁹	16142	1999	1019	Am
15399.15.2	1999	812	Ad	16142.1	1999	1019	Ad
	2001	118 *	S ¹⁹	16153	2000	506	R
15399.16	1999	516	S ⁵	16201	1999	991	Am ^{96 114}
	2001	118 *	S ¹⁹	16262.5	1999	90 *	Am
15399.17	1999	516	S ⁵	16265	2000	375	Am
	1999	812	Am	16301.6	1999	95 *	R
	2001	118 *	S ¹⁹	16301.7	1999	95 *	R
15399.18	1999	516	S ⁵	16301.8	1999	95 *	R
	2001	118 *	S ¹⁹	16302.1	1999	95 *	Am
15399.19	1999	516	S (as ad by Stats. 1989, Ch. 1442 and Stats. 1995, Ch. 814) ⁵	16304	2000	364	Am
			Am (as ad by Sec. 6, Stats. 1995, Ch. 814) & RN	16304.3	2000	364	Ad
	1999	812		16365.5	1999	466	Ad
				16373	2000	481	Am
				16404.5	1999	917	Ad
				16429.30	2000	127 *	Am
				16429.34	2000	127 *	R
				16429.36	2000	127 *	R
				16429.38	2000	127 *	R
	2001	118 *	S ¹⁹	16429.40	2000	127 *	R
15399.19.1	1999	812	Ad(RN)	16429.49	2000	127 *	R
	2001	118 *	S ¹⁹	16430	1999	468	Am
15399.20	1999	516	S ⁵	16500	2000	1036	Am
	2001	118 *	S ¹⁹	16501	2000	1036	Am
15399.21	1999	516	Am ⁵	16522	2000	913	Am
	2001	118 *	Am ¹⁹	16582	2001	745 *	R
15399.45	1999	596	Ad & R ²⁰	16600	2000	1036	Am
15399.46	1999	596	Ad & R ²⁰	16612	2000	913	Am
15399.47	1999	596	Ad & R ²⁰	16645	2000	872	Ad
15399.48	1999	596	Ad & R ²⁰	16645.1	2000	872	Ad
15432	2000	517	Am	16645.2	2000	872	Ad
	2001	78	Am	16645.3	2000	872	Ad
15438	1999	842	Am	16645.4	2000	872	Ad
	2000	99	Am	16645.5	2000	872	Ad
	2000	517	Am (by Sec. 2.5 of Ch.)	16645.6	2000	872	Ad
				16645.7	2000	872	Ad
15438.1	2000	517	R	16645.8	2000	872	Ad
15438.5	2000	517	Am	16646	2000	872	Ad
15438.6	2000	99	Ad	16647	2000	872	Ad
15439	1999	842	Am	16648	2000	872	Ad
	2000	517	Am	16649	2000	872	Ad
15440	2000	517	Am	16649.91	2001	745 *	R
15461	2000	517	R	16722	2001	97 *	Am
15463	2000	517	R	16274.7	2001	97 *	Ad
15601	2000	1081	R	16731	1999	522	Am
15620.5	1999	929	Ad		2001	97 *	Am
15703	2000	808 *	Am	16733	1999	522	Am
15813.6	2001	745 *	Am		2001	97 *	Am
15814.15	1999	981	Am ¹⁸	16753	1999	468	Am
15814.20	1X 2001-02	7 *	Am		2001	97 *	Am
15817.5	1999	147 *	R	16754	1999	468	Am
15819.295	1999	54 *	Ad	16754.3	1999	468	Am (by Sec. 4 of Ch.)
15819.90	1999	728 *	Am ⁸⁸				Am (by Sec. 3.5 of Ch.)
15820.80	2000	71 *	Ad		1999	522	Am (by Sec. 3.5 of Ch.)
15820.81	2000	71 *	Ad				Am
15820.82	2000	71 *	Ad		2001	97 *	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
16771	2001	97 *	Am	19175.6	1999	83	Am ³⁰
16774	2001	97 *	Am		1999	446 *	R
16781	1999	522	Am	19231	2000	1048	Am
17521	1999	643	Am		2000	1049	Am
17553	1999	643	Am	19240	2000	1048	Am
17559	1999	643	Am	19253.5	1999	310	Am
17561	1999	643	Am	19401	1999	310	Am
17562	2001	745 *	Am	19402	1999	310	Am
17564	1999	643	Am	19403	1999	310	Am
17571	1999	643	Am	19404	1999	310	R
18001	2000	886	Ad	19405	1999	310	Am
18523.1	1999	446 *	Am	19406	1999	310	Am
18523.3	1999	83	Am ³⁰	19570.1	2001	365 *	Am
	2001	365 *	R	19570.3	1999	446 *	R
18598	2001	219	R	19572.1	1999	446 *	Am
18670	1999	446 *	Am	19572.3	1999	446 *	R
	2000	402 *	Am	19574	1999	446 *	Am
	2001	365 *	Am		2001	365 *	Am
18670.2	1999	446 *	R	19574.1	2001	365 *	Am
18672	1999	310	Am	19574.2	2001	365 *	Am
18680	1999	310	Am	19574.6	1999	446 *	R
18710	1999	310	Am	18575	2001	365 *	Am
18717	1999	457 *	Am	19576.2	1999	446 *	R
18717.2	2001	365 *	R	19576.4	1999	446 *	R
18903	1999	3 *	Am	19576.5	1999	83	Am ³⁰
	1999	446 *	Am	19576.6	2000	402 *	Ad
	2001	364 *	Am	19578	2001	365 *	Am
18903.2	1999	446 *	R	19582	1999	446 *	Am
18935	1999	806	Am		2000	402 *	Am
	2000	135	Am ²⁰³		2001	365 *	Am
	2001	159	Am ³⁰⁵	19582.1	1999	446 *	Am
18939	1999	310	Am	19582.2	1999	446 *	R
18979	1999	404	Am	19582.3	1999	83	Am ³⁰
19050.8	2000	1058	Am		1999	446 *	R
19056.5	1999	446 *	Am	19582.6	1999	446 *	Am
	2001	364 *	Am	19582.7	1999	446 *	R
19056.6	1999	446 *	R	19583	2001	365 *	Am
19063	1999	310	Am	19585	1999	310	Am
19063.1	1999	310	Am	19605	1999	357	Am
19063.2	1999	310	Am	19632	2000	1048	Ad
19063.5	1999	310	Am	19682	2001	883	Am
19063.8	1999	310	Am	19683	1999	806	Am
19080.4	2001	859	Ad & R ¹⁹		2001	883	Am
19134	2000	127 *	Ad	19683.1	2001	883	Ad
	2000	895	Am	19702	1999	446 *	Am
19141	1999	446 *	Am		2000	1048	Am
	2001	364 *	Am		2001	364 *	Am
19141.3	1999	83	Am ³⁰		2001	365 *	Am
	1999	446 *	R		2001	883	Am
19142	1999	446 *	Am	19702.7	1999	446 *	R
	2001	364 *	Am	19786	1999	446 *	Am
19142.2	1999	446 *	R		2001	364 *	Am
19144	1999	310	Am	19786.2	1999	446 *	R
19170.1	1999	3 *	Am	19793	2001	745 *	Am
	1999	446 *	Am	19798	1999	446 *	Am
	2001	364 *	Am		2001	364 *	Am
19170.3	1999	446 *	R	19798.2	1999	446 *	R
19173.1	2001	365 *	Am	19815	1999	918	Am
19173.3	1999	446 *	R	19815.41	1999	446 *	Am
19175	2000	402 *	Am	19815.42	1999	446 *	R
19175.3	2001	365 *	Am	19816.2	1999	446 *	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
19816.2 (Cont.)				19858.6	1999	457*	R
	2001	364*	Am	19863.1	1999	457*	Am
19816.20	1999	457*	Am	19871.2	1999	272*	Am
	2000	402*	Am	19876.5	2000	402*	Am ²³⁰
19816.22	1999	446*	R	19990.6	2001	411	Ad
19816.23	1999	457*	R	19991.15	1999	784*	Ad & R ⁵
19817	1999	446*	Am	19991.16	1999	784*	Ad & R ⁵
	1999	926*	Am	19991.17	1999	784*	Ad & R ⁵
	2001	364*	Am	19991.18	1999	784*	Ad & R ⁵
19817.10	1999	926*	Ad	19991.19	1999	784*	Ad & R ⁵
19817.8	1999	446*	R	19993.05	2001	745*	Am
19818.11	1999	446*	Am	19994	1999	446*	Am
19818.15	1999	446*	R		2001	364*	Am
19818.7	1999	446*	Am	19994.1	1999	446*	Am
19818.8	1999	457*	Am		2001	364*	Am
19818.9	2001	365*	R	19994.2	1999	446*	Am
19822.7	1999	770*	Ad		2001	364*	Am
19823	2001	365*	Am	19994.6	1999	446*	R
19826	2001	364*	Am	19994.7	1999	446*	R
19826.1	1999	446*	Am	19994.8	1999	446*	R
19826.3	2001	365*	R	19995.5	1999	446*	Ad
19827.3	1999	926*	Ad		1999	630*	Ad
	2000	135	Am ²⁰³	19997	1999	446*	Am
19828	2001	364*	Am		2001	364*	Am
19828.2	1999	446*	R	19997.11	1999	446*	Am
19829	1999	446*	Am		2001	364*	Am
	2001	364*	Am	19997.13	1999	446*	Am
19829.2	1999	446*	R		2001	364*	Am
19832	1999	446*	Am	19997.3	1999	446*	Am
	2001	364*	Am		2001	364*	Am
19832.2	1999	446*	R	19997.4	1999	446*	Am
19834	1999	446*	Am		2001	364*	Am
	2001	364*	Am	19997.40	1999	446*	R
19834.2	1999	446*	R	19997.43	1999	446*	R
19835	1999	446*	Am	19997.44	1999	446*	R
	2001	364*	Am	19997.45	1999	446*	R
19835.2	1999	446*	R	19997.46	1999	446*	R
19836	2001	364*	Am	19997.47	1999	446*	R
19836.1	1999	446*	Am	19997.48	1999	446*	R
	2001	364*	R	19997.5	1999	446*	Am
19836.3	2001	365*	R		2001	364*	Am
19841	1999	446*	Am	19997.51	1999	446*	R
	2001	364*	Am	19997.53	1999	446*	R
19841.2	1999	446*	R	19997.6	1999	446*	Am
19844.7	2001	780	Ad		2001	364*	Am
19849.15	1999	926*	Ad	19997.7	1999	446*	Am
19849.18	1999	792*	Ad		2001	364*	Am
19849.22	2000	902	Ad	19997.8	1999	446*	Am
	2001	797	Am		2001	364*	Am
19849.9	1999	272*	Am	20028	2000	1010	Am
19853	2000	213	Am ²¹¹		2001	159	Am ³⁰⁵
19853.1	1999	446*	Am	20035.5	1999	555	Ad
	2000	213	Am ²¹¹	20047.5	2001	365*	Ad
19853.3	1999	446*	R	20057	2000	357	Am
19854	1999	446*	Am	20057.1	2001	793	Am
	2001	364*	Am	20068.2	1999	83	Am ³⁰
19854.2	1999	446*	R		1999	457*	R
19858.3	1999	457*	Am	20069.1	2000	1010	Ad
19858.4	1999	457*	Am	20070	2001	793	Am
19858.5	1999	457*	Am	20178	2000	483*	Am ⁵⁶

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
20225.5	1999	474	Ad	20486	2000	1002	Am (as ad by
20300	2000	1002	Am				Stats. 1996,
	2001	159	Am ³⁰⁵				Ch. 502) & RN
20303	1999	474	Am	20487	2000	1002	Ad(RN)
20309	2000	880	Am	20515	2001	793	Am
	2001	77	Am	20570	2000	1010	Am
20309.5	2000	402*	Ad	20580	2001	793	Am
20320	2000	489	Am	20588	2000	966	Am
20322	2000	489	Am		2001	793	Am
20324	2000	489	Am	20616	2000	947	Am
20325	2000	489	Am	20618	2000	947	Am (by Sec. 2
20350	1999	785	Am				of Ch.)
20356	2001	793	Am		2001	21*	Am ²⁹⁸
20391	1999	555	Am (by Sec. 2	20635.1	2000	1030	Ad
			of Ch.)	20636	1999	971	Am
	1999	785	Am (by Sec. 2.5	20636.1	2000	1030	Ad
			of Ch.)	20639	1999	939	Am ³⁰
20392	1999	555	Am		2001	433	Am
	2000	1002	Am	20677	1999	83	Am ³⁰
	2001	159	Am ³⁰⁵		1999	555	Am (by Sec. 12
20393	1999	555	Am				of Ch.)
20394	1999	971	Am		2000	135	Am ²⁰³
20395	1999	555	Am		2000	1030	Am (by Sec. 4
	2000	135	Am ²⁰³				of Ch.)
	2000	402*	Am		2001	782	Am (by Sec. 1
20397	1999	555	Am				of Ch.)
	2000	135	Am ²⁰³	20677.1	1999	630*	Ad
20398	1999	555	Am	20677.2	2001	365*	Ad ⁷³
20400	1999	457*	Am				R ²²
20405.1	1999	457*	Am	20677.3	2001	363*	Ad ⁷³
	1999	555	Am				R ²²
	2000	402*	Am	20678	2000	1002	R (as am by
20405.2	1999	446*	Ad				SB 528) & Ad ⁸²
20405.3	1999	457*	R		2001	21*	Am ²⁹⁸
	1999	555	Am	20683	1999	555	Am
	2001	365*	Ad	20683.1	2001	365*	Ad ⁷³
20407	1999	555	Am				R ²²
20407.5	2000	402*	Ad	20683.2	2001	363*	Ad ⁷³
20409	1999	555	Am				R ²²
20417	1999	785	R	20686	2001	793	Am
20420	2000	871	Am	20687	1999	555	Am
20423.5	2001	787	Ad		2001	21*	Am ²⁹⁸
20432	2000	871	Ad		2001	785	Am
	2001	149	Am	20687.1	2000	1030	Ad
20433	2001	793	Am		2001	785	R
20434	2001	793	Am		2001	793	R
20434.5	2001	793	Am	20687.2	2000	902	Ad
20436	2000	871	Am		2001	797	Am
20441	2001	787	Am	20687.3	2001	364*	Ad & R ³⁴⁷
20441.5	2000	482	Ad	20688	2001	21*	Am ²⁹⁸
	2001	787	R	20694	1999	778*	Ad
20443	2001	21*	Am ²⁹⁸	20720	1999	307	R
20445	2001	21*	Am ²⁹⁸	20721	1999	307	R
20460.1	2000	1010	Ad	20722	1999	307	R
20469.1	2000	1010	Ad	20723	1999	307	R
20471.1	2000	1010	Ad	20724	1999	307	R
20474	2000	1010	Am	20725	1999	307	R
20479.5	2000	882	Ad	20736	1999	785	R
20480	1999	259	Ad & R ⁵	20801	1999	778*	Am
20481	2001	793	Am	20815	2000	1010	Am

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
20815.5	1999	474	Ad		1999	800	Am (as ad by
20816	2001	781	Am				Stats. 1999,
20822	1999	555	Am				Ch. 555)
20831.1	2000	1030	Ad	21252	2000	346	Am
20890.1	2001	793	Ad	21259	2001	793	Am
20894	1999	474	Am	21290	2001	21 *	Am ²⁹⁸
20903	1999	684	Ad	21298	2001	21 *	Am ²⁹⁸
20962	2000	1030	Am		2001	793	Am
20963.1	1999	770 *	Ad	21317	2001	793	Am
20966	2000	1030	Am	21318	2001	793	Am
20992	1999	785	R	21319	2001	793	Am
21001	2001	793	R	21322	2001	793	Am
21002	2001	793	R	21325	2001	793	Am
21006	2000	489	Am	21326	2001	793	Am
	2001	159	Am ³⁰⁵	21327	2001	793	Am
21007	2000	489	Am	21328	1999	555	Ad
21008	2000	489	Am		2000	237	Am
21013	2000	489	Am		2001	793	Am
21020	2000	489	Am	21337	1999	555	Am (by Sec. 29
21021	2000	489	Am				of Ch.)
21023	2000	489	Am		2000	483 *	Am ⁵⁶
21023.5	1999	834	Ad	21337.1	2000	483 *	Ad ⁵⁶
	2000	489	Am	21353	1999	555	Am
21024	2000	489	Am		2001	21 *	Am ²⁹⁸
	2001	793	Am	21353.5	1999	555	Am ^{77 169}
21027	2000	489	Am	21354.1	1999	555	Ad ¹²⁷
	2001	793	Am		2000	1030	Am (by Sec. 9
21028	1999	83	Am ³⁰				of Ch.)
21029	2000	489	Am	21354.3	2001	782	Ad
21030	2000	489	Am	21354.4	2001	782	Ad
21031	2000	489	Am	21354.5	2001	782	Ad
21050	2000	489	Ad	21355	2001	21 *	Am ²⁹⁸
21051	2000	489	Ad	21357	1999	785	Am
21052	2000	489	Ad		2001	21 *	Am ²⁹⁸
21053	2000	489	Ad	21362	1999	555	Am (by Sec. 33
21054	2000	489	Ad				of Ch.)
	2001	793	Am		1999	633	Am (by Sec. 1.5
21061	2001	21 *	Am ²⁹⁸				of Ch.)
21070	1999	555	Am ¹⁶⁹		2001	21 *	Am ²⁹⁸
21070.5	1999	555	Ad ¹²⁷	21362.1	1999	3 *	Ad
	2000	135	Am ²⁰³		2001	21 *	R ²⁹⁸
21070.6	1999	555	Ad ¹²⁷	21362.2	1999	555	Ad ¹²⁷
21071	1999	555	Am ^{77 169}		2001	21 *	Am ²⁹⁸
	2000	135	Am ²⁰³	21363	1999	555	Am (by Sec. 35
21072	1999	555	Am ^{77 169}				of Ch.)
21073	1999	555	Am ^{77 169}		1999	633	Am (by Sec. 2
21073.1	1999	555	Ad ¹²⁷				of Ch.)
	2001	21 *	Am ²⁹⁸		1999	785	Am (by Sec. 9.6
21073.5	1999	555	Am ¹⁶⁹				of Ch.)
	1999	785	Am ⁸²		2001	21 *	Am ²⁹⁸
21073.7	1999	555	Ad ¹²⁷	21363.1	1999	555	Ad ¹²⁷
	2000	135	Am ²⁰³		2001	21 *	Am ²⁹⁸
	2001	21 *	Am ²⁹⁸	21363.2	1999	778 *	Ad
21077	1999	555	Am	21363.3	2001	785	Ad
21130	1999	555	Am	21363.5	1999	555	Am
21159	2000	402 *	Am ²³⁰		1999	800	Am (as am by
21160	2000	402 *	Am ²³⁰				Stats. 1999,
21161	2000	402 *	Am ²³⁰				Ch. 555)
21195	2000	402 *	Am ²³⁰		2001	21 *	R ²⁹⁸
21201	1999	785	Am	21363.6	1999	555	R
21251.13	1999	555	Ad	21363.7	1999	778 *	Ad

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
21363.7 (Cont.)				21573	1999	555	Am (by Sec. 47 of Ch.)
	2001	21 *	R ²⁹⁸				
21364	2001	21 *	Am ²⁹⁸		1999	800	Am (by Sec. 8 of Ch.)
21369	1999	555	Am (by Sec. 39 of Ch.)		1999	801	Am (by Sec. 1.3 of Ch.)
	1999	633	Am (by Sec. 3.5 of Ch.)		2001	21 *	Am ²⁹⁸
21369.1	1999	555	Ad ¹²⁷	21573.5	1999	3 *	Ad
	2001	21 *	Am ²⁹⁸		1999	555	R
21370	1999	633	Am (by Sec. 4 of Ch.)	21574	1999	800	Am
	1999	785	Am (by Sec. 10.5 of Ch.)		1999	801	Am (by Sec. 2.1 of Ch.)
	2000	135	Am ²⁰³		2001	21 *	Am ²⁹⁸
21372	1999	555	Am	21574.5	1999	801	Ad
21373	1999	555	Am		2001	21 *	Am ²⁹⁸
21374	1999	555	Am	21574.7	1999	555	Ad & R ³⁸
21389	1999	633	Ad		2001	21 *	Am ²⁹⁸
	2001	21 *	R ²⁹⁸	21581	1999	555	Am (by Sec. 50 of Ch.)
21390	2001	796	Ad		1999	801	Am (by Sec. 4.1 of Ch.)
21400	2001	21 *	R ²⁹⁸	21620	2000	1002	Am
21402	2001	21 *	R ²⁹⁸	21621	2000	1002	Am
21403	1999	555	Am	21622	2000	947	Am (by Sec. 3 of Ch.)
	2001	21 *	R ²⁹⁸		2000	1002	Am (by Sec. 14.5 of Ch.)
21404	2000	1002	Am	21623	2000	947	Am (by Sec. 4 of Ch.)
21407	1999	555	Am		2000	1002	Am (by Sec. 15.5 of Ch.)
21419.5	1999	310	Ad	21623.5	2000	947	Am (by Sec. 5 of Ch.)
21423	2001	21 *	Am ²⁹⁸		2000	1002	Am (by Sec. 16.5 of Ch.)
21461	1999	785	Am	21623.6	2000	947	Ad
21461.5	2001	793	Ad	21624	1999	800	Am
21465	1999	785	Am	21629	1999	800	Am
	2001	21 *	Am ²⁹⁸	21630	1999	800	Am
21465.5	1999	3 *	Am	21635	1999	800	Am
	2001	21 *	R ²⁹⁸	21661	1999	525	Am ¹¹²
21490	2000	1002	Am		2000	857	Am ²⁰³
21497	1999	785	Am		2001	185	Am
21507	1999	785	Am	21662	2001	745 *	Am
21541	1999	800	Am	21703	2000	882	Am
	2000	1031	Am	21751	1999	785	Am
21541.5	2000	1031	Ad		2001	793	Am
21546	1999	800	Am	21754	1999	474	Am
	2000	1002	Am	21757	2000	1002	Am
21547	1999	457 *	Am		2001	793	Am
	2000	1002	Am	21758	2001	793	Am
21547.5	1999	457 *	Ad	21761	2001	793	Am
21547.7	2000	855	Ad	21764	2001	793	Am
	2001	159	Am ³⁰⁵	22013.77	1999	785	Ad
	2001	793	Am	22013.82	2001	365 *	R
21548	1999	800	Am	22013.98	2001	793	Ad
	2000	1002	Am	22200	1999	83	Am ³⁰
21549	2000	1002	R	22209	1999	83	Am ³⁰
21550	1999	800	R	22754	1999	272 *	Am (by Sec. 3 of Ch.)
21551	1999	800	Am		1999	446 *	Am
21571	1999	800	Am				
21572	1999	555	Am (by Sec. 46 of Ch.)				
	1999	800	Am (by Sec. 7.1 of Ch.)				
	2000	135	Am ²⁰³				
	2001	21 *	Am ²⁹⁸				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
22754 (Cont.)							
	1999	457 *	Am	22890	2001	803	Am ³⁷³
	2000	1010	Am	22891	2001	851	Ad
	2001	451	Am	22892	2001	851	Ad
22754.1	2000	12	Ad	22893	2001	851	Ad
22754.11	1999	446 *	R	22955	1999	272 *	Am
22754.2	2000	402 *	R (as ad by Stats. 1998, Ch. 91)	22955.1	1999	3 *	Ad
				22955.55	1999	457 *	Ad
22754.3	2000	1002	R	22957.5	1999	457 *	R
22754.5	1999	83	Am ³⁰	22970	1999	307	Ad
	1999	446 *	R	22970.1	1999	307	Ad
22754.7	1999	446 *	R	22970.10	1999	307	Ad
22774	1999	785	Am	22970.11	1999	307	Ad
22790.1	2000	1002	R	22970.12	1999	307	Ad
22793.2	2001	634	Ad	22970.13	1999	307	Ad
22810	2000	904	Am	22970.14	1999	307	Ad
22810.2	2000	1002	R	22970.15	1999	307	Ad
22810.5	1999	971	Am	22970.16	1999	307	Ad
	2000	1002	R		2001	433	Am
22811.6	1999	457 *	R	22970.17	1999	307	Ad
22816.3	2000	1002	R	22970.18	1999	307	Ad
22819	2001	793	Am	22970.19	1999	307	Ad
22821.1	2000	904	Ad	22970.2	1999	307	Ad
	2001	793	Am		1999	785	Am (as ad by Stats. 1999, Ch. 307)
22821.2	2001	775	Ad	22970.20	1999	307	Ad
22825.01	1999	743	R	22970.21	1999	307	Ad
			Ad ¹⁴²	22970.22	1999	307	Ad
	2000	135	Am ²⁰³	22970.23	1999	307	Ad
	2000	402 *	Am	22970.24	1999	307	Ad
22825.1	2000	1002	Am	22970.25	1999	307	Ad
22825.16	2000	1002	R	22970.26	1999	307	Ad
22825.17	2000	1002	Am	22970.3	1999	307	Ad
22825.3	1999	446 *	Am	22970.30	1999	307	Ad
22825.5	2001	798	R & Ad	22970.31	1999	307	Ad
22825.8	2000	1002	R	22970.32	1999	307	Ad
22827.5	2000	1002	Am	22970.33	1999	307	Ad
22828	2001	775	Am	22970.40	1999	307	Ad
22840.1	2000	1002	R	22970.41	1999	307	Ad
22857	2001	793	Am	22970.42	1999	307	Ad
22867	1999	588	Ad	22970.43	1999	307	Ad
22868	1999	588	Ad	22970.44	1999	307	Ad
22869	1999	588	Ad	22970.50	1999	307	Ad
22871	1999	588	Ad	22970.55	1999	307	Ad
	2000	1002	Am	22970.56	1999	307	Ad
22871.1	1999	588	Ad	22970.57	1999	307	Ad
22871.2	1999	588	Ad	22970.60	1999	307	Ad
	2001	893	Am	22970.61	1999	307	Ad
22871.3	1999	588	Ad	22970.62	1999	307	Ad
22872	1999	588	Ad	22970.63	1999	307	Ad
22873	1999	588	Ad	22970.64	1999	307	Ad
22874	1999	588	Ad	22970.65	1999	307	Ad
22875	1999	588	Ad	22970.66	1999	307	Ad
	2000	135	Am ²⁰³	22970.70	1999	307	Ad
22876	1999	588	Ad	22970.71	1999	307	Ad
22877	1999	588	Ad	22970.72	1999	307	Ad
22878	2000	874	Ad	22970.75	1999	307	Ad
22878.1	2000	874	Ad	22970.76	1999	307	Ad
22878.2	2000	874	Ad	22970.77	1999	307	Ad
	2001	803	Am ³⁷³	22970.78	1999	307	Ad
22878.3	2000	874	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
22970.80	1999	307	Ad	26746.1	2000	629	Am
22970.81	1999	307	Ad	26750	2000	629	Am
22970.82	1999	307	Ad	26802.5	2001	767	Am
22970.83	1999	307	Ad	26820.6	2001	824	Am
22970.84	1999	307	Ad	26826.3	1999	115	Ad & R ³⁸
22970.85	1999	307	Ad	26826.4	1999	150	Ad
22970.86	1999	307	Ad	26827.6	2001	824	Am
22970.87	1999	307	Ad	26840.9	2001	90	Ad & R ⁷⁵
22970.88	1999	307	Ad	26863	1999	344*	Am
22970.89	1999	307	Ad	26905	2001	176	Am
23010	2001	767	Am	26915	2000	1055*	Am
23119	2000	506	Am	26945	2000	1055*	Am
23130	2000	506	Am	27000.7	2000	1055*	Am
23212	2000	506	Am	27000.8	1999	550*	Am ¹
23285	2000	506	Am	27000.9	1999	550*	Am ¹
23713	1999	643	Am	27001	2000	924	Am
24011	2000	35	Am	27002.1	2000	924	Am
	2000	227	Am (by Sec. 3 of Ch.)	27063	1999	550*	Am ¹
	2001	13	Am	27132.3	1999	32	Am
24051	2001	824	Am	27201	2000	924	Am
25004.5	2001	387	Ad	27255	2001	819	Ad
25105	2000	569	Am	27279.4	2001	745*	Am
25210.4h	2001	340	Ad	27282	1999	991	Am ^{96 114}
25210.70a	2000	129*	Ad		2001	176	Am
25210.71	2001	606*	Ad	27291	2000	1003	Ad ⁹⁶
25350.51	2001	176	Am	27322.2	2000	569	Am
25372	2001	18	R & Ad	27388	2000	765	Am
25536	1999	643	Am	27491.1	2000	1068	Am
26205	2000	569	Am	27491.41	2000	1060	Am
26205.1	2000	569	Am	27491.45	2000	830	Am
26205.5	2000	569	Am	27491.8	2000	1068	Am
26509	2000	1055*	Am				R & Ad ³⁴
26529	2001	767	Am	27521	2000	284	Ad
26603.1	1999	641*	R	27521.1	2000	284	Ad
26666	1999	335	R	27757	2000	808*	Am
	1999	641*	R	28003	2001	824	Am
26669	1999	138*	R	29145	2000	861*	Ad
	1999	641*	R	29321	2000	506	Am
26670	1999	641*	R	29410	2000	808*	Am
26720.9	2000	629	Am	29411	2000	808*	Am
26721	2000	629	Am	29412	2000	808*	Am
26721.1	2000	629	Am	29413	2000	808*	Am
26721.2	2000	629	Ad	29414	2000	808*	Am
26722	2000	629	Am	29415	2000	808*	Am
26725	2000	629	Am	29416	2000	808*	Am
26726	2000	629	Am	29550.4	1999	79*	Ad ³⁷
26728	2000	629	Am		2000	1075*	Am (by Sec. 1 of Ch.)
26730	2000	629	Am		2000	1076	Am (by Sec. 2 of Ch.)
26731	2000	629	Am				
26734	2000	629	Am	29610.1	2001	824	R
26736	2000	629	Am	30061	2000	100*	Am ^{70 18 37}
26738	2000	629	Am		2000	353*	R (as am by Stats. 2000, Ch. 100)
26742	2000	629	Am				Ad ²¹
26743	2000	629	Am				R ³⁴
26746	2000	629	Am				Am ^{54 57}
	2000	808*	Am (by Sec. 100.1 of Ch.)	30062	2001	475*	Am ^{70 18 37}
					2000	100*	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
30062 (Cont.)	2000	353 *	R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴ S ^{54 57}	31522.4	2001	120	Ad
	2001	475 *	Am ¹	31582	2000	203	Am
30063	1999	550 *	Am ^{70 18 37}	31596	1999	771	Am
	2000	100 *	R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴	31621.11	2001	782	Am
	2000	353 *	Am ^{54 57} S ^{70 18}	31621.8	2001	782	Ad
	2001	475 *	R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴	31621.9	2001	784 *	Ad
	2001	475 *	Am ^{54 57} S ^{70 18}	31625.2	1999	27	Am
30064	2000	100 *	S ^{21 20} S ^{54 57}	31625.3	2000	317	Am
	2000	353 *	Am ^{70 18} R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴	31639.76	2000	482	Ad
	2001	475 *	Am ³⁰⁵	31646.5	1999	271	Ad
30064.1	2000	100 *	R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴	31657	2000	966	Am
	2000	353 *	Am ³⁰⁵		2001	793	Am
	2001	159	R	31663.1	2001	33 *	Ad ²¹⁵
	2001	475 *	S ^{70 18}	31664	2001	32	Am
	2000	100 *	S ^{21 20} S ^{54 57}	31664.1	2000	237	Ad
	2000	353 *	Am ^{70 18}	31664.2	2000	237	Ad
	2001	475 *	R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴	31676.16	2000	882	Ad
	2001	475 *	Am ³⁰⁵	31676.17	2001	782	Ad
	2000	100 *	R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴	31676.18	2001	782	Ad
	2000	353 *	Am ³⁰⁵	31676.19	2001	782	Ad
	2001	159	R	31678.1	1999	42	Am
	2001	475 *	S ^{70 18}	31678.2	2000	495	Ad
30065	2000	100 *	S ^{21 20} S ^{54 57}	31681.55	2000	237	Ad ²¹⁵
	2000	353 *	Am ^{70 18}		2001	159	Am ³⁰⁵
	2001	475 *	R (as am by Stats. 2000, Ch. 100) Ad ²¹ R ³⁴	31683	2001	67	Ad
	2001	475 *	Am ³⁰⁵	31693	2001	30	Ad
	2000	100 *	S ^{70 18}	31694.5	2001	30	Ad
	2000	353 *	S ^{21 20} S ^{54 57}	31696.1	1999	525	Am ¹¹²
	2001	475 *	Am ³⁰⁵		2000	857	Am ²⁰³
30070	2001	205 *	Ad	31700	2000	966	Am
	2001	784 *	Am	31720.6	1999	160	Ad
	2001	205 *	Ad		2000	317	Am
30071	2001	745 *	Am	31720.7	2000	138	Ad
30401	2001	745 *	R		2001	833	Am
30606	2001	745 *	Am	31722	2000	317	Am
31000.6	2001	41	R & Ad	31760.12	2001	778 *	Ad ³⁵⁴
31011	2000	886	Ad	31760.13	2001	778 *	Ad ³⁵⁴
31452.7	2000	497	Am	31760.2	1999	161	Am ⁵⁵
31461.3	2000	966	Am ³⁰⁵	31765.2	2001	778 *	Ad ³⁵⁴
	2001	159	Ad ¹⁰	31765.3	2001	778 *	Ad ³⁵⁴
31461.4	1999	7 *	Ad ³⁵¹	31780.2	2001	146	Ad ³¹⁰
31461.45	2001	778 *	Ad		2001	893	Ad
31461.6	2000	966	Ad ³⁵⁴	31781.12	2001	778 *	Ad ³⁵⁴
31462.3	2001	778 *	Am ²⁰³	31781.13	2001	778 *	Ad ³⁵⁴
31469.5	1999	116	Ad	31785.1	1999	161	Am ⁵⁵
	2000	135	Am	31785.2	2001	778 *	Ad ³⁵⁴
31469.8	2000	172	Am	31785.5	2001	778 *	Ad ³⁵⁴
31470.11	2000	379	Am	31786.1	1999	161	Am ⁵⁵
31470.12	2000	379	Am	31787	2000	497	R & Ad
31470.2	2000	482	Am	31787.5	2000	497	Am
31491.1	2001	31	Ad ²¹⁵	31808.9	2001	782	Ad
31491.2	2001	31	Ad ²¹⁵	31830	2000	966	Am
31491.3	2001	778 *	Ad ³⁵⁴	31831	2000	966	Am
31492.1	2001	778 *	Ad ³⁵⁴	31831.2	2000	966	Am
31492.2	2001	778 *	Ad ³⁵⁴	31832	2000	966	Am
31494	2001	778 *	Ad ³⁵⁴	31833	2000	966	Am
31494.2	2001	778 *	Ad ³⁵⁴	31833.1	2000	966	Ad
31494.5	2001	778 *	Ad ³⁵⁴	31834	2000	966	Am
31495.5	2001	778 *	Ad ³⁵⁴	31835	2000	966	Am
31499.17	2001	784 *	Am		2001	433	Am
31520.5	2000	486	Am	31835.02	2000	966	Am
	2001	168	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
31835.02 (Cont.)	2001	159	Am ³⁰⁵	50625	2000	262	R
31835.1	2000	966	Am	50952	2001	331	Am
31836	2000	966	Am	50965	2001	331	Am
31837.1	2000	966	Am	51142	2001	407	Am
31840.2	2000	966	Am	51183.5	1999	876	Am
31840.8	2001	433	Am	51201	1999	1018	Am
31870.4	2001	239	Ad ³⁰⁷	51207	2001	745*	Am
31874.3	2000	317	Am	51230	1999	1018	Am
31874.5	1999	39	Ad	51230.2	1999	967	Ad
31966	2001	430	Am	51234	1999	1018	Am
32271	2001	430	Am	51238	1999	967	Am
34090.5	2000	569	Am	51238.3	2000	889	Am
34460	1999	643	Am	51238.5	1999	967	Am
34501.5	2001	387	Ad	51256	1999	994	Am
34880	2000	761	Am	51256.1	1999	994	Ad
36501	2000	506	Am	51256.2	1999	1018	Ad
36501.5	2000	886	Ad	51256.2	1999	994	Ad
37361	1999	550*	Am ¹	51256.2	2000	431	Am
37615.1	1999	525	Am ¹¹²	51257	1999	1018	Am
	2000	857	Am ²⁰³	51282.3	1999	1018	Am
38772	2000	58	Am	51283	1999	1018	Am
38773.2	2000	58	Am	51283.4	2000	506	Am
38773.6	2000	58	Am	51284.1	2000	889	Ad
	2001	159	Am ³⁰⁵	51286	2000	1045*	Am ¹⁵³
38773.7	2000	58	Am		2001	176	Am
43402	2000	861*	Ad	51291	1999	1018	Am
45308.5	1999	470	Am	51291.5	1999	1018	Ad
50052.5	2000	333	Am	51292	1999	1018	Am
50061.5	2000	262	Am	51296	1999	1018	Am
50063	2000	262	Am	51296	1999	1019	Am
50064	2000	262	Am		2000	506	R & Ad
50064.5	2000	262	R	51296.1	2000	506	Ad
50065	2000	262	R	51296.2	2000	506	Ad
50065.5	2000	262	R	51296.3	2000	506	Ad
50066.5	2000	262	R		2001	744	Am
50067	2000	262	Am	51296.4	2000	506	Ad
50068.5	2000	262	Am	51296.5	2000	506	Ad
50075.1	2000	535	Ad	51296.6	2000	506	Ad
50075.3	2000	535	Ad	51296.7	2000	506	Ad
50075.5	2000	535	Ad	51296.8	2000	506	Ad
50078.10	2000	262	R	51296.9	2000	506	Ad
50078.12	2000	262	R	51297	2000	506	Ad
50078.14	2000	262	R	51297.1	2000	506	Ad
50078.15	2000	262	R	51297.2	2000	506	Ad
50078.4	2000	262	Am	51297.3	2000	506	Ad
50078.6	2000	262	Am	51297.4	2000	506	Ad
50078.8	2000	262	R	51298	1999	24*	Am
50088	1999	201	Ad		2000	135	Am ²⁰³
50262	2001	66	Am	53060.3	2000	886	Ad
50264	2001	66	Am	53060.7	2001	176	Ad
50265	2001	66	Am	53084	1999	462	Ad & R ¹⁸
50593	2000	262	Am		2000	471	Am
50595	2000	262	R	53091	2001	396	Am
50598	2000	262	R	53094	2001	396	Am
50599	2000	262	R	53095	2000	1058	Am
50600	2000	262	R	53114.1	1999	677	Am
50601	2000	262	R	53131	2000	1055*	Am
50602	2000	262	R	53216.2	2001	784*	Ad
50606	2000	262	Am	53216.8	2000	34	Ad
50624	2000	262	Am	53227.2	2001	43	Am

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
53270	1999	305	Am		2000	1036	Am
53292	1999	394	Am		2001	57	Am
53340.2	2001	673	Am	53635.2	1999	217	Ad
53395.9	1999	59	Ad		2000	339	Am
53398	1999	773	Ad		2001	57	R & Ad
53398.1	1999	773	Ad	53635.5	2001	57	R
53398.10	1999	773	Ad	53635.7	1999	217	Am
53398.11	1999	773	Ad		2001	176	Am
53398.12	1999	773	Ad	53646	2000	687	Am ²²⁵
53398.13	1999	773	Ad	53661	2000	127*	Am ²⁵
53398.14	1999	773	Ad	53684	2000	168	Am
53398.15	1999	773	Ad	53753	2000	220	Am
53398.16	1999	773	Ad		2001	636	Am
53398.17	1999	773	Ad	53754	2001	673	Ad
53398.18	1999	773	Ad	53892	2001	176	Am
53398.19	1999	773	Ad	53895	1999	442	Am
53398.2	1999	773	Ad	54205	2001	176	Am
53398.20	1999	773	Ad	54238.7	2001	745*	Am
53398.21	1999	773	Ad	54716	2000	262	Am
53398.3	1999	773	Ad	54717	2000	262	R
	2000	595	Am	54906	1999	269	Ad
53398.30	1999	773	Ad	54953	1999	83	R (as ad by
53398.31	1999	773	Ad				Sec. 2,
53398.4	1999	773	Ad				Stats. 1998,
53398.40	1999	773	Ad				Ch. 399) ³⁰
53398.41	1999	773	Ad	54956.87	1999	769	Ad
53398.42	1999	773	Ad	54957.10	2001	45	Ad
53398.43	1999	773	Ad	54957.5	1999	769	Am
53398.44	1999	773	Ad	54964	2000	840	Ad
53398.45	1999	773	Ad	54975	1999	83	Am ³⁰
53398.46	1999	773	Ad	54985	1999	991	Am ^{96 114}
53398.47	1999	773	Ad		2000	135	Am ²⁰³
53398.5	1999	773	Ad	54988	1999	681	Ad
53398.6	1999	773	Ad		2000	506	Am
53398.7	1999	773	Ad	54999.2	2000	146*	Am
53398.8	1999	773	Ad	54999.35	2000	146*	Ad
53410	2000	535	Ad	54999.4	2000	146*	Am
	2001	176	Am	55704.5	1999	56	Ad
53411	2000	535	Ad	55707	1999	56	Am
53412	2000	535	Ad	55720	2000	441	Ad & R ⁴³
53508.7	1999	667	Am		2001	159	Am ³⁰⁵
53571	1999	649	Am	55721	2000	441	Ad & R ⁴³
53583	1999	649	Am	55722	2000	441	Ad & R ⁴³
53601	1999	643	Am				
	1999	644	Am (by Sec. 1.5	Title 5,			
			of Ch.)	Div. 3,			
			Am ²⁰⁵	heading			
	2000	135	Am	(Sec. 56000			
	2000	339	Am	et seq.)	2001	388	Am
	2001	57	Am	56000	2000	761	Am
53601.2	1999	217	Ad	56001	2000	761	Am
	2000	339	Am	56014	2001	388	Am
	2001	57	R	56020.5	2000	761	Ad
53601.5	2001	57	Am	56020.7	2000	761	Ad
53601.6	2001	57	Am	56022	2000	761	R
53631	2001	176	Am	56029	2000	761	Am
53631.5	2001	57	R	56036	2000	761	Am
53635	1999	643	Am	56037.5	2000	761	Ad
	1999	644	Am (by Sec. 2.5	56038	2000	761	Am
			of Ch.)	56038.5	2000	761	Ad
	2000	135	Am ²⁰⁵	56046	2000	761	Am
	2000	339	Am	56048	2000	761	Am

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
56064	2000	761	Am				
56067	2000	761	Am	56375	2001	388	Am
56068	2000	761	Am		1999	921	Am
56069	2000	761	Am		2000	761	Am
56074	2000	761	Am		2001	667	Am
56100	2000	761	Am	56375.1	2000	761	R
56100.1	2000	761	Ad	56375.2	2000	761	Ad
56101	2000	761	Am	56375.4	2000	761	R
56106	2000	761	Am	56375.45	2000	761	R
56107	2000	761	Am	56375.5	2000	761	Am
56108	2000	761	R	56377	2000	761	Am
56109	2000	761	R	56380	2000	761	R & Ad
56110	2000	761	R	56381	2000	761	R & Ad
56111	2000	761	R	56381.6	2000	761	Ad
56111.1	2000	761	R		2001	388	Am
56111.10	2000	761	R	56383	2000	761	Am
56111.11	2000	761	R	56384	2000	761	Am
56111.12	2000	761	R	56386	2000	761	Am
56111.13	2000	761	R	56425	2000	129*	Am
56111.14	2000	761	R		2000	761	Am ²⁸²
56111.5	2000	761	R		2001	667	Am
56111.6	2000	761	R	56425.5	2000	761	Ad
56111.7	2000	761	R	56426	2000	761	R
56111.9	2000	761	R	56428	2001	388	Am
56112	2000	761	R	56429	2000	129*	Ad
56113	1999	921	Am		2000	761	Am
	2000	761	R	56430	2000	761	Ad
56114	2000	761	R	56434	2000	761	Ad & R ⁷⁵
56122	2000	761	Am	56450	2000	761	R
56123	2000	761	Am	56451	2000	761	R
	2001	388	Am	56452	2000	761	R
56124	2000	761	Am	56453	2000	761	R
56129	2000	761	Am	56454	2000	761	R
56131.7	2001	15	Ad	56455	2000	761	R
56132	2000	761	Am	56456	2000	761	R
	2001	176	Am ¹⁹	56457	2000	761	R
56133	1999	779*	Am	56458	2000	761	R
	2000	761	Am	56459	2000	761	R
56150	2000	761	Am	56460	2000	761	R
56154	2000	761	Am	56461	2000	761	R
56156	2000	761	Am	56462	2000	761	R
56157	2000	761	Am	56463	2000	761	R
	2001	388	Am	56464	2000	761	R
56159	2000	761	Am	56465	2000	761	R
56300	2000	761	Am	56466	2000	761	R
56301	2000	761	Am	56475	2000	761	R
56325	2000	761	Am	56476	2000	761	R
56325.1	2000	761	Ad	56477	2000	761	R
56326	2000	761	Am	56478	2000	761	R
56326.5	2000	761	Am	56479	2000	761	R
56327	2000	761	Am	56480	2000	761	R
56327.3	2000	761	Ad	56481	2000	761	R
56328	2000	761	Am	56482	2000	761	R
56329	2000	761	Am	56483	2000	761	R
56330	2000	761	R	56484	2000	761	R
56331	2001	388	Am	56485	2000	761	R
56332	1999	550*	Am ¹	56486	2000	761	R
	2000	761	Am	56487	2000	761	R
56332.5	2000	761	Ad	56488	2000	761	R
56333	2001	388	Am	56489	2000	761	R
56334	2000	761	Am	56490	2000	761	R
				56491	2000	761	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
56492	2000	761	R	56747	2000	761	Ad
56493	2000	761	R	56749	2000	761	Ad
56494	2000	761	R	56750	2000	761	R & Ad
56495	2000	761	R	56751	2000	761	R & Ad
56496	2000	761	R		2001	388	Am
56497	2000	761	R	56752	2000	761	R & Ad
56498	2000	761	R	56753	2000	761	R & Ad
56653	2000	761	Am	56753.5	2000	761	Ad
56654	2000	761	Ad(RN)	56754	2000	761	R & Ad
56655	2000	761	Ad	56755	2000	761	R & Ad
56656	2000	761	R	56756	2000	761	R & Ad
56657	1999	924	Ad & R ⁵	56757	2000	761	R & Ad
	2000	761	Ad	56758	2000	761	R & Ad
56658	2000	761	Ad (by Sec. 90 of Ch.)	56759	2000	761	R & Ad
				56760	2000	761	R & Ad
	2001	530	Am	56761	2000	761	R
56660	2000	761	Ad	56762	2000	761	R
56661	2000	761	Ad	56764	2000	761	Ad
	2001	388	Am	56765	2000	761	Ad
56662	2000	761	Ad	56766	2000	761	Ad
56663	2000	761	Ad	56767	2000	761	Ad
	2001	388	Am		2001	388	Am
56664	2000	761	Ad	56768	2000	761	Ad
56665	2000	761	Ad				
56666	2000	761	Ad (by Sec. 97 of Ch.)	Title 5, Div. 3, Pt. 3, Ch. 4, heading (Sec. 56800 et seq.)			
	2001	530	Am		2000	761	Am
56667	2000	761	Ad	Title 5, Div. 3, Pt. 3, Ch. 4, Art. 1, heading (Sec. 56800 et seq.)			
56668	2000	761	Ad	56800	2000	761	Ad
56668.3	2000	761	Ad(RN)				
56668.5	2000	761	Ad				
56700.1	2000	761	Ad				
56700.3	2000	761	R				
56700.4	2000	761	Ad				
	2001	388	Am				
56700.5	2000	761	R				
56701	2000	761	R				
56702	2000	761	R				
56705	2000	761	Am				
56706	2000	761	Am				
	2001	388	Am				
56708	2000	761	Am		2001	530	Am
56710	2000	761	Am	56800.3	2000	761	R
56720	2000	761	Ad	56801	2000	761	R & Ad
56722	2000	761	Ad	56802	2000	761	R & Ad
56723	2000	761	Ad	56803	2000	761	Ad
56724	2000	761	Ad	56810	2000	761	Ad
56730	2000	761	Ad	56811	2000	761	Ad
56732	2001	388	Ad(RN)		2001	667	R & Ad
56734	2001	388	Ad(RN)	56812	2000	761	Ad
56737	2000	761	Ad	56815	2000	761	Ad (by Sec. 123 of Ch.)
56738	2000	761	Ad				
56740	2000	761	Ad		2001	530	Am
56741	2000	761	Ad	56815.2	2000	761	Ad
56742	2000	761	Ad				
56742.5	2000	761	Ad	Title 5, Div. 3, Pt. 3, Ch. 5, heading (Sec. 56820 et seq.)			
56743	2000	761	Ad				
56744	2000	761	Ad				
	2001	388	Am				
56745	2000	761	Ad		2000	761	Ad
56746	2000	761	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
56820	2000	761	Ad	56837	2000	761	R & Ad
	2001	667	R	56838	2000	761	R & Ad
56820.5	2000	761	Ad	56839	2000	761	R & Ad
	2001	667	R	56839.1	2000	761	R
56820.7	2000	761	Ad	56840	2000	761	R & Ad
	2001	667	R	56840.5	2000	761	R
56821	2000	761	Ad	56841	2000	761	R & Ad
	2001	667	Am	56842	2000	761	R & Ad
56821.1	2000	761	Ad	56842.2	2000	761	R
56821.3	2000	761	Ad	56842.5	2000	761	R
56821.5	2000	761	Ad	56842.6	2000	761	R
	2001	667	Am	56842.7	2000	761	R
56821.7	2000	761	Ad	56843	2000	761	R & Ad
	2001	667	R	56844	2000	761	R & Ad
56822	2000	761	Ad	56844.1	2000	761	R
	2001	667	Am	56844.2	2000	761	R (as ad by
56822.3	2000	761	Ad				Stats. 1997,
56822.5	2000	761	Ad				Ch. 911 and
56823	2000	761	Ad				Stats. 1998,
56824	2000	761	Ad				Ch. 590)
56824.1	2000	761	Ad	56845	2000	761	R & Ad
	2001	667	Am	56846	2000	761	R & Ad
56824.10	2001	667	Ad	56847	2000	761	R & Ad
56824.12	2001	667	Ad	56848	2000	761	Ad
56824.14	2001	667	Ad	56848.3	2000	761	R
56824.3	2000	761	Ad	56848.5	2000	761	R
56824.5	2000	761	Ad	56849	2000	761	R & Ad
56824.7	2000	761	Ad	56850	2000	761	R
	2001	667	Am	56851	2000	761	R
Title 5,				56852	2000	761	R
Div. 3,				56852.3	2000	761	R
Pt. 3,				56852.5	2000	761	R
Ch. 5,				56852.7	2000	761	Ad
heading					2001	388	Am & RN
(Sec. 56825	2000	761	R	56853	1999	550*	Am ¹
et seq.)					2000	761	R & Ad
Title 5,					2001	667	Am
Div. 3,				56854	2000	761	R & Ad
Pt. 3,				56855	2000	761	R & Ad
Ch. 5,				56856	2000	761	R & Ad
Art. 2,				56857	1999	550*	Am ¹
heading					2000	761	R & Ad
(Sec. 56825	2000	761	Ad		2001	388	Am
et seq.)				56858	2000	761	R
56826	2000	761	R & Ad	56859	2000	761	R & Ad
56827	2000	761	R & Ad	56860	2000	761	R
56827.5	2000	761	R	56860.5	2000	761	Ad
56828	2000	761	R & Ad	56861	2000	761	Ad
56828.5	2000	761	R	56862	2000	761	Ad
56829	2000	761	R & Ad	56863	2000	761	Ad
56830	2000	761	R & Ad		2001	667	Am
56831	2000	761	R & Ad	56864	2000	761	Ad
56832	2000	761	R & Ad	56864.1	2000	761	Ad
56833	2000	761	R & Ad	56864.3	2000	761	Ad
56833.1	2000	761	R	56865	2000	761	Ad
56833.3	2000	761	R	56866	2000	761	Ad
56833.5	2000	761	R	56870	2000	761	Ad
56834	2000	761	R & Ad	56871	2000	761	Ad
	2001	667	Am	56875	2000	761	Ad
56835	2000	761	R & Ad	56876	2000	761	Ad
56836	2000	761	R & Ad	56877	2001	667	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
56880	2000	761	Ad	57082.5	2000	761	Am & RN
56881	2000	761	Ad	57083	2000	761	Am & RN
56882	2000	761	Ad	57083.5	2000	761	Am & RN
56883	2000	761	Ad	57084	2000	761	Am & RN
56884	2000	761	Ad	57085	2000	761	Am & RN
56885	2000	761	Ad	57086	2000	761	Am & RN
56885.5	2000	761	Ad	57087	2000	761	Am & RN
56886	2000	761	Ad	57087.3	1999	921	Am
	2001	667	Am	57087.5	2000	761	Am & RN
56886.1	2001	388	Ad	57087.7	2000	761	Am & RN
56886.3	2000	761	Ad(RN)	57088	2000	761	Am & RN
56886.5	2000	761	Ad	57089	2000	761	Am & RN
	2001	388	Am	57090	2000	761	Am
56887	2000	761	Ad	57091	2000	761	Am & RN
56887.5	2000	761	Ad	57092	2000	761	Am & RN
56888	2000	761	Ad	57093	2000	761	Am & RN
	2001	388	Am & RN	57100	2000	761	Am & RN
56889	2000	761	Ad				& Ad(RN)
56890	2000	761	Ad	57101	2000	761	Am & RN
56895	2000	761	Ad (by Sec. 211 of Ch.)				& Ad(RN)
	2001	388	Am (by Sec. 23 of Ch.)	57102	2000	761	Am & RN
	2001	530	Am (by Sec. 6.5 of Ch.)	57103	2000	761	Am & RN
56897	2000	761	Ad	57103.1	2000	761	Am & RN
56898	2000	761	Ad	57104	2000	761	Am & RN
57000	2000	761	Am				& Ad(RN)
57001	2000	761	Am	57105	2000	761	Ad(RN)
57002	2000	761	Am (by Sec. 214 of Ch.)	57106	2000	761	Ad(RN)
	2001	530	Am	57107	2000	761	Ad(RN)
57003	2000	761	Am	57108	2000	761	Ad(RN)
57004	2000	761	R	57109	2000	761	Ad(RN)
57005	2000	761	R	57110	2000	761	Ad(RN)
57006	2000	761	R	57111	2000	761	Ad(RN)
57007	2000	761	Am	57112	2000	761	Ad(RN)
57008	2000	761	Am	57113	2000	761	Ad(RN)
57025	2000	761	Am	57114	2000	761	Ad(RN)
57026	2000	761	Am		2001	388	Am (by Sec. 27 of Ch.)
	2001	388	Am				Am (by Sec. 19 of Ch.)
57050	2000	761	Am (by Sec. 223 of Ch.)	57114.5	2001	606*	Ad
	2001	530	Am	57115	2000	761	Ad(RN)
57051	2000	761	Am	57116	2000	761	Ad(RN)
57052	2000	761	Am	57117	2000	761	Ad(RN)
57053	2000	761	Am & RN	57118	2000	761	Ad(RN)
57075	2000	761	Am	57119	2000	761	Ad(RN)
57075.5	2000	761	Am	57120	2000	761	Ad(RN)
57076	2000	761	Am		2001	388	Am
57077	2000	761	Am	57125	2000	761	Am
57078	2000	761	Am	57126	2000	761	Am
57078.5	2000	761	Ad	57127	2000	761	Am
	2001	388	Am	57129	2000	761	Am
57079	2000	761	R	57130	2000	761	Am
57079.3	2001	388	R	57131	2000	761	Am
57079.5	2000	761	Am & RN	57133	2000	761	Am
57080	1999	921	Am	57138	2000	761	Am
	2000	761	Am	57144	2000	761	Am
57081	2000	761	Am	57145	2000	761	Am
57082	2000	761	Am & RN	57146	2000	761	Am
				57148	2000	761	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
57149	2000	761	Am	60542	2000	506	R
57150	2000	761	Am	60543	2000	506	R
57175	2000	761	R	60544	2000	506	R
57176	2000	761	Am	60545	2000	506	R
57176.1	2000	761	Am	60546	2000	506	R
57177	2000	761	Am	60547	2000	506	R
57177.5	2000	761	Am	60548	2000	506	R
57178	2000	761	Am	60549	2000	506	R
57179	2000	761	Am	60550	2000	506	R
57200	2000	761	Am	60551	2000	506	R
57201	2000	761	Am	60600	2000	506	R
	2001	388	Am	60602	2000	506	R
57302	2000	761	Am	60603	2000	506	R
57303	2000	761	Am	60604	2000	506	R
57379	2000	761	Am	60605	2000	506	R
57384	2000	761	Am	60606	2000	506	R
57402	2000	761	Am	60607	2000	506	R
57404	2000	761	Am	60608	2000	506	R
60203	2000	569	Am	60609	2000	506	R
60204	2001	767	Am	60610	2000	506	R
60400	2000	506	R	60611	2000	506	R
60401	2000	506	R	60612	2000	506	R
60410	2000	506	R	60613	2000	506	R
60411	2000	506	R	60614	2000	506	R
60412	2000	506	R	60615	2000	506	R
60413	2000	506	R	60616	2000	506	R
60414	2000	506	R	60617	2000	506	R
60415	2000	506	R	60630	2000	506	R
60416	2000	506	R	60631	2000	506	R
60417	2000	506	R	60632	2000	506	R
60418	2000	506	R	60650	2000	506	R
60419	2000	506	R	60651	2000	506	R
60420	2000	506	R	60652	2000	506	R
60421	2000	506	R	60653	2000	506	R
60422	2000	506	R	60700	2000	506	R
60423	2000	506	R	60725	2000	506	R
60424	2000	506	R	60726	2000	506	R
60425	2000	506	R	60727	2000	506	R
60426	2000	506	R	60728	2000	506	R
60427	2000	506	R	60740	2000	506	R
60428	2000	506	R	60741	2000	506	R
60429	2000	506	R	60742	2000	506	R
60430	2000	506	R	60742.5	2000	506	R
60440	2000	506	R	60743	2000	506	R
60500	2000	506	R	60744	2000	506	R
60501	2000	506	R	60745	2000	506	R
60502	2000	506	R	60746	2000	506	R
60503	2000	506	R	60747	2000	506	R
60504	2000	506	R	60748	2000	506	R
60505	2000	506	R	60749	2000	506	R
60506	2000	506	R	60750	2000	506	R
60507	2000	506	R	60751	2000	506	R
60520	2000	506	R	60752	2000	506	R
60521	2000	506	R	60753	2000	506	R
60522	2000	506	R	60754	2000	506	R
60523	2000	506	R	60755	2000	506	R
60524	2000	506	R	60770	2000	506	R
60525	2000	506	R	60771	2000	506	R
60526	2000	506	R	60772	2000	506	R
60540	2000	506	R	60780	2000	506	R
60541	2000	506	R	60781	2000	506	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

GOVERNMENT CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
60782	2000	506	R	60850	2000	506	R
60783	2000	506	R	60851	2000	506	R
60784	2000	506	R	60852	2000	506	R
60785	2000	506	R	60853	2000	506	R
60786	2000	506	R	60854	2000	506	R
60787	2000	506	R	60860	2000	506	R
60788	2000	506	R	60861	2000	506	R
60789	2000	506	R	60862	2000	506	R
60790	2000	506	R	60863	2000	506	R
60791	2000	506	R	60864	2000	506	R
60792	2000	506	R	60865	2000	506	R
60793	2000	506	R	60866	2000	506	R
60794	2000	506	R	60867	2000	506	R
60795	2000	506	R	60869	2000	506	R
60796	2000	506	R	60870	2000	506	R
60797	2000	506	R	60871	2000	506	R
60798	2000	506	R	60872	2000	506	R
60799	2000	506	R	60880	2000	506	R
60800	2000	506	R	60881	2000	506	R
60801	2000	506	R	60882	2000	506	R
60802	2000	506	R	60883	2000	506	R
60803	2000	506	R	60884	2000	506	R
60804	2000	506	R	60885	2000	506	R
60805	2000	506	R	60886	2000	506	R
60806	2000	506	R	60887	2000	506	R
60807	2000	506	R	60888	2000	506	R
60808	2000	506	R	60889	2000	506	R
60809	2000	506	R	60890	2000	506	R
60810	2000	506	R	60891	2000	506	R
60811	2000	506	R	60892	2000	506	R
60812	2000	506	R	60893	2000	506	R
60813	2000	506	R	60894	2000	506	R
60814	2000	506	R	60895	2000	506	R
60815	2000	506	R	60896	2000	506	R
60820	2000	506	R	60897	2000	506	R
60821	2000	506	R	60898	2000	506	R
60822	2000	506	R	60899	2000	506	R
60823	2000	506	R	60900	2000	506	R
60824	2000	506	R	60901	2000	506	R
60825	2000	506	R	60902	2000	506	R
60826	2000	506	R	60903	2000	506	R
60830	2000	506	R	60904	2000	506	R
60831	2000	506	R	60910	2000	506	R
60832	2000	506	R	60911	2000	506	R
60833	2000	506	R	60912	2000	506	R
60834	2000	506	R	60913	2000	506	R
60835	2000	506	R	60914	2000	506	R
60836	2000	506	R	60915	2000	506	R
60837	2000	506	R	60916	2000	506	R
60838	2000	506	R	60917	2000	506	R
60839	2000	506	R	60920	2000	506	R
60840	2000	506	R	60930	2000	506	R
60841	2000	506	R	60931	2000	506	R
60842	2000	506	R	60932	2000	506	R
60843	2000	506	R	60933	2000	506	R
60844	2000	506	R	60934	2000	506	R
60845	2000	506	R	60935	2000	506	R
60846	2000	506	R	60936	2000	506	R
60847	2000	506	R	60937	2000	506	R
60848	2000	506	R	60950	2000	506	R
60849	2000	506	R	60951	2000	506	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
60952	2000	506	R		2000	91 *	Am
60953	2000	506	R		2000	832	Am
60960	2000	506	R		2001	99	Am
60961	2000	506	R	65080.3	2000	832	Ad
60962	2000	506	R	65082	2000	91 *	Am
60963	2000	506	R	65083	2000	91 *	Am
60964	2000	506	R		2001	115	R
60970	2000	506	R	65089	2001	597	Am
60971	2000	506	R	65090	2000	785	Am
61103	2001	176	Am	65091	1999	460	Am
61107	1999	550 *	Am ¹		2000	785	Am
61601.18	1999	132 *	Ad	65302.6	2001	745 *	R
61712	2000	262	Am	65307	1999	550 *	Am ¹
61737.04	2000	66	Am	65352.2	2001	396	Ad
61737.05	2000	506	Am	65400	2000	506	Am
61737.06	2000	66	Am	65460.2	2001	115	Am
63010	1999	936	Am (by Sec. 1 of Ch.)	65580	1999	967	Am
	2000	1079	Am	65583	1999	967	Am
63025.2	1999	84 *	Ad		2001	671	Am
63035.5	1999	84 *	Ad	65584	2001	159	Am ³⁰⁵
63036	2001	938	Am	65584.6	2000	358	Am
63041	1999	84 *	Am	65585	2000	471	Am
63041.5	1999	84 *	Ad	65585.1	2001	159	Am ³⁰⁵
Title 6.7, Div. 1, Ch. 2, Art. 5, heading (Sec. 63043 et seq.)	1999	83	Am ³⁰	65588	1999	107 *	Am
63048	2000	1078	Ad		2000	117 *	Am
63048.3	2000	1078	Ad		2001	85 *	Am
63048.5	2000	1078	Ad	65588.1	2000	117 *	Am
63073	2001	508	Am	65589.5	1999	966	Am ⁸²
65008	2001	671	Am		1999	968	Am
65009	1999	968	Am		2001	237	Am
65040.12	1999	690	Ad	65601	2000	510	Ad
	2000	728	Am	65602	2000	510	Ad
	2001	762	Am	65603	2000	510	Ad
65040.2	2001	762	Am	65604	2000	510	Ad
65050	2000	290	Am	65605	2000	510	Ad
	2000	769	S ⁷⁵	65606	2000	510	Ad
65051	2000	769	S ⁷⁵	65607	2000	510	Ad
65051.5	2001	123	Ad	65850	1999	550 *	Am ¹
65052	2000	769	S ⁷⁵	65850.4	1999	550 *	Am ¹
65053	2000	769	Am ⁷⁵	65850.5	2001	873	Am
65053.5	2001	612	Ad & R ⁷⁵	65858	2001	939	Am
65053.6	2001	612	Ad & R ⁷⁵	65863.10	1999	26 *	Am
65053.7	2001	612	Ad & R ⁷⁵		2000	666	Am ¹¹¹
65054	2000	1059	Ad	65863.11	1999	26 *	Am
65054.1	2000	1059	Ad		2000	666	Am ¹¹¹
65054.3	2000	1059	Ad	65863.13	2001	117 *	Ad & R ¹¹¹
65054.4	2000	1059	Ad	65867.5	2001	642	Am
65054.5	2000	1059	Ad	65891	2000	80	Ad ¹⁹³
65055	1999	596	R				R ⁶³
	1999	597	R	65891.1	2000	80	Ad ¹⁹³
65055.5	1999	596	R				R ⁶³
	1999	597	R	65891.10	2000	80	Ad ¹⁹³
65080	1999	1007	Am (by Sec. 1 of Ch.)				R ⁶³
				65891.11	2000	80	Ad ⁸²
					2000	665	Ad ¹⁹³
							R ⁶³
				65891.12	2000	665	Ad ¹⁹³
							R ⁶³
				65891.2	2000	80	Ad ¹⁹³
							R ⁶³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
65891.3	2000	80	Ad ⁸²	66452.10	2000	26*	Am
			R ⁸²	66455.3	2001	642	Ad
	2000	665	Ad ¹⁹³	66455.9	2000	1058	Am
			R ⁶³	66458	1999	550*	Am ¹
65891.4	2000	80	Ad ¹⁹³	66463.5	2000	506	Am
			R ⁶³	66464	2001	176	Am
65891.5	2000	80	Ad ⁸²	66466	2000	678	Am
			R ⁸²	66469	2001	176	Am
	2000	665	Ad ¹⁹³	66470	2001	176	Am
			R ⁶³	66472	2001	176	Am
65891.7	2000	80	Ad ¹⁹³	66472.1	2001	176	Am
			R ⁶³	66473.1	2001	873	Am
65891.8	2000	80	Ad ¹⁹³	66473.7	2001	642	Ad
			R ⁶³	66474.4	1999	1018	Am
65891.9	2000	80	Ad ¹⁹³	66474.5	2001	176	R
			R ⁶³	66475.1	2001	873	Am
65892.13	2001	562	Ad ⁷⁹	66475.2	2001	873	Am
			R ⁸⁰	66498.1	1999	550*	Am ¹
65913.1	2001	939	Am	66498.2	1999	550*	Am ¹
65913.5	2001	115	R	66498.3	1999	550*	Am ¹
65915	1999	968	Am	66499.19	2000	506	Am
	2000	556	Am	66499.2	2001	176	Am
65917	2001	115	Am	66499.35	2001	873	Am
65950	1999	967	Am ⁸²	66519	1999	1011	R
	1999	968	Am	66540	1999	1011	Ad
65956	1999	550*	Am ¹	66540.1	1999	1011	Ad
65964	1999	812	Ad & R ²⁰	66540.10	1999	1011	Ad
65995.5	1999	858	Am	66540.12	1999	1011	Ad
65995.6	1999	858	Am	66540.14	1999	1011	Ad
Title 7, Div. 1, Ch. 10, heading (Sec. 66100 et seq.)	1999	83	Ad(RN) ³⁰	66540.16	1999	1011	Ad
66100	1999	83	Ad(RN) ³⁰	66540.18	1999	1011	Ad
66101	1999	83	Ad(RN) ³⁰	66540.2	1999	1011	Ad
66102	1999	83	Ad(RN) ³⁰	66540.20	1999	1011	Ad
66103	1999	83	Ad(RN) ³⁰	66540.20	2001	404	Am
Title 7, Div. 1, Ch. 6, heading (Sec. 66400 et seq.)	1999	83	Am & RN ³⁰	66540.22	1999	1011	Ad
66400	1999	83	Am & RN ³⁰	66540.22	2001	404	Am
66401	1999	83	Am & RN ³⁰	66540.23	1999	1011	Ad
66402	1999	83	Am & RN ³⁰	66540.24	1999	1011	Ad
66403	1999	83	Am & RN ³⁰	66540.26	1999	1011	Ad
66412	2000	26*	Am	66540.28	1999	1011	Ad
	2000	506	Am	66540.30	1999	1011	Ad
	2001	873	Am	66540.32	1999	1011	Ad
66426.5	2001	176	Am	66540.34	1999	1011	Ad
66428	2001	176	Am	66540.36	1999	1011	Ad
66434	2001	176	Am	66540.38	1999	1011	Ad
66434.1	2001	176	Am	66540.4	1999	1011	Ad
66442.5	2001	176	Ad	66540.40	1999	1011	Ad
66445	2001	176	Am	66540.42	1999	1011	Ad
66449	2001	176	Am	66540.44	1999	1011	Ad
66451.17	2000	506	Am	66540.46	1999	1011	Ad
66451.2	1999	550*	Am ¹	66540.48	1999	1011	Ad
				66540.50	1999	1011	Ad
				66540.52	1999	1011	Ad
				66540.54	1999	1011	Ad
				66540.56	1999	1011	Ad
				66540.58	1999	1011	Ad
				66540.6	1999	1011	Ad
				66540.60	1999	1011	Ad
				66540.62	1999	1011	Ad
				66540.64	1999	1011	Ad
				66540.68	1999	1011	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
66540.70	1999	1011	Ad	68650	2000	1010	R ⁸
66540.72	1999	1011	Ad	68651	2000	1010	R ⁸
66540.8	1999	1011	Ad	68652	2000	1010	R ⁸
66605	1999	774	Am	68653	2000	1010	R ⁸
66632.4	2000	498	Am	68654	2000	1010	R ⁸
66909	2000	688	S ⁴³	68655	2000	1010	R ⁸
66909.1	2000	688	S ⁴³	68656	2000	1010	Ad & R ⁵
66909.2	2000	688	Am ⁴³	68660	1999	853	Am ¹⁴⁴
66909.3	2000	688	S ⁴³	68661	1999	853	Am ¹⁴⁴
66909.4	2000	688	S ⁴³	68806	1999	891	Am
66909.5	2000	688	Am ⁴³	68926	1999	78*	Am
67150	2000	764	Ad & R ²⁴⁸	68926.3	1999	78*	Am ¹⁸
67150.1	2000	764	Ad & R ²⁴⁸	69101	2000	998	Am
67150.2	2000	764	Ad & R ²⁴⁸	69102	2000	998	Am
67150.3	2000	764	Ad & R ²⁴⁸	69103	2000	998	Am
67150.4	2000	764	Ad & R ²⁴⁸	69104	2000	998	Am
67150.5	2000	764	Ad & R ²⁴⁸	69105	2000	998	Am
67150.6	2000	764	Ad & R ²⁴⁸	69106	2000	998	Am
67410	2000	596	R	69502	2000	1081	R
67421	2000	596	R	69505	2001	824	R & Ad
67460	2000	596	R	69506	2001	824	R
67461	2000	596	R	69508	1999	344*	Am
67462	2000	596	R	69508.5	1999	344*	Am
67463	2000	596	R	69580	2000	998	Am
67464	2000	596	R	69581	2000	998	Am
67465	2000	596	R	69582	2000	998	Am
67466	2000	596	R	69583	2000	998	Am
67467	2000	596	R	69585	2000	998	Am
67523	2001	745*	R	69586	2000	998	Am
67940	2001	472	Am	69591	2000	998	Am
67941	2001	472	Ad	69592	2000	998	Am
68079	2001	824	Am	69593	2000	998	Am
68080.5	2001	387	Ad	69594	2000	998	Am
68085	2000	15	Am	69595	2000	998	Am
	2000	447	Am (as am by Stats. 2000, Ch. 15)	69596	2000	998	Am
	2001	824	Am	69598	2000	998	Am
68085.5	2001	824	R	69603	2000	998	Am
68086	2001	115	Am	69606	2000	998	Am
68112	2000	1055*	Am	69610	2000	998	Am
68113	2001	812	R	69613	2000	998	Am
68203	2000	196	Am	69620	2000	998	R
68203.1	2001	118*	Ad	69845.6	2001	115	R
68502.5	2001	812	Am	69894	1999	891	Am
68511.2	2001	745*	Am	69894.1	1999	891	Am (as am by Sec. 1.5, Stats. 1998, Ch. 973) ¹³⁹
68511.3	1999	892	Am				Am (as am by Sec. 1.6, Stats. 1998, Ch. 973) ²⁵
	2001	812	Am				Am (as am by Sec. 1.7, Stats. 1998, Ch. 973) ^{56 24}
68547	1999	891	Am (as am by Sec. 245.4, Stats. 1998, Ch. 931) ²⁴				
			Am (as am by Sec. 245.5, Stats. 1998, Ch. 931) ²⁵	69899.5	1999	891	Am
68604	2001	745*	Am	69915	1999	641*	Ad
68616	1999	67*	Am		2000	135	Am ²⁰³
			R & Ad ²²	70050.5	2000	133	Am
68617	1999	67*	Ad	70140.5	1999	891	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
70141	2000	447	Am	71639	2000	1010	Ad
70214.5	1999	891	Ad	71639.1	2000	1010	Ad
70214.6	1999	891	Ad		2001	270	Am
70217	1999	891	Am		2001	824	Am
70218	2000	1010	Am	71639.2	2000	1010	Ad
70219	2001	745 *	R	71639.3	2000	1010	Ad
71010	2001	824	R	71640	2000	1010	Ad
71040.5	2001	824	R	71641	2000	1010	Ad
71040.7	2001	824	R	71642	2000	1010	Ad
71042.6	1999	344 *	Am	71643	2000	1010	Ad
71045	2001	824	R	71644	2000	1010	Ad
71083.1	2001	824	R	71645	2000	1010	Ad
71085.1	2001	824	R	71650	2000	1010	Ad
71600	2000	1010	Ad		2001	270	Am
71601	2000	1010	Ad	71651	2000	1010	Ad
	2001	270	Am	71652	2000	1010	Ad
71612	2000	1010	Ad	71653	2000	1010	Ad
71614	2000	1010	Ad	71654	2000	1010	Ad
71615	2000	1010	Ad	71655	2000	1010	Ad
71616	2000	1010	Ad	71656	2000	1010	Ad
71617	2000	1010	Ad	71657	2000	1010	Ad
71618	2000	1010	Ad		2001	270	Am
71620	2000	1010	Ad	71658	2000	1010	Ad
71622	2000	1010	Ad	71660	2000	1010	Ad
71623	2000	1010	Ad	71670	2000	1010	Ad
71623.5	2000	1010	Ad	71671	2000	1010	Ad
	2001	270	Am	71672	2000	1010	Ad
71624	2000	1010	Ad	71673	2000	1010	Ad
71625	2000	1010	Ad	71674	2000	1010	Ad
71626	2000	1010	Ad	71675	2001	270	Ad
71626.5	2000	1010	Ad	72053	2001	824	R
	2001	270	Am	72055	2000	447	Am
71627	2000	1010	Ad		2001	812	Am
	2001	270	Am	72114	1999	335	R
71628	2000	1010	Ad		1999	641 *	R
	2001	270	Am	72114.2	1999	335	Ad
71629	2000	1010	Ad		1999	641 *	Ad ⁹²
	2001	270	Am		2000	135	Am ²⁰³
	2001	812	Am	72115	1999	138 *	R & Ad
71630	2000	1010	Ad	72190.5	1999	891	Ad
71631	2000	1010	Ad	72608	1999	891	Am
71632	2000	1010	Ad & R ²⁴²	72635	1999	891	Am
71632.5	2000	1010	Ad ²⁴³	72708.5	1999	891	Am
	2001	270	Am	73399	1999	891	R & Ad
71632.6	2000	1010	Ad	73433	1999	891	Am
71633	2000	1010	Ad	73433.1	1999	891	Am
71634	2000	1010	Ad	73433.4	1999	891	R
71634.1	2000	1010	Ad	73434	1999	891	Am
71634.2	2000	1010	Ad	73435	1999	891	Am
71634.3	2000	1010	Ad	73436	1999	891	Am
71634.4	2000	1010	Ad	73436.1	1999	891	Am
71635	2000	1010	Ad	73436.2	1999	891	Am
71635.1	2000	1010	Ad	73665	1999	891	Am
71636	2000	1010	Ad	73757	1999	891	R & Ad
71636.1	2000	1010	Ad	73758	1999	891	Ad(RN)
71637	2000	1010	Ad	73803	1999	641 *	R
71637.1	2000	1010	Ad	74000	1999	891	R
	2001	270	Am	74001	1999	891	R
71638	2000	1010	Ad	74001.5	1999	891	R

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
74002	1999	891	R	75101	1999	785	Am
74004	1999	891	R	75102	2001	118*	Am
74005	1999	891	R	75103	2001	118*	Am
74007	1999	891	R	75502	2001	118*	Am
74361	1999	335	R	75506.5	2001	433	Ad
	1999	641*	R	75520	1999	785	Am
74362	1999	335	R	75521	1999	785	Am
	1999	641*	R		2001	433	Am
74363	1999	335	R	75523	1999	785	Am
	1999	641*	R	75528	2001	433	Ad
74364	1999	335	R	75560.3	2001	745*	R
	1999	641*	R	75571	2001	433	Am
74365	1999	335	R	75573	2001	433	Ad
	1999	641*	R	75590	1999	671	Am
74366	1999	335	R		2000	1002	Am
	1999	641*	R	75600.5	2001	118*	Am
74367	1999	335	R	75601	2001	118*	Am
	1999	641*	R	75602	2001	118*	Am
74368	1999	335	R	75758	1999	891	Am & RN
	1999	641*	R	76104	1999	674	Am
74369	1999	335	R	76104.5	1999	475	Am
	1999	641*	R	76219	2000	375	Am
74370	1999	335	R	76224	2001	767	Am
	1999	641*	R	76245	2000	375	Am
74371	1999	335	R	76251	2001	432	Ad
	1999	641*	R	76252	2001	432	Ad
74372	1999	335	R	77001	2001	812	Am
	1999	641*	R	77003	2001	812	Am (by Sec. 20 of Ch.)
74501.1	2001	824	R		2001	824	Am (by Sec. 33.5 of Ch.)
74501.2	2001	824	R				
74904	2001	824	R				
75003	2001	118*	Am	77009	2000	447	Am
75030.9	2001	433	Ad		2001	745*	Am
75059	2000	988	Ad		2001	812	Am (by Sec. 21.5 of Ch.)
75059.1	2000	988	Ad				
	2001	159	Am ³⁰⁵	77201	2000	671*	Am
75060.3	2001	745*	R	77201.1	2000	447	Am (by Sec. 9 of Ch.)
75071	1999	671	Am		2000	671*	Am
	2001	433	Am	77202	2001	812	Am
75073	2001	433	Ad	77202.5	1999	550*	R ¹
75079.5	2001	433	Ad	77206	2000	969	Am
75080	1999	671	Am		2001	812	Am
75085	2000	961	Ad	77208	2001	824	R
75085.1	2000	961	Ad	77209	2001	824	Am
75085.2	2000	961	Ad	77212	2000	447	Am
75085.3	2000	961	Ad		2001	812	Am
75085.4	2000	961	Ad	77212.5	1999	138*	Am (by Sec. 4 of Ch.)
75085.5	2000	961	Ad		1999	641*	Am
75085.6	2000	961	Ad		2001	745*	Am
75085.7	2000	961	Ad		2001	745*	Am
75085.8	2000	961	Ad		2001	745*	Am
75086	2000	961	Ad		2001	745*	Am
75086.1	2000	961	Ad		2001	852*	Am
75086.2	2000	961	Ad		2001	921	Am
75087	2000	961	Ad	82002	2001	921	Am
75088	2000	961	Ad	82016	2000	102*	Am ^{25 210}
75088.3	2000	961	Ad	82033	2000	130	Am
75088.4	2000	961	Ad	82034	2000	130	Am
75089	2000	961	Ad	82039	2001	921	Am
75089.1	2000	961	Ad	82053	2000	102*	Am ^{25 210}
75094	1999	671	Ad	83111.5	1999	225*	Ad

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
83113	1999	855	Am	85101	2000	102 *	R (as ad by
83116	2000	102 *	R (as ad by				Prop. 73 and
			Prop. 9 and as	85102	2000	102 *	Prop. 208) ^{25 210}
			am by				R (as ad by
			Prop. 208)	85103	2000	102 *	Prop. 73 and
83116.3	1999	297	& Ad ^{25 210}				Prop. 208) ^{25 210}
83116.5	2000	102 *	Ad	85104	2000	102 *	R (as ad by
			R (as ad by				Prop. 73) ^{25 210}
			Stats. 1984,	85200	2000	853	R (as ad by
			Ch. 670 and as	85201	2000	853	Prop. 73) ^{25 210}
			am by	85202	2000	102 *	Am
			Prop. 208)				Am
			& Ad ^{25 210}	85203	2000	102 *	R (as ad by
83124	2000	102 *	R (as ad by				Prop. 208)
			Prop. 208)	85204	2000	102 *	& Ad ^{25 210}
			& Ad ^{25 210}				R (as ad by
84101	2001	901	Am	85204.5	2000	102 *	Prop. 208)
84102	2000	853	Am	85205	2000	102 *	& Ad ^{25 210}
84103	2000	853	Am				R (as ad by
84107	2000	853	Am	85206	2000	102 *	Prop. 208)
84200	2000	130	Am				& Ad ^{25 210}
84200.3	1999	158 *	Ad	85301	2000	102 *	R (as ad by
	1999	433 *	Am (as ad by				Prop. 73 and
			Stats. 1999,	85302	2000	102 *	Prop. 208)
			Ch. 158)				& Ad ^{25 210}
84200.4	1999	158 *	Ad	85303	2000	102 *	R (as ad by
84200.5	1999	158 *	Am				Prop. 73 and
	1999	855	Am (by Sec. 2	85304	2001	241 *	Prop. 208)
			of Ch.)		2000	102 *	& Ad ^{25 210}
84201	2000	102 *	R (as ad by	85305	2000	102 *	R (as ad by
			Prop. 208) ^{25 210}				Prop. 73 and
84202.5	2000	130	Am	85306	2000	102 *	Prop. 208)
84202.7	2000	130	Am				& Ad ^{25 210}
84203.5	2000	130	Am	85307	2001	241 *	Am
84204	2000	102 *	Am ^{25 210}		2000	102 *	R (as ad by
	2001	241 *	Am				Prop. 73 and
84211	2000	161	Am	85307	2000	102 *	Prop. 208)
	2000	853	Am				& Ad ^{25 210}
84215	2001	241 *	Am	85308	2000	102 *	R (as ad by
84216	2000	853	Am				Prop. 73 and
84216.5	2000	853	Am				Prop. 208)
84219	2000	853	Am				& Ad ^{25 210}
84303	2000	853	Am				Am
84305.6	2000	102 *	Ad ^{25 210}				R (as ad by
84511	2000	102 *	Ad ^{25 210}				Prop. 73 and
	2001	241 *	Am				Prop. 208)
84600	2001	917 *	Am				& Ad ^{25 210}
84602	1999	433 *	Am				R (as ad by
	2000	319	Am				Prop. 73 and
	2001	917 *	Am				Prop. 208)
84602.5	1999	208	Ad				& Ad ^{25 210}
84603	1999	433 *	Am				Am
84604	1999	433 *	Am	85307	2000	102 *	R (as ad by
84605	1999	433 *	Am				Prop. 73 and
84606	1999	433 *	Am				Prop. 208)
84610	1999	433 *	Am				& Ad ^{25 210}
84612	2001	79	Ad				Am
85100	2000	102 *	R (as ad by				R (as ad by
			Prop. 73 and				Prop. 73 and
			Prop. 208)				Prop. 208)
			& Ad ^{25 210}				& Ad ^{25 210}

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<i>Section</i>	<i>Affected By</i>			<i>Effect</i>	<i>Section</i>	<i>Affected By</i>			<i>Effect</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>			<i>Year</i>	<i>Chapter</i>	<i>Effect</i>			
85309	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	85603	1999	433 *	Am	85700	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}
	2001	241 *	Am						2001	241 *	Am
85310	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	85701	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}				
85311	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	85702	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}				
85312	2001	241 *	Am						2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}
	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	85703	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}				
85313	2001	241 *	Am	85704	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}				
	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	85705	2000	102 *	R (as ad by Prop. 208) ^{25 210}				
85314	2000	102 *	Ad ^{25 210}	85706	2000	102 *	R (as ad by Prop. 208) ^{25 210}				
85315	2000	102 *	Ad ^{25 210}								
85316	2000	102 *	Ad ^{25 210}	86109.5	1999	855	Ad				
85317	2000	102 *	Ad ^{25 210}	86116	2001	921	Am				
	2001	241 *	Am	87103	2000	130	Am				
85318	2000	102 *	Ad ^{25 210}	87206	2000	130	Am				
	2001	241 *	Am	87207	2000	130	Am				
85319	2000	102 *	Ad ^{25 210}	87406	1999	10 *	Am				
85320	2000	349	Am	88002.5	1999	312	Ad				
85321	2001	241 *	Ad	89510	2000	102 *	Ad ^{25 210}				
85400	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}		2001	241 *	Am				
	2001	241 *	Am	89511	2000	130	Am				
85401	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	89519	2000	102 *	R (as ad by Stats. 1990, Ch. 84 and Prop. 208) & Ad ^{25 210}				
85402	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}								
85403	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	91000	2000	102 *	R (as ad by Prop. 9 and as am by Prop. 208) & Ad ^{25 210}				
85404	2000	102 *	R (as ad by Prop. 208) ^{25 210}	91004	2000	102 *	R (as ad by Prop. 9 and as am by Prop. 208) & Ad ^{25 210}				
85500	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}								
	2001	241 *	Am	91005	2000	130	Am				
85501	2000	102 *	Ad ^{25 210}	91005.5	2000	102 *	R (as ad by Stats. 1982, Ch. 727 and as am by Prop. 208) & Ad ^{25 210}				
	2001	241 *	Am								
85600	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}	91006	2000	102 *	R (as ad by Prop. 9 and as am by Prop. 208) & Ad ^{25 210}				
	2001	241 *	Am								
85601	2000	102 *	R (as ad by Prop. 208) & Ad ^{25 210}								
	2001	241 *	Am								
85602	2000	102 *	R (as ad by Prop. 208) ^{25 210}	91007	1999	577 *	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
91007 (Cont.)					2001	171 *	Am (as am by
	2000	135	Am ²⁰³				Sec. 3,
91503	1999	61	Am				Stats. 1997,
91520	1999	61	Am				Ch. 294)
91533	1999	61	Am	95006	1999	146 *	S ⁵⁷
91558.5	1999	863	Ad & R ¹⁸	95007	1999	146 *	S ⁵⁷
91559	1999	863	Ad	95008	1999	146 *	S ⁵⁷
91559.1	1999	863	Ad	95009	1999	146 *	S ⁵⁷
91559.2	1999	863	Ad	95012	1999	146 *	S ⁵⁷
91559.3	1999	863	Ad	95014	1999	146 *	S ⁵⁷
91559.4	1999	863	Ad	95016	1999	146 *	S ⁵⁷
91560	1999	61	Am	95018	1999	146 *	S ⁵⁷
92204	2001	745 *	R	95020	1999	146 *	S ⁵⁷
95000	1999	146 *	S ⁵⁷	95022	1999	146 *	S ⁵⁷
95001	1999	146 *	S ⁵⁷	95024	1999	146 *	S ⁵⁷
95001.5	1999	146 *	S ⁵⁷	95026	1999	146 *	S ⁵⁷
95002	1999	146 *	S ⁵⁷	95028	1999	146 *	S ⁵⁷
95003	1999	146 *	S ⁵⁷	95029	1999	146 *	S ⁵⁷
95004	1999	146 *	S ⁵⁷	95030	1999	146 *	R
				96103	2001	745 *	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HARBORS AND NAVIGATION CODE

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
39	2001	597	Am	Div. 5,			
63.6	2000	396	Am	heading			
64.7	2001	360	Ad	(Sec. 1100			
65.8	2001	745 *	R	et seq.)	2001	177	Am
69.5	1999	798	Ad ⁸⁷	1100	2001	177	Am
69.6	1999	798	Ad ⁸⁷	1101	2001	177	Am
69.8	1999	798	Ad ⁸⁷	1105	2001	177	Am
69.9	1999	798	Ad ⁸⁷	1110	2001	177	Am
70.3	2000	282	Ad	1112	2001	177	Am
70.4	2000	282	Am	1114	2001	177	Am
70.5	2000	282	Ad	1114.5	2001	177	Am
71.4	1999	66 *	Am	1125	2001	177	Am
76.8	1999	66 *	Am	1126	2000	394	Am
85.2	1999	66 *	Am		2001	177	Am
601	1999	1000	R	1127	2001	177	Am
602	1999	1000	R	1128	2001	177	Am
603	1999	1000	R	1130	2001	177	Am
604	1999	1000	R	1132	2001	177	Am
651	2000	398	Am	1133	2001	177	Am
654.3	2000	502	Ad ³⁴	1140	2001	177	Am
658.3	2000	398	Am	1141	2001	177	Am
658.6	2001	745 *	R	1150	2001	177	Am
668	1999	500	Am	1163	1999	261	Am
	2000	502	Am	1164	1999	261	Am
668.1	2000	396	Am	1170.3	1999	470	Am
668.2	2000	396	Am		2001	177	Am
668.3	2000	396	Ad	1177	2001	177	Am
702.5	2000	380	Ad	1180.3	2000	394	Am
714	2000	508	Am	1181	2000	394	Am
719	2000	380	Am	1190	1999	261	Am
720	2000	508	Am	1190.1	2001	177	Ad
725	2000	380	Am	1191	1999	261	Am
729.5	2000	508	Ad	1192	2001	177	Am
732	2000	508	Am	1198	2000	786	Ad
733	2000	508	Am	1200	2001	745 *	Am
735.2	2000	380	Ad	3927	2001	745 *	Am
739	2000	508	Am	6084	2001	177	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
150	1999	146*	Ad	1298	2000	451	Am
151	1999	146*	Ad	1300	1999	83	Am ³⁰
152	1999	146*	Ad	1317.1	1999	544	Am
444.20	2000	139*	Ad & R ²⁰⁵	1317.2a	1999	525	Am ¹¹²
444.21	2000	139*	Ad & R ²⁰⁵		2000	857	Am ²⁰³
	2001	159	Am ³⁰⁵	1317.6	1999	525	Am ¹¹²
444.22	2000	139*	Ad & R ²⁰⁵		2000	857	Am ²⁰³
444.23	2000	139*	Ad & R ²⁰⁵	1325.5	2000	451	Ad
444.24	2000	139*	Ad & R ²⁰⁵		2001	685	Am
475	1999	765	Ad	1331	2000	451	Am
900	1999	731	Ad		2001	685	Am
901	2000	144*	Ad	1333	2000	451	Am
	2000	343	Am	1336.2	2000	451	Am
1179.3	1999	146*	Am ^{36 13}	1337.1	2000	451	Am
1179.6	2000	312*	Ad		2001	685	Am
1204	2000	27	Am	1337.3	1999	719	Am (by Sec. 3 of Ch.)
1204.4	2000	99	Ad		2000	451	Am
1206	1999	83	Am ³⁰		2001	685	Am
1221	2001	525	Ad	1337.6	1999	719	Am
1221.05	2001	525	Ad	1338.2	1999	719	Ad
1221.09	2001	525	Ad	1339.51	2001	115	R
1221.11	2001	525	Ad	1339.52	2001	115	R
1221.13	2001	525	Ad	1339.53	2001	115	R
1221.15	2001	525	Ad	1339.54	2001	115	R
1221.17	2001	525	Ad	1339.55	2001	115	R
1221.19	2001	525	Ad	1339.56	2001	115	R
1248.15	1999	944	Am	1339.57	2001	115	R
1250	2000	451	Am	1339.58	2001	115	R
	2001	685	Am	1339.59	2001	115	R
1250.6	2001	685	Ad	1339.60	2001	115	R
1253	2000	451	Am	1339.61	2001	115	R
1254.7	1999	403	Ad	1339.63	2000	816	Ad
1255.7	2000	824	Ad & R ⁴³	1339.80	2000	347	Ad
1256	2001	290	Am	1339.81	2000	347	Ad
1260.1	1999	850	Ad	1341	1999	525	R & Ad ¹¹²
1261	1999	588	Ad		2000	857	Am ²⁰³
1261.5	1999	83	Am ³⁰	1341.1	1999	525	Ad ¹¹²
1261.6	1999	83	Am ³⁰		2000	857	Am ²⁰³
1262.5	2001	691	Ad	1341.10	1999	525	Ad ¹¹²
1262.6	2001	691	Ad	1341.11	1999	525	Ad ¹¹²
1262.7	2001	691	Ad	1341.12	1999	525	Ad ¹¹²
1263	2001	339	Ad	1341.13	1999	525	Ad ¹¹²
1265	2000	451	Am	1341.14	1999	525	Ad ¹¹²
	2001	685	Am	1341.2	1999	525	Ad ¹¹²
1267	2000	451	Am		2000	857	Am ²⁰³
1267.5	2000	451	Am	1341.3	1999	525	Ad ¹¹²
	2001	685	Am		2000	857	Am ²⁰³
1276.05	2000	841	Ad	1341.4	1999	525	Ad ¹¹²
	2001	228*	Am		2000	93*	Am
1276.4	1999	945	Ad	1341.5	1999	525	Ad ¹¹²
	2000	148*	Am	1341.6	1999	525	Ad ¹¹²
1276.5	1999	146*	Am		2000	857	Am ²⁰³
	2001	685	Am	1341.7	1999	525	Ad ¹¹²
1276.6	2000	93*	Ad		2000	857	Am
1276.65	2001	684	Ad	1341.8	1999	525	Ad ¹¹²
1276.7	2000	451	Ad	1341.9	1999	525	Ad ¹¹²
1276.9	2001	685	Ad	1342	1999	525	Am ¹¹²
1277	2000	356*	Am	1342.1	2001	745*	Am
1278.5	1999	155	Ad	1342.3	1999	525	Ad ¹¹²
1294	2000	451	Am				

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<i>Affected By</i>				<i>Affected By</i>			
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1342.3	(Cont.)				2000	706	R & Ad
	2000	857	Am ²⁰³		2000	707*	Am (as ad by
1342.5	1999	525	Am ¹¹²				Stats. 2000,
	2000	857	Am ²⁰³				Ch. 706)
1343	1999	525	Am ¹¹²		2001	159	Am ³⁰⁵
	2000	857	Am	1358.12	1999	525	Am ¹¹²
1344	1999	525	Am ¹¹²		2000	706	R & Ad
1345	1999	525	Am ¹¹²		2000	707*	Am (as ad by
	1999	528	Am				Stats. 2000,
1346	1999	525	Am ¹¹²				Ch. 706)
1346.4	1999	525	Am ¹¹²	1358.13	2000	706	R & Ad
1346.5	1999	525	Am ¹¹²	1358.14	1999	525	Am ¹¹²
	2000	857	Am ²⁰³		2000	706	R & Ad
1347	1999	525	Am ¹¹²	1358.145	2000	706	Ad
	2000	857	Am ²⁰³	1358.146	2000	706	Ad
1347.1	1999	525	Ad ¹¹²	1358.15	1999	525	Am ¹¹²
1347.15	1999	529	Ad		2000	706	R & Ad
	2000	1067	Am	1358.16	1999	525	Am ¹¹²
1348	1999	525	Am ¹¹²		2000	706	R & Ad
1348.8	1999	535	Ad	1358.17	2000	706	R & Ad
1349	1999	525	Am ¹¹²	1358.18	1999	525	Am ¹¹²
1349.2	1999	525	Am ¹¹²		2000	706	R & Ad
1349.3	1999	529	Ad & R ⁵	1358.19	1999	525	Am ¹¹²
	1999	530	Ad & R ⁵		2000	706	R & Ad
1351	1999	525	Am ¹¹²	1358.2	1999	525	Am ¹¹²
1351.1	1999	525	Am ¹¹²		2000	706	R & Ad
1351.2	1999	83	Am ³⁰	1358.20	1999	716	Am
	1999	525	Am ¹¹²		2000	706	R & Ad
1352	1999	525	Am ¹¹²	1358.21	1999	525	Am ¹¹²
1352.1	1999	525	Am ¹¹²		2000	706	R & Ad
1353	1999	525	Am ¹¹²	1358.22	2000	706	Ad
1354	1999	525	Am ¹¹²		2000	707*	Ad & R ²⁴
1355	1999	525	Am ¹¹²	1358.225	2000	706	Ad
1356	1999	525	Am ¹¹²	1358.23	2000	706	Ad
	2000	93*	Am	1358.24	1999	716	Ad ⁸²
1356.1	1999	525	Am ¹¹²	1358.3	2000	706	R & Ad
1357	1999	434	Am	1358.4	1999	525	Am ¹¹²
	2000	389	Am		2000	706	R & Ad
1357.03	1999	525	Am ¹¹²	1358.5	2000	706	R & Ad
1357.09	1999	83	Am ³⁰	1358.6	1999	525	Am ¹¹²
	1999	525	Am ¹¹²		2000	706	R & Ad
1357.10	1999	525	Am ¹¹²	1358.7	2000	706	R & Ad
1357.11	1999	525	Am ¹¹²	1358.8	2000	706	R & Ad
1357.15	1999	525	Am ¹¹²	1358.9	1999	525	Am ¹¹²
1357.16	1999	525	Am ¹¹²		2000	706	R & Ad
	2000	857	Am ²⁰³	1359	1999	525	Am ¹¹²
1357.17	1999	525	Am ¹¹²	1360.1	1999	525	Am ¹¹²
1357.50	1999	83	Am ³⁰	1361	1999	525	Am ¹¹²
	1999	434	Am	1363	1999	525	Am (as am by
	2000	135	Am ²⁰³				Sec. 2,
1357.51	1999	83	Am ³⁰				Stats. 1998,
1357.53	1999	525	Am ¹¹²		2000	857	Ch. 994) ¹¹²
1357.54	1999	525	Am ¹¹²				
1358	1999	525	Am ¹¹²		2001	817	Am ³⁵
	2000	706	R	1363.02	2000	347	Ad
1358.1	1999	525	Am ¹¹²	1363.03	2001	622	Ad
	2000	706	R & Ad	1363.5	1999	539	R & Ad
1358.10	1999	525	Am ¹¹²		2000	1067	Am
	2000	706	R & Ad	1364	1999	525	Am ¹¹²
1358.11	1999	525	Am ¹¹²	1364.5	1999	526	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1364.5 (Cont.)							
	2000	1067	Am		2000	827	Am
1365	1999	525	Am ¹¹²	1371.35	2000	825	Am
1365.5	1999	525	Am ¹¹²		2000	827	Am
1366.35	2000	810	Ad	1371.36	2000	825	Ad
1366.4	1999	525	Am ¹¹²		2000	827	Ad
1367	1999	525	Am ¹¹²	1371.37	2000	825	Ad ²⁶⁷
	2000	825	Am		2000	827	Ad
	2000	827	Am	1371.38	2000	825	Ad
1367.01	1999	539	Ad		2000	827	Ad
	2000	1067	Am	1371.39	2000	825	Ad
1367.02	1999	525	Am ¹¹²		2000	827	Ad
1367.10	1999	525	Am ¹¹²	1371.4	1999	525	Am ¹¹²
1367.15	1999	525	Am ¹¹²		2000	857	Am ²⁰³
1367.21	2000	852	Am	1372	1999	525	Am ¹¹²
1367.24	1999	83	Am ³⁰	1373	1999	525	Am ¹¹²
	1999	525	Am ¹¹²		2001	420*	Am
1367.25	1999	532	Ad	1373.65	2000	849	Am
	2000	857	Am	1373.8	2001	420*	Am
1367.26	2001	817	Ad ³⁵	1373.95	1999	525	Am ¹¹²
1367.3	1999	525	Am ¹¹²		2000	857	Am ²⁰³
1367.35	1999	525	Am ¹¹²		2001	531	Am
1367.36	2000	845	Ad	1374.16	2000	426	Am ²³³
1367.45	2001	634	Ad				R ²³⁴
1367.5	2000	1067	R				Ad ²³⁵
	2001	691	Ad	1374.26	1999	525	Am ¹¹²
1367.51	1999	540	Ad	1374.27	1999	525	Am ¹¹²
	2000	1067	Am	1374.28	1999	525	Am ¹¹²
1367.6	1999	537	R & Ad	1374.30	1999	533	Ad
1367.65	1999	537	Am		2000	857	Am
1367.66	2001	380	Am	1374.31	1999	533	Ad
1367.665	1999	543	Ad	1374.32	1999	533	Ad
1367.695	1999	525	Am ¹¹²		2000	135	Am ²⁰³
	2000	857	Am ²⁰³		2000	857	Am
1368	1999	542	Am	1374.33	1999	533	Ad
			R & Ad ²⁵	1374.34	1999	542	Ad (purports to
	2000	135	Am ²⁰³				add Sec. 13933)
	2000	1067	Am		2000	135	Ad(RN) ²⁰³
1368.01	1999	542	Am		2000	1067	Ad(RN)
1368.02	1999	525	Am (as am by	1374.35	1999	533	Ad
			Sec. 3,	1374.36	1999	542	Ad ²⁵
			Stats. 1998,	1374.51	2001	506	Ad
			Ch. 377) ¹¹²	1374.56	1999	541	Ad
	2000	857	Am ²⁰³	1374.58	2001	893	Ad
1368.03	1999	542	Am	1374.60	1999	525	Am ¹¹²
			R & Ad ²⁵	1374.64	1999	525	Am ¹¹²
1368.04	1999	542	Am	1374.66	1999	525	Am ¹¹²
			R & Ad ²⁵	1374.67	1999	525	Am ¹¹²
			Am ²⁰³	1374.68	1999	525	Am ¹¹²
	2000	135	Am ²⁰³	1374.69	1999	525	Am ¹¹²
	2000	1067	Am	1374.7	1999	311	Am
1368.2	1999	528	Ad	1374.71	1999	525	Am ¹¹²
	2000	857	Am	1374.72	1999	534	Ad
1370	1999	525	Am ¹¹²	1374.9	1999	525	Am ¹¹²
1370.4	1999	542	Am		2000	857	Am ²⁰³
			R & Ad ²⁵		1999	525	Am ¹¹²
	2000	135	Am ²⁰³	1375.1	1999	525	Am
	2000	1067	Am	1375.4	1999	529	Ad
1370.6	2001	172	Ad		2000	1067	Am
1371	2000	825	Am	1375.5	1999	529	Ad
				1375.6	1999	529	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1376	1999	525	Am ¹¹²	Div. 2,			
1377	1999	525	Am ¹¹²	Ch. 2.2,			
1380	1999	525	Am ¹¹²	Art. 10.5,			
	2000	857	Am ²⁰³	heading			
1380.1	1999	525	Am ¹¹²	(Sec. 1399.801			
	2000	856	R & Ad	et seq.)	2001	159	Am & RN ³⁰⁵
	2000	857	Am ²⁰³	Div. 2,			
1380.3	1999	525	Am ¹¹²	Ch. 2.2,			
1381	1999	525	Am ¹¹²	Art. 11.5,			
1382	1999	525	Am ¹¹²	heading			
1383.15	1999	531	Ad	(Sec. 1399.801			
	2000	857	Am	et seq.)	2001	159	Ad(RN) ³⁰⁵
	2001	328	Am	1399.802	2000	810	Ad
1384	1999	525	Am ¹¹²	1399.803	2000	810	Ad
1385	1999	525	Am ¹¹²	1399.804	2000	810	Ad
1386	1999	525	Am ¹¹²	1399.805	2000	810	Ad
	1999	526	Am	1399.806	2000	810	Ad
	2000	135	Am ²⁰³	1399.809	2000	810	Ad
	2000	1067	Am	1399.810	2000	810	Ad
1387	1999	525	Am ¹¹²	1399.811	2000	810	Ad
1388	1999	525	Am ¹¹²	1399.812	2000	810	Ad
1389	1999	525	Am ¹¹²	1399.813	2000	810	Ad
1389.1	1999	525	Am ¹¹²	1399.814	2000	810	Ad
1389.2	1999	525	Am ¹¹²	1399.815	2000	810	Ad
1391	1999	525	Am ¹¹²	1399.816	2000	810	Ad
1391.5	1999	525	Ad ¹¹²	1399.817	2000	810	Ad
	2000	857	Am	1399.818	2000	810	Ad
1392	1999	525	Am ¹¹²	1399.900	2000	1065	Ad
1393	1999	525	Am ¹¹²	1399.901	2000	1065	Ad
1393.5	1999	525	Am ¹¹²	1399.902	2000	1065	Ad
1393.6	1999	525	Am ¹¹²	1399.903	2000	1065	Ad
	2000	857	Am ²⁰³	1399.904	2000	1065	Ad
1394	1999	525	Am ¹¹²	1417.15	2000	451	Ad
1394.1	1999	525	Am ¹¹²		2001	685	Am
1394.3	1999	525	Am ¹¹²	1417.2	2000	93*	Am
1394.5	1999	525	Am ¹¹²		2000	451	Am
1394.7	1999	525	Am ¹¹²	1417.3	2000	451	Am
1394.8	1999	525	Am ¹¹²		2001	685	Am
1395	2000	93*	Am	1417.4	2000	93*	Ad
	2001	171*	Am		2000	451	Am
1395.5	1999	525	Am ¹¹²		2001	171*	Am
1395.6	1999	545	Ad ⁵⁶	1418.4	2000	448	Am
	2000	1067	Am	1418.9	2000	46	Ad
	2000	1069	Am	1418.91	2000	451	Ad
1396	1999	525	Am ¹¹²	1419	2001	680	Am
1397	1999	525	Am ¹¹²	1420	2000	451	Am
1397.5	1999	525	Am ¹¹²		2001	685	Am
	2000	857	Am ²⁰³	1421.1	2000	93*	Ad
1397.6	1999	525	Am ¹¹²		2000	451	Am
1398	1999	525	Am ¹¹²		2001	685	Am
	2000	857	R	1421.2	2000	93*	Ad & R ¹⁹
1399	1999	525	Am ¹¹²		2000	451	Am
1399.1	1999	525	Am ¹¹²		2001	685	Am
1399.70	1999	525	Am ¹¹²	1422	2000	451	Am
1399.71	1999	525	Am ¹¹²		2001	745*	Am
1399.72	1999	525	Am ¹¹²	1422.5	1999	430	Am
1399.73	1999	525	Am ¹¹²		2000	451	Am ²⁴¹
1399.74	1999	525	Am ¹¹²		2001	685	Am
1399.75	1999	525	Am ¹¹²	1422.6	2000	451	Ad
1399.801	2000	810	Ad	1423.5	2000	451	Ad

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	Year	Chapter	Effect		Year	Chapter	Effect
1423.5 (Cont.)	2001	685	Am	1575.4	2000	869	Am
1424	2000	451	Am	1575.45	2000	869	Ad
	2001	685	Am	1575.6	2001	681	Ad
1424.5	2000	451	Ad	1576	2000	869	Am
1428	2000	451	Am	1576.2	2001	681	Am
1428.1	2000	451	Am	1578	2001	681	Ad
	2001	685	Am	1578.1	2001	681	Ad
1429.1	2000	451	Ad	1579	2001	681	Ad
1429.5	2001	687	R	1580.5	2000	869	Am
1430.5	2000	451	R	1581.5	2001	681	Am
1432	2001	685	Am	1584	1999	658	Am ⁵⁶
1435	2000	451	R	1588	2000	108*	Am
1435.5	2000	451	R	1588.3	2000	108*	Am
1437.5	2000	451	Ad	1588.5	2000	108*	Am
	2001	685	Am	1588.7	2000	108*	Am
1438	2000	451	Am		2001	681	Am
	2001	685	Am	1589	2000	108*	Am & RN & Ad
1442.5	1999	83	Am ³⁰	1589.5	2000	108*	Ad(RN)
1502.6	1999	83	Am ³⁰	1590.3	2000	869	Ad
1505	2001	653*	Am	1590.5	2000	869	Am
1507.3	1999	410	Ad	1596.60	2000	239	Am
	2000	135	Am ²⁰³	1596.653	1999	772	Ad
1520	2000	819	Am	1596.66	2000	819	Am
1521.5	2001	653*	Am	1596.7927	1999	851*	Ad & R ⁵
1521.6	2001	653*	Am		2000	135	Am ²⁰³
1522	1999	83	Am ³⁰	1596.859	1999	823	Am
	1999	881*	Am	1596.871	1999	881*	Am
	2000	819	Am		2000	819	Am
1522.04	2000	819	Am	1596.8712	2000	549	Ad
1522.06	2000	421*	R	1596.8713	1999	147*	Am
1525.5	2001	653*	Am		1999	934	Am
1530.91	2001	683	Ad		2000	108*	Am
1559.110	2001	125*	Am	1596.8714	1999	934	Ad
1566.45	2000	817	Ad	1596.8866	2001	378	Ad
1568.0821	2000	819	Am	1596.890	1999	823	Am
1568.0832	2000	817	Ad	1597.467	2001	679	Ad
1568.09	2000	819	Am	1599.1	2000	451	Am
1569.15	2000	434	Am	1599.73	1999	658	Am ⁵⁶
1569.156	1999	658	Am ⁵⁶	1626	2000	362	Am ²²⁴
1569.17	1999	359	Am	1639.56	2000	829	Ad
	1999	881*	Am (by Sec. 4 of Ch.) ⁷⁷	1647	1999	87	Ad
			Am (by Sec. 4.5 of Ch.) ¹	1743	2001	242	Ad
				1743.11	2001	242	Ad
				1743.13	2001	242	Ad
				1743.15	2001	242	Ad
	2000	819	Am	1743.17	2001	242	Ad
1569.33	2000	434	Am	1743.19	2001	242	Ad
1569.616	2000	434	Am (by Sec. 4 of Ch.)	1743.2	2001	242	Ad
				1743.21	2001	242	Ad
1569.626	2000	434	Ad	1743.23	2001	242	Ad
1569.627	2000	434	Ad	1743.25	2001	242	Ad
1569.72	2000	817	Am	1743.27	2001	242	Ad
1569.73	1999	114*	Am	1743.29	2001	242	Ad
1570.7	2001	681	Am	1743.3	2001	242	Ad
1572	2000	869	Am	1743.31	2001	242	Ad
	2001	681	Am	1743.33	2001	242	Ad
1572.9	2001	681	Am	1743.35	2001	242	Ad
1574.5	2001	681	Am	1743.37	2001	242	Ad
1575.1	2001	681	Ad	1743.7	2001	242	Ad
1575.2	2001	681	Am	1743.9	2001	242	Ad
1575.3	2000	869	Am	1746	1999	83	Am ³⁰

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1770	2000	820	Am	1789.6	2000	820	Am
1771	1999	949	Am	1789.8	2000	820	Am
	2000	820	Am	1792	2000	820	R & Ad
1771.10	2000	820	Ad(RN)	1792.1	2000	820	Ad
1771.11	1999	949	Ad	1792.11	2000	820	Ad & R ¹⁸
	2000	820	Am & RN	1792.12	2000	820	Ad & R ¹⁸
1771.2	2000	820	Am	1792.13	2000	820	Ad & R ¹⁸
1771.3	2000	820	Ad	1792.14	2000	820	Ad & R ¹⁸
1771.4	2000	820	R & Ad	1792.15	2000	820	Ad & R ¹⁸
1771.5	1999	949	Am	1792.16	2000	820	Ad & R ¹⁸
	2000	820	R & Ad	1792.17	2000	820	Ad & R ¹⁸
1771.6	2000	820	R & Ad	1792.18	2000	820	Ad & R ¹⁸
1771.7	2000	820	R & Ad	1792.19	2000	820	Ad & R ¹⁸
1771.8	2000	820	R & Ad(RN)	1792.2	1999	470	Am
1771.9	1999	83	Am ³⁰		2000	820	R & Ad
	1999	949	Am	1792.20	2000	820	Ad & R ¹⁸
	2000	820	Am & RN	1792.21	2000	820	Ad & R ¹⁸
1772	2000	820	Am	1792.22	2000	820	Ad & R ¹⁸
1772.2	2000	820	Ad	1792.3	2000	820	Ad
1773	2000	820	Am	1792.4	2000	820	Ad
1774	2000	820	Am	1792.5	2000	820	Ad
1775	2000	820	Am	1792.6	2000	820	Ad
1776.3	2001	111 *	Ad	1793.11	2000	820	Am
1776.6	2000	820	Am	1793.13	2000	820	Am
1777	2000	820	Am	1793.15	2000	820	Am
1777.2	2000	820	Am	1793.17	2000	820	Am
1777.4	2000	820	Am	1793.19	2000	820	Am
1779	1999	949	Am	1793.21	2000	820	Am
	2000	820	Am	1793.23	2000	820	Am
1779.10	2000	820	Am	1793.25	2000	820	Am
1779.2	2000	820	Am	1793.27	2000	820	Am
1779.4	2000	820	Am	1793.29	2000	820	Am
1779.6	2000	820	Am	1793.5	2000	820	Am
1779.7	2000	820	Ad	1793.50	2000	820	Am
1779.8	2000	820	Am	1793.56	2000	820	Am
1780	2000	820	Am	1793.58	2000	820	Am
1780.2	2000	820	Am	1793.6	2000	820	Am
1780.4	2000	820	Am	1793.60	2000	820	Am
1781	2000	820	Am	1793.62	2000	820	Am
1781.10	2000	820	Am	1793.7	2000	820	Am
1781.2	2000	820	Am	1793.8	2000	820	Am
1781.4	2000	820	Am	1793.9	2000	820	Am
1781.6	2000	820	Am	1797.109	2000	157	Am
1781.8	2000	820	Am	1797.112	2000	93 *	Am
1782	2000	820	Am	1797.172	1999	549 *	Am
1783	2000	820	Am	1797.191	1999	83	Am ³⁰
1783.2	2000	820	Am	1797.196	1999	163	Ad
1783.3	2000	820	Ad	1797.197	2001	458	Ad
1784	2000	820	Am	1797.198	2001	171 *	Ad
1785	2000	820	Am	1797.199	2001	171 *	Ad
1786	2000	820	Am	1797.98b	1999	679	Am
1786.2	2000	820	Am	1798.200	1999	549 *	Am
1787	2000	820	Am	1799.204	2001	171 *	Am
1788	1999	949	Am	2248	2001	75	Am
	2000	820	Am	2291.2	2000	262	Am
1788.2	2000	820	Am	2851	2001	75	Am
1788.4	2000	820	Am	4730.3	2001	390	Am
1789	2000	820	Am				R & Ad ³⁶¹
1789.1	2000	820	Ad	4730.6	1999	550 *	Am ¹
1789.2	2000	820	Am	4733	2000	86	Am
1789.4	2000	820	Am	4767.5	2001	606 *	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
5412	2001	498	Am	7200	2001	436	Am
5413	2001	498	Am	8010	2001	818	Ad
6489	2000	86	Am	8011	2001	818	Ad
6590	1999	696	Ad	8012	2001	818	Ad
6591	1999	696	Ad	8013	2001	818	Ad
6592	1999	696	Ad	8014	2001	818	Ad
6593	1999	696	Ad	8015	2001	818	Ad
6594	1999	696	Ad	8016	2001	818	Ad
6595	1999	696	Ad	8017	2001	818	Ad
7000	2001	436	Am	8018	2001	818	Ad
7001	2001	436	Am	8019	2001	818	Ad
7002	2001	436	Am	8020	2001	818	Ad
7003	2001	436	Am	8021	2001	818	Ad
7005	2001	436	Am	8025	2001	818	Ad
7007	2001	436	Am	8026	2001	818	Ad
7010	2001	436	Am	8027	2001	818	Ad
7010.5	2001	436	Am	8028	2001	818	Ad
7010.7	2001	436	Am	8029	2001	818	Ad
7012	2001	436	Am	8030	2001	818	Ad
7013	2001	436	Am	Div. 8,			
7014	2001	436	Am	Pt. 1,			
7016	2001	436	Am	Ch. 1,			
7017	2001	436	R	heading			
7021	2001	436	Am	(Sec. 8100			
7054.5	2001	436	R	et seq.)	2001	436	Am
7054.6	2000	276	Am	8100	2001	436	Am
	2001	436	Am	8101	2000	546	R
7055	1999	657	Am	8113.2	2001	436	R
7100	1999	657	Am	8113.6	2000	568	Am
	1999	658	Am (by Sec. 5.5 of Ch.) ⁵⁶	8279	1999	207	Ad
	2001	230	Am	8300	2001	436	Am
7104.1	2001	436	Am	8301	2001	436	R
7109	2001	436	Am	8302	2001	436	R
7116	2001	436	Am	8303	2001	436	R
7150.2	2000	829	Ad	8304	2001	436	R
7151	1999	658	Am ⁵⁶	8305	2001	436	R
7151.5	2000	830	Am	8306	2001	436	R
7152.7	2001	740	Ad	8307	2001	436	R
7153	2000	830	Am	8308	2001	436	R
7153.5	2000	830	Am	8343	2000	568	Am
7154	2000	830	Am	8344	2000	568	Am
7185	1999	658	R ⁵⁶	8344.5	2000	568	Am
7185.5	1999	658	R ⁵⁶	8346.5	2000	568	Am
7186	1999	658	R ⁵⁶	8347	2000	568	Am
7186.5	1999	658	R ⁵⁶	8571	2001	436	Am
7187	1999	658	R ⁵⁶	8574	2000	568	Am
7187.5	1999	658	R ⁵⁶	8585	2000	568	Am
7188	1999	658	R ⁵⁶	8650	2001	436	Am
7189	1999	658	R ⁵⁶		2001	516	Am
7189.5	1999	658	R ⁵⁶	8650.5	2001	436	Ad
7190	1999	658	R ⁵⁶		2001	516	Ad
7190.5	1999	658	R ⁵⁶	8731	2000	568	Am
7191	1999	658	R ⁵⁶	8734	2000	568	Am
7191.5	1999	658	R ⁵⁶	8740	2000	568	Am
7192	1999	658	R ⁵⁶	8743	2000	568	Am
7192.5	1999	658	R ⁵⁶	8744	2000	568	Am
7193	1999	658	R ⁵⁶	8747.5	2000	568	Am
7193.5	1999	658	R ⁵⁶	8748	2000	568	Am
7194	1999	658	R ⁵⁶	8961.13	1999	207	Am
7194.5	1999	658	R ⁵⁶	8961.7	2000	68*	Am
				9513	1999	207	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
11999.13	2000			2000	135	Am & RN ²⁰³	
	Initiative			2000	1067	Am & RN	
	(Prop. 36			13938	2001	176	
	adopted			16017.5	2000	463	
	Nov. 7,			17021	2000	702	
	2000)		Ad ²⁹⁴		2001	118*	
11999.20	2001	721*	Ad ³⁷	17031	2000	471	
11999.25	2001	721*	Ad ³⁷	17055	2000	702	
11999.4	2000			17920.3	2000	471	
	Initiative			17922	2001	159	
	(Prop. 36			17951	2000	471	
	adopted			17958.2	2000	471	
	Nov. 7,			17958.8	2000	471	
	2000)		Ad ²⁹⁴	17959.3	1999	643	
11999.5	2000			17964	2000	471	
	Initiative			17980	1999	391	
	(Prop. 36				2001	487	
	adopted			17980.6	1999	391	
	Nov. 7,				2001	414	
	2000)		Ad ²⁹⁴	17980.7	2001	414	
11999.6	2000					Am (by Sec. 5	
	Initiative				2001	594	
	(Prop. 36					Am (by Sec. 1.5	
	adopted					of Ch.)	
	Nov. 7,			17980.9	2001	594	
	2000)		Ad ²⁹⁴	17997	2001	487	
11999.7	2000			17997.2	2001	487	
	Initiative			17997.3	2001	487	
	(Prop. 36			17997.5	2001	487	
	adopted			17997.6	2001	487	
	Nov. 7,			17997.7	2001	487	
	2000)		Ad ²⁹⁴	17997.8	2001	487	
11999.8	2000			17998	2000	82	
	Initiative				2000	664	
	(Prop. 36			17998.1	2000	82	
	adopted				2000	664	
	Nov. 7,			17998.2	2000	664	
	2000)		Ad ²⁹⁴	17998.3	2000	664	
11999.9	2000			18008.5	2000	471	
	Initiative			18008.7	2001	356	
	(Prop. 36			18009.3	2000	566	
	adopted				2001	490	
	Nov. 7,			18010	2000	566	
	2000)		Ad ²⁹⁴	18020	1999	83	
12680	2000	274	Am	18025	1999	517	
13114.2	1999	550*	Am	18025.5	1999	83	
13132.7	1999	380	Am	18033	2001	490	
	2001	244	Am ²¹	18033.1	2001	490	
			R ³⁴	18035	1999	991	
			Ad ³⁵	18035.2	1999	991	
				18037.5	1999	991	
13140.5	2001	779	Am	18046	1999	517	
13140.6	2001	779	Am	18050.7	2000	555	
13143.10	2001	745*	R	18063	2000	471	
13815	2001	176	Am	18070.3	2000	555	
13818	2001	176	Am	18075.5	1999	520*	
13857	2000	121	Am	18080.1	2000	471	
13872	2001	176	Am	18080.7	1999	991	
13890	1999	550*	Am ¹	18090.6	2001	213	
13933	1999	542	Ad (incorrect reference) ²⁵	18090.7	2001	213	
				18092	2000	23	

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
18093	1999	991	Am ^{96 114}	18615.5	2001	434	R ³⁴
18105	1999	991	Am ^{96 114}	18616	2001	434	R ³⁴
18106	1999	991	Am ^{96 114}	18620	2001	434	Am ³⁴
18122	1999	991	Am ^{96 114}	18630	2001	434	Am ³⁴
18203.2	2000	542	Am	18640	2001	434	Am ³⁴
	2001	434	R ³⁴	18670	2001	434	Am ³⁴
18203.5	2001	434	R ³⁴	18690	2001	434	Am ³⁴
18205	2001	434	Am ³⁴	18691	2000	433	Am
18208	2001	434	R ³⁴	18860	2001	434	Ad ³⁴
18210	2001	434	Am ³⁴	18861	2001	434	Ad ³⁴
18214	2001	434	Am ³⁴	18862	2001	434	Ad ³⁴
18214.1	2001	434	Am ³⁴	18862.1	2001	434	Ad ³⁴
18214.2	2001	356	Ad	18862.11	2001	434	Ad ³⁴
18214.5	2001	434	Am ³⁴	18862.13	2001	434	Ad ³⁴
18215	2000	542	Am	18862.15	2001	434	Ad ³⁴
	2001	434	R ³⁴	18862.17	2001	434	Ad ³⁴
18216.1	2001	434	R ³⁴	18862.19	2001	434	Ad ³⁴
18217	2001	434	R ³⁴	18862.21	2001	434	Ad ³⁴
18219	2000	542	Ad	18862.23	2001	434	Ad ³⁴
	2001	434	R ³⁴	18862.25	2001	434	Ad ³⁴
18250.5	2001	434	R ³⁴	18862.27	2001	434	Ad ³⁴
18251	2001	434	Am ³⁴	18862.29	2001	434	Ad ³⁴
18252	2001	434	Am ³⁴	18862.3	2001	434	Ad ³⁴
18254	2001	434	Am ³⁴	18862.30	2001	434	Ad ³⁴
18300	2001	434	Am ³⁴	18862.31	2001	434	Ad ³⁴
18300.25	2001	434	Ad ³⁴	18862.33	2001	434	Ad ³⁴
18300.5	2001	434	R ³⁴	18862.35	2001	434	Ad ³⁴
18301	2001	434	R ³⁴	18862.37	2001	434	Ad ³⁴
18303	2001	434	Am ³⁴	18862.39	2001	434	Ad ³⁴
18307	2000	471	Ad	18862.41	2001	434	Ad ³⁴
18400.1	1999	520*	Am ^{1 75}	18862.43	2001	434	Ad ³⁴
	2001	745*	Am	18862.45	2001	434	Ad ³⁴
18400.2	1999	520*	Ad ¹	18862.47	2001	434	Ad ³⁴
18400.3	1999	520*	Ad	18862.49	2001	434	Ad ³⁴
18400.4	1999	520*	Ad ¹	18862.5	2001	434	Ad ³⁴
18420	1999	520*	Am ^{1 75}	18862.7	2001	434	Ad ³⁴
18421	1999	520*	S ^{1 75}	18862.9	2001	434	Ad ³⁴
18423	1999	520*	S ^{1 75}	18863	2001	434	Ad ³⁴
18424	1999	520*	Am ^{1 75}	18863.1	2001	434	Ad ³⁴
18502	1999	520*	Am (as am by Sec. 3, Stats. 1998, Ch. 773) ^{1 75}	18863.2	2001	434	Ad ³⁴
			Am (as am by Sec. 4, Stats. 1998, Ch. 773) ¹⁰⁰	18863.3	2001	434	Ad ³⁴
	2001	434	Am ³⁴	18863.4	2001	434	Ad ³⁴
18502.5	2001	434	Am ³⁴	18865	2001	434	Ad ³⁴
18503	2001	434	Am ³⁴	18865.05	2001	434	Ad ³⁴
18550	2001	434	Am ³⁴	18865.1	2001	434	Ad ³⁴
18551.1	2001	356	Am	18865.2	2001	434	Ad ³⁴
18605	2001	434	Am ³⁴	18865.3	2001	434	Ad ³⁴
18606	2001	434	R ³⁴	18865.4	2001	434	Ad ³⁴
18607	2000	542	Ad	18865.5	2001	434	Ad ³⁴
	2001	434	R ³⁴	18865.6	2001	434	Ad ³⁴
18610.5	2001	434	Am (by Sec. 29 of Ch.) ³⁴	18865.7	2001	434	Ad ³⁴
				18865.8	2001	434	Ad ³⁴
18611	2001	356	Am	18866	2001	434	Ad ³⁴
18615	2001	434	R ³⁴	18866.1	2001	434	Ad ³⁴
				18866.2	2001	434	Ad ³⁴
				18866.3	2001	434	Ad ³⁴
				18866.4	2001	434	Ad ³⁴
				18866.5	2001	434	Ad ³⁴
				18866.6	2001	434	Ad ³⁴
				18867	2001	434	Ad ³⁴

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
18868	2001	434	Ad ³⁴		2000	6*	Am
18869	2001	434	Ad ³⁴	24535	1999	920	Ad
18870	2001	434	Ad ³⁴		2000	6*	Am
18870.1	2001	434	Ad ³⁴	24536	1999	920	Ad
18870.10	2001	434	Ad ³⁴	24537	1999	920	Ad
18870.11	2001	434	Ad ³⁴		2000	6*	Am
18870.12	2001	434	Ad ³⁴	24538	1999	920	Ad
18870.13	2001	434	Ad ³⁴	25110.10	2000	343	Am
18870.14	2001	434	Ad ³⁴	25110.10.1	2001	319	Ad
18870.15	2001	434	Ad ³⁴	25110.9.3	2001	319	Ad
18870.16	2001	434	Ad ³⁴	25111	2000	343	Am
18870.17	2001	434	Ad ³⁴	25111.1	2000	343	Am
18870.18	2001	434	Ad ³⁴	25112	2000	343	Am
18870.19	2001	434	Ad ³⁴	25112.5	1999	470	Am
18870.2	2001	434	Ad ³⁴		2001	605*	Am ⁸
18870.3	2001	434	Ad ³⁴	25116.5	2001	605*	Am ⁸
18870.4	2001	434	Ad ³⁴	25123.3	2000	343	Am
18870.5	2001	434	Ad ³⁴	25123.5	2000	343	Am
18870.6	2001	434	Ad ³⁴	25141.5	2000	343	Am
18870.7	2001	434	Ad ³⁴	25141.6	1999	420	Ad
18870.8	2001	434	Ad ³⁴	25142.5	1999	629	Ad
18870.9	2001	434	Ad ³⁴	25143.12	2001	605*	Am ⁸
18871	2001	434	Ad ³⁴	25143.13	2000	343	Am
18871.10	2001	434	Ad ³⁴	25143.2	2000	343	Am
18871.11	2001	434	Ad ³⁴		2001	866	Am
18871.2	2001	434	Ad ³⁴	25144	2001	866	Am
18871.3	2001	434	Ad ³⁴	25149	2000	343	Am
18871.4	2001	434	Ad ³⁴	25150	2000	343	Am
18871.5	2001	434	Ad ³⁴	25150.6	2001	605*	Am ⁸
18871.6	2001	434	Ad ³⁴	25157.8	2001	861*	Am ²⁰⁷
18871.7	2001	434	Ad ³⁴	25159	2001	605*	Am ⁸
18871.8	2001	434	Ad ³⁴	25159.5	2001	605*	Am ⁸
18871.9	2001	434	Ad ³⁴	25159.6	2001	605*	Am ⁸
18872	2001	434	Ad ³⁴	25159.7	2001	605*	Am ⁸
18872.1	2001	434	Ad ³⁴	25159.8	2001	605*	Am ⁸
18872.2	2001	434	Ad ³⁴	25159.9	2001	605*	Am ⁸
18873	2001	434	Ad ³⁴	25160	1999	745	Am
18873.1	2001	434	Ad ³⁴		2000	343	Am
18873.2	2001	434	Ad ³⁴		2001	319	Am
18873.3	2001	434	Ad ³⁴	25160.1	1999	401	Am
18873.4	2001	434	Ad ³⁴	25160.2	2001	319	Ad ³³²
18873.5	2001	434	Ad ³⁴	25163	2000	343	Am
18874	2001	434	Ad ³⁴	25163.3	2001	605*	Am ⁸
Div. 13, Pt. 2.3, heading (Sec. 18897 et seq.)	2001	434	Am (purports to amend and re- number) ³⁴	25165	1999	745	Am
18941.9	2001	418	Am		2001	319	Am
19825	1999	982	Am	25169.1	2001	605*	R
19826	2000	49	Am	25170.5	1999	420	R
24177.5	2001	122*	Ad & R ¹¹¹	25171	2001	745*	R
24179.5	1999	658	Am ⁵⁶	25171.5	2001	745*	R
24530	1999	920	Ad	25175	1999	745	Am
24531	1999	920	Ad	25179.6	2000	343	Am
24532	1999	920	Ad	25186.1	2000	343	Am
24533	1999	920	Ad	25187	2001	663	Am
	2000	6*	Am	25189.3	2001	461	Ad
24534	1999	920	Ad	25189.5	1999	706*	Am
				25189.6	1999	706*	Am
				25189.7	1999	706*	Am
				25198	2001	866	Am
				25199.10	2000	343	Am
				25199.6	2000	343	Am
				25200.11	2001	745*	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
25200.14.1	2001	745 *	Am		2001	154	Am
25200.17	2001	745 *	Am	25299.30	1999	812	S ¹¹¹
25200.4	2001	605 *	Ad ⁸	25299.31	1999	812	S ¹¹¹
25201.14	2001	450	Am	25299.32	1999	812	S ¹¹¹
25201.15	2000	343	Am	25299.33	1999	812	S ¹¹¹
25201.16	2001	450	Ad	25299.34	1999	812	S ¹¹¹
25201.6	2000	343	Am	25299.36	2000	727	Am
	2001	605 *	Am ⁸	25299.37	1999	328	Am
25205.16	2001	319	Am		2000	727	Am
25205.5	2001	543	Am ³⁷⁰		2001	154	Am
25205.6	2001	251	Am (by Sec. 1 of Ch.)	25299.37.1	1999	812	Am
				25299.38	1999	328	R
25205.9	1999	941	Am	25299.38.1	1999	812	Ad
25212	2001	656	Am	25299.39	1999	328	Am
25214.5	2001	656	Ad	25299.39.1	1999	328	Am
25214.6	2001	656	Ad		2000	727	Am
25214.7	2001	656	Ad	25299.39.2	1999	328	Am
25214.8	2001	656	Ad	25299.39.3	2000	727	Am
25242.5	2001	115	R	25299.40	1999	812	S ¹¹¹
25242.6	2001	115	R	25299.41	1999	812	S ¹¹¹
25244.15	2000	343	Am	25299.42	1999	812	S ¹¹¹
25244.19	2000	343	Am	25299.43	1999	812	S ¹¹¹
25244.20	2000	343	Am	25299.50	1999	812	Am ¹¹¹
25245.6	2001	745 *	R	25299.50.1	2000	144 *	Ad & R ⁴³
25249.7	1999	599	Am	25299.51	1999	328	Am
	2001	578	Am		1999	812	Am ¹¹¹
25250.1	2000	732	Am		2000	727	Am
25250.11	2001	605 *	Am ⁸	25299.52	1999	328	Am
25250.18	2000	732	Am		1999	812	Am ¹¹¹
25250.19	2000	732	Am		2001	154	Am
25250.23	2000	732	Am	25299.53	1999	328	Am
25250.24	2000	732	Am		1999	812	S ¹¹¹
25250.26	1999	745	Ad	25299.54	1999	328	Am
25250.27	2000	343	Ad		1999	812	S ¹¹¹
25250.28	2001	605 *	Ad	25299.55	1999	812	S ¹¹¹
25250.4	2000	726	Am (by Sec. 1 of Ch.)	25299.56	1999	328	R & Ad
					1999	812	S ¹¹¹
	2000	732	Am (by Sec. 2.5 of Ch.)	25299.57	2001	154	Am
					1999	328	Am
25250.8	1999	745	Am		1999	812	Am ¹¹¹
	2001	319	R		2001	154	Am
25263	2000	912 *	Am	25299.58	1999	812	S ¹¹¹
25264	2000	912 *	Am		2001	154	Am
	2001	548 *	Am	25299.59	1999	328	Am
25265	2000	912 *	Am		1999	812	Am ¹¹¹
25268	2000	912 *	Am	25299.60	1999	812	S ¹¹¹
25269.9	2001	745 *	R	25299.61	1999	328	S ¹¹¹
25281	1999	328	Am	25299.62	1999	328	Ad
25283.5	2000	245	Am		2001	154	Am
25284.1	1999	812	Ad	25299.63	1999	328	Ad
	2001	154	Am	25299.70	1999	812	S ¹¹¹
25288	1999	812	Am	25299.72	1999	812	S ¹¹¹
25292.4	1999	812	Ad	25299.73	1999	812	S ¹¹¹
25299	1999	812	Am	25299.74	1999	812	S ¹¹¹
25299.10	1999	328	Am	25299.75	1999	812	S ¹¹¹
25299.11.5	1999	328	Ad	25299.76	1999	812	S ¹¹¹
25299.13	1999	328	Am	25299.77	1999	812	S ¹¹¹
	2001	154	Am	25299.78	1999	812	S ¹¹¹
25299.18	1999	812	Ad		2001	154	Am
25299.23.1	1999	328	Am	25299.79	1999	812	S ¹¹¹
25299.24	1999	328	Am	25299.80	1999	812	S ¹¹¹

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
25299.81	1999	812	Am ¹¹¹	25326	1999	23 *	R & Ad
	2001	154	Am	25326.3	2000	912 *	Ad
25299.90	1999	812	S ¹¹¹	25326.5	1999	23 *	R & Ad
25299.91	1999	812	S ¹¹¹	25326.6	1999	23 *	R
25299.92	1999	812	S ¹¹¹	25327	1999	23 *	R & Ad
25299.93	1999	812	S ¹¹¹	25330	1999	23 *	R & Ad
25299.94	1999	812	Am ¹¹¹	25330.2	1999	23 *	R & Ad
25299.95	1999	812	S ¹¹¹	25330.4	1999	23 *	R & Ad
25299.96	1999	812	S ¹¹¹	25330.5	1999	23 *	R & Ad
25299.97	1999	812	S (as ad by Sec. 7, Stats. 1997, Ch. 814 and Sec. 1, Stats. 1997, Ch. 815) ¹¹¹	25330.6	1999	66 *	Ad
				25331	1999	23 *	R & Ad
				25334	1999	23 *	R & Ad
				25334.5	1999	23 *	R
				25334.6	1999	23 *	R
				25334.7	1999	23 *	R & Ad
	2001	745 *	Am (as ad by Stats. 1997, Ch. 814 and as ad by Stats. 1997, Ch. 815)	25335	1999	23 *	R
				25336	1999	23 *	R & Ad
				25337	1999	23 *	R & Ad
				25342	1999	23 *	R & Ad
				25343	1999	23 *	R & Ad
				25350	1999	23 *	Ad
25299.99.1	1999	812	S ³⁸	25351.1	1999	23 *	Ad
25299.99.2	1999	812	Am ³⁸	25351.2	1999	23 *	Ad
25299.99.3	1999	812	Ad & R ³⁸	25351.5	1999	23 *	Ad
25300	1999	23 *	R & Ad	25351.6	1999	23 *	Ad
25301	1999	23 *	R & Ad	25351.7	1999	23 *	Ad
25310	1999	23 *	R & Ad	25351.8	1999	23 *	Ad
25310.5	2000	912 *	Ad	25352	1999	23 *	Ad
25311	1999	23 *	R & Ad	25353	1999	23 *	Ad
25312	1999	23 *	R & Ad	25354	1999	23 *	R & Ad
25313	1999	23 *	R & Ad	25354.5	1999	23 *	R & Ad
25313.5	1999	23 *	R	25355	1999	23 *	R & Ad
25314	1999	23 *	R & Ad	25355.2	1999	23 *	Ad
25315	1999	23 *	R & Ad		2000	912 *	Am
25316	1999	23 *	R & Ad	25355.5	1999	23 *	Ad
25317	1999	23 *	R & Ad	25355.6	1999	23 *	Ad
25317.5	1999	23 *	R	25355.7	1999	23 *	Ad
25318	1999	23 *	R	25355.8	1999	23 *	R & Ad
25318.5	1999	23 *	R & Ad	25356	1999	23 *	Ad
	2000	912 *	Am	25356.1	2000	912 *	R & Ad
25319	1999	23 *	R & Ad	25356.1.3	1999	23 *	Ad
25319.1	2000	912 *	Ad	25356.1.5	1999	23 *	Ad
25319.5	1999	23 *	R & Ad	25356.10	1999	23 *	Ad
	2000	912 *	R & Ad	25356.2	1999	23 *	Ad
25319.6	1999	23 *	Ad	25356.3	1999	23 *	Ad
25320	1999	23 *	R & Ad	25356.4	1999	23 *	Ad
25321	1999	23 *	R & Ad	25356.5	1999	23 *	Ad
25322	1999	23 *	R & Ad	25356.6	1999	23 *	Ad
25322.1	1999	23 *	R & Ad	25356.7	1999	23 *	Ad
25322.2	1999	23 *	R & Ad	25356.8	1999	23 *	Ad
25323	1999	23 *	R & Ad	25356.9	1999	23 *	Ad
25323.1	1999	23 *	R & Ad	25357	1999	23 *	Ad
25323.3	1999	23 *	Ad	25357.5	1999	23 *	Ad
	2000	912 *	Am	25358	1999	23 *	Ad
25323.5	1999	23 *	R & Ad	25358.1	1999	23 *	Ad
25323.6	1999	23 *	R	25358.2	1999	23 *	Ad
25323.9	1999	23 *	Ad	25358.3	1999	23 *	Ad
25324	1999	23 *	R & Ad	25358.4	1999	23 *	Ad
	2000	912 *	Am		2000	912 *	Am
25325	1999	23 *	R & Ad	25358.5	1999	23 *	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
25358.5 (Cont.)				25385.1	1999	23 *	R & Ad
	2000	912 *	Am	25385.2	1999	23 *	R & Ad
25358.6	1999	23 *	Ad	25385.3	1999	23 *	R & Ad
25358.6.1	2000	725	Ad	25385.4	1999	23 *	R & Ad
	2001	159	Am ³⁰⁵	25385.5	1999	23 *	R & Ad
25358.7	1999	23 *	Ad	25385.6	1999	23 *	R & Ad
	2000	912 *	Am	25385.7	1999	23 *	R & Ad
25358.7.1	1999	23 *	Ad	25385.8	1999	23 *	R & Ad
25358.7.2	1999	23 *	Ad	25385.9	1999	23 *	R & Ad
25358.8	1999	23 *	Ad	25386	1999	23 *	R & Ad
25358.9	1999	23 *	Ad	25386.1	1999	23 *	R & Ad
25359	1999	23 *	Ad	25386.2	1999	23 *	R & Ad
25359.1	1999	23 *	Ad	25386.25	1999	23 *	R & Ad
25359.2	1999	23 *	Ad	25386.3	1999	23 *	R & Ad
25359.3	1999	23 *	Ad	25386.4	1999	23 *	R & Ad
25359.4	1999	23 *	Ad	25386.5	1999	23 *	R & Ad
25359.4.5	1999	23 *	Ad	25386.6	1999	23 *	R
25359.5	1999	23 *	Ad	25390	1999	23 *	Ad ¹⁷
25359.6	1999	23 *	Ad		2000	912 *	S ²⁹⁰
25359.7	1999	23 *	Ad	25390.1	1999	23 *	Ad ¹⁷
25360	1999	23 *	R & Ad		2000	912 *	S ²⁹⁰
25360.1	1999	23 *	R & Ad	25390.2	1999	23 *	Ad ¹⁷
25360.2	1999	23 *	R & Ad		2000	912 *	S ²⁹⁰
25360.3	1999	23 *	R & Ad	25390.3	1999	23 *	Ad ¹⁷
25360.4	1999	23 *	R & Ad		2000	912 *	Am
25360.6	1999	23 *	Ad		2000	912 *	S ²⁹⁰
25361	1999	23 *	R & Ad	25390.4	1999	23 *	Ad ¹⁷
25362	1999	23 *	R & Ad		2000	135	Am ²⁰³
25363	1999	23 *	R & Ad		2000	912 *	S ²⁹⁰
25364	1999	23 *	R & Ad	25390.5	1999	23 *	Ad ¹⁷
25364.1	1999	23 *	R & Ad		2000	912 *	S ²⁹⁰
25364.7	1999	23 *	R & Ad	25390.6	1999	23 *	Ad ¹⁷
25365	1999	23 *	R & Ad		2000	912 *	S ²⁹⁰
25365.6	1999	23 *	R & Ad	25390.7	1999	23 *	Ad ¹⁷
25366	1999	23 *	R & Ad		2000	912 *	S ²⁹⁰
25366.5	1999	23 *	R & Ad	25390.8	1999	23 *	Ad ¹⁷
25367	1999	23 *	R & Ad		2000	912 *	S ²⁹⁰
25368	1999	23 *	Ad	25390.9	1999	23 *	Ad ¹⁷
25368.1	1999	23 *	Ad		2000	912 *	Am ²⁹⁰
25368.2	1999	23 *	Ad	25395	1999	23 *	R
25368.3	1999	23 *	Ad	25395.1	1999	23 *	Ad
25368.4	1999	23 *	Ad	25395.10	1999	23 *	Ad
25368.5	1999	23 *	Ad	25395.11	1999	23 *	Ad
25368.6	1999	23 *	Ad	25395.12	1999	23 *	Ad
25368.7	1999	23 *	Ad	25395.13	1999	23 *	Ad
25368.8	1999	23 *	Ad	25395.14	1999	23 *	Ad
25369	1999	23 *	Ad	25395.15	1999	23 *	Ad
25370	1999	23 *	Ad	25395.2	1999	23 *	Ad
25372	1999	23 *	Ad	25395.20	2000	144 *	Ad
25373	1999	23 *	Ad		2000	912 *	R & Ad
25374	1999	23 *	Ad		2001	237	Am
25375	1999	23 *	Ad		2001	548 *	Am
25375.5	1999	23 *	Ad		2001	549	Am
25376	1999	23 *	Ad	25395.21	2000	912 *	Ad
25377	1999	23 *	Ad		2001	548 *	Am
25378	1999	23 *	Ad	25395.22	2000	912 *	Ad
25379	1999	23 *	Ad		2001	548 *	Am
25380	1999	23 *	Ad	25395.23	2000	912 *	Ad
25381	1999	23 *	Ad	25395.24	2000	912 *	Ad
25382	1999	23 *	Ad	25395.25	2000	912 *	Ad
25385	1999	23 *	R & Ad		2001	548 *	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
25395.25	(Cont.)			26103	2001	584	Ad
	2001	549	Am	26104	2001	584	Ad
25395.26	2000	912*	Ad	26105	2001	584	Ad
	2001	548*	Am	26106	2001	584	Ad
25395.27	2000	912*	Ad	26107	2001	584	Ad
	2001	548*	R & Ad	26120	2001	584	Ad
25395.28	2001	548*	Ad	26121	2001	584	Ad
25395.29	2000	912*	Ad	26122	2001	584	Ad
	2001	548*	Am	26123	2001	584	Ad
25395.3	1999	23*	Ad	26124	2001	584	Ad
25395.30	2000	912*	Ad	26125	2001	584	Ad
25395.31	2000	912*	Ad	26130	2001	584	Ad
25395.32	2000	912*	Ad	26131	2001	584	Ad
25395.4	1999	23*	Ad	26132	2001	584	Ad
25395.40	2001	549	Ad	26133	2001	584	Ad
25395.41	2001	549	Ad	26134	2001	584	Ad
25395.42	2001	549	Ad	26140	2001	584	Ad
25395.43	2001	549	Ad	26141	2001	584	Ad
25395.44	2001	549	Ad	26142	2001	584	Ad
25395.45	2001	549	Ad	26143	2001	584	Ad
25395.5	1999	23*	Ad	26144	2001	584	Ad
25395.6	1999	23*	Ad	26145	2001	584	Ad
25395.7	1999	23*	Ad	26146	2001	584	Ad
25395.8	1999	23*	Ad	26147	2001	584	Ad
25395.9	1999	23*	Ad	26148	2001	584	Ad
25401	2001	764	Ad	26149	2001	584	Ad
25401.1	2001	764	Ad	26150	2001	584	Ad
25401.2	2001	764	Ad	26151	2001	584	Ad
25401.3	2001	764	Ad	26152	2001	584	Ad
25401.4	2001	764	Ad	26153	2001	584	Ad
25401.5	2001	764	Ad	26154	2001	584	Ad
25401.6	2001	764	Ad	26155	2001	584	Ad
25401.7	2001	764	Ad	26156	2001	584	Ad
25401.8	2001	764	Ad	26200	2001	550	Ad
25402	2001	764	Ad	26201	2001	550	Ad
25402.1	2001	764	Ad	26202	2001	550	Ad
25402.3	2001	764	Ad	26203	2001	550	Ad
25404	2000	144*	Am	26204	2001	550	Ad
25404.1	2000	144*	Am	32121	1999	525	Am ¹¹²
25404.3	2000	144*	Am		2000	169	R (as ad by
	2000	730	Am (as am by				Sec. 2,
			Stats. 2000,				Stats. 1998,
			Ch. 144)				Ch. 18)
25404.3.1	2000	730	Ad				Am (as am by
25404.4	2000	144*	Am				Stats. 1999,
25404.5	2000	144*	Am				Ch. 525) ⁴³
25404.6	2000	144*	Am				Ad ⁸⁰
25404.8	2000	730	Ad ⁹⁶		2000	857	Am ²⁰³
	2001	663	Am		2001	184*	Am (as am by
25405	1999	1014	R				Sec. 1,
25420	2000	343	Am				Stats. 2000,
25505	2000	296	Am				Ch. 169) ³¹⁴
25534.06	1999	1014	Ad				Am (as am by
	2000	294	Am				Sec. 3,
25989.1	1999	83	Am ³⁰				Stats. 2000,
26100	2001	584	Ad				Ch. 169) ³¹⁴
26101	2001	584	Ad				R & Ad ⁶⁹
26101.5	2001	584	Ad	32121.7	1999	151	Ad
26101.7	2001	584	Ad		2000	135	Am ²⁰³
26102	2001	584	Ad	32121.8	1999	151	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
32121.9	2000	798 *	Ad	33413	2000	756	Am (as am by Sec. 1, Stats. 1996, Ch. 329) ⁵
32126	2000	169	R (as ad by Sec. 4, Stats. 1998, Ch. 18)				Am (as ad by Sec. 2, Stats. 1996, Ch. 329) ⁸
			Am (as am by Sec. 3, Stats. 1998, Ch. 18) ⁴³		2001	738	Am (by Sec. 6 of Ch., as am by Sec. 3, Stats. 2000, Ch. 756) & R ⁴³
32354	2001	115	Ad ⁸⁰				Ad (by Sec. 7 of Ch.) ⁸⁰
33080.1	1999	442	R		2001	741	Am (by Sec. 11.5 of Ch., as am by Sec. 3, Stats. 2000, Ch. 756)
33080.2	1999	362	Am				R & Ad ⁸⁰
	1999	442	Am (by Sec. 3.5 of Ch.)	33413.5	2001	491	Ad & R ⁴³
33080.8	1999	362	Ad	33426.7	1999	462	Ad & R ¹⁸
33121.5	1999	442	Ad		2000	471	Am
33140	2001	741	Am	33460	2000	471	R
33141	2001	741	Am	33461	2000	471	R
33210.5	2001	124 *	Ad	33462	2000	471	R
33214	2000	610	Am	33463	2000	471	R
	2000	638	Am	33464	2000	471	R
33214.5	2000	610	Ad	33464.5	2000	471	R
33215	2000	610	Am	33465	2000	471	R
33216	2000	610	Am	33466	2000	471	R
33217	2000	638	Ad	33490	2001	738	Am
33298	1999	83	R ³⁰		2001	741	Am
33333.10	2001	741	Ad	33492.114	2001	123	Ad
33333.11	2001	741	Ad	33492.13	2001	741	Am
33333.13	2001	741	Ad	33492.140	1999	38	Ad
33333.2	2001	741	Am	33492.22	1999	83	Am ³⁰
33333.4	2001	741	Am	33492.42	2000	129 *	Ad
33333.5	2000	766 *	Ad	33492.50	2000	290	R
33333.6	1999	17 *	Am	33492.51	2000	290	R
	2000	135	Am ²⁰³	33492.53	2000	290	R
	2001	741	Am	33492.60	2000	471	R
33333.7	2000	661	Ad	33492.61	2000	471	R
	2001	741	Am	33492.63	2000	471	R
33333.8	2001	741	Ad	33492.65	2000	471	R
33334.12	1999	442	Am	33492.67	2000	471	R
33334.17	2000	135	Am ²⁰³	33492.71	2000	1055 *	Am
	2001	626	R	33492.86	1999	611	Am
33334.2	2000	756	Am	33607.7	2001	741	Am
	2001	471	Am (by Sec. 1 of Ch.)	33672.5	1999	442	Am
			R & Ad ⁶³	33760	2001	745 *	Am
	2001	738	Am (by Sec. 2.2 of Ch.) ¹⁸	34009	2001	9 *	R
			Ad (by Sec. 2.4 of Ch.) ⁶³	34052	2001	395 *	Am
33334.2a	2001	626	Ad	34053	2000	1055 *	Am
33334.22	2001	471	Ad & R ¹⁸	34312.3	2001	745 *	Am
33334.25	2000	552	Ad & R ³⁸	34327.6	2000	1055 *	Am
33334.27	2000	469	Am ²⁴⁹	34943	1999	525	Am ¹¹²
33334.3	2001	738	Am	38079	2000	776 *	Am
33334.4	2001	738	Am				
33353.2	2000	610	Am				
33392	1999	83	Am ³⁰				
33411.5	2001	738	Ad				

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
39014.3	2001	163	Am	40524	2000	890	R
39014.5	2001	163	Am	40703	2000	397	Am
39016.5	2000	890	R & Ad	40709	2000	729	Am
39027.3	2000	1077	Ad	40709.7	2000	890	Am
39047.2	1999	477	Ad	40714.5	2000	729	Am
39150	2000	805	S ⁴³	40717.5	2000	890	Am
39151	2000	805	S ⁴³	40723	2000	501	Ad
39152	2000	805	S ⁴³	40727.2	2000	729	Am
39153	2000	805	Am ⁴³	40728.5	2000	729	Am
	2001	745*	Am	40910	2000	729	Am
39510	2000	890	Am	40914	2000	729	Am
39512.5	2000	890	Am	40916	2001	456	Am
39513	2000	890	Am	40925	2000	729	Am
39515	2000	890	Am	40925.3	1999	451	Ad
39604	2000	890	Am	40962	2000	890	R
39606	1999	731	Am	40962.5	2000	729	Ad
39607	2000	729	Am	40980	2000	729	Am
39607.5	2000	729	Am	41212	2000	890	R
39612	1999	66*	Am ¹³	41242	2000	890	R
39617.5	1999	731	Ad	41261	2000	890	Am
39619.6	2000	144*	Ad	41263	2000	890	R
	2001	159	Am ³⁰⁵	41300	2001	163	Ad
39660	1999	731	Am	41301	2001	163	Ad
39669.5	1999	731	Ad	41302	2001	163	Ad
39671	2000	890	Am	41310	2001	163	Ad
39675	2000	805	Am	41311	2001	163	Ad
39702.5	2000	397	Ad	41312	2001	163	Ad
39751	2000	1019	Am	41320	2001	163	Ad
39752	2000	1019	Am ²⁶⁵	41321	2001	163	Ad
39760	2000	1017	Ad	41322	2001	163	Ad
39761	2000	1017	Ad	41323	2001	163	Ad
39762	2000	1017	Ad ³⁷	41330	2001	163	Ad
39763	2000	1017	Ad	41331	2001	163	Ad
39807	2000	890	Am	41332	2001	163	Ad
39910	IX 2001-02	12*	Ad	41333	2001	163	Ad
39915	IX 2001-02	12*	Ad	41334	2001	163	Ad
39920	IX 2001-02	12*	Ad	41335	2001	163	Ad
40002	2000	729	Am	41336	2001	163	Ad
40100.5	2000	729	Am	41337	2001	163	Ad
40106	2001	163	R	41338	2001	163	Ad
40162	2000	890	Am	41339	2001	163	Ad
40416	2000	890	R	41340	2001	163	Ad
40448.5	1999	36*	Am	41341	2001	163	Ad
40448.5.1	1999	36*	Am	41342	2001	163	Ad
40450	2000	890	Am	41343	2001	163	Ad
40451	1999	477	Am (by Sec. 2 of Ch.)	41344	2001	163	Ad
	1999	731	Am (by Sec. 7.5 of Ch.)	41345	2001	163	Ad
				41346	2001	163	Ad
				41350	2001	163	Ad
40451.5	1999	477	Ad	41351	2001	163	Ad
40452	2000	890	Am	41352	2001	163	Ad
40453	2001	745*	R	41353	2001	163	Ad
40454	2000	890	Am	41354	2001	163	Ad
40457	1999	506	Ad	41355	2001	163	Ad
40459	2000	500	Ad	41356	2001	163	Ad
40471	1999	477	Ad	41357	2001	163	Ad
40484	2000	890	R	41500	2000	890	Am
40500.1	2000	890	Am	41500.5	2000	890	Am
40503	2000	890	Am	41503.6	2000	1055*	Am
40515	2000	890	Am	41507	2000	890	R
40521	2000	890	Am	41514.10	2000	741	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
41514.9	2000	741	Ad	42800	2000	1018	Ad
41518	2000	890	R	42801	2000	1018	Ad
41519	2000	890	R		2001	769	Am
41520	2000	890	R	42801.1	2001	769	Ad
41600	2000	890	Am	42810	2000	1018	Ad
41704.5	2000	890	R		2001	769	Am
41705	2001	424 *	Am (as am by Sec. 1, Stats. 1997, Ch. 788) ^{364 13}	42820	2000	1018	Ad
			Am (as am by Sec. 2, Stats. 1997, Ch. 788) ³⁶⁵	42821	2000	1018	Ad
					2001	769	Am
41805.5	2000	343	Am	42822	2000	1018	Ad
41865	2000	890	Am (by Sec. 36 of Ch.)		2001	769	Am
	2000	1055 *	Am (by Sec. 46 of Ch.) ¹⁴	42823	2000	1018	Ad
			Am (by Sec. 46.5 of Ch.) ²⁵		2001	769	Am
41865.5	1999	640	Ad	42824	2000	1018	Ad
41900	2000	890	R		2001	769	Am
41954	2000	729	Am	42840	2000	1018	Ad
41960.2	1999	501	Am		2001	769	Am
41981	2000	890	R	42841	2000	1018	Ad
41982	2000	343	Am		2001	769	Am
41983	2000	343	Am	42842	2000	1018	Ad
42301.14	2000	329 *	Ad & R ¹⁹		2001	769	Am
42301.15	1X 2001-02	12 *	Ad	42843	2000	1018	Ad
42301.5	2000	890	Am		2001	769	Am
42301.9	2000	890	Am	42860	2000	1018	Ad
42302	1999	643	Am		2001	769	Am
42302.1	1999	643	Am	42870	2000	1018	Ad
42314	2000	890	Am		2001	769	Am
42314.3	1X 2001-02	12 *	Ad & R ¹⁹	43013.1	1999	812	Ad
42314.5	2000	890	Am	43013.3	1999	812	Ad
42317	1X 2001-02	13 *	Ad & R ²⁰	43021	2001	769	Am
42359.6	1X 2001-02	13 *	Ad & R ²⁰	43023	2001	769	Ad
42400	2000	805	Am	43023.5	2001	763	Ad & R ⁷⁵
42400.1	2000	805	Am	43024	1999	814	Ad
	2001	854	Am	43104	2000	1077	Am
42400.2	2000	805	Am	43105.5	2000	1077	Ad
	2001	854	Am	43830.8	1999	812	R & Ad
42400.3	2000	805	Am		1999	813	R & Ad
	2001	854	Am	43840	2001	115	Am
42400.3.5	2000	805	Ad	43841	2001	115	R
42400.4	2001	769	Am	43841.5	2001	115	R
42400.7	2000	805	Ad	44000.1	1999	67 *	Ad
42400.8	2000	805	Ad	44003	2001	745 *	Am
42402	2000	805	Am	44011	1999	67 *	Am
42402.1	2000	805	Am	44015	1999	83	Am ³⁰
	2001	854	Am		1999	355	Am
42402.2	2000	805	Am				R & Ad ⁸
	2001	854	Am		2001	335	R (as ad by Sec. 2, Stats. 1999, Ch. 355)
42402.3	2000	805	Am				Am (as am by Sec. 1, Stats. 1999, Ch. 355) ¹³
	2001	854	Am	44017.1	1999	67 *	Am
42402.4	2000	805	Ad	44017.4	2001	871	Ad
42405.1	2000	890	Am	44024.5	1999	273	Am
42410	2001	769	Ad	44036	2001	357	Am
				44060	1999	67 *	Am
				44062.1	1999	67 *	Am
				44072.10	2001	357	Am

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HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
44072.7	2001	357	Am	44525.6	2000	914	Ad & R (by
44091.2	1999	67 *	Ad				Sec. 5.5
44094	1999	67 *	Am				of Ch.) ⁷⁵
44096	1999	209	Ad	44525.7	2000	915	Ad (by Sec. 7.5
44241	1999	204	Am ⁵⁹				of Ch.)
44260	2000	1072 *	Ad	44526	2000	914	Am (by Sec. 6
	2001	763	Am				of Ch.)
44261	2000	1072 *	Ad		2000	915	Am (by Sec. 8.5
44262	2000	1072 *	Ad				of Ch.) ²²⁵
44263	2000	1072 *	Ad	44535	1999	756 *	Am
44265	2000	1072 *	Ad	44537.5	2000	915	Am
44275	1999	923 *	Ad		2001	160 *	Am
44280	1999	923 *	Ad	44548	2000	915	Am
44281	1999	923 *	Ad		2001	160 *	Am
44282	1999	923 *	Ad	44559	2000	915	Am
44283	1999	923 *	Ad	44559.1	1999	756 *	Am
44284	1999	923 *	Ad		2000	913	Am (by Sec. 6
44285	1999	923 *	Ad				of Ch.)
44286	1999	923 *	Ad		2000	915	Am (by
44287	1999	923 *	Ad				Sec. 12.5 of Ch.)
	2000	135	Am ²⁰³		2001	160 *	Am
	2000	729	Am	44559.2	2000	915	Am
44288	1999	923 *	Ad	44559.8	1999	756 *	Ad
44290	1999	923 *	Ad	46077	2001	745 *	Am
44291	1999	923 *	Ad	50066	2000	471	Am
44295	1999	923 *	Ad	50076.6	2000	553	Ad
44296	1999	923 *	Ad	50083	2000	553	Am
44297	1999	923 *	Ad & R ¹⁵⁵	50086	2000	553	Am
44299	1999	923 *	Ad	50093	2001	741	Am
44299.1	1999	923 *	Ad	50106	2001	741	Ad
44299.50	2000	532	Ad	50199.10	1999	893	S ^{103 13}
44299.51	2000	532	Ad	50199.11	1999	893	S ^{103 13}
44299.52	2000	532	Ad	50199.12	1999	893	S ^{103 13}
44299.53	2000	532	Ad	50199.13	1999	893	S ^{103 13}
44299.54	2000	532	Ad	50199.14	1999	893	S ^{103 13}
44299.55	2000	532	Ad	50199.15	1999	893	S ^{103 13}
44299.75	2000	532	Ad	50199.16	1999	893	S ^{103 13}
44299.76	2000	532	Ad	50199.17	1999	893	S ^{103 13}
44299.77	2000	532	Ad		2000	311 *	Am
44299.78	2000	532	Ad	50199.18	1999	893	Am ^{103 13}
44299.79	2000	532	Ad	50199.20	1999	893	S ^{103 13}
44501	2000	914	Am (by Sec. 1	50199.21	1999	893	S ^{103 13}
			of Ch.)	50199.22	1999	893	S ^{103 13}
	2000	915	Am (by Sec. 1.5	50199.4	1999	893	S ^{103 13}
			of Ch.)	50199.5	1999	893	S ^{103 13}
44502	2000	914	Am (by Sec. 2	50199.6	1999	893	S ^{103 13}
			of Ch.)	50199.7	1999	893	S ^{103 13}
	2000	915	Am (by Sec. 2.5	50199.8	1999	893	S ^{103 13}
			of Ch.)	50199.9	1999	893	S ^{103 13}
44504.1	2000	915	Ad	50400.5	2001	395 *	Am
44507	2000	915	Am	50408	2001	745 *	Am
44508	1999	756 *	Am	50451	2001	577	Am
44520	2000	914	Am (by Sec. 3	50455	2000	312 *	Am
			of Ch.)	50455.6	2001	577	Ad
	2000	915	Am (by Sec. 5.5	50502.5	2001	115	R
			of Ch.)		2001	395 *	R
44525	2000	915	Am (by Sec. 6.6	50514.5	1999	83	Ad(RN) ³⁰
			of Ch.)	50515	2001	395 *	R
44525.5	2000	914	Ad (by Sec. 4.5	50515.5	2001	395 *	R
			of Ch.)	50516	2001	395 *	R

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
50517	2001	395 *	R	50651	2001	414	Ad
50517.10	2001	555	Ad	50653	2001	414	Ad
50517.11	2000	312 *	Ad	50654	2001	414	Ad
50517.4	2001	395 *	R	50655	2001	414	Ad
Div. 31, Pt. 2, Ch. 3.2, heading (Sec. 50517.5 et seq.)				50656	2001	414	Ad
50517.5	2000	312 *	Am	50657	2001	414	Ad
	2001	312 *	Am	50658	2001	414	Ad
	2001	555	Am (by Sec. 1 of Ch.)	50659	2001	414	Ad
	2001	593 *	Am (by Sec. 2 of Ch.)	50659.1	2001	414	Ad
50517.6	2000	312 *	Am	50659.2	2001	414	Ad
50518	1999	83	Am & RN ³⁰	50659.3	2001	414	Ad
Div. 31, Pt. 2, Ch. 3.5, heading (Sec. 50530 et seq.)				50675	1999	637	Ad
50530	2001	395 *	Am	50675.1	1999	637	Ad
50530.5	2001	395 *	Am & RN & Ad	50675.10	1999	637	Ad
50531	2001	395 *	Am	50675.11	1999	637	Ad
50532	2001	395 *	Am	50675.12	2000	667	Ad
50532.5	2001	395 *	R	50675.2	1999	637	Ad
50533	2000	84	R	50675.3	1999	637	Ad
50533.1	2000	84	R	50675.4	1999	637	Ad
50533.2	2000	84	R		2000	957	Am
50533.4	2000	84	R	50675.5	1999	637	Ad
50533.5	2000	84	R	50675.6	1999	637	Ad
50533.6	2000	84	R	50675.7	1999	637	Ad
50533.7	2000	84	R	50675.8	1999	637	Ad
50540	2000	80	Ad	50675.9	1999	637	Ad
50541	2000	80	Ad	50710.1	1999	308 *	Am
50542	2000	80	Ad	50740	2001	395 *	Am
50542.1	2000	665	Ad	50740.1	2001	395 *	R
50543	2000	80	Ad ⁸²	50748.1	2001	395 *	Am
	2000	665	Ad	50780	1999	473	Am
50544	2000	80	Ad	50781	1999	473	Am
	2001	608	Am	50783	1999	473	Am
50545	2000	80	Ad	50784	1999	473	Am
	2001	395 *	Am	50785	1999	473	Am
50546	2000	80	Ad ⁸²	50786	1999	473	Am
	2000	665	Ad	50786.5	1999	473	Am
50640	2000	471	R	50800	2000	667	Am
50640.1	2000	471	R	50801	2000	667	Am
50641	2000	471	R	50801.5	2000	667	Am
50642	2000	471	R	50802	2000	667	Am
50643	2000	471	R	50802.5	2000	667	Am
50644	2000	471	R	50804	2000	667	Am
50650	2000	84	Ad	50806	2001	745 *	R
50650.1	2000	84	Ad	50832	1999	596	Am
50650.2	2000	84	Ad	50834	1999	596	Am
50650.3	2000	84	Ad		2001	745 *	Am
50650.4	2000	84	Ad	50840	2000	84	Am
50650.5	2000	84	Ad	50841	2000	84	Am
50650.6	2000	84	Ad	50842	2000	84	Am
50650.7	2000	84	Ad	50870	2001	746 *	Ad & R ^{37 75}
				50871	2001	746 *	Ad & R ^{37 75}
				50872	2001	746 *	Ad & R ^{37 75}
				50880	1999	67 *	Am ³²
					1999	637	Am
				50881	1999	67 *	Am ³²
					1999	637	Am
				50881.5	1999	67 *	Am ³²
					1999	637	Am
				50882	1999	67 *	Am ³²
					1999	637	Am
				50884	1999	67 *	R ³²

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
50887	1999	67 *	Am ³²	51455	1999	67 *	Am ²⁰
	1999	637	R		2001	114	Am ¹³
50887.5	2000	1055 *	Am	51500	2000	81 *	Ad
50888.3	1999	67 *	Am ³²	51501	2000	81 *	Ad
	1999	637	Am	51502	2000	81 *	Ad
50888.5	1999	67 *	Am ³²	51504	2000	81 *	Ad
	1999	637	R	51506	2000	81 *	Ad
50888.7	1999	67 *	Am ³²	51510	2000	81 *	Ad
	1999	637	R	52045	2001	745 *	R
50889.5	1999	67 *	Am ³²	52514.5	1999	987 *	Am
	1999	637	R	52570	2001	745 *	R
50890	1999	67 *	Am ³²	53260	2000	667	Am
50893.5	1999	67 *	Am ³²	53265	2000	667	Am
	1999	637	R	53275	2000	667	Am
50893.7	1999	67 *	Am ³²	53280	2000	667	Am
	1999	637	R	53300	2000	667	Am
50893.9	1999	67 *	Am ³²	53311	2000	667	Am
	1999	637	R	56001	2000	506	R
50895	1999	67 *	R & Ad ³²	56010	2000	506	R
50898	2000	83	Ad	56011	2000	506	R
50898.1	2000	83	Ad	56012	2000	506	R
50898.2	2000	83	Ad ⁸²	56013	2000	506	R
	2000	957	Ad ²⁶⁰	56014	2000	506	R
	2001	3 *	Am	56015	2000	506	R
Div. 31, Pt. 3, heading (Sec. 50900 et seq.)	2000	471	Am (as am by Sec. 14.5, Stats. 1994, Ch. 94)	56016	2000	506	R
				56017	2000	506	R
				56018	2000	506	R
				56030	2000	506	R
				56030.5	2000	506	R
				56031	2000	506	R
				56032	2000	506	R
				56032.5	2000	506	R
				56033	2000	506	R
				56033.5	2000	506	R
				56034	2000	506	R
				56035	2000	506	R
				56036	2000	506	R
				56037	2000	506	R
				56038	2000	506	R
				56039	2000	506	R
				56040	2000	506	R
				56041	2000	506	R
				56042	2000	506	R
				56043	2000	506	R
				56044	2000	506	R
				56045	2000	506	R
				56046	2000	506	R
				56047	2000	506	R
				56048	2000	506	R
				56075	2000	506	R
				57004	2000	1060	Am
				57007	2001	745 *	Am
				57008	2001	764	Ad
				57009	2001	764	Ad
				57010	2001	764	Ad
				100146	2001	745 *	R
				100236	1999	847	Ad
				100237	2000	250	Ad
				100238	2000	250	Ad
				100239	2000	250	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
100340	2001	745 *	R	101837	1999	899	Ad
100430	2000	780	Am	101838	1999	899	Ad
100445	2001	242	Am	101839	1999	899	Ad
100825	1999	372	Am	101840	1999	899	Ad
	2000	733	Am	101841	1999	899	Ad
100830	1999	372	Am	101842	1999	899	Ad
	2000	733	Am	101843	1999	899	Ad
100831	1999	372	Ad	101844	1999	899	Ad
	2000	733	Am	101845	1999	899	Ad
100832	1999	382	Ad	101845.1	1999	899	Ad
	2000	733	Am	101845.2	1999	899	Ad
100835	1999	372	Am	101846	1999	899	Ad
100837	1999	372	Am	101847	1999	899	Ad
	2000	733	Am	101848	1999	899	Ad
100840	1999	372	Am	101848.1	1999	899	Ad
100845	1999	372	Am	101848.10	1999	899	Ad
100847	1999	372	Ad	101848.11	1999	899	Ad
100850	1999	372	Am	101848.2	1999	899	Ad
100851	1999	372	Ad	101848.3	1999	899	Ad
100852	1999	372	Am	101848.4	1999	899	Ad
	2000	733	Am	101848.45	1999	899	Ad
100855	1999	372	Am	101848.5	1999	899	Ad
100860	1999	372	Am	101848.6	1999	899	Ad
	2000	733	Am & R ⁵	101848.7	1999	899	Ad
100860.1	2000	733	Ad ⁸	101848.8	1999	899	Ad
100862	1999	372	Ad	101848.9	1999	899	Ad
	2000	733	Am	101849	1999	899	Ad
100863	1999	372	Ad	101849.1	1999	899	Ad
100865	1999	372	Am	101849.2	1999	899	Ad
100870	1999	372	Am	101849.3	1999	899	Ad
	2000	733	Am	101849.4	1999	899	Ad
100872	1999	372	Ad	101950	1999	950	Ad ³⁷
	2000	733	Am	101980	1999	950	Ad(RN)
100880	1999	372	Am	101983	1999	950	Ad(RN)
100885	1999	372	Am	101985	1999	950	Ad(RN)
100890	1999	372	Am	101987	1999	950	Ad(RN)
100895	1999	372	Am	101989	1999	950	Ad(RN)
100907	1999	372	Ad	102235	2000	569	Am
100910	1999	372	Am	102247	2001	171 *	Am
100915	1999	372	Am	102250	2001	171 *	R
101070	2000	350 *	Am ¹³	102405	2000	64	Am
101087	1999	925	Ad	102415	2000	64	Am
101230	2000	93 *	Am		2000	303	Am
	2000	794	Am	102447	2000	808 *	Am
101800	1999	950	Am & RN	102870	2000	284	Am
101805	1999	950	Am & RN	102910	1999	525	Am ¹¹²
101810	1999	950	Am & RN		2000	857	Am ²⁰³
101815	1999	950	Am & RN	103203	2000	93 *	Ad ⁷⁰
101820	1999	950	Am & RN				R ⁶³
101825	1999	899	Ad	103446	2000	780	Ad
101827	1999	899	Ad	103447	2000	780	Ad
101828	1999	899	Ad	103447.5	2000	780	Ad
101829	1999	899	Ad	103448	2000	780	Ad
101830	1999	899	Ad	103448.5	2000	780	Ad
101831	1999	899	Ad	103449	2000	780	Ad
101832	1999	899	Ad	103625	2001	171 *	Am
101833	1999	899	Ad	103626	2001	90	Ad & R ⁷⁵
101834	1999	899	Ad	103640	2001	171 *	R
101835	1999	899	Ad	103641	2001	171 *	Am
101836	1999	899	Ad	103700	2000	780	Am

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
103850	2001	444 *	Am	2001	159	Am (as ad by	
Div. 102,						Sec. 25,	
Pt. 2,						Stats. 2000,	
Ch. 2,						Ch. 93)	
heading						& RN ³⁰⁵	
(Sec. 103875				104321	2000	93 *	Ad
et seq.)	2000	368	Am	104322	2001	159	Ad(RN) ³⁰⁵
103885	2000	368	Am (by Sec. 2	104324	2001	538	Ad
			of Ch.)	104324.2	2001	538	Ad
	2001	444 *	Am	104324.3	2001	538	Ad
104145	2001	745 *	Am	104324.5	2001	538	Ad
104150	2001	171 *	Ad ⁸	104335	2000	777 *	Ad & R ⁴³
104160	1999	146 *	Ad & R ³⁹	104336	2000	777 *	Ad & R ⁴³
	2000	93 *	R & Ad	104337	2000	777 *	Ad & R ⁴³
	2000	94	R & Ad	104338	2000	777 *	Ad & R ⁴³
	2001	171 *	R & Ad ⁸	104339	2000	777 *	Ad & R ⁴³
104161	1999	146 *	Ad & R ³⁹	104339.5	2000	777 *	Ad & R ⁴³
	2000	93 *	Ad (purports	104339.6	2000	777 *	Ad & R ⁴³
			to am)	104370	2001	745 *	Am
	2000	94	Ad (purports	104420	2000	1058	Am
			to am)	104450	2001	750	Am
	2001	171 *	R & Ad ⁸	104495	2001	150	Ad
104161.1	2001	171 *	Ad ⁸	104550	1999	693	Ad
104162	1999	146 *	Ad & R ³⁹		2000	135	Am ²⁰³
	2000	93 *	Ad (purports	104551	1999	693	Ad
			to am)	104552	1999	693	Ad
	2000	94	Ad (purports	104555	1999	780	Ad
			to am)	104556	1999	780	Ad
	2001	171 *	R & Ad ⁸		2000	135	Am ²⁰³
104162.1	2001	171 *	Ad ⁸	104557	1999	780	Ad
104162.2	2001	171 *	Ad ⁸		2000	135	Am ²⁰³
104163	1999	146 *	Ad & R ³⁹	104775	2000	93 *	Am
	2000	93 *	Ad (purports	104795	2000	93 *	Am
			to am)	104896	2001	171 *	Ad
	2000	94	Ad (purports	104897	2001	171 *	Ad
			to am)	104898	2001	171 *	Ad
	2001	171 *	R & Ad ⁸	104898.5	2001	171 *	Ad
104164	1999	146 *	Ad & R ³⁹	104899	2001	171 *	Ad
	2000	93 *	R	105100	2000	440	R & Ad
	2000	94	R	105101	2000	440	Ad
104170	2000	93 *	Ad	105105	2000	440	Am
	2001	159	Am ³⁰⁵	105112	2000	440	Ad
104180	2001	246 *	Am		2001	159	Am ³⁰⁵
104181.5	1999	751	Ad	105120	2000	440	Am
104182.5	1999	751	Ad	105135	2000	440	R
104182.7	1999	751	Ad	105291	2001	524	Ad
104187	1999	751	Am	105340	2001	370	Ad
104187.5	1999	751	Ad	106750	2000	327	R & Ad
104190	1999	668	Ad	106755	2000	327	R
104191	1999	668	Ad	106760	2000	327	R
104192	1999	668	Ad	106765	2000	327	R
104193	1999	668	Ad	106770	2000	327	R & Ad
104200	2000	792	Ad	106775	2000	327	R & Ad
104316	2000	93 *	Ad	106780	2000	327	R & Ad
104317	2000	93 *	Ad	106785	2000	327	R & Ad
104318	2000	93 *	Ad	106790	2000	327	R & Ad
104319	2000	93 *	Ad	106795	2000	327	R & Ad
104320	2000	93 *	Ad (as ad by	106800	2000	327	R
			Sec. 24 and	106805	2000	327	R
			Sec. 25 of Ch.)	106810	2000	327	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
106815	2000	327	R	110473	1999	915	Ad
106820	2000	327	R	110474	1999	915	Ad
106825	2000	327	R	110475	1999	915	Am
106830	2000	327	R	110480	1999	915	Am
106835	2000	327	R	110485	1999	915	Am ²⁰
106840	2000	327	R	110661	1999	915	Ad
106845	2000	327	R	110780	1999	915	Am & RN
106850	2000	327	R	110785	1999	915	Am & RN
106855	2000	327	R	110820	1999	609	Am
106860	2000	327	R	110835	1999	609	Am
106865	2000	327	R	110935	1999	609	Am
Div. 104,				110958	1999	609	Am
Pt. 1,				111067	2000	1062	Ad
Ch. 4,				111068	2000	1062	Ad
Art. 3,				111080	2000	533	Am
heading				111170	2000	533	Am
(Sec. 106875				111172	2000	533	Ad ⁸
et seq.)	1999	755	Am	111175	2000	533	Am
106875	1999	755	Am	111180	2000	533	Am
106876	1999	755	Am	111192	2000	533	Ad ⁸
106880	1999	755	Am	111193	2000	533	Ad
106885	1999	755	Am	111222	2001	204*	Ad
106890	1999	755	Am	111223	2001	204*	Ad
106892	1999	755	Ad	111246	2000	326	Ad
106895	1999	755	Am	111330	2000	796	Am
106896	1999	755	Ad	111350	2000	796	R
106897	1999	755	Ad	111355	2000	796	Am
106900	1999	755	Am	111405	2000	796	R
106905	1999	755	R	111410	2000	796	R
106910	1999	755	Am	111490	2000	796	Am
108875	2001	745*	Am	111610	2000	796	Am
109580	2001	854	Am	111656	2000	837	Ad
109890	2000	796	Am		2001	728	Am
109925	2000	796	Am	111656.1	2000	837	Ad
109935	2000	870	Am	111656.10	2000	837	Ad
	2001	641	Am	111656.11	2000	837	Ad
109947	1999	915	Ad	111656.12	2000	837	Ad
109948	2000	837	Ad	111656.13	2000	837	Ad
109948.1	2000	837	Ad		2001	159	Am ³⁰⁵
	2001	728	Am	111656.2	2000	837	Ad
109951	2000	870	Ad		2001	728	Am
	2001	641	Am	111656.3	2000	837	Ad
109971	2000	870	Ad	111656.4	2000	837	Ad
	2001	641	Am		2001	728	Am
110005	1999	915	Am	111656.5	2000	837	Ad
110010.1	2000	837	Ad		2001	159	Am ³⁰⁵
110010.2	2000	837	Ad	111656.6	2000	837	Ad
110025	2000	796	Am	111656.7	2000	837	Ad
110050	1999	915	Am	111656.8	2000	837	Ad
110110	2000	796	Am	111656.9	2000	837	Ad
110111	2000	796	Ad	111940	1999	83	Am ³⁰
110305	2000	796	R	112040	1999	915	Am
110405	2000	796	Am		2000	135	Am ²⁰³
110460	1999	915	R & Ad	112115	1999	915	Am
110461	1999	915	Ad(RN)	113355	1999	915	Am
110462	1999	915	Ad(RN)	113716	2001	369	Am
110466	1999	915	Ad	113745	1999	833	Am
110467	1999	915	Ad	113823	1999	879	Am
110470	1999	915	R & Ad	113830	2001	369	Am
110472	1999	915	Ad	113831	2000	691	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
113870	1999	180	Am	115811	1999	712	Ad ⁷³
113925	2001	369	Am				R ²²
113946	2000	691	Ad	115812	1999	712	Ad ⁷³
113947	2000	691	Ad				R ²²
113995.5	2001	204*	Ad	115813	1999	712	Ad ⁷³
113996	1999	879	Am ¹³				R ²²
	2001	369	Am		2000	135	Am ²⁰³
113997	1999	197	Am	115814	1999	712	Ad ⁷³
	1999	879	Am				R ²²
113998	2001	369	Ad	115815	1999	712	Ad ⁷³
114020	1999	879	Am				R ²²
114060	1999	879	Am	115816	1999	712	Ad ⁷³
114086	1999	879	R				R ²²
114090	2001	369	Am	115910	2000	152	R & Ad
114145	1999	290*	Am	116091	2001	553	Ad
	2000	691	Am	116092	2001	553	Ad
	2001	12*	Am	116093	2001	553	Ad
	2001	159	Am ³⁰⁵	116094	2001	553	Ad
114190	2001	369	Am	116095	2001	553	Ad
114260	2001	369	Am	116275	1999	755	Am
114265	1999	879	Am	116361	2001	604	Ad
	2001	369	Am	116365	1999	777	Am
114275	2001	369	Am	116365.5	2001	602	Ad
114285	1999	879	R & Ad	116555	1999	755	Am
114286	1999	879	Ad	116565	2001	171*	S ⁵⁷
114287	1999	879	Ad	116570	2001	171*	S ⁵⁷
114288	1999	879	Ad	116577	2001	171*	S ⁵⁷
114289	1999	879	Ad	116580	2001	171*	S ⁵⁷
114290	1999	879	R & Ad	116585	2001	171*	S ⁵⁷
114291	1999	879	Ad	116590	2001	171*	Am ⁵⁷
114292	1999	879	Ad	116595	2001	171*	S ⁵⁷
114293	1999	879	Ad	116600	2001	171*	R
114294	1999	879	Ad	116760.20	2001	606*	Am
114295	1999	879	R & Ad	116761.20	2001	619	Am
114296	1999	879	Ad	116761.50	2001	619	Am
114297	1999	879	Ad	116775	1999	969	Am
114298	1999	879	Ad	116780	1999	969	Am
114299	1999	879	Ad	116785	1999	969	Am
114299.5	1999	879	Ad	116786	1999	969	Ad ³⁴
114300	1999	879	R & Ad	116900	1999	755	R
114301	1999	879	Ad	116905	1999	755	R
114302	1999	879	Ad	116910	1999	755	R
114303	1999	879	Ad	116915	1999	755	R
114304	1999	879	Ad	116920	1999	755	R
114305	1999	879	R	116950	1999	755	R
114317	1999	879	Am	118215	1999	139	Am
114321	1999	879	Am	118950	2001	376	Am
114322	1999	879	Am	119308	2001	745*	Am
114325	1999	879	Am	120325	1999	747	Am
114332.2	1999	879	Am	120335	1999	747	Am ¹⁵⁴
114332.3	1999	879	Am	120381	2001	374*	Ad
	2001	369	Am	120390	1999	146*	Ad
114332.5	2001	369	Am	120390.5	1999	146*	Ad
114332.6	1999	879	R	120390.7	1999	146*	Ad
115730	1999	712	Am	120395	2001	372	Ad
115735	1999	712	Am	120396	2001	372	Ad
115736	2000	550	Ad	120397	2001	372	Ad
115810	1999	712	Ad ⁷³	120398	2001	372	Ad
			R ²²	120399	2001	372	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
120440	1999	83	Am ³⁰	124015	2000	93*	Am
	2000	593	Am (by Sec. 1 of Ch.)	124035	2001	171*	Am
120475	2001	745*	Am	124040	2001	171*	Am
	2001	745*	Am	124111	2000	325	Ad
120480	2001	751	Am (by Sec. 1.5 of Ch.)	124112	2000	325	Ad
	2001	751	Am (by Sec. 1.5 of Ch.)	124250	1999	146*	Am
120500	2000	835	Am	2001	439	Am	
120580	1999	695	Am	124251	1999	662	Am
120582	2000	835	Ad	124555	1999	744*	R & Ad ⁵⁶
120805	2001	745*	Am	2000	452	Am (as ad by Sec. 2, Stats. 1999, Ch. 744)	
120917	2001	324	Ad	124570	1999	744*	Ad ⁵⁶
120966	1999	497	Ad			124710	1999
120968	1999	497	Ad	2000	452	Am (as ad by Sec. 5, Stats. 1999, Ch. 744)	
121056	2001	482	Ad	124715	2001	171*	Am
121065	2001	482	Am			1999	744*
121690	1999	418	Am	124725	1999	744*	Am ⁵⁶
121881	2001	377	Ad	124735	1999	744*	Am ⁵⁶
121890	2001	377	Am	124745	1999	744*	Ad ⁵⁶
121896	2001	377	Ad	124850	2000	1055*	Am
121906	2001	377	Ad	124870	2000	158	Am
121907	2001	377	Ad	124900	2000	93*	Am
121916	2001	377	Ad	2000	456	Am ²⁵⁰	
121917	2001	377	Ad	2001	159	Am ³⁰⁵	
121918	2001	377	Ad	124960	1999	1025	Ad ⁷³
121919	2001	377	Ad			124961	1999
121920	2001	377	Am	124962	1999	1025	Ad ⁷³
121921	2001	377	Ad			124963	1999
121940	2001	377	Am	124964	1999		
121945	2001	377	Ad			124965	1999
122045	2001	350	Am	124966	1999		
122065	2001	350	Am			124967	1999
122065.5	2001	350	Ad	124968	1999		
122405	2000	754	Am			124976	2000
122406	2000	754	Ad	124977	2000		
122410	2000	754	Am	124980	1999	83	Am ³⁰
122415	2000	754	Ad	124981	2000	941	Am
122420	2000	754	Ad			124982	2000
123110	2001	325	Am	124996	2000	941	Ad(RN)
123111	2000	1066	Ad	125001	2000	803	Am
	2001	159	Am ³⁰⁵	125005	2000	803	R ⁸²
123115	2000	519	Am	2000	941	Am & RN	
123148	2001	529	Am	125285	2000	93*	Ad
123280	1999	21*	Am	125700	1999	819	Ad
123296	2001	842	Ad ³⁵	125701	1999	819	Ad
			R ⁶³	125702	1999	819	Ad
123302	1999	763	Ad				
123310	2001	842	Am				
	1999	21*	Am				
123315	1999	21*	Am				
123320	2001	842	Am				
123775	2001	745*	Am				
123870	1999	146*	Am				
123900	1999	146*	Am				
123940	1999	146*	Am				
124010	2000	93*	Am				
124011	2000	93*	Am				
124012	2000	93*	Am				
124013	2000	93*	Am				
124014	2000	93*	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

HEALTH AND SAFETY CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
125703	1999	819	Ad	128685	2001	898	S ⁵⁴⁻⁵⁷
127174	1999	848	Am	128690	2001	898	S ⁵⁴⁻⁵⁷
127280	2001	111*	Am (as am by Sec. 2 and as ad by Sec. 3, Stats. 1998, Ch. 735)	128695	2001	898	S ⁵⁴⁻⁵⁷
				128700	2001	898	S ⁵⁴⁻⁵⁷
				128705	2001	898	S ⁵⁴⁻⁵⁷
				128710	2001	898	S ⁵⁴⁻⁵⁷
				128715	2001	898	S ⁵⁴⁻⁵⁷
127300	2000	517	Am	128720	2001	898	S ⁵⁴⁻⁵⁷
127580	1999	525	Am ¹¹²	128725	1999	525	Am ¹¹²
	2000	857	Am ²⁰³		2000	857	Am ²⁰³
127630	2001	520	Ad & R ⁷⁵		2001	898	S ⁵⁴⁻⁵⁷
127631	2001	520	Ad & R ⁷⁵	128730	2001	898	S ⁵⁴⁻⁵⁷
127632	2001	520	Ad & R ⁷⁵	128735	2001	898	Am ⁵⁴⁻⁵⁷
127633	2001	520	Ad & R ⁷⁵	128736	2001	898	Am ⁵⁴⁻⁵⁷
127634	2001	520	Ad & R ⁷⁵	128737	2001	898	Am ⁵⁴⁻⁵⁷
128040	2001	249	Ad	128738	2001	898	S ⁵⁴⁻⁵⁷
128230	1999	149*	Am	128740	2001	898	Am ⁵⁴⁻⁵⁷
128280	1999	149*	Am	128745	2001	898	Am ⁵⁴⁻⁵⁷
Div. 107, Ch. 5, heading (Sec. 128330 et seq.)	1999	149*	Am	128747	2001	898	Ad
Div. 107, Ch. 5, Art. 1, heading (Sec. 128330 et seq.)	1999	149*	Am	128748	2001	898	Ad
128330	1999	149*	Am	128750	2001	898	Am ⁵⁴⁻⁵⁷
128335	1999	149*	Am	128755	2001	898	Am ⁵⁴⁻⁵⁷
128345	1999	149*	Am	128760	2001	898	S ⁵⁴⁻⁵⁷
128350	1999	149*	Am	128765	2001	898	Am ⁵⁴⁻⁵⁷
128355	1999	149*	Am	128770	2001	898	S ⁵⁴⁻⁵⁷
128375	1999	146*	S ²⁰	128775	2001	898	S ⁵⁴⁻⁵⁷
	1999	149*	Am ⁵⁷	128780	2001	898	S ⁵⁴⁻⁵⁷
	2000	135	Am ²⁰³	128782	2001	898	S ⁵⁴⁻⁵⁷
128380	1999	146*	S ²⁰	128785	2001	898	S ⁵⁴⁻⁵⁷
	1999	149*	S ⁵⁷	128790	2001	898	S ⁵⁴⁻⁵⁷
128385	1999	146*	S ²⁰	128795	2001	898	S ⁵⁴⁻⁵⁷
	1999	149*	Am ⁵⁷	128800	2001	898	S ⁵⁴⁻⁵⁷
	2000	360	Am	128805	2001	898	S ⁵⁴⁻⁵⁷
128390	1999	146*	S ²⁰	128810	2001	898	S ⁵⁴⁻⁵⁷
	1999	149*	S ⁵⁷	128812	2001	898	S ⁵⁴⁻⁵⁷
128395	1999	146*	S ²⁰	128815	2001	898	R
	1999	149*	Am ⁵⁷	129010	1999	848	Am
128400	1999	146*	S ²⁰	129020	1999	848	Am
	1999	149*	Am ⁵⁷	129025	1999	848	R
128405	1999	146*	Am ²⁰	129035	1999	848	Am
	1999	149*	R	129040	1999	848	Am
128425	1999	149*	S ⁵⁷	129045	1999	848	Ad
128430	1999	149*	S ⁵⁷	129048	1999	825	Ad
128435	1999	149*	Am ⁵⁷	129049	1999	825	Ad
128440	1999	149*	S ⁵⁷	129050	1999	848	Am
128445	1999	149*	Am ⁵⁷	129051	1999	848	Ad
128450	1999	149*	Am ⁵⁷	129055	1999	848	Am
128455	1999	149*	R	129065	1999	848	Am
128675	2001	898	S ⁵⁴⁻⁵⁷	129075	1999	848	R & Ad
128680	2001	898	S ⁵⁴⁻⁵⁷	129080	1999	848	Am
128681	2001	898	S ⁵⁴⁻⁵⁷	129087	1999	848	Ad
				129090	1999	848	Am
				129092	1999	848	Ad
				129100	1999	848	Am
				129105	1999	848	Am
				129152	1999	848	Ad
				129173	1999	848	Am
				129200	1999	848	Am
				129210	1999	848	Am
				129220	1999	848	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
129221	1999	848	Ad	130155	1999	126*	Am
129820	1999	83	Am ³⁰	130200	2000	93*	Ad ⁷⁰
130000	1999	192*	R ²⁴				R ⁶³
	2000	454	S ¹³	130201	2000	93*	Ad ⁷⁰
130005	1999	192*	R ²⁴				R ⁶³
	2000	454	S ¹³	130202	2000	93*	Ad ⁷⁰
130010	1999	192*	R ²⁴				R ⁶³
	2000	454	S ¹³	130300	2001	635*	Ad & R ⁶⁸
130015	1999	192*	R ²⁴	130301	2001	635*	Ad & R ⁶⁸
	2000	454	S ¹³	130302	2001	635*	Ad & R ⁶⁸
130020	1999	192*	R ²⁴	130303	2001	635*	Ad & R ⁶⁸
	2000	454	S ¹³	130304	2001	635*	Ad & R ⁶⁸
130021	1999	192*	Ad & R ²⁴	130305	2001	635*	Ad & R ⁶⁸
	2000	454	Am	130306	2001	635*	Ad & R ⁶⁸
	2001	228*	Ad	130307	2001	635*	Ad & R ⁶⁸
			R ⁶⁹	130308	2001	635*	Ad & R ⁶⁸
130025	1999	192*	R ²⁴	130309	2001	635*	Ad & R ⁶⁸
	2000	454	S ¹³	130310	2001	635*	Ad & R ⁶⁸
130050	2001	228*	Am	130311	2001	635*	Ad & R ⁶⁸
130060	2000	850	Am	130312	2001	635*	Ad & R ⁶⁸
130063	2000	851	Ad	130313	2001	635*	Ad & R ⁶⁸
130063.1	2001	247	Ad	130314	2001	635*	Ad & R ⁶⁸
130063.2	2001	247	Ad	130315	2001	635*	Ad & R ⁶⁸
Div. 108, heading (Sec. 130100 et seq.)	1999	126*	Am	130316	2001	635*	Ad & R ⁶⁸
130100	1999	126*	Am	130317	2001	635*	Ad & R ⁶⁸
130105	1999	126*	Am	130400	2001	693	Ad
	2000	150*	Am	130401	2001	693	Ad
	2001	322*	Am	130402	2001	693	Ad
130110	1999	126*	Am	130403	2001	693	Ad
	2001	322*	Am	130404	2001	693	Ad
130140	1999	126*	Am	130405	2001	693	Ad
130140.1	2000	150*	Ad	130406	2001	693	Ad
	2001	214	Am	130407	2001	693	Ad
				130408	2001	693	Ad
				130409	2001	693	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
48	1999	255	Ad	769	1999	753	Am
106	2001	277	Am	778.3	1999	388	Ad
116.5	1999	238	Ad	779.36	1999	413	Am
384	1999	255	Am	785	2000	844	Am
	2000	135	Am ²⁰³		2001	51*	Am
661	1999	309	Am	786.5	2001	51*	Am ⁸
663.5	1999	313	Am	789.8	2000	442	Ad ²⁴⁵
675	1999	313	Am		2001	159	Am ³⁰⁵
676.10	2001	253	Ad	790.03	2001	253	Am
678.1	2001	102	Am	790.031	2001	583	Ad
679.7	2001	102	Ad	790.034	2001	583	Am
700	2000	321	Am ⁸	790.06	2000	280	Am
702	2000	211	Ad	791.02	1999	525	Am ^{112 114}
703	2001	448	R (as ad by		1999	526	Am
			Sec. 1.5,		2000	135	Am ²⁰³
			Stats. 1998,		2000	857	Am ²⁰³
			Ch. 233)	827.8	2001	415	Ad
			Am (as am by	1033	1999	868	Am
			Sec. 1,	1035	1999	768	Am
			Stats. 1998,		2000	135	Am ²⁰³
			Ch. 233) ¹³	1035.2	2001	630	Ad
703.1	2001	448	Am ¹³	1063	2001	296*	Am
734.1	2000	997	Am	1063.1	1999	721	Am
740	1999	525	Am ¹¹²	1063.5	2001	296*	Am
	2000	857	Am ²⁰³	1063.6	1999	83	Am ³⁰
742.20	1999	317	S ¹⁹	1065.3	1999	782	Am
742.21	1999	317	S ¹⁹	1067.05	2000	375	Am
742.215	1999	317	S ¹⁹	1067.055	2000	375	Am
742.22	1999	317	S ¹⁹	1068	1999	525	Am ¹¹²
742.23	1999	317	S ¹⁹		2000	857	Am ²⁰³
742.24	1999	317	S ¹⁹	1068.1	1999	525	Am ¹¹²
742.25	1999	317	S ¹⁹		2000	857	Am ²⁰³
742.26	1999	317	S ¹⁹	1192.8	1999	470	Am
742.27	1999	317	S ¹⁹	1215.1	2000	170	Am
742.28	1999	317	S ¹⁹		2001	159	Am ³⁰⁵
742.29	1999	317	S ¹⁹	1215.5	2000	170	Am
742.30	1999	317	S ¹⁹	1490	1999	314	R
742.31	1999	317	Am ¹⁹	1600	1999	808	Am
742.32	1999	317	S ¹⁹	1603	1999	808	Am
742.33	1999	317	S ¹⁹	1620	1999	498	R (as ad by
742.34	1999	317	S ¹⁹				Sec. 2,
742.35	1999	317	S ¹⁹				Stats. 1996,
742.36	1999	317	S ¹⁹				Ch. 687)
742.37	1999	317	S ¹⁹				Am (as am by
742.38	1999	317	S ¹⁹				Sec. 1,
742.39	1999	317	S ¹⁹				Stats. 1996,
742.40	1999	317	S ¹⁹				Ch. 687) ¹³
742.405	1999	317	S ¹⁹	1623	2000	1074	Am
742.407	1999	317	S ¹⁹	1625	2001	174*	Am
	1999	525	Am ¹¹²	1625.5	2000	321	Ad ⁸
	2000	857	Am ²⁰³		2001	174*	Am
742.41	1999	317	S ¹⁹	1631	2000	321	Am ⁸
742.42	1999	317	S ¹⁹	1631.5	2000	321	Ad ⁸
742.425	1999	317	S ¹⁹	1635	2000	321	Am ⁸
742.43	1999	317	S ¹⁹	1639	2000	321	Am ⁸
742.435	1999	317	Ad & R ¹⁹	1642	2000	321	Am ⁸
	2000	857	Am	1648	2000	411*	Am
742.44	1999	317	Am ¹⁹	1649.5	2000	321	Am ⁸
750	2000	843	Am	1669	1999	782	Am
	2000	867	Am ⁸²	1676	2000	321	Am ⁸
758	2000	867	Ad		2001	174*	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

INSURANCE CODE—Continued

<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
1703	2000	321	Am ⁸	1823	2000	141	Am
1723	1999	782	Ad	1861.025	1999	22*	Am ¹⁶
1726	2000	211	Ad		1999	853	Am ¹⁴⁴
1727	1999	782	Am	1861.16	1999	309	Am
1742.2	1999	782	Ad	1871	2001	159	Am ³⁰⁵
1748	1999	782	Am	1871.2	2000	470	Am
1748.5	1999	782	Am	1871.7	1999	885	Am
1749	2000	321	Am ⁸	1872.1	2000	867	Am
	2001	174*	Am (as am by Stats. 2000, Ch. 321)	1872.4	1999	885	Am
				1872.45	1999	885	Ad
1749.3	1999	186	Am	1872.7	2000	867	Am
1749.31	2000	321	Ad ⁸	1872.8	1999	885	Am
1749.6	2000	321	Am ⁸	1872.81	1999	884	Ad & R ⁷⁵
1750	2000	321	Am ⁸	1872.83	2001	159	Am ³⁰⁵
1750.5	2000	321	Am ⁸	1872.91	1999	721	Ad ¹⁷¹
1751	2000	321	Am ⁸	1872.95	1999	885	Am
1751.8	2000	321	Ad ⁸	1873	2000	843	Am
1758.8	1999	618	Ad	1874.8	1999	884	Ad & R ^{75 167}
1758.81	1999	618	Ad		1999	885	Ad & R ⁷⁵
1758.82	1999	618	Ad	1874.81	1999	885	Ad & R ⁷⁵
1758.83	1999	618	Ad		2000	135	Am ²⁰³
1758.84	1999	618	Ad	1874.85	2000	867	Ad
1758.85	1999	618	Ad	1874.86	2000	867	Ad
1758.851	1999	618	Ad	1874.87	2000	867	Ad
1758.86	1999	618	Ad	1874.90	2000	867	Ad
1758.861	1999	618	Ad	1874.91	2000	867	Ad & R ⁴³
1758.87	1999	618	Ad	2071	2001	583	Am
1758.88	1999	618	Ad	2071.1	2001	583	Ad
1758.89	2000	135	Ad(RN) ²⁰³	4013	2000	255	Am
1758.891	1999	618	Ad	9095	2001	277	Am
1758.9	2000	321	Ad ⁸	10082.3	2001	583	Ad
1758.91	2000	321	Ad ⁸	10089.27	1999	715	Am
1758.92	2000	321	Ad ⁸				R & Ad ²²
1758.93	2000	321	Ad ⁸	10089.3	2001	727	Ad
1758.94	2000	321	Ad ⁸	10089.39	1999	715	Am
1758.95	2000	321	Ad ⁸	10089.40	1999	715	Am
1758.96	2000	321	Ad ⁸		2001	745*	Am
1758.97	2000	321	Ad ⁸	10089.70	1999	796*	Am ¹⁸
1758.98	2000	321	Ad ⁸		2001	727	Am ⁴³
1758.99	2000	321	Ad ⁸	10089.71	1999	796*	S ¹⁸
1758.991	2000	321	Ad ⁸		2001	727	Am ⁴³
1758.992	2000	321	Ad ⁸	10089.72	1999	796*	S ¹⁸
1758.993	2000	321	Ad ⁸		2001	727	Am ⁴³
1758.994	2000	321	Ad ⁸	10089.73	1999	796*	S ¹⁸
1760.5	2001	448	R (as ad by Sec. 3.5, Stats. 1998, Ch. 233)		2001	727	Am ⁴³
			Am (as am by Sec. 3, Stats. 1998, Ch. 233) ¹³	10089.74	1999	796*	S ¹⁸
					2001	727	Am ⁴³
				10089.75	1999	796*	S ¹⁸
					2001	727	Am ⁴³
				10089.76	1999	796*	S ¹⁸
					2001	727	S ⁴³
				10089.77	1999	796*	S ¹⁸
					2001	727	Am ⁴³
1762	1999	255	Ad	10089.78	1999	796*	S ¹⁸
1765.1	1999	83	Am ³⁰		2001	727	Am ⁴³
	1999	255	Am	10089.79	1999	796*	S ¹⁸
	2000	135	Am ²⁰³		2001	727	Am ⁴³
1773	2001	448	Am ¹³	10089.80	1999	796*	S ¹⁸
1785.89	1999	618	Ad		2001	727	S ⁴³
	2000	135	Am & RN ²⁰³	10089.81	1999	796*	S ¹⁸
1810.7	1999	426	Am		2001	727	S ⁴³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

INSURANCE CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
10089.82	1999	796*	S ¹⁸				
	2001	727	Am ⁴³		2000	857	Am ²⁰³
10089.83	1999	796*	S ¹⁸	10141	1999	742	Ad
	2001	727	Am ⁴³		2000	135	Am & RN ²⁰³
10089.84	1999	796*	Am ¹⁸	10144.5	1999	534	Ad
	2001	727	Am ⁴³	10144.6	2001	506	Ad
10095	1999	83	Am ³⁰	10145.2	2001	634	Ad
10100.2	2000	323	Am	10145.3	1999	542	Am & R ¹²⁴
10116.5	1999	83	Am ³⁰				Ad ²⁵
10117.5	2001	691	Ad		2000	135	Am ²⁰³
10121.6	2000	808*	Am		2000	1067	Am
10121.7	2001	893	Ad	10145.4	2001	172	Ad
10123.13	2000	241	Am	10147	1999	311	Am
10123.131	2000	844	Ad	10169	1999	533	Ad
10123.132	2000	241	Ad(RN)		2000	135	Am ²⁰³
10123.135	1999	88	Ad		2000	857	Am
	1999	539	Ad	10169.1	1999	533	Ad
	2000	241	Am (as ad by Stats. 1999, Ch. 88) & RN	10169.2	1999	533	Ad
			Am (as am by Stats. 1999, Ch. 539)		2000	135	Am ²⁰³
	2000	1067	Am (as am by Stats. 1999, Ch. 539)		2000	857	Am
	2001	159	Am ³⁰⁵	10169.3	1999	533	Ad
10123.18	2001	380	Am		2000	857	Am
10123.194	2001	622	Ad	10169.5	1999	533	Ad
10123.195	2000	852	Am		2000	857	Am
10123.196	1999	538	Ad	10176	2001	420*	Am
10123.20	1999	543	Ad	10176.25	2001	628	Am
10123.3	1999	311	Am	10176.61	1999	540	Ad
10123.35	1999	525	Am ^{112 114}		2000	135	Am ²⁰³
	2000	857	Am ²⁰³	10177	2001	420*	Am
10123.68	1999	531	Ad	10178.3	1999	545	Ad ³⁶
	2000	135	Am ²⁰³		2000	1069	Am
	2000	857	Am ²⁰³		2001	159	Am ³⁰⁵
10123.8	1999	537	R & Ad	10192.05	2000	706	R
10123.81	1999	537	Am	10192.1	2000	706	R & Ad
10123.89	1999	541	Ad	10192.10	2000	706	Ad
10133.55	2001	531	Am	10192.11	2000	706	Ad
10134	1999	742	Ad		2000	707*	Am (as ad by Stats. 2000, Ch. 706)
	2001	624	Am				Am ³⁰⁵
10135	1999	742	Ad	10192.12	2001	159	Am
	2001	624	Am		2000	706	Ad
10136	1999	742	Ad		2000	707*	Am (as ad by Stats. 2000, Ch. 706)
	2001	624	Am	10192.13	2000	706	Ad
10137	1999	742	Ad	10192.14	2000	706	Ad
	2001	624	Am	10192.15	2000	706	Ad
10138	1999	742	Ad	10192.16	2000	706	Ad
	2001	624	Am	10192.165	2000	706	Ad
10139	1999	742	Ad	10192.17	2000	706	Ad
	2001	624	Am	10192.18	2000	706	Ad
10139.1	2000	135	Ad(RN) ²⁰³	10192.185	2000	706	Ad
	2001	624	R & Ad	10192.19	2000	706	Ad
10139.2	2000	135	Ad(RN) ²⁰³	10192.195	2000	706	Ad
10139.3	2001	624	Ad	10192.2	2000	706	R & Ad
10139.4	2001	624	Ad	10192.20	2000	706	Ad
10139.5	2001	624	Ad ³⁶⁶		2000	707*	Am (as ad by Stats. 2000, Ch. 706)
			R ¹⁸	10192.21	2000	706	Ad
10140	1999	742	Ad	10192.22	2000	706	Ad
	2000	135	Am & RN ²⁰³	10192.23	2000	706	Ad
10140.1	1999	525	Am ^{112 114}				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
10192.24	1999	716	Ad ⁸²	10234.6	1999	669	Ad
10192.3	2000	706	Ad		2000	560*	Am
10192.4	2000	706	Ad	10234.8	2000	442	Am
10192.5	2000	706	Ad	10234.95	1999	669	Am
10192.55	2000	442	Ad(RN)		2000	560*	Am
	2000	706	Ad	10235.2	1999	947	Am
	2001	328	Am	10235.22	2000	812	R
10192.6	2000	706	Ad	10235.30	1999	947	Am
10192.7	2000	706	Ad	10235.40	1999	947	Am
10192.8	2000	706	Ad	10235.50	1999	947	Am
10192.9	2000	706	Ad	10235.52	1999	947	Am
10193	2000	442	Am & RN	10235.8	1999	947	Am
	2000	706	R	10235.94	1999	947	Ad
10194	2000	706	R	10236	2000	812	Am
10194.2	2000	706	R		2001	159	Am ³⁰⁵
10194.3	2000	706	R	10236.1	2000	812	Ad
10194.4	2000	706	R	10236.11	2000	812	Ad
10194.5	2000	706	R	10236.12	2000	812	Ad
10194.7	2000	706	R	10236.13	2000	812	Ad
10194.8	1999	83	Am ³⁰	10236.14	2000	812	Ad
	1999	716	Am				R & Ad ⁶⁹
	2000	706	R	10236.15	2000	812	Ad
10194.9	2000	707*	Ad & R ²⁴	10237.1	1999	947	Am
10195	2000	706	R	10237.4	1999	947	Am
10195.1	2000	706	R	10237.5	1999	947	Am
10195.45	2000	706	R	10270.98	1999	525	Am ^{112 114}
10195.46	2000	706	R		2000	857	Am ²⁰³
10195.5	2000	706	R	10506.5	2000	694*	Ad
10195.6	2000	706	R	10273.4	1999	83	Am ³⁰
10195.65	2000	706	R	10279	1999	535	Ad
10195.8	2000	706	R	10489.94	1999	868	Ad
10196	1999	525	Am ^{112 114}	10506.5	2001	159	Am ³⁰⁵
	2000	706	R	10509.970	1999	868	S ⁵⁷
	2000	857	Am ²⁰³	10509.971	1999	868	S ⁵⁷
10197	2000	706	R	10509.972	1999	868	S ⁵⁷
10197.05	2000	706	R	10509.973	1999	868	S ⁵⁷
10197.1	2000	706	R	10509.974	1999	868	S ⁵⁷
10197.2	2000	706	R	10509.975	1999	868	S ⁵⁷
10197.3	2000	706	R	10509.976	1999	868	R
10197.6	2000	706	R	10604.1	2000	347	Ad
10198	2000	706	R	10700	1999	83	Am ³⁰
10198.1	2000	706	R		1999	434	Am
10198.2	2000	706	R	10704	1999	525	Am ^{112 114}
10198.3	2000	706	R		2000	857	Am ²⁰³
10198.4	2000	706	R	10733	1999	525	Am ^{112 114}
10198.5	2000	706	R		2000	857	Am ²⁰³
10198.6	2001	277	Am	10734	1999	525	Am ^{112 114}
10231.2	2000	812	Am		2000	857	Am ²⁰³
	2001	159	Am ³⁰⁵	10785	2000	810	Ad
10232.1	1999	947	Am	10810	1999	525	Am ^{112 114}
10232.2	1999	947	Am		2000	857	Am ²⁰³
	2001	51*	Am	10820	1999	525	Am ^{112 114}
10232.3	1999	947	Am		2000	857	Am ²⁰³
10232.4	1999	947	Am	10821.5	2000	1055*	Am
10232.65	2001	328	Ad	10841	1999	83	Am ³⁰
10232.8	1999	83	Am ³⁰	10844	2000	810	Ad
10232.92	1999	947	R & Ad	10856	1999	525	Am ¹¹²
10232.97	1999	947	Ad		2000	857	Am ²⁰³
10233.2	1999	947	Am	10890	2001	745*	R
10233.25	2001	691	Ad	10900	2000	810	Ad
10233.5	1999	947	Am	10901	2000	810	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
10901.1	2000	810	Ad	11629.991	1999	807	Ad & R ¹⁹
10901.2	2000	810	Ad		2000	1035	Am
10901.3	2000	810	Ad	11629.992	1999	807	Ad & R ¹⁹
10901.4	2000	810	Ad	11629.993	1999	807	Ad & R ¹⁹
10901.7	2000	810	Ad	11629.994	1999	807	Ad & R ¹⁹
10901.8	2000	810	Ad	11629.995	1999	807	Ad & R ¹⁹
10901.9	2000	810	Ad	11663.5	2001	102	Ad
10902	2000	810	Ad	11664	2000	884*	Am
10902.1	2000	810	Ad		2001	102	Am
10902.2	2000	810	Ad	11690	2000	892	Am
10902.3	2000	810	Ad	11690.5	2000	892	Ad
10902.4	2000	810	Ad	11699	2000	892	Am
10902.5	2000	810	Ad	11715	2000	892	Am
10902.6	2000	810	Ad		2001	73	Am
11521.2	2000	485	Am	11750	2000	884*	Am
11535.1	1999	868	Am	11784	2001	159	Am ³⁰⁵
11537.3	1999	868	Am	11786	2001	159	Am ³⁰⁵
11538	1999	868	Am	11787	2001	159	Am ³⁰⁵
11580.011	1999	183	Ad	12383	1999	187	Am
11580.02	1999	183	Ad	12389	2000	1055*	Am
11580.1	1999	313	Am	12394	1999	187	Am
11580.17	2000	210	Ad	12414.31	2001	660	Ad
11580.2	2001	95	Am	12640.02	2000	10*	Am
11621	2000	175	R	12640.07	2000	10*	Am
11621.1	2000	175	Ad	12693.02	1999	146*	Am
11621.2	2000	175	Ad	12693.06	1999	146*	Am
	2001	159	Am ³⁰⁵	12693.17	1999	146*	Ad
11621.3	2000	175	Ad	12693.21	1999	146*	Am
11621.4	2000	175	Ad	12693.325	2000	93*	Ad & R ²⁰
11621.5	2000	175	Ad		2001	171*	Am
11628	2000	375	Am	12693.326	2000	93*	Ad
11629.7	1999	794	Ad & R ¹⁹	12693.36	1999	525	Am ^{112 114}
11629.71	1999	794	Ad & R ¹⁹		2000	857	Am ²⁰³
11629.72	1999	794	Ad & R ¹⁹	12693.365	1999	525	Am ^{112 114}
11629.73	1999	794	Ad & R ¹⁹		2000	857	Am ²⁰³
11629.731	2000	1033*	Ad	12693.37	1999	525	Am ^{112 114}
11629.74	1999	794	Ad & R ¹⁹		2000	857	Am ²⁰³
11629.75	1999	794	Ad & R ¹⁹	12693.41	1999	146*	Am
11629.76	1999	794	Ad & R ¹⁹	12693.43	1999	146*	Am
11629.77	1999	794	Ad & R ¹⁹	12693.62	1999	146*	Am
11629.78	1999	794	Ad & R ¹⁹	12693.69	1999	146*	Ad
11629.79	1999	794	Ad & R ¹⁹	12693.70	1999	146*	Am
11629.8	1999	794	Ad & R ¹⁹		2001	171*	Am
	2000	1035	Am	12693.73	1999	146*	Am
11629.81	1999	794	Ad & R ¹⁹	12693.755	2000	946	Ad
11629.82	1999	794	Ad & R ¹⁹		2001	171*	Am
11629.83	1999	794	Ad & R ¹⁹	12693.76	1999	146*	Ad
11629.84	1999	794	Ad & R ¹⁹		2000	93*	Am
11629.9	1999	807	Ad & R ¹⁹		2000	944	Am (as am by
11629.91	1999	807	Ad & R ¹⁹				Stats. 2000,
11629.92	1999	807	Ad & R ¹⁹				Ch. 93)
	2000	135	Am ²⁰³		2001	171*	Am
11629.93	1999	807	Ad & R ¹⁹	12693.91	1999	146*	Am
11629.931	2000	1033*	Ad	12693.93	2001	745*	Am
11629.94	1999	807	Ad & R ¹⁹	12693.96	1999	83	Ad(RN) ³⁰
11629.95	1999	807	Ad & R ¹⁹		1999	146*	Ad(RN)
11629.96	1999	807	Ad & R ¹⁹	12693.97	1999	83	Ad(RN) ³⁰
11629.97	1999	807	Ad & R ¹⁹	12693.98	2001	171*	Am
11629.98	1999	807	Ad & R ¹⁹	12693.981	2001	171*	Ad ³¹¹
11629.99	1999	807	Ad & R ¹⁹	12693.982	2001	171*	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
12695.18	1999	525	Am ^{112 114}	12921.8	1999	260	Ad
	2000	857	Am ²⁰³	12921.9	2001	727	Ad
12698	1999	782	Ad	12926.1	2000	1089	Ad
	2000	135	Am & RN ²⁰³	12926.2	2001	727	Ad
	2000	701	Am	12938	2000	997	Ad
	2001	159	Am ³⁰⁵	12963.96	1999	83	Am & RN ³⁰
12699.50	2001	648 *	Ad		1999	146 *	Am & RN
12699.51	2001	648 *	Ad	12963.97	1999	83	Am & RN ³⁰
12699.52	2001	648 *	Ad	12967	1999	85	Am
12699.53	2001	648 *	Ad		2000	135	Am ²⁰³
12699.54	2001	648 *	Ad	12968	2000	135	Ad(RN) ²⁰³
12699.55	2001	648 *	Ad	12975.7	2000	1091	Am
12699.56	2001	648 *	Ad	12978	1999	884	Am
12699.57	2001	648 *	Ad	13800	1999	827 *	Ad
12699.58	2001	648 *	Ad	13801	1999	827 *	Ad
12699.59	2001	648 *	Ad	13802	1999	827 *	Ad
12699.60	2001	648 *	Ad	13803	1999	827 *	Ad
12699.61	2001	648 *	Ad	13804	1999	827 *	Ad
12699.62	2001	648 *	Ad	13805	1999	827 *	Ad
12699.63	2001	648 *	Ad	13806	1999	827 *	Ad
12705	2000	701	Am	13807	1999	827 *	Ad
12725	2000	701	Am	13810	2000	934	Ad
12903.1	2001	336	Ad	13811	2000	934	Ad
12921	2000	1091	Am	13812	2000	934	Ad
12921.1	2001	727	Am	13813	2000	934	Ad
12921.3	2001	727	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

LABOR CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
62.5	1999	746	Ad	1063	2001	795	Ad
62.9	1999	469	Am ¹³	1064	2001	795	Ad
90.5	2001	159	Am ³⁰⁵	1065	2001	795	Ad
96	1999	692	Am	1102.1	1999	592	R
98.1	2000	876	Am	1138	1999	616	Ad
98.2	2000	876	Am	1138.1	1999	616	Ad
98.6	2001	820	Am	1138.2	1999	616	Ad
98.7	1999	615	Am	1138.3	1999	616	Ad
	2001	134	Am	1138.4	1999	616	Ad
106	1999	306	Am ⁴³	1138.5	1999	616	Ad
129	2001	159	Am ³⁰⁵	1161	2001	408	Ad
138.4	1999	83	Am ³⁰	1171	2000	365	Am
138.5	2000	808*	Am	1174	2000	876	Am
138.6	2000	318	Am	1174.5	2000	135	Am ²⁰³
138.7	2001	792	Am	1182.1	1999	134	Am
139	1999	977	Am	1182.10	1999	134	Am & R ³⁹
139.2	2000	54	Am	1182.2	1999	134	Am & R ³⁹
144.7	2001	370	Am	1182.3	1999	134	Am & R ³⁹
201.5	1999	83	Am ³⁰	1182.9	1999	134	Am & R ³⁹
203.1	2000	876	Am	1183.5	1999	134	R
218.5	2000	876	Am	1186	1999	190	Ad
218.6	2000	876	Ad	1198.5	2000	886	R & Ad
220	2000	885	Am	1198.7	1999	878	Ad ⁸²
226	2000	876	Am	1393.5	2001	345	Am ¹⁸
226.7	2000	876	Ad	1682.7	2000	877	Ad
230	1999	340	Am	1682.8	2000	917	Ad
	2000	487	Am	1684	2000	917	Am
230.1	2000	487	Ad		2001	147	Am
	2001	159	Am ³⁰⁵	1684.5	2000	917	Am
230.3	2000	244	Am	1687	2000	917	Am
230.4	2000	361	Ad	1695.55	2000	917	Ad
233	1999	164	Ad	1695.7	2001	157	Am
	2001	893	Am	1695.8	2001	157	Ad
350	2000	876	Am	1695.9	2001	157	Ad
351	2000	876	Am	1696.4	1999	556*	Am
500	1999	134	Ad	1696.8	2001	157	Ad
510	1999	134	Am	1697.3	2001	157	Ad
511	1999	134	Ad	1698	2000	917	Am
512	1999	134	Ad		2001	157	Am
	2000	492*	Am	1698.1	2000	917	Am
513	1999	134	Ad	1701	1999	626	Ad
514	1999	134	Ad		2000	878*	Am
	2001	148	Am	1701.1	1999	626	Ad
515	1999	134	Ad ⁴⁶	1701.10	1999	626	Ad
	2000	492*	Am	1701.12	1999	626	Ad
515.5	2000	492*	Ad	1701.13	1999	626	Ad
515.6	2001	148	Ad	1701.15	1999	626	Ad
516	1999	134	Ad	1701.16	1999	626	Ad
	2000	492*	Am	1701.17	1999	626	Ad
517	1999	134	Ad	1701.18	1999	626	Ad
554	1999	134	Am	1701.19	1999	626	Ad
	2001	148	Am	1701.2	1999	626	Ad
556	1999	134	Am	1701.20	1999	626	Ad
558	1999	134	Ad	1701.4	1999	626	Ad
1030	2001	821	Ad	1701.5	1999	626	Ad
1031	2001	821	Ad	1701.8	1999	626	Ad
1032	2001	821	Ad	1720	2000	881	Am
1033	2001	821	Ad		2001	938	Am
1060	2001	795	Ad	1720.3	1999	220	Am
1061	2001	795	Ad	1723	2000	954	Am ⁹⁶
1062	2001	795	Ad	1726	2000	954	Am ⁹⁶

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1727	2000	954	Am ⁹⁶	3209.10	2001	229	Ad & R ⁴³
1730	2000	954	R ⁹⁶	3211.92	2000	506	Am
1731	2000	954	R ⁹⁶	3211.93a	2000	506	Am
1732	2000	954	R ⁹⁶	3212	2001	833	Am
1733	2000	954	R ⁹⁶	3212.1	1999	595	Am
1736	1999	302	Ad		2000	887	Am
1741	2000	954	Ad ⁹⁶	3212.10	2001	835	Ad
1742	2000	954	Ad ⁹⁶	3212.11	2001	846	Ad
			R & Ad ⁶³	3212.6	2001	833	Am
1742.1	2000	954	Ad ⁹⁶	3212.8	2000	490	Ad
			R & Ad ⁶³		2001	833	Am
1743	2000	954	Ad ⁹⁶	3212.9	2000	883	Ad
1771.2	2001	804	Ad		2001	833	Am
1771.5	1999	83	Am ³⁰	3213.2	2001	834	Ad
1771.6	2000	954	R & Ad ⁹⁶	3214	2001	745*	Am
1771.7	2000	954	R ⁹⁶	3700.5	1999	553	Am
1773	1999	30	Am	3702.8	1999	721	Am
1773.1	1999	30	Am	3716.2	1999	83	Am ³⁰
	2000	954	Am ⁹⁶	3762	1999	766	Am
1773.8	1999	30	R		2000	135	Am ²⁰³
1773.9	1999	30	Ad	3800	1999	982	Am
1775	2000	954	R (as am by Sec. 1, Stats. 1997, Ch. 757) ⁹⁶	4055.2	1999	444	Am
			Am (as ad by Sec. 2, Stats. 1997, Ch. 757) ^{13 96}	4455	2001	159	Am ³⁰⁵
1776	2001	804	Am (as am by Sec. 3 and as ad by Sec. 4, Stats. 1997, Ch. 757)	4600.4	1999	124	Ad
				4600.5	1999	525	Am ^{112 114}
					2000	857	Am ²⁰³
				4603.2	1999	124	Am
					2000	1069	Am
					2001	240	Am
1776	2001	804	Am (as am by Sec. 3 and as ad by Sec. 4, Stats. 1997, Ch. 757)	4609	1999	545	Ad ⁵⁶
					2000	1069	Am
					2001	159	Am ³⁰⁵
				4612	2001	115	R
				4703.6	2001	589	Ad
1777.1	2000	970	Am	4707	1999	83	Am ³⁰
1777.5	1999	903	Am		2001	589	Am
	2000	135	Am ²⁰³	4709	2001	806	Am
	2000	875	Am	4850	1999	270	Am
1777.7	1999	903	Am		1999	970	Am (by Sec. 1.5 of Ch.)
	2000	135	Am ²⁰³				
	2000	875	Am		2000	920	Am (by Sec. 1 of Ch.)
2671	1999	554	Am				
2673.1	1999	554	Ad		2000	929	Am (by Sec. 3 of Ch.)
2675	1999	554	Am				
2675.5	1999	554	Am		2001	791	Am
	2000	127*	Am	4850.3	2000	920	Am
2677	1999	554	Am	4850.5	1999	970	Am
2680	1999	554	Am	5307.11	2001	252	Ad
2684	1999	554	Ad	5318	2001	252	Ad
2695.1	2001	948	Ad	5402	2000	883	Am
2695.2	2001	948	Ad	5406	1999	358	Am
2802	2000	990	Am	5406.6	1999	358	Ad
3070	1999	903	Am	5433	1999	83	Am ³⁰
3073.1	1999	903	Ad	6303	2001	807	Am
3073.2	1999	903	Ad & R ²⁰	6304.1	2001	807	Am
3075	1999	903	Am	6304.5	1999	615	Am
3080	1999	903	Am	6309	1999	615	Am
3098	1999	903	Ad	6332	2000	493	Ad
3099	1999	781	Ad	6359	2000	598	Ad
	2000	875	Am	6394	1999	366	Am
3099.5	2000	127*	Ad	6394.5	1999	366	Ad & R ²⁰

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
6394.5 (Cont.)				7923	1999	585	Ad
	2000	135	Am ²⁰³	7924	1999	585	Ad
6400	1999	615	Am	7925	1999	585	Ad
6423	1999	615	Am	7926	1999	585	Ad
6425	1999	615	Am	7927	1999	585	Ad
6428	1999	615	Am	7928	1999	585	Ad
6429	1999	615	Am	7929	1999	585	Ad
	2000	135	Am ²⁰³	7929.5	2000	127*	Ad
6430	1999	615	Am	7930	1999	585	Ad
6432	1999	615	Am	7931	1999	585	Ad
6434	1999	615	Am	7932	1999	585	Ad
	2000	135	Am ²⁰³	9100	2001	856	Ad
6650	2000	135	Am ²⁰³	9101	2001	856	Ad
6719	1999	615	Ad	9102	2001	856	Ad
7920	1999	585	Ad	9103	2001	856	Ad
7921	1999	585	Ad	9104	2001	856	Ad
7922	1999	585	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
65	2000	219	Am			666	Am
66	2000	304	Am	999.12	1999	767	Ad
66.5	2000	534 *	Ad		2001	666	Am & RN & Ad
67	2000	304	Am	999.13	2001	666	Ad(RN)
69.5	2001	220 *	Am	999.2	1999	767	Ad
69.7	2001	220 *	Ad		2001	666	Am
71	2001	220 *	Am	999.5	1999	767	Am
73.5	1999	894	Ad	999.7	1999	767	Am
73.6	1999	894	Ad		2001	666	Am
73.7	1999	894	Ad	1011.7	1999	810	Ad & R ⁵
79.1	1999	839	Am ¹³		2001	599	Am (by Sec. 1 of Ch.) ²⁰
79.2	1999	511	Ad				
161	2001	221	Am		2001	645	Am (by Sec. 1.5 of Ch.) ²⁰
230	2001	165	Am				
394	2001	299	Am	1012	1999	194	Am
395	2000	928	Am		2001	283	Am
395.01	2000	928	Am	1012.3	2001	118 *	Am
395.03	2000	928	Am	1012.4	1999	194	Ad
434	2001	190	Am	1012.6	2001	281	Ad
531	2000	127 *	Ad	1023	1999	902	Am
	2000	366 *	Ad & R ^{21 20}	1023.5	1999	902	R
890.3	2000	575	Ad	1044.5	2000	301	Ad
891	1999	404	R (as ad by Sec. 2, Stats. 1996, Ch. 822) Am (as am by Sec. 1, Stats. 1996, Ch. 822) ¹³	1047	1999	902	Am
				1048	2000	301	Am
					1999	902	Am
					2000	301	Am
					2001	159	Am ³⁰⁵
				1049	1999	902	Am
				1100	1999	728 *	Ad ⁸⁹
				1102	1999	728 *	Ad ⁸⁹
972.1	2000	11	Am (as am by Sec. 2, Stats. 1997, Ch. 318) ⁴³	1103	1999	728 *	Ad ⁸⁹
			Am (as am by Sec. 3, Stats. 1997, Ch. 318) ⁸⁰	1104	1999	728 *	Ad ⁸⁹
				1105	1999	728 *	Ad ⁸⁹
				1106	1999	728 *	Ad ⁸⁹
				1107	1999	728 *	Ad ⁸⁹
				1108	1999	728 *	Ad ⁸⁹
				1109	1999	728 *	Ad ⁸⁹
				1110	1999	728 *	Ad ⁸⁹
987.59	2000	534 *	Am	1111	1999	728 *	Ad ⁸⁹
987.67	2000	534 *	Am	1112	1999	728 *	Ad ⁸⁹
998.300	2000	51 *	Ad ¹⁸⁶	1113	1999	728 *	Ad ⁸⁹
998.301	2000	51 *	Ad ¹⁸⁶	1114	1999	728 *	Ad ⁸⁹
998.302	2000	51 *	Ad ¹⁸⁶	1115	1999	728 *	Ad ⁸⁹
998.303	2000	51 *	Ad ¹⁸⁶	1116	1999	728 *	Ad ⁸⁹
998.304	2000	51 *	Ad ¹⁸⁶	1117	1999	728 *	Ad ⁸⁹
998.305	2000	51 *	Ad ¹⁸⁶	Div. 6, heading (Sec. 1170 et seq.)	1999	604 *	Am
998.306	2000	51 *	Ad ¹⁸⁶	1197	2001	341	Am
998.307	2000	51 *	Ad ¹⁸⁶	1335	2001	745 *	Am
998.308	2000	51 *	Ad ¹⁸⁶	1350	2000	577	Ad
998.309	2000	51 *	Ad ¹⁸⁶	1360	2000	392	Ad
998.310	2000	51 *	Ad ¹⁸⁶	1361	2000	392	Ad
998.311	2000	51 *	Ad ¹⁸⁶	1400	1999	604 *	Ad
998.312	2000	51 *	Ad ¹⁸⁶	1401	1999	604 *	Ad
998.313	2000	51 *	Ad ¹⁸⁶	1450	2000	771 *	Ad
998.314	2000	51 *	Ad ¹⁸⁶	1451	2000	771 *	Ad
998.315	2000	51 *	Ad ¹⁸⁶				
999	1999	767	Am				
999.11	1999	767	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
28	2001	854	Am	186.32	2000		
68	2001	282	Am		Initiative		
76	2000	233	Am		(Prop. 21		
86	2001	282	Am		adopted		
93	2001	282	Am		March 7,		
96.5	1999	853	Am ¹⁴⁴		2000)		Ad
112	2001	854	Ad(RN)	186.33	2000		
113	2001	854	Am (as ad by		Initiative		
			Stats. 1993-94		(Prop. 21		
			(1st Ex. Sess.),		adopted		
			Ch. 17) & RN		March 7,		
136.2	1999	83	Am ³⁰		2000)		Ad
	1999	661	Am	189	1999	694	Am
	2001	698	Am ³²⁰	190	2000		
141	2000	620	Ad		Legislative		
148	1999	853	Am ¹⁴⁴		Initiative		
148.10	1999	83	Am ³⁰		(Prop. 19		
148.6	2000	289	Am		adopted		
152	1999	396	Ad		March 7,		
152.3	2000	477	Ad		2000)		Am (as am by
166	1999	662	Am				Sec. 1,
166.5	1999	653	Ad (by Sec. 20				Stats. 1997;
			of Ch.)	190.03	1999	566	Ch. 413) ¹⁸²
171b	1999	247	Am	190.2	2000		Ad
182	2001	854	Am		Legislative		
182.5	2000				Initiative		
	Initiative				(Prop. 18		
	(Prop. 21				adopted		
	March 7,				March 7,		
	2000)		Ad		2000)		Am ¹⁸¹
186.11	2001	854	Am		2000		
186.2	2000	322	Am		Initiative		
186.22	2000				(Prop. 21		
	Initiative				adopted		
	(Prop. 21				March 7,		
	adopted				2000)		Am
	March 7,			190.9	2000	287	Am ²¹⁶
	2000)		Am	193.7	1999	22*	Am ¹⁶
				209	2000	287	Am ²¹⁶
186.26	2000	854	Am	217.1	1999	853	Am ¹⁴⁴
	Initiative			237	1999	706*	Am
	(Prop. 21			241.2	2001	484	Am
	adopted			243	1999	660	Am
	March 7,				2000	236	Am
	2000)		R & Ad	243.1	2001	854	Am
			Am	243.2	2001	484	Am
186.30	2001	854		243.9	2000	627	Ad
	2000			245	1999	129	Am
	Initiative			261.5	1999	853	Am ¹⁴⁴
	(Prop. 21			264	1999	853	Am ¹⁴⁴
	adopted			266c	2000	287	Am ²¹⁶
	March 7,			271.5	2000	824	Ad & R ⁴³
	2000)		Ad	272	2000	621	Am
186.31	2000				2001	159	Am ³⁰⁵
	Initiative			273.5	1999	660	Am (by Sec. 2
	(Prop. 21						of Ch.)
	adopted				1999	662	Am (by Sec. 9.5
	March 7,						of Ch.)
	2000)		Ad				

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
273.5 (Cont.)				308	2001	376	Am
	2000	287	Am ²¹⁶	308.1	2001	375	Ad
273.55	1999	662	R	308.3	2001	376	Ad
273.56	1999	662	R	311.11	2001	559	Am
273.6	1999	561	Am (by Sec. 5 of Ch.)	312.1	2001	854	Am
				320.5	2000	778	Ad ⁹⁶
	1999	662	Am (by Sec. 12.5 of Ch.)		2001	854	Am
				330.11	2000	1023*	Ad
	2001	816	Am		2001	941	Am
273.75	2001	572	Ad	330.9	1999	642	Ad
273.84	2000	135	Am ²⁰³	337j	2001	941	Am
273d	1999	662	Am	347	2000	287	Am ²¹⁶
274	2000	692	R	350	1999	83	Am ³⁰
275	2000	692	R	360	2001	39	Am
276	2000	692	R	365	1999	354	Am
289	1999	706*	Am	368	2000	214	Am
289.6	1999	806	Am		2001	854	Am
	2000	287	Am ²¹⁶	369b	1999	841	Am
290	1999	83	Am ³⁰	399	2001	257*	Am
	1999	576	Am (by Sec. 1 of Ch.)	399.5	1999	265	Am
				417	2000	478	Am
	1999	730	Am (by Sec. 1 of Ch.)	417.2	2000	275	Am
					2001	159	Am ³⁰⁵
	1999	901	Am (by Sec. 1.5 of Ch.)	417.6	2000	478	Am
				417.25	1999	438	Am
	2000	240	Am		1999	621	Am
	2000	287	Am ²¹⁶	417.26	1999	438	Ad
	2000	648	Am (by Sec. 1 of Ch.)	417.27	1999	621	Ad
	2000	649	Am (by Sec. 2.5 of Ch.)				
	2001	485	Am	Pt. 1, Title 11.5, heading (Sec. 422 et seq.)	2000	1001	Am
	2001	544	Am (by Sec. 1 of Ch.)	423	2001	899	Ad
				423.1	2001	899	Ad
	2001	843	Am (by Sec. 1.3 of Ch.)	423.2	2001	899	Ad
290.01	2001	544	Ad	423.3	2001	899	Ad
290.4	1999	730	Am (by Sec. 2 of Ch.)	423.4	2001	899	Ad
				423.5	2001	899	Ad
	2000	648	Am ¹⁹	423.6	2001	899	Ad
290.5	1999	576	Am	451.5	1999	518	Am ¹¹⁶
290.7	1999	475	Am	457.1	1999	518	Am
290.95	2001	224	Am	466	2001	854	Am
296	1999	475	Am	480	1999	254	Am
	2000	823	Am	481.1	2001	854	Am
	2001	906	Am	484	2000	176	Am
296.1	2000	135	Am ²⁰³	487c	2000	135	Am ²⁰³
	2000	823	Am	502	1999	254	Am
297	1999	475	Am		2000	634	Am (by Sec. 1 of Ch.)
	2000	823	Am				
298	1999	83	Am ³⁰		2000	635	Am (by Sec. 2 of Ch.)
	2000	823	Am	502.01	1999	254	Am
299	1999	83	Am ³⁰		2000	628	Am (by Sec. 1 of Ch.)
	2000	823	Am				
299.5	1999	475	Am	504b	1999	991	Am ^{96/114}
	2000	823	Am	530.5	2000	956	Am
	2001	906	Am		2001	478	Am
299.6	1999	83	Am ³⁰	530.6	2000	956	Ad
	1999	475	Am	530.7	2000	631	Ad ²⁴⁶
	2001	906	Am		2001	854	Am

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<i>Section</i>	<i>Affected By</i>			<i>Effect</i>	<i>Section</i>	<i>Affected By</i>			<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>				<i>Year</i>	<i>Chapter</i>		
530.8	2001	493		Ad	646.92	2000	561	Am	
538	1999	991		Am ^{96 114}	646.93	1999	703	Ad	
538d	2000	430		Am		2000	669	Am	
549	2000	843		Am		2001	854	Am	
	2000	867		Am ⁸²	646.94	2000	669	Ad ²⁷⁹	
550	1999	83		Am ³⁰		2001	159	Am ³⁰⁵	
	2000	867		Am	647	1999	231	Am	
574	1999	991		Am ^{96 114}	647.6	2000	657	Am	
593d	2001	854		Am	653k	2001	128	Am	
593e	2001	854		Am	653m	1999	83	Am ³⁰	
594	1999	83		Am (as am by Sec. 1.5 and as ad by Sec. 1.6, Stats. 1998, Ch. 853) ³⁰	653t	1999	853	Am ¹⁴⁴	
					666	2000	135	Am ²⁰³	
	2000	50		Am (as am by Sec. 12 and Sec. 12.5, Prop. 21)	666.5	1999	706*	Am	
					666.7	1999	706*	Am	
						2001	854	Am	
	2000			Am (as am by Sec. 1.5 and as ad by Sec. 1.6, Stats. 1998, Ch. 853)	667.1	2000			
						Initiative (Prop. 21 adopted March 7, 2000)			Ad
	2000			Am (as am by Sec. 1.5 and as ad by Sec. 1.6, Stats. 1998, Ch. 853)	667.5	2000			
						Initiative (Prop. 21 adopted March 7, 2000)			
594.3	2000	546		Am	667.7	2001	854	Am	
594.35	2000	546		Ad	667.70	1999	706*	Am	
596.7	2000	992		Ad	667.71	2000	287	Am ²¹⁶	
597.2	2000	1061		Ad	667.72	1999	706*	R	
	2001	854		Am (as ad by Stats. 2000, Ch. 1061) & RN	667.9	1999	569	Am	
					668	1999	350*	Am	
597.3	2001	854		Ad(RN)	668.5	1999	350*	Ad	
597s	1999	303		Am	670	2001	854	Am	
600	2000	287		Am ²¹⁶	778a	2001	854	Am	
602	2000	149		Am	790	1999	83	Am ³⁰	
602.5	2000	563		Am	803	1999	706*	Am (by Sec. 10 of Ch.)	
626.1	1999	853		R ¹⁴⁴		1999	983	Am	
626.9	1999	83		Am ³⁰		2000	235	Am	
628	2000	955		Am	817.5	2000	940	Ad	
628.1	2000	955		Am	830.1	2000	61	Am	
628.2	1999	646		Am		2001	68	Am	
	2000	955		Am	830.11	1999	1005	Am	
628.5	2000	955		Am	830.14	1999	1007	Am	
629.52	2000			Am	830.2	1999	917	Am	
						1999	918	Am (by Sec. 4.5 of Ch.)	
					830.29	1999	840*	Ad ²¹	
								R ³⁴	
						2001	859	Am ^{382 19}	
633.6	1999	367		Ad	830.3	1999	525	Am ¹¹²	
636.5	1999	853		Am ¹⁴⁴		1999	840*	Am	
637.5	2001	731		Am		2000	857	Am ²⁰³	
640	2000	860		Am	830.32	2000	135	Am ²⁰³	
645	2001	854		Am	830.35	2000	808*	Am	
646.9	2000	669		Am	830.36	1999	891	Am	
646.91	1999	659		Am	830.5	2001	119	Am	
					830.7	1999	331	Am	

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
831.4	1999	112	Am	1170.17	1999	996	Ad
831.5	1999	83	Am (as am by Sec. 8 and as ad by Sec. 8.5, Stats. 1998, Ch. 606) ³⁰		2000	287	Am ²¹⁶
				1170.19	1999	996	Ad
				1170.6	2001	745*	R
				1170.95	2000	689	R
	1999	635*	Am (as am by Sec. 8 and as ad by Sec. 8.5, Stats. 1998, Ch. 606)	1174.4	2000	287	Am ²¹⁶
					2001	854	Am
832.25	2000	633	Ad	1191.21	2000	444	Ad
832.3	1999	852	Am	1192.7	1999	298	Am
832.6	1999	111*	Am		2000		Initiative
	2000	287	Am ²¹⁶				(Prop. 21
	2001	473	Am ³⁶⁹				adopted
832.7	2000	971	Am	1192.8	1999	706*	Am
834c	1999	268	Ad	1202.4	1999	121	Am
836	1999	661	Am (by Sec. 10 of Ch.)		1999	584	Am (as am by Stats. 1999, Ch. 121)
	1999	662	Am		2000	198	Am
	2000	47	Am		2000	1016	Am (by Sec. 9.5 of Ch.)
868.8	2001	62	Am	1202.41	1999	888	Am
890	2001	218	Am ³⁵	1202.46	1999	888	Ad
923	2000	322	Am	1202.5	2000	399	Am
933.06	2001	854	Am	1202.7	2001	485	Am
976.5	2000	287	Am ^{18 216}	1203.044	2001	854	Am
977	2001	82	Am	1203.049	1999	706*	Am
977.2	1999	888	Am ¹³	1203.073	1999	853	Am ¹⁴⁴
999f	2000	287	Am ²¹⁶	1203.097	1999	83	Am ³⁰
999t	2001	210	Am		2001	568	Am
999y	2001	210	Am		2001	854	Am
1000	2001	473	Am ³⁶⁹	1203.098	2000	544	Ad
1000.3	2000	42	Am	1203.1b	2001	473	Am ³⁶⁹
1000.30	2001	115	R	1203.1d	2000	545	Am
1000.31	2001	115	R	1203.1k	2000	1016	Am
1000.32	2001	115	R	1203.3	2000	1016	Am
1000.33	2001	115	R	1203.4	2000	226	Am
1000.34	2001	115	R	1203.4a	2001	824	Am
1000.36	2001	115	R	1203.7	2001	473	Ad ³⁶⁹
1000.8	2000	815	Ad	1203.71	2001	473	Ad ³⁶⁹
1001.65	2001	745*	Am	1203.72	2001	473	Ad ³⁶⁹
1037	2000	447	Am	1203.73	2001	473	Ad ³⁶⁹
1048.1	1999	382	Am	1203.74	2001	473	Ad ³⁶⁹
1050	1999	382	Am (by Sec. 2 of Ch.)	1208.2	1999	113	Ad
	1999	580	Am (by Sec. 2 of Ch.)	1208.3	1999	113	Ad
	2000	268	Am	1210	2000		Initiative
1166	1999	570	Am				(Prop. 36
1170.1	2000	689	Am				adopted
1170.11	1999	706*	Am (by Sec. 11 of Ch.)				Nov. 7,
	2000	287	Am ²¹⁶				2000)
	2001	854	Am	1210.1	2000	721*	Ad ²⁹⁴
1170.125	2000						Am
	Initiative						Initiative
	(Prop. 21						(Prop. 36
	adopted						adopted
	March 7,						Nov. 7,
	2000)						2000)
			Ad				Ad ²⁹⁴
							Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
1210.5	2001	721 *	Ad	1511	2001	854	Am (as ad by
1214	1999	344 *	Am (as ad by				Stats. 1989,
			Sec. 8,				Ch. 560) & RN
			Stats. 1998,	1512	2001	854	Ad(RN)
			Ch. 587)	1524.2	1999	896	Ad
	2000	545	Am	1538.5	2001	231	Am
1238	1999	344 *	Am	1600.5	2000	324	Am
1240.1	2000	287	Am ²¹⁶	1607	2000	324	Am
1269b	1999	83	Am ³⁰	1610	2001	248	Am
	2001	176	Am	2053.3	2001	115	R
1270.1	1999	703	Am	2085.5	2001	200	Am
1280.1	2001	854	Am	2677	2001	854	Am
1299	1999	426	Ad & R ¹⁸	2717	2000	525	Ad
1299.01	1999	426	Ad & R ¹⁸	2717.4	2001	854	Am
1299.02	1999	426	Ad & R ¹⁸	2933.5	2000	287	Am ²¹⁶
1299.04	1999	426	Ad & R ¹⁸	2962	1999	16 *	Am
1299.05	1999	426	Ad & R ¹⁸		2000	135	Am ²⁰³
1299.06	1999	426	Ad & R ¹⁸	2972	2000	324	Am
1299.07	1999	426	Ad & R ¹⁸	2972.1	2000	324	Ad
1299.08	1999	426	Ad & R ¹⁸	3000	2000	142 *	Am
1299.09	1999	426	Ad & R ¹⁸		2001	485	Am
1299.10	1999	426	Ad & R ¹⁸		2001	854	Am (by
1299.11	1999	426	Ad & R ¹⁸				Sec. 49.5 of Ch.)
1299.12	1999	426	Ad & R ¹⁸	3000.1	2000	142 *	Am
1299.13	1999	426	Ad & R ¹⁸		2001	854	Am
1305	1999	570	Am	3003	1999	83	Am ³⁰
1305.4	1999	570	Am		2000	153	Am
1308	1999	570	Am		2000	561	Am
1328	1999	662	Am		2001	131 *	Am
1336	2000	186	Am	3005	2000	142 *	Ad & R ²⁰⁷
1347	1999	83	Am (as am by	3006	2000	127 *	Ad
			Sec. 1.5 and as	3041	2001	131 *	Am
			ad by Sec. 1.6,	3046	2000	287	Am ²¹⁶
			Stats. 1998,	3058.4	1999	957	Ad
			Ch. 670) ³⁰	3058.6	1999	957	Am
	2000	207	Am (as am by	3058.61	2000	561	Ad
			Sec. 153,	3058.65	2000	314	Ad
			Stats. 1999,		2001	159	Am ³⁰⁵
			Ch. 83) ²⁰		2001	470	Am
			Am (as am by	3058.9	1999	957	Ad
			Sec. 154,		2001	854	Am
			Stats. 1999,	3060.5	1999	475	Am
			Ch. 83) ³⁴	3060.6	2000	484	Ad
1348.5	2001	115	R	3063.1	2000		
1382	1999	344 *	Am		Initiative		
1385	2000	689	Am		(Prop. 36		
1405	2000	821	Ad		adopted		
	2001	943	Am		Nov. 7,		
1417.8	2001	473	Am ³⁶⁹		2000)		Ad ²⁹⁴
1417.9	2000	821	Ad & R ²⁰		2001	721 *	Am
	2001	943	Am	3063.2	2001	721 *	Ad
1424	1999	363	Am	3071	2000	564	Ad
1463	2000	135	Am ²⁰³	3600	2001	934	Am
1463.1	2001	812	Am	3605	2001	71	Am
1463.12	1999	841	Ad	4002	2001	248	Am
1463.13	2000	165	Ad	4011.1	2001	854	Am
1464	1999	1023	Am	4501.1	2000	627	Am ¹³
	2000	248 *	Am	4536.5	1999	83	Am ³⁰
1464.2	1999	610	Ad	4801	2000	652	Am
1473.5	2001	858	Ad & R ¹⁸	4852.03	1999	576	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
4904	2000	630	Am	11160	2000	287	Am ²¹⁶
5020	2001	115	R	11161.2	2001	579	Ad ³⁷
5024	2000	127*	Ad	11163.3	1999	662	Am
5058	2000	1060	Am	11163.6	1999	662	Ad
	2001	141	Am	11164	2000	916	Am
5058.1	2001	141	Ad	11165.1	2000	287	Am ²¹⁶
5058.2	2001	141	Ad	11165.10	2000	916	R
5058.3	2001	141	Ad	11165.12	2000	916	Am
5058.5	2001	854	Am (as ad by Stats. 1992, Ch. 695) & RN	11165.13	2000	916	Am
				11165.14	2000	916	Am
5058.6	2001	854	Ad(RN)	11165.15	2000	916	R
5066	1999	83	Am ³⁰	11165.16	2000	916	R
5068.5	2000	356*	Am	11165.17	2000	916	R
5075	2001	131*	Am	11165.5	2000	916	Am
6008	2001	854	Am		2001	133*	Am
6025	2001	930	Am	11165.6	2000	916	R & Ad
6044	2001	860	Ad & R ^{37 75}		2001	133*	Am
6051	1999	83	Am ³⁰	11165.7	2000	916	Am
	1999	918	Am		2001	133*	Am
6065	1999	83	Am ³⁰		2001	754	Am (as am by Stats. 2001, Ch. 133)
6126	1999	83	Am ³⁰				
	1999	918	Am	11165.8	2000	916	R
6126.3	1999	918	Ad	11165.9	2000	916	R & Ad
6126.4	1999	918	Ad		2001	133*	Am
6126.5	1999	918	Ad	11166	2000	916	Am
	2001	854	Am		2001	133*	Am
6126.6	1999	918	Ad	11166.05	2001	133*	Ad
6127	1999	918	R	11166.1	2000	916	Am
6127.1	1999	918	Ad	11166.2	2000	916	Am
6127.3	1999	918	Ad		2001	133*	Am
6127.4	1999	918	Ad	11166.3	2000	135	Am ²⁰³
6128	1999	918	Am		2000	916	Am
6129	1999	806	R & Ad		2001	133*	Am
	2000	135	Am ²⁰³	11166.5	2000	916	Am
6224.5	2000	249	Ad		2001	133*	Am
6227.5	2000	249	Ad	11166.7	2000	916	Am
6236	2001	854	Am		2001	133*	Am
6247	2001	115	R	11166.8	2000	916	Am
7012	2001	854	Am	11166.9	1999	1012	Am ¹²²
7433	2001	745*	Am		2000	916	Am
7440	2000	965	Ad		2001	133*	Am
7441	2000	965	Ad	11166.95	2001	133*	Am
7442	2000	965	Ad	11167	2000	916	Am
7443	2000	965	Ad		2001	133*	Am
7444	2000	965	Ad	11167.5	2000	916	Am
7445	2000	965	Ad	11168	2000	916	Am
9008	2001	745*	R	11169	2000	916	Am
11061	2001	477	Ad		2001	133*	Am
11061.5	2001	477	Ad	11170	1999	475	Am
11105	2000	421*	Am		2000	916	Am
	2000	808*	Am (by Sec. 111.1 of Ch.)		2001	133*	Am
				11170.6	1999	851*	Ad
					2000	135	Am ²⁰³
11105.03	1999	31	Am	11171	2000	916	Am
11105.2	2001	653*	Am	11171.5	2000	916	Am
11105.3	2000	972	Am	11172	2000	916	Am
11105.6	1999	33	Am		2001	133*	Am
11105.75	2000	623	Ad ³⁵	11174.1	2000	916	Am
11106	1999	571	Am (by Sec. 1 of Ch.)	11174.3	2000	916	Am
				11174.4	2001	301	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
11174.5	2001	301	Ad		2001	940	Am (by Sec. 2 of Ch.)
11174.6	2001	301	Ad				
11174.7	2001	301	Ad		2001	942	Am (by Sec. 2 of Ch.)
11174.8	2001	301	Ad				
11174.9	2001	301	Ad		2001	944	Am (by Sec. 5.1 of Ch.)
11180	2000	658	Ad				
	2001	854	Am	12071.1	1999	247	Am
11181	2000	658	Ad	12071.4	1999	247	Ad
11198	1999	707	Ad	12072	1999	128	Am
11415	1999	563	Ad		2001	940	Am
11416	1999	563	Ad		2001	942	Am
11417	1999	563	Ad	12072.5	2000	271	Ad
11418	1999	563	Ad	12076	1999	128	Am
	2001	854	Am		2001	940	Am
11418.5	1999	563	Ad		2001	942	Am
11419	1999	563	Ad	12076.5	2001	940	Ad
12000	2000	135	Am ²⁰³		2001	942	Ad
12001	1999	129	Am	12077	1999	128	Am
	2001	940	Am		2001	940	Am
	2001	942	Am		2001	942	Am
12001.1	1999	976	Ad	12078	2001	940	Am
12001.6	2001	944	Am		2001	942	Am
12002	1999	112	Am	12079	1999	129	Ad
	2001	527	Am	12081	2001	940	Am & R ²⁰
12010	2001	944	Ad ³⁴⁰		2001	942	Am & R ²⁰
12011	2001	944	Ad ³⁴⁰	12084	2001	940	Am
12012	2001	944	Ad ³⁴⁰		2001	942	Am
12020	1999	111*	Am	12085	1999	83	Am ³⁰
	1999	129	Am (by Sec. 3.5 of Ch.)	12086	1999	83	Am ³⁰
	2000	287	Am ²¹⁶	12087	1999	245	Ad
	2001	130	Am		1999	246	Ad
	2001	937	Am	12087.5	1999	245	Ad
12020.3	2000	275	Ad		1999	246	Ad
12021	1999	662	Am	12088	1999	245	Ad
	2000	400	Am (by Sec. 1 of Ch.)		1999	246	Ad
	2001	944	Am	12088.1	1999	245	Ad
12022	1999	129	Am		1999	246	Ad
12022.5	1999	129	Am	12088.2	1999	245	Ad
12022.53	2000	287	Am ²¹⁶		1999	246	Ad
	2001	854	Am	12088.3	1999	245	Ad
12022.7	2000	919	Am		1999	246	Ad
12025	1999	571	Am ¹³⁸	12088.4	1999	245	Ad
12028.5	1999	659	Am		1999	246	Ad
	1999	662	Am (by Sec. 18.5 of Ch.)	12088.5	1999	245	Ad
	2000	254	Am		1999	246	Ad
12028.7	2001	944	Ad	12088.6	1999	245	Ad
12031	1999	571	Am ¹³⁹		1999	246	Ad
12035	2001	126	Am	12088.7	1999	245	Ad
12036	2001	126	Am		1999	246	Ad
12050	1999	142	Am	12088.8	1999	245	Ad
	2000	123	Am		1999	246	Ad
12071	1999	83	Am ³⁰	12088.9	1999	245	Ad
	1999	128	Am		1999	246	Ad
	2001	126	Am	12094	2001	854	Am
	2001	138	Am (by Sec. 3 of Ch.)	12125	1999	248	Ad
				12126	1999	248	Ad
				12127	1999	248	Ad
				12128	1999	248	Ad
				12129	1999	248	Ad
				12130	1999	248	Ad

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
12131	1999	248	Ad	13500	1999	702	Am
12131.5	1999	248	Ad	13510	1999	301	Am
12132	1999	248	Ad		2000	135	Am ²⁰³
	2000	967	Am	13510.6	2001	745*	R
12133	1999	248	Ad	13511	2000	354	Am
12200	2000	668	Am	13515	2000	559	Am
12276.1	1999	129	Ad	13515.25	2000	200	Ad
	2000	967	Am	13515.55	1999	83	Am ³⁰
12280	1999	129	Am	13519	1999	659	Am
	2000	287	Am ²¹⁶	13519.05	2000	564	Ad
	2001	937	Am	13519.4	2000	684	Am
12285	1999	129	Am		2001	854	Am
12287	1999	129	Am	13526.2	1999	301	Ad
12288	2001	854	Am	13540	2000	96*	Am
12289	1999	129	Am	13541	2000	96*	Am
12370	1999	83	Am ³⁰	13542	2000	96*	Am
12403.5	1999	852	Am	13543	2000	96*	Ad & R ⁵
	1999	853	Am ¹⁴⁴	13543.5	2000	354	Ad & R ⁵
12600	2001	473	Am ³⁶⁹	13602	1999	83	Am ³⁰
12601	2001	473	Am ³⁶⁹		2000	987*	Am
12800	2001	940	R ³⁴		2001	745*	Am
			Ad ⁸²	13603	2000	987*	Ad
	2001	942	R & Ad ³⁴	13700	1999	659	Am
12801	2001	940	R ³⁴	13701	1999	661	Am
			Ad ⁸²	13710	1999	659	Am
	2001	942	R & Ad ³⁴	13711	1999	661	Am
12802	2001	940	R ³⁴	13730	2001	483	Am
			Ad ⁸²	13731	2001	745*	Am
	2001	942	R & Ad ³⁴	13775	2001	899	Ad & R ⁷⁵
12803	2001	940	R ³⁴	13776	2001	899	Ad & R ⁷⁵
			Ad ⁸²	13777	2001	899	Ad & R ⁷⁵
	2001	942	R & Ad ³⁴	13778	2001	899	Ad & R ⁷⁵
12804	2001	940	R ³⁴	13779	2001	899	Ad & R ⁷⁵
			Ad ⁸²	13823.20	2001	115	R
	2001	942	R & Ad ³⁴	13848	1999	427	S ²⁰
12805	2001	940	R ³⁴		2000	654	S ⁵⁷
			Ad ⁸²	13848.2	1999	427	S ²⁰
	2001	942	R & Ad ³⁴		2000	654	S ⁵⁷
12806	2001	940	R ³⁴	13848.4	1999	427	S ²⁰
			Ad ⁸²		2000	654	S ⁵⁷
	2001	942	R & Ad ³⁴		2001	556	Am
12807	2001	940	R ³⁴	13848.6	1999	427	S ²⁰
			Ad ⁸²		2000	654	Am ⁵⁷
	2001	942	R & Ad ³⁴		2001	556	Am
12808	2001	940	R ³⁴	13848.7	1999	427	Am ²⁰
			Ad ⁸²		2000	654	R
	2001	942	R & Ad ³⁴	13855	2000	624	Ad & R ⁵
12809	2001	940	R ³⁴	13875	2001	853	Ad ⁹⁸
			Ad ⁸²				R ¹⁰⁰
	2001	942	R & Ad ³⁴	13876	2001	853	Ad ⁹⁸
12810	2001	940	Ad & R ²⁰				R ¹⁰⁰
	2001	942	Ad & R ²⁰	13877	2001	853	Ad ⁹⁸
13010.5	2001	468*	Am ³⁷				R ¹⁰⁰
13012	2001	468*	Am ³⁷	13877.5	2001	853	Ad ⁹⁸
13012.5	2001	468*	Ad ³⁷				R ¹⁰⁰
13023	2000	626	Am	13878	2001	853	Ad ⁹⁸
13300	2000	421*	Am				R ¹⁰⁰
	2000	808*	Am (by Sec. 111.5 of Ch.)	13879	2001	853	Ad ⁹⁸
							R ¹⁰⁰
				13879.5	2001	853	Ad ⁹⁸
							R ¹⁰⁰

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	Year	Chapter	Effect		Year	Chapter	Effect
13879.7	2001	853	Ad ⁹⁸ R ¹⁰⁰	Pt. 4, Title 10.5, heading (Sec. 14150 et seq.)	2001	854	Am & RN
13892	2001	745 *	R	Pt. 4, Title 10.6, heading (Sec. 14150 et seq.)	2001	854	Ad(RN)
13894.5	2001	115	R	14170	1999	564	Ad ³¹ R ²⁵
13894.6	2001	115	R		2000	310 *	S ^{191 5}
13894.7	2001	115	R		2001	845	S ^{21 20}
13894.8	2001	115	R	14171	1999	564	Ad ³¹ R ²⁵
13894.9	2001	115	R		2000	310 *	S ^{191 5}
14000	2000	653	S ²⁸⁰		2001	845	S ^{21 20}
14001	2000	653	S ²⁸⁰	14172	1999	564	Ad ³¹ R ²⁵
14002	2000	653	S ²⁸⁰		2000	310 *	Am ^{191 5}
14003	2000	653	S ²⁸⁰		2001	845	S ^{21 20}
14004	2000	653	S ²⁸⁰	14173	1999	564	Ad ³¹ R ²⁵
14005	2000	653	S ²⁸⁰		2000	310 *	S ^{191 5}
14006	2000	653	Am ²⁸⁰		2001	845	S ^{21 20}
14029	2000	688	Am	14174	1999	564	Ad ³¹ R ²⁵
14108	1999	727 *	Ad ¹⁶⁰		2000	310 *	S ^{191 5}
14108.1	1999	727 *	Ad ¹⁶⁰		2001	845	S ^{21 20}
14108.10	1999	727 *	Ad ¹⁶⁰	14175	1999	564	Ad ³¹ R ²⁵
14108.11	1999	727 *	Ad ¹⁶⁰		2000	310 *	Am ^{191 5}
14108.12	1999	727 *	Ad ¹⁶⁰		2001	845	S ^{21 20}
14108.13	1999	727 *	Ad ¹⁶⁰		2000	310 *	S ^{191 5}
14108.14	1999	727 *	Ad ¹⁶⁰		2001	845	S ^{21 20}
14108.2	1999	727 *	Ad ¹⁶⁰	14176	1999	564	Ad ³¹ R ²⁵
14108.3	1999	727 *	Ad ¹⁶⁰		2000	310 *	S ^{191 5}
14108.4	1999	727 *	Ad ¹⁶⁰		2001	845	S ^{21 20}
14108.5	1999	727 *	Ad ¹⁶⁰	14177	1999	564	Ad ³¹ R ²⁵
14108.6	1999	727 *	Ad ¹⁶⁰		2000	310 *	S ^{191 5}
14108.7	1999	727 *	Ad ¹⁶⁰		2001	845	S ^{21 20}
14108.8	1999	727 *	Ad ¹⁶⁰	14178	1999	564	Ad ³¹ R ²⁵
14108.9	1999	727 *	Ad ¹⁶⁰		2000	310 *	Am ^{191 5}
14109	1999	727 *	Ad & R ^{38 160}		2001	845	Am ^{21 20}
14109.1	1999	727 *	Ad & R ^{38 160}	14202	2000	284	Am
14109.2	1999	727 *	Ad & R ^{38 160}	14202.2	2000	420 *	Am
14109.5	1999	727 *	Ad ¹⁶⁰	14205	1999	579	Am
14113	2001	115	R	14206	1999	579	Am
14114	2001	115	Am	14250	2000	822	Ad
14119	2001	115	Am		2001	467	Am
14125	2001	566	Ad & R ^{37 18}	14251	2000	822	Ad & R ⁴³
14127	2001	566	Ad & R ^{37 18}				
14129	2001	566	Ad & R ^{37 18}				

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
37	2001	893	Ad	2342.5	2001	176	Am
104.5	1999	263	Ad	2343	2001	176	Am
150	2000	17	R	2351	2000	565	Am
825	1999	175	Ad	2355	1999	658	Am ⁵⁶
850	2001	49	Ad	2356	1999	658	Am ⁵⁶
851	2001	49	Ad	2357	1999	175	Am
852	2001	49	Ad		2000	135	Am ²⁰³
853	2001	49	Ad		2001	893	Am
854	2001	49	Ad	2359	2000	565	Am
855	2001	49	Ad		2001	893	Am
856	2001	49	Ad	2401	2000	565	Am
856.5	2001	417	Ad	2401.6	2000	565	Ad
857	2001	49	Ad	2403	2000	565	Am
858	2001	49	Ad		2001	893	Am
859	2001	49	Ad	2423	2001	893	Am
1063	1999	145	Am	2430	2001	893	Am
1214	1999	263	Ad	2504	2001	893	Am
1218	1999	263	R	2520	2001	49	R
1300	2001	417	Am	2521	2001	49	R
1301	2001	417	Am	2522	2001	49	R
1302	1999	658	Am ⁵⁶	2524	2001	49	R
1302.5	1999	658	Ad ⁵⁶	2525	2001	49	R
1303	2001	417	Am	2526	2001	49	R
	2001	699	Am	2527	2001	49	R
1310	2000	688	Am	2528	2001	49	R
1460	2001	893	Am	2529	2001	49	R
1811	2000	17	Am	2572	2001	893	Am
	2001	893	Am	2580	1999	175	Am
1812	2001	893	Am		2001	893	Am
1813	2000	17	Am	2614.5	2001	893	Am
	2001	159	Am ³⁰⁵	2619.5	2001	49	R
1813.1	2001	893	Ad	2620	2000	565	Am
1820	2001	893	Am		2001	232	Am
1821	2001	893	Am		2001	563	Am
1822	2001	893	Am	2620.2	2001	359	Am
1827	2000	17	Am	2622	2001	893	Am
1829	2001	893	Am	2629	2001	359	R
1861	2001	893	Am	2651	2001	893	Am
1863	2000	17	Am	2653	2001	893	Am
	2001	893	Am	2681	2001	893	Am
1871	2001	893	Am	2682	2001	893	Am
1873	2001	893	Am	2687	2001	893	Am
1874	2001	893	Am	2700	2001	893	Am
1891	2001	893	Am	2803	2001	893	Am
1895	2001	893	Am	2805	2001	893	Am
2104	2001	351	Am	2850	1999	409	Ad
2105	1999	658	Am ⁵⁶		2001	176	Am
2111.5	2000	565	Ad	2851	1999	409	Ad
	2001	893	Am	2852	1999	409	Ad
2212	2001	893	Am	2853	1999	409	Ad
2213	2001	893	Am	2854	1999	409	Ad
2320.1	2001	359	Ad	2855	1999	409	Ad
2320.2	2001	359	Ad	2856	1999	409	Ad
2321	2001	563	Am	2890	2001	563	Ad
2327	2001	563	Am	2891	2001	563	Ad
2330	2001	359	Am	2892	2001	563	Ad
2340	1999	424	Am	2893	2001	563	Ad
	2001	176	Am	2901	2001	232	Am
2341	1999	424	Am	2942	1999	866	Am
2342	1999	424	Am	2950	2000	813	Ad
	2001	176	Am	2951	2000	813	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PROBATE CODE—Continued

Section	Affected By			Section	Affected By			
	Year	Chapter	Effect		Year	Chapter	Effect	
2952	2000	813	Ad	4615	1999	658	R & Ad ⁵⁶	
	2001	232	Am	4617	1999	658	Ad ⁵⁶	
2953	2000	813	Ad	4618	1999	658	R ⁵⁶	
	2001	232	Am	4619	1999	658	Ad ⁵⁶	
2954	2000	813	Ad	4621	1999	658	R & Ad ⁵⁶	
2955	2000	813	Ad	4623	1999	658	Ad ⁵⁶	
Div. 4, Pt. 7, heading (Sec. 3200 et seq.)	1999	658	Am ⁵⁶	4625	1999	658	Ad ⁵⁶	
	1999	658	Am ⁵⁶	4627	1999	658	Ad ⁵⁶	
	3201	1999	658	Am ⁵⁶	4629	1999	658	Ad ⁵⁶
	3203	1999	658	Am ⁵⁶	4631	1999	658	Ad ⁵⁶
	3204	1999	658	Am ⁵⁶	4633	1999	658	Ad ⁵⁶
	3206	1999	658	Am ⁵⁶	4635	1999	658	Ad ⁵⁶
	3207	1999	658	Am ⁵⁶	4637	1999	658	Ad ⁵⁶
	3208	1999	658	Am ⁵⁶	4639	1999	658	Ad ⁵⁶
	3208.5	1999	658	Ad ⁵⁶	4641	1999	658	Ad ⁵⁶
	3210	1999	658	Am ⁵⁶	4643	1999	658	Ad ⁵⁶
	3211	1999	658	Am ⁵⁶	4650	1999	658	R & Ad ⁵⁶
	3212	1999	658	Ad ⁵⁶	4651	1999	658	R & Ad ⁵⁶
	3722	1999	658	Am ⁵⁶	4652	1999	658	R & Ad ⁵⁶
	4050	1999	658	Am ⁵⁶	4653	1999	658	R & Ad ⁵⁶
	4100	1999	658	Am ⁵⁶	4654	1999	658	R & Ad ⁵⁶
	4121	1999	658	Am ⁵⁶	4655	1999	658	R & Ad ⁵⁶
	4122	1999	658	Am ⁵⁶	4656	1999	658	Ad ⁵⁶
	4123	1999	658	Am ⁵⁶	4657	1999	658	Ad ⁵⁶
		2001	230	Am	4658	1999	658	Ad ⁵⁶
	4128	1999	658	Am ⁵⁶	4659	1999	658	Ad ⁵⁶
		2000	999	Am		2001	230	Am
	4203	1999	658	Am ⁵⁶	4660	1999	658	Ad ⁵⁶
	4206	1999	658	Am ⁵⁶	4665	1999	658	Ad ⁵⁶
	4260	1999	658	Am ⁵⁶	4670	1999	658	Ad ⁵⁶
	4265	1999	658	Am ⁵⁶	4671	1999	658	Ad ⁵⁶
	4500	1999	658	Ad ⁵⁶	4672	1999	658	Ad ⁵⁶
	4501	1999	658	Ad ⁵⁶	4673	1999	658	Ad ⁵⁶
	4502	1999	658	Ad ⁵⁶	4674	1999	658	Ad ⁵⁶
	4503	1999	658	Ad ⁵⁶	4675	1999	658	Ad ⁵⁶
	4504	1999	658	Ad ⁵⁶	4676	1999	658	Ad ⁵⁶
	4505	1999	658	Ad ⁵⁶	4677	1999	658	Ad ⁵⁶
	4520	1999	658	Ad ⁵⁶	4678	1999	658	Ad ⁵⁶
	4521	1999	658	Ad ⁵⁶	4680	1999	658	Ad ⁵⁶
	4522	1999	658	Ad ⁵⁶	4681	1999	658	Ad ⁵⁶
	4523	1999	658	Ad ⁵⁶	4682	1999	658	Ad ⁵⁶
	4540	1999	658	Ad ⁵⁶	4683	1999	658	Ad ⁵⁶
	4541	1999	658	Ad ⁵⁶	4684	1999	658	Ad ⁵⁶
	4542	1999	658	Ad ⁵⁶	4685	1999	658	Ad ⁵⁶
	4543	1999	658	Ad ⁵⁶	4686	1999	658	Ad ⁵⁶
	4544	1999	658	Ad ⁵⁶	4687	1999	658	Ad ⁵⁶
	4545	1999	658	Ad ⁵⁶	4688	1999	658	Ad ⁵⁶
	4600	1999	658	R & Ad ⁵⁶	4689	1999	658	Ad ⁵⁶
	4603	1999	658	R & Ad ⁵⁶	4690	1999	658	Ad ⁵⁶
4605	1999	658	Ad ⁵⁶	4695	1999	658	Ad ⁵⁶	
4606	1999	658	R ⁵⁶	4696	1999	658	Ad ⁵⁶	
4607	1999	658	Ad ⁵⁶	4697	1999	658	Ad ⁵⁶	
4609	1999	658	R & Ad ⁵⁶	4698	1999	658	Ad ⁵⁶	
	2001	230	Am	4700	1999	658	R & Ad ⁵⁶	
4611	1999	658	Ad ⁵⁶	4701	1999	658	R & Ad ⁵⁶	
4612	1999	658	R ⁵⁶	4702	1999	658	R ⁵⁶	
4613	1999	658	Ad ⁵⁶	4703	1999	658	R ⁵⁶	
				4704	1999	658	R ⁵⁶	
				4711	1999	658	Ad ⁵⁶	
					2001	230	Am	
				4714	1999	658	Ad ⁵⁶	

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PROBATE CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
4715	1999	658	Ad ⁵⁶	4786	1999	658	Ad ⁵⁶
4716	2001	329	Ad	4800	1999	658	R & Ad ⁵⁶
	2001	893	Ad	4801	1999	658	R & Ad ⁵⁶
4720	1999	658	R ⁵⁶	4802	1999	658	R & Ad ⁵⁶
4721	1999	658	R ⁵⁶	4803	1999	658	R & Ad ⁵⁶
4722	1999	658	R ⁵⁶	4804	1999	658	R & Ad ⁵⁶
4723	1999	658	R ⁵⁶	4805	1999	658	R & Ad ⁵⁶
4724	1999	658	R ⁵⁶	4806	1999	658	R ⁵⁶
4725	1999	658	R ⁵⁶	4900	1999	658	R ⁵⁶
4726	1999	658	R ⁵⁶	4901	1999	658	R ⁵⁶
4727	1999	658	R ⁵⁶	4902	1999	658	R ⁵⁶
4730	1999	658	Ad ⁵⁶	4903	1999	658	R ⁵⁶
4731	1999	658	Ad ⁵⁶	4904	1999	658	R ⁵⁶
4732	1999	658	Ad ⁵⁶	4905	1999	658	R ⁵⁶
4733	1999	658	Ad ⁵⁶	4920	1999	658	R ⁵⁶
4734	1999	658	Ad ⁵⁶	4921	1999	658	R ⁵⁶
4735	1999	658	Ad ⁵⁶	4922	1999	658	R ⁵⁶
4736	1999	658	Ad ⁵⁶	4923	1999	658	R ⁵⁶
4740	1999	658	Ad ⁵⁶	4940	1999	658	R ⁵⁶
4741	1999	658	Ad ⁵⁶	4941	1999	658	R ⁵⁶
4742	1999	658	Ad ⁵⁶	4942	1999	658	R ⁵⁶
4743	1999	658	Ad ⁵⁶	4943	1999	658	R ⁵⁶
4750	1999	658	R & Ad ⁵⁶	4944	1999	658	R ⁵⁶
4751	1999	658	R & Ad ⁵⁶	4945	1999	658	R ⁵⁶
4752	1999	658	R & Ad ⁵⁶	4946	1999	658	R ⁵⁶
4753	1999	658	R & Ad ⁵⁶	4947	1999	658	R ⁵⁶
4754	1999	658	Ad ⁵⁶	5003	2001	417	Am
4755	1999	658	Ad ⁵⁶	5302	2001	417	Am
4760	1999	658	Ad ⁵⁶	5600	2001	417	Ad
4761	1999	658	Ad ⁵⁶	5601	2001	417	Ad
4762	1999	658	Ad ⁵⁶	5602	2001	417	Ad
4763	1999	658	Ad ⁵⁶	5603	2001	417	Ad
Div. 4.7, Pt. 3, Ch. 3, heading (Sec. 4765 et seq.)	2001	230	Am	5604	2001	417	Ad
4765	1999	658	Ad ⁵⁶	6122	2001	893	Am
4766	1999	658	Ad ⁵⁶	6122.1	2001	893	Ad
	2001	230	Am	6202	2001	417	R
4767	1999	658	Ad ⁵⁶	6240	2001	893	Am
4768	1999	658	Ad ⁵⁶	7200	1999	175	R
4769	1999	658	Ad ⁵⁶	8461	2001	893	Am
	2001	230	Am	8462	2001	893	Am
4770	1999	658	R & Ad ⁵⁶	8465	2001	893	Am
4771	1999	658	R & Ad ⁵⁶	9053	1999	263	Am
4772	1999	658	R ⁵⁶	9100	1999	263	Am
4773	1999	658	R ⁵⁶	9201	1999	987*	Am
4774	1999	658	R ⁵⁶	9203	1999	987*	Am
4775	1999	658	R ⁵⁶	9250	1999	263	Am
4776	1999	658	R ⁵⁶	9860	2001	49	R
4777	1999	658	R ⁵⁶	9861	2001	49	R
4778	1999	658	R ⁵⁶	9862	2001	49	R
4779	1999	658	R ⁵⁶	9864	2001	49	R
4780	1999	658	Ad ⁵⁶	9865	2001	49	R
4781	1999	658	Ad ⁵⁶	9866	2001	49	R
4782	1999	658	Ad ⁵⁶	9867	2001	49	R
4783	1999	658	Ad ⁵⁶	9868	2001	49	R
4784	1999	658	Ad ⁵⁶	9869	2001	49	R
4785	1999	658	Ad ⁵⁶	10531	1999	145	Am
				10800	2001	699	Am
				10804	2001	699	Am
				10810	2001	699	Am
				11444	2001	72	Am
				11603	2000	17	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PROBATE CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
15604	1999	424	Ad	16338	1999	145	Ad
	2001	351	Am	16339	1999	145	Ad
16060.5	2000	34	Am	16340	1999	145	Ad
16061.5	2000	34	Am	16341	1999	145	Ad
16061.7	2000	34	Am	16345	1999	145	Ad
	2000	592	Am	16346	1999	145	Ad
16061.8	2000	34	Am	16347	1999	145	Ad
	2000	592	Am	16350	1999	145	Ad
16061.9	2000	34	Ad	16351	1999	145	Ad
16062	2001	159	Am ³⁰⁵	16352	1999	145	Ad
16249	2001	49	Am	16355	1999	145	Ad
16300	1999	145	R	16356	1999	145	Ad
16301	1999	145	R	16357	1999	145	Ad
16302	1999	145	R	16358	1999	145	Ad
16303	1999	145	R	16360	1999	145	Ad
16304	1999	145	R	16361	1999	145	Ad
16305	1999	145	R	16362	1999	145	Ad
16306	1999	145	R	16363	1999	145	Ad
16307	1999	145	R	16364	1999	145	Ad
16308	1999	145	R	16365	1999	145	Ad
16309	1999	145	R	16366	1999	145	Ad
16310	1999	145	R	16367	1999	145	Ad
16311	1999	145	R	16370	1999	145	Ad
16312	1999	145	R	16371	1999	145	Ad
16313	1999	145	R	16372	1999	145	Ad
16314	1999	145	R	16373	1999	145	Ad
16315	1999	145	R	16374	1999	145	Ad
16320	1999	145	Ad	16375	1999	145	Ad
16321	1999	145	Ad	17200	1999	175	Am
16322	1999	145	Ad	17200.1	2001	49	R & Ad
16323	1999	145	Ad	17200.2	2001	49	R
16324	1999	145	Ad	17351	1999	145	Am
16325	1999	145	Ad	19324	2001	72	Am
16326	1999	145	Ad	21111	2001	417	Am
16327	1999	145	Ad	21305	2000	17	Ad
16328	1999	145	Ad	21306	2000	17	Am
16335	1999	145	Ad	21320	2000	17	Am
16336	1999	145	Ad	21524	1999	145	Am
16337	1999	145	Ad	21700	2000	17	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC CONTRACT CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1100.7	2001	832	Ad	10314	2000	776*	Am
1103	1999	972	Ad	10315	2000	776*	Am
1104	1999	875	Ad	10318	2000	776*	Am
2002	2001	882	Ad	10319	2000	776*	Am
3400	2001	267	Am	10320	2000	776*	Am
4107	1999	972	Am	10320.5	2000	776*	Am
6106.5	2000	758	Ad	10321	2000	776*	Am
6108	2000	891	Am		2000	938	Am
6610	2000	159	Ad	10324	2000	918	R
7101	2001	166	Am	10325	2000	776*	Am
7103	2000	760	Am	10326	2000	776*	Am
9203	2000	126	Am	10327	2000	776*	Am
10108	2000	528	Am	10328	2000	776*	Am
10116	2001	882	Ad	10330	2000	776*	Am
10126	2000	292	Am	10331	2000	776*	Am
10129	2000	690	Ad	10332	2000	776*	Am
	2001	159	Am ³⁰⁵	10333	2000	776*	Am
	2001	267	Am	10334	2000	776*	Am
Div. 2, Pt. 2, Ch. 2, heading (Sec. 10290 et seq.)				Div. 2, Pt. 2, Ch. 2, Art. 4, heading (Sec. 10335 et seq.)			
10290	2000	776*	Am		2000	759	Am
10290.1	2000	918	Am	10335	2000	759	Am
10295	1999	457*	Am	10335.5	2000	759	Ad
	2000	36	Am	10335.7	2000	759	Ad(RN)
	2000	402*	Am (by Sec. 21 of Ch.) ¹⁴	10336	2000	759	Am
			Am (by Sec. 21.5 of Ch.) ²⁵	10339	2000	759	Am
10295.1	2000	776*	R	10340	2000	759	Am
10295.3	2000	776*	R	10343	2000	759	R
10295.5	2000	776*	Am	10344	2000	759	Am
10298	2000	918	R & Ad	10344.1	1999	457*	Am
10299	2000	71*	Ad		2000	759	Am
	2000	127*	Ad	10344.3	2000	759	R
Div. 2, Pt. 2, Ch. 2, Art. 3, heading (Sec. 10300 et seq.)				10345	2000	759	Am
10300	2000	776*	Am	10346	2000	759	Am
10301	2000	918	Am	10348	2000	759	Am
10302	2000	918	Am	10348.5	2000	759	Ad
10302.5	2000	776*	Am	10349	2000	759	Am
10302.6	2000	776*	Am	10350	2001	745*	R
10304	2000	776*	Am	10351	2000	759	Am
10306	2000	918	Am	10353	2000	759	Am
10307	2000	776*	Am	Div. 2, Pt. 2, Ch. 2, Art. 5, heading (Sec. 10355 et seq.)			
10308	2000	776*	Am		2000	759	R
10308.5	2000	776*	Am	10355	2000	759	R
10309	2000	776*	Am	10356	2000	759	R
10310	2000	776*	Am	10357	2000	759	Am & RN
10311	2000	776*	Am	10358	2000	759	R
10312	2000	776*	Am	10359	2000	759	Am
10313	2000	776*	Am	10360	2000	759	R
				10362	2000	759	R
				10363	2000	759	R
				10364	2000	759	R
				10365	2000	759	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC CONTRACT CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
10366	2000	759	R	12171	2000	740	R
10367	2000	759	Am	12205	1999	816	Am ¹³
10369	2000	759	Am	12305.5	1999	816	Am ¹³
10370	2000	759	Am	12310	1999	816	Am ¹³
10371	2000	759	Am	20101	1999	972	Ad
10372	2000	759	R	20103.8	2000	292	Ad
10373	2000	759	R	20133	1999	258	Am
10374	2000	759	R		2000	594	Ad & R ⁴³
10375	2000	759	R	20175	2000	767	Am ²⁰
10376	2000	759	R	20209.10	2000	541	Ad & R ¹⁸
10377	2000	759	R	20209.11	2000	541	Ad & R ¹⁸
10378	2000	759	R	20209.12	2000	541	Ad & R ¹⁸
10379	2000	759	R	20209.13	2000	541	Ad & R ¹⁸
10380	2000	759	R	20209.14	2000	541	Ad & R ¹⁸
10381	2000	759	Am	20209.5	2000	541	Ad & R ¹⁸
10382	2000	759	R	20209.6	2000	541	Ad & R ¹⁸
10430	2001	219	Am	20209.7	2000	541	Ad & R ¹⁸
10705	2001	219	Am		2001	159	Am ³⁰⁵
10710	2001	219	Am	20209.8	2000	541	Ad & R ¹⁸
10760	2001	219	Am	20209.9	2000	541	Ad & R ¹⁸
10780.5	2000	292	Ad	20216	1999	101	Am
Div. 2,				20217	1999	101	Ad
Pt. 2,				20231	1999	1007	R
Ch. 3,				Div. 2,			
heading				Pt. 3,			
(Sec. 12100				Ch. 1,			
et seq.)	2000	776*	Am	Art. 16,			
12100	2000	918	Am	heading			
12100.5	2000	776*	Am	(Sec. 20300			
12100.7	2000	776*	Am	et seq.)	1999	724	Am
12101	2000	776*	Am	20300	1999	724	Am
12101.5	2000	918	Am	20301.5	1999	109	Ad
12102	2000	135	Am ²⁰³		2000	596	Am
	2000	776*	Am	20321	1999	1007	Am
12103	2000	776*	Am	20341	1999	1007	Am
12104	2000	776*	Am	20351	2001	825	Am
	2001	745*	R	20813	2001	176	Am
12108	2000	776*	Am	20815	2001	15	Ad
12109	2000	776*	Am	20815.1	2001	15	Ad
12110	2000	918	R	20815.3	2001	15	Ad
12111	2000	776*	R	20815.5	2001	15	Ad
12112	2000	776*	Am	21162	2001	847	Ad
12113	2000	776*	Am	21251	1999	779*	Am
12113.5	2000	776*	R	22032	2001	176	Am
12120	2000	776*	Am	22034	2001	176	Am
12126	2001	610	Am	22350	1999	784*	Ad
12128	2001	610	Am	22351	1999	784*	Ad
12129	2001	610	Am	22352	1999	784*	Ad
12156	1999	910	Ad	22353	1999	784*	Ad
12162	1999	816	Am ¹³	22355	1999	784*	Ad
12170	2000	740	S ⁵⁷				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC RESOURCES CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
538	2000	385	Ad	5018.1	2000	993*	Ad & R ¹⁸
615	2001	234	Ad	5019.50	2000	385	Am
662	2000	514	Am	5019.53	2000	385	Am
674	2001	745*	R	5019.56	2000	385	Am
2207	1999	869	Am	5019.59	2000	385	Am
2621.9	1999	876	Am	5019.62	2000	385	Am
2694	1999	876	Am	5019.65	2000	385	Am
2715.5	1999	869	Ad ¹⁵⁷	5019.71	2000	385	Am
			R ¹⁵⁶	5019.74	2000	385	Am
	2000	135	Am ²⁰³	5019.80	2000	385	Ad
2770.6	2000	515	Ad	5029.5	1999	759	Ad
2772.5	2000	515	Ad	5080.23	1999	66*	Am
2772.6	2000	515	Ad		2000	993*	Am
2773.2	1999	869	Ad ¹⁵⁷	5080.24	2001	243	Am
	2000	87*	Am	5080.28	1999	66*	Ad
2774.6	1999	869	R	5080.50	1999	733	Ad
2796	2000	713	Am ²⁹⁵	5080.51	1999	733	Ad
			R ²⁴	5080.52	1999	733	Ad
2796.5	2000	713	Ad & R ²⁰	5080.53	1999	733	Ad
3203	2000	737	Am	5080.54	1999	733	Ad
3205.2	2000	737	Am	5080.55	1999	733	Ad
3206	2000	737	Am	5080.56	1999	733	Ad
3208.1	2000	737	Am	5090.01	2001	227	S ⁷⁵
3219.5	2000	737	Ad	5090.02	2001	227	S ⁷⁵
3226	2000	737	Am	5090.03	2001	227	S ⁷⁵
3236.5	2000	737	Am	5090.04	2001	227	S ⁷⁵
3237	2000	737	Am	5090.05	2001	227	S ⁷⁵
3352	2000	737	Am	5090.06	2001	227	S ⁷⁵
3460	2000	343	Am	5090.07	2001	227	S ⁷⁵
3470	2000	343	Am	5090.08	2001	227	S ⁷⁵
3744	1999	223	Am	5090.09	2001	227	S ⁷⁵
	2000	737	Am	5090.10	2001	227	S ⁷⁵
4136	1999	876	Am	5090.11	2001	227	S ⁷⁵
4554.5	1999	582	Am	5090.12	2001	227	S ⁷⁵
			R & Ad ²⁵	5090.13	2001	227	S ⁷⁵
4582.7	2001	639	Am (by Sec. 1 of Ch.)	5090.15	2001	227	S ⁷⁵
				5090.16	2001	227	S ⁷⁵
4584	2001	627	Am	5090.17	2001	227	S ⁷⁵
4601.1	1999	582	Ad	5090.18	2001	227	S ⁷⁵
4601.2	1999	582	Ad	5090.19	2001	227	S ⁷⁵
4601.3	1999	582	Ad	5090.20	2001	227	S ⁷⁵
4601.4	1999	582	Ad	5090.21	2001	227	S ⁷⁵
4601.5	1999	582	Ad	5090.22	2001	227	S ⁷⁵
4612	1999	582	Am	5090.23	2001	227	S ⁷⁵
4790	2000	409	Am	5090.24	2001	227	S ⁷⁵
4792	2000	409	Am	5090.25	2001	227	S ⁷⁵
4793	2000	409	Am	5090.30	2001	227	S ⁷⁵
4794	2000	409	Am	5090.31	2001	227	S ⁷⁵
4799.01	2000	409	Am	5090.32	2001	227	S ⁷⁵
5001.4	2000	385	Ad	5090.33	2001	227	S ⁷⁵
5001.65	2000	385	Am	5090.34	2001	227	S ⁷⁵
5002.6	2000	782*	Am	5090.35	2001	227	S ⁷⁵
5003.1	2000	385	Am	5090.36	2001	227	S ⁷⁵
5003.4	2000	542	Am	5090.40	2001	227	S ⁷⁵
	2001	434	Am ³⁴	5090.41	2001	227	S ⁷⁵
5004.5	2001	877	Ad	5090.43	2001	227	S ⁷⁵
5006.42	2001	379	Ad	5090.44	2001	227	S ⁷⁵
5006.49	1999	66*	Ad	5090.45	2001	227	S ⁷⁵
5007.2	2000	173	Ad	5090.46	2001	227	S ⁷⁵
5011.5	2000	499	Am	5090.47	2001	227	S ⁷⁵
5017	2001	745*	R	5090.50	2001	227	S ⁷⁵

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC RESOURCES CODE—Continued

<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
5090.51	2001	159	Am ³⁰⁵	5096.343	1999	461*	Ad ⁹⁰
	2001	227	S ⁷⁵	5096.344	1999	461*	Ad ⁸²
5090.52	2001	227	S ⁷⁵		1999	638*	Ad ^{110 90}
5090.53	2001	227	S ⁷⁵	5096.345	1999	461*	Ad ⁸²
5090.55	2001	227	S ⁷⁵		1999	638*	Ad ^{110 90}
5090.56	2001	227	S ⁷⁵	5096.346	1999	461*	Ad ⁹⁰
5090.60	2001	227	S ⁷⁵	5096.347	1999	461*	Ad ⁸²
5090.61	2001	227	S ⁷⁵		1999	638*	Ad ^{110 90}
5090.62	2001	227	S ⁷⁵	5096.348	1999	461*	Ad ⁸²
5090.63	2001	227	S ⁷⁵		1999	638*	Ad ^{110 90}
5090.64	2001	227	S ⁷⁵	5096.350	1999	461*	Ad ⁸²
5090.70	2001	227	Am ⁷⁵		1999	638*	Ad ^{110 90}
5091.10	2001	278	Am	5096.351	1999	461*	Ad ⁹⁰
5091.15	2001	278	Am	5096.352	1999	461*	Ad ⁸²
5091.25	2001	278	Am		1999	638*	Ad ^{110 90}
5093.54	1999	1016	Am	5096.353	1999	461*	Ad ⁸²
	1999	1017	Am (as am by Stats. 1999, Ch. 1016) ⁹⁰		1999	638*	Ad ^{110 90}
5093.545	1999	1016	Am	5096.354	1999	461*	Ad ⁹⁰
	1999	1017	Am (as am by Stats. 1999, Ch. 1016) ¹⁰⁵	5096.355	1999	461*	Ad ⁹⁰
5094.2	2001	745*	Am	5096.356	1999	461*	Ad ⁸²
5095	2001	877	Ad	5096.357	1999	638*	Ad ^{110 90}
5095.1	2001	877	Ad		1999	638*	Ad ⁹⁰
5095.2	2001	877	Ad	5096.358	1999	461*	Ad ⁸²
5095.3	2001	877	Ad	5096.360	1999	461*	Ad ⁸²
5095.4	2001	877	Ad		1999	638*	Ad ^{110 90}
5095.5	2001	877	Ad	5096.361	1999	461*	Ad ⁹⁰
5096.244	2001	745*	Am	5096.362	1999	461*	Ad ⁸²
5096.300	1999	461*	Ad ⁹⁰		1999	638*	Ad ^{110 90}
5096.301	1999	461*	Ad ⁹⁰	5096.363	1999	461*	Ad ⁹⁰
5096.302	1999	461*	Ad ⁹⁰	5096.364	1999	461*	Ad ⁹⁰
5096.303	1999	461*	Ad ⁹⁰	5096.365	1999	461*	Ad ⁹⁰
5096.306	1999	461*	Ad ⁹⁰	5096.366	1999	461*	Ad ⁹⁰
5096.307	1999	461*	Ad ⁹⁰	5096.367	1999	461*	Ad ⁹⁰
5096.3075	1999	461*	Ad ⁹⁰	5096.367.5	1999	461*	Ad ⁹⁰
5096.308	1999	461*	Ad ⁹⁰	5096.368	1999	461*	Ad ⁸²
5096.309	1999	461*	Ad ⁹⁰		1999	638*	Ad ^{110 90}
5096.310	1999	461*	Ad ⁸²	5096.369	1999	461*	Ad ⁹⁰
	1999	638*	Ad ^{110 90}	5096.370	1999	461*	Ad ⁹⁰
5096.320	1999	461*	Ad ⁹⁰	5096.371	1999	461*	Ad ⁹⁰
5096.322	1999	461*	Ad ⁹⁰	5096.372	1999	461*	Ad ⁹⁰
5096.323	1999	461*	Ad ⁹⁰	5096.400	1999	461*	Ad
5096.324	1999	461*	Ad ⁸²	5096.600	2001	875*	Ad ³⁵³
	1999	638*	Ad ^{110 90}	5096.601	2001	875*	Ad ³⁵³
5096.331	1999	461*	Ad ⁹⁰	5096.605	2001	875*	Ad ³⁵³
5096.332	1999	461*	Ad ⁹⁰	5096.606	2001	875*	Ad ³⁵³
5096.333	1999	461*	Ad ⁹⁰	5096.610	2001	875*	Ad ³⁵³
5096.334	1999	461*	Ad ⁹⁰	5096.615	2001	875*	Ad ³⁵³
5096.335	1999	461*	Ad ⁹⁰	5096.620	2001	875*	Ad ³⁵³
5096.336	1999	461*	Ad ⁹⁰	5096.621	2001	875*	Ad ³⁵³
5096.337	1999	461*	Ad ⁸²	5096.624	2001	875*	Ad ³⁵³
	1999	638*	Ad ^{110 90}	5096.625	2001	875*	Ad ³⁵³
5096.338	1999	461*	Ad ⁹⁰	5096.629	2001	875*	Ad ³⁵³
5096.339	1999	461*	Ad ⁸²	5096.633	2001	875*	Ad ³⁵³
	1999	638*	Ad ^{110 90}	5096.650	2001	875*	Ad ³⁵³
5096.340	1999	461*	Ad ⁹⁰	5096.651	2001	875*	Ad ³⁵³
5096.341	1999	461*	Ad ⁹⁰	5096.652	2001	875*	Ad ³⁵³
5096.342	1999	461*	Ad ⁹⁰	5096.665	2001	875*	Ad ³⁵³
				5096.666	2001	875*	Ad ³⁵³
				5096.667	2001	875*	Ad ³⁵³
				5096.668	2001	875*	Ad ³⁵³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
5096.670	2001	875 *	Ad ³⁵³	5780.6	2001	15	R
5096.671	2001	875 *	Ad ³⁵³	5780.7	2001	15	R & Ad
5096.672	2001	875 *	Ad ³⁵³	5780.8	2001	15	R
5096.673	2001	875 *	Ad ³⁵³	5780.9	2001	15	R & Ad
5096.674	2001	875 *	Ad ³⁵³	5781	2001	15	Ad
5096.675	2001	875 *	Ad ³⁵³	5781.1	2001	15	R & Ad
5096.676	2001	875 *	Ad ³⁵³	5781.10	2001	15	R
5096.677	2001	875 *	Ad ³⁵³	5781.12	2001	15	R
5096.678	2001	875 *	Ad ³⁵³	5781.13	2001	15	R
5096.679	2001	875 *	Ad ³⁵³	5781.14	2001	15	R
5096.681	2001	875 *	Ad ³⁵³	5781.2	2001	15	R
5096.683	2001	875 *	Ad ³⁵³	5781.20	2001	15	R
5097.7	2001	879	Ad ^{37 70} R ⁶³	5781.21	2001	15	R
5097.71	2001	879	Ad ^{37 70} R ⁶³	5781.22	2001	15	R
5097.72	2001	879	Ad ^{37 70} R ⁶³	5781.23	2001	15	R
5164	2001	777	Am	5781.24	2001	15	R
5506.11	2000	755	Ad	5781.25	2001	15	R
5514	2000	755	Am	5781.26	2001	15	R
5540.5	1999	321	Am	5781.3	2001	15	R
5546	1999	321	Am	5781.31	2001	15	R
5549	1999	135	Am	5781.32	2001	15	R
5631	2001	745 *	Am	5781.33	2001	15	R
5640	2001	876	Ad	5781.34	2001	15	R
5641	2001	876	Ad	5781.4	2001	15	R
5642	2001	876	Ad	5781.45	2001	15	R
5643	2001	876	Ad	5781.46	2001	15	R
5644	2001	876	Ad	5781.5	2001	15	R
5645	2001	876	Ad	5781.6	2001	15	R
5646	2001	876	Ad	5781.7	2001	15	R
5647	2001	876	Ad	5781.8	2001	15	R
5648	2001	876	Ad	5782	2001	15	R & Ad
5649	2001	876	Ad	5782.1	2001	15	R & Ad
5650	2001	876	Ad	5782.10	2001	15	R
5651	2001	876	Ad	5782.11	2001	15	R
5652	2001	876	Ad	5782.12	2001	15	R
5653	2001	876	Ad	5782.13	2001	15	R
5654	2001	876	Ad	5782.14	2001	15	R
5780	2001	15	R & Ad	5782.15	2001	15	R
5780.05	2001	15	R	5782.16	2001	15	R
5780.1	2001	15	R & Ad	5782.17	2001	15	R
5780.10	2001	15	R	5782.18	2001	15	R
5780.11	2001	15	R	5782.19	2001	15	R
5780.12	2001	15	R	5782.2	2001	15	R
5780.13	2001	15	R	5782.21	2001	15	R
5780.14	2001	15	R	5782.22	2001	15	R
5780.15	2001	15	R	5782.23	2001	15	R
5780.16	2001	15	R	5782.24	2001	15	R
5780.17	2001	15	R	5782.25	2001	15	R
5780.18	2001	15	R	5782.26	2001	15	R
5780.19	2001	15	R	5782.27	2001	15	R
5780.2	2001	15	R	5782.3	2001	15	R & Ad
5780.20	2001	15	R	5782.4	2001	15	R
5780.21	2001	15	R	5782.5	2001	15	R & Ad
5780.3	2001	15	R & Ad	5782.5.1	1999	96*	Ad
5780.30	2001	15	R		2000	66	R
5780.4	2001	15	R	5782.6	2001	15	R
5780.5	2001	15	R & Ad	5782.65	2001	15	R
				5782.7	2001	15	R & Ad
				5782.7.1	2001	15	R
				5782.7.2	2001	15	R
				5782.8	2001	15	R

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
5782.9	2001	15	R	5786.1	2001	15	Ad
5783	2001	15	R & Ad	5786.11	2001	15	Ad
5783.1	2001	15	R & Ad	5786.13	2001	15	Ad
5783.11	2001	15	R & Ad	5786.15	2001	15	Ad
5783.12	2001	15	R	5786.17	2001	15	Ad
5783.13	2001	15	R & Ad	5786.19	2001	15	Ad
5783.3	2001	15	R & Ad	5786.21	2001	15	Ad
5783.5	2001	15	R & Ad	5786.23	2001	15	Ad
5783.6	2001	15	R	5786.25	2001	15	Ad
5783.7	2001	15	Ad	5786.27	2001	15	Ad
5783.9	2001	15	Ad	5786.29	2001	15	Ad
5784	2001	15	R & Ad	5786.3	2001	15	Ad
5784.1	2001	15	R	5786.31	2001	15	Ad
			Ad ⁸²	5786.5	2001	15	Ad
	2001	176	Ad	5786.7	2001	15	Ad
5784.10	2001	15	R	5786.9	2001	15	Ad
5784.11	2001	15	R & Ad	5787	2001	15	Ad
5784.12	2001	15	R	5787.1	2001	15	Ad
5784.13	2001	15	R & Ad	5787.3	2001	15	Ad
5784.14	2001	15	R	5788	2001	15	R & Ad
5784.15	2001	15	R & Ad	5788.1	2001	15	R & Ad
5784.16	2001	15	R	5788.10	2001	15	R
5784.17	2001	15	R	5788.11	2001	15	R & Ad
5784.18	2001	15	R	5788.12	2001	15	R
5784.19	2001	15	R	5788.13	2001	15	R & Ad
5784.2	2001	15	R	5788.15	2001	15	Ad
5784.20	2001	15	R	5788.17	2001	15	Ad
5784.21	2001	15	R	5788.19	2001	15	Ad
5784.22	2001	15	R	5788.2	2001	15	R
5784.23	2001	15	R	5788.21	2001	15	Ad
5784.24	2001	15	R	5788.23	2001	15	Ad
5784.25	2001	15	R	5788.25	2001	15	Ad
5784.26	2001	15	R	5788.3	2001	15	R & Ad
5784.27	2001	15	R	5788.4	2001	15	R
5784.28	2001	15	R	5788.5	2001	15	R & Ad
5784.29	2001	15	R	5788.6	2001	15	R
5784.3	2001	15	R & Ad	5788.7	2001	15	R & Ad
5784.30	2001	15	R	5788.8	2001	15	R
5784.31	2001	15	R	5788.9	2001	15	R & Ad
5784.32	2001	15	R	5789	2001	15	Ad
5784.33	2001	15	R	5789.1	2001	15	Ad
5784.34	2001	15	R	5789.3	2001	15	Ad
5784.35	2001	15	R	5789.5	2001	15	Ad
5784.36	2001	15	R	5790	2001	15	Ad
5784.37	2001	15	R	5790.1	2001	15	Ad
5784.38	2001	15	R	5790.11	2001	15	Ad
5784.39	2001	15	R	5790.13	2001	15	Ad
5784.4	2001	15	R	5790.15	2001	15	Ad
5784.40	2000	66	Ad	5790.17	2001	15	Ad
	2001	15	R	5790.3	2001	15	Ad
5784.5	2001	15	R & Ad	5790.5	2001	15	Ad
5784.6	2001	15	R	5790.7	2001	15	Ad
5784.7	2001	15	R & Ad	5790.9	2001	15	Ad
5784.8	2001	15	R	5791	2001	15	Ad
5784.8a	2001	15	R	5791.1	2001	15	Ad
5784.9	2001	15	R & Ad	5791.3	2001	15	Ad
5785	2001	15	R & Ad	5791.5	2001	15	Ad
5785.1	2001	15	Ad	5791.7	2001	15	Ad
5785.3	2001	15	Ad	5811	2000	964	Am
5785.5	2001	15	Ad	5812	2000	964	Am
5786	2001	15	Ad	5813	2000	964	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
5814	2000	964	Am	12252	2000	790	Ad & R ⁷⁵
5815	2000	964	Am	12260	2000	790	Ad & R ⁷⁵
5815.5	2000	964	Ad	12262	2000	790	Ad & R ⁷⁵
5816	2000	964	Am	12263	2000	790	Ad & R ⁷⁵
5817	2000	964	Am	12264	2000	790	Ad & R ⁷⁵
5842.5	1999	104	Ad	12275	2000	790	Ad & R ⁷⁵
6211	2001	745*	Am	12276	2000	790	Ad & R ⁷⁵
6217.1	2000	715	Am	12290	2000	790	Ad & R ⁷⁵
	2001	449	Am	12291	2000	790	Ad & R ⁷⁵
6230	2001	745*	Am	13076	2000	146*	Am
6231	2001	745*	Am	13232.3	2001	606*	Ad
6477	2001	745*	Am	14307	2001	760	Am
6916	2001	745*	Am	14309	2001	760	Ad
9756	2001	745*	R	14314	2001	745*	Am
10005	2001	398	Am	14315	2001	760	Am
10200	1999	503	Am	14420	1X 2001–02	8*	Ad & R ^{37,20}
10211	1999	503	Am	14421	1X 2001–02	8*	Ad & R ^{37,20}
10212	1999	503	Am	14422	1X 2001–02	8*	Ad & R ^{37,20}
10216	1999	503	Am	14423	1X 2001–02	8*	Ad & R ^{37,20}
10218	1999	83	Am ³⁰	14424	1X 2001–02	8*	Ad & R ^{37,20}
10222	1999	503	Am	14425	1X 2001–02	8*	Ad & R ^{37,20}
10224	1999	503	Ad	14504	1999	815	Am ⁷⁷
10230	1999	503	Am				R ²⁵
10231	1999	503	Am				Ad ¹
10231.5	1999	503	Ad		2000	731	Am
10234	1999	503	Am	14513.4	1999	815	Am
10235.5	1999	503	Ad	14514	2000	731	Ad
10236	1999	503	Am	14514.4.1	1999	815	Ad
10239	1999	503	Am	14514.7	1999	815	Ad
10240	1999	503	Am	14515.1	2000	731	Ad
10241	1999	503	Am	14515.5	1999	815	Am
10242	1999	503	Am	14519.5	1999	815	Ad
10243	1999	503	Am	14525.5.1	1999	815	Ad
10251	1999	503	Am	14529.7	2000	731	Am
10252	1999	503	Am	14536	1999	815	Am
	2001	234	Am		2001	874*	Am
10254	1999	503	Am	14537	2001	745*	Am
10260.5	1999	503	Ad		2001	874*	Am
10261	1999	503	Am	14538	2001	874*	Am
10262.1	1999	503	Ad	14539	2001	874*	Am
10276	1999	503	Am	14539.5	2000	731	Ad
12200	2000	790	Ad & R ⁷⁵	14541	2000	731	Am
12210	2000	790	Ad & R ⁷⁵		2001	874*	Am
12211	2000	790	Ad & R ⁷⁵	14541.5	2000	731	Ad
12220	2000	790	Ad & R ⁷⁵	14542	1999	815	R
12230	2000	790	Ad & R ⁷⁵	14549	1999	815	Am
12231	2000	790	Ad & R ⁷⁵	14549.1	1999	815	Ad & R ⁷⁸
12240	2000	790	Ad & R ⁷⁵		1999	817	R (as ad by
12241	2000	790	Ad & R ⁷⁵				Stats. 1999,
12242	2000	790	Ad & R ⁷⁵				Ch. 815) & Ad
12244	2000	790	Ad & R ⁷⁵		2000	731	Am & R ²⁰
12245	2000	790	Ad & R ⁷⁵		2001	874*	Am ¹³
12246	2000	790	Ad & R ⁷⁵	14549.5	1999	815	Am
12247	2000	790	Ad & R ⁷⁵				R & Ad ²⁵
12248	2000	790	Ad & R ⁷⁵	14549.6	1999	815	Am
12249	2000	790	Ad & R ⁷⁵		2001	874*	Am
12249.5	2000	790	Ad & R ⁷⁵	14549.7	1999	815	Ad & R ¹⁹
12249.6	2000	790	Ad & R ⁷⁵	14550	1999	815	Am
12250	2000	790	Ad & R ⁷⁵		1999	817	Am
12250.5	2000	790	Ad & R ⁷⁵	14551	1999	815	Am
12251	2000	790	Ad & R ⁷⁵	14551.5	1999	815	R & Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
14551.5 (Cont.)	2000	731	Am	14597	2000	731	Ad
14552	2000	731	Am	14599	2000	731	Ad
14553	2000	731	Am	Div. 12.2,			
14560	1999	815	R & Ad	heading			
14560.5	1999	815	Am	(Sec. 15000			
	1999	817	Am	et seq.)	2001	656	Am
14561	1999	815	Am	15025	2001	656	Ad
	1999	817	Am	15026	2001	656	Ad
	2000	731	Am	15027	2001	656	Ad
14571	1999	815	Am	15028	2001	656	Ad
14571.3	2001	874 *	Am	15029	2001	656	Ad
14571.8	1999	815	Am	19524	2001	745 *	R
	2000	731	Am		2001	874 *	R
14571.9	2000	731	R	21080.10	2001	237	Am
14573	1999	815	Am	21080.14	2001	237	Am
14573.5	1999	815	Am	21080.35	2001	534	Ad
14574	1999	815	Am	21080.4	2000	738	Am
14575	1999	1 *	R (as am by	21081.7	2000	738	Am
			Sec. 26,		2001	867	Am
			Stats. 1995,	21083.2.5	2000	739 *	R (as ad by
			Ch. 624) & Ad				AB 2752) ⁸²
			R & Ad ¹⁶⁰	21083.7	2000	387 *	Am
	1999	83	Am ³⁰	21083.9	2001	867	Am
	1999	815	R (as ad by	21085.7	2000	925	Ad & R ⁶⁸
			Sec. 3,	21091.5	2001	534	Ad
			Stats. 1999,	21092.2	2001	867	Am
			Ch. 1) & Ad	21151.10	2000	925	Ad & R ⁶⁸
	1999	817	R (as ad by	21151.9	2001	643	Am
			Stats. 1999,	21158.6	2001	701 *	Ad & R ¹⁸
			Ch. 815) & Ad	21159.9	2000	716 *	Am
14580	1999	815	Am	21178	1999	812	Ad & R ²⁰
14581	1999	1 *	Am	22052	2001	745 *	R
	1999	815	Am (as am by	25000.5	2000	288	Am
			Sec. 4,		2001	912	Am ¹⁸
			Stats. 1999,	25008.5	1999	981	Am ¹⁸
			Ch. 1)	25009	1999	581	Ad
	1999	817	Am	25141	2000	288	Ad
	2000	731	Am	25305	1999	581	Am
	2001	159	Am ³⁰⁵	25308.5	1999	581	Am
14585	1999	1 *	Ad & R ⁴⁰	25309	1999	581	Am
	1999	815	Ad	25309.3	1999	581	Ad
14588	1999	815	Ad	25310	2001	337	Am
14588.1	1999	815	Ad	25310.5	1999	812	Ad
	2001	874 *	Am		2001	745 *	R
14588.2	1999	815	Ad	25350	2000	288	Am
	2001	874 *	Am	25354	2000	288	Am
14591	2000	731	Am	25356	2000	288	Am
14591.1	1999	815	Am	25364	2000	288	Am
	2000	731	Am	25401.5	2001	773	Ad
14591.2	2000	731	Am	25401.7	2001	773	Ad
	2001	874 *	Am	25402.5	1X 2001-02	7 *	Am
14591.4	2000	731	Am	25402.6	2001	905	Ad
14591.6	2000	731	Ad	25402.7	2001	905	Ad
	2001	874 *	Am	25403.5	2001	745 *	Am
14592	2000	731	R	25403.8	2X 2001-02	6 *	Ad
14594.5	2000	731	Ad(RN)	25406	2X 2001-02	17	Ad
14595	2000	731	Am & RN & Ad	25410	2000	536	S ¹¹¹
14595.4	2000	731	Ad	25410.5	2000	536	S ¹¹¹
14595.5	2000	731	Ad	25410.6	2000	536	S ¹¹¹
14596	2000	731	Ad	25411	2000	536	S ¹¹¹
				25412	2000	536	S ¹¹¹

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
25412.5	2000	536	S ¹¹¹		25552	2000	329*	Ad & R ²¹⁷	
25413	2000	536	S ¹¹¹			1X 2001-02	12*	Am	
25414	2000	536	S ¹¹¹		25553	2000	329*	Ad	
25415	2000	536	S ¹¹¹		25555	2000	329*	Ad & R ¹⁹	
		2X 2001-02	15*	Am	25615	2000	1046	R	
25416	2000	536	S ¹¹¹		25619	2000	537	Ad & R ⁴³	
25417	2000	536	S ¹¹¹			2X 2001-02	17	Am	
25417.5	2000	536	S ¹¹¹		25620.10	2000	537	Ad & R ⁴³	
25418	2000	536	S ¹¹¹		25620.2	2000	1060	Am	
25419	2000	536	S ¹¹¹		25620.5	2000	536	Am	
25420	2000	536	S ¹¹¹		25620.8	2000	536	Am	
25421	2000	536	Am ¹¹¹		25650	2000	1046	Ad	
25425	1X 2001-02	8*	Ad		25696	2000	1055*	Am	
25426	1X 2001-02	8*	Ad		25720	2000	936	Ad	
25433	1X 2001-02	8*	Ad ³⁷		25721	2000	936	Ad	
25433.5	1X 2001-02	8*	Ad ³⁷		25722	2001	912	Ad	
		2X 2001-02	9	Am	25723	2001	912	Ad	
25434	1X 2001-02	8*	Ad ³⁷		25730	2000	1018	Ad	
25434.5	1X 2001-02	8*	Ad ³⁷		25920	2001	115	R	
		2X 2001-02	9	Am	25921	2001	115	R	
25435	1X 2001-02	8*	Ad ³⁷		25922	2001	115	R	
25436	1X 2001-02	8*	Ad ³⁷		25923	2001	115	R	
25440	2000	536	S ¹¹¹		25924	2001	115	R	
25440.5	2000	536	S ¹¹¹		25925	2001	115	R	
25441	2000	536	S ¹¹¹		26003	1X 2001-02	8*	Am	
25441.5	2000	536	S ¹¹¹			2X 2001-02	9	Am	
25442	2000	536	S ¹¹¹		26011.5	1X 2001-02	8*	Am	
25442.5	2000	536	S ¹¹¹		26011.6	1X 2001-02	8*	Ad	
25442.7	2000	536	S ¹¹¹			2X 2001-02	9	Am	
25443	2000	536	S ¹¹¹		26569.4	2000	262	Am	
		2X 2001-02	15*	Am	26593	2000	506	Am	
25443.5	2000	536	S ¹¹¹		26653.5	2000	262	Ad	
25445	2000	536	S ¹¹¹		29725	1999	422	Am	
25446	2000	536	S ¹¹¹		29736	2000	505	Am	
25447.2	2000	536	S ¹¹¹		29759	2000	505	R	
25448	2000	536	S ¹¹¹		30166.5	2000	952	Ad	
25448.1	2000	536	S ¹¹¹		30420	2000	343	Am	
25449	2000	536	S ¹¹¹		30519.2	2001	537*	Ad ³⁷²	
25449.1	2000	536	S ¹¹¹		30609.5	1999	822	Ad	
25449.2	2000	536	S ¹¹¹		30610.9	1999	491	Ad	
25449.3	2000	536	S ¹¹¹		30988	2000	983	Ad	
25449.4	2000	536	Am ¹¹¹		30988.1	2000	983	Ad	
25514	1X 2001-02	12*	Am		30988.2	2000	983	Ad	
25519	2000	1040	Am		30988.3	2000	983	Ad	
25519.5	1X 2001-02	12*	Ad & R ¹⁹		30988.4	2000	983	Ad	
25520	1999	581	Am		31013	2001	885*	Am	
25521	1X 2001-02	12*	Am		31108	2001	745*	Am	
25523	1999	581	Am		31119	2001	885*	Ad ³⁷	
		2000	1040	Am	31163	2001	745*	Am	
		1X 2001-02	12*	Am	31164	1999	639	Am	
25523.5	1999	581	R			2000	135	Am ²⁰³	
25524	1999	581	Am		31306	2000	1055*	Am	
		2000	1040	R	31400.1	2001	885*	Am	
25525	1999	581	Am		31408	2001	446	Ad	
25531	1X 2001-02	12*	Am		31409	2001	446	Ad	
25540.6	1999	581	Am		32515	2000	507	Am	
25541	1999	581	Am		32550	2000	428	Ad & R ⁶⁸	
25541.5	1999	581	Ad		32551	2000	428	Ad & R ⁶⁸	
25543	1999	581	Ad		32553	2000	428	Ad & R ⁶⁸	
25550	2000	329*	Ad & R ¹⁹		32555	2000	428	Ad & R ⁶⁸	
25550.5	1X 2001-02	12*	Ad & R ¹⁹		32556	2000	428	Ad & R ⁶⁸	

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
32557	2000	428	Ad & R ⁶⁸	33601	1999	419	Am
32558	2000	428	Ad & R ⁶⁸	33700	1999	419	Am
32559	2000	428	Ad & R ⁶⁸	33702	1999	419	Am
32560	2000	428	Ad & R ⁶⁸	36600	2000	385	Ad
32561	2000	428	Ad & R ⁶⁸	36601	2000	385	Ad
32562	2000	428	Ad & R ⁶⁸	36602	2000	385	Ad
32565	2000	428	Ad & R ⁶⁸	36620	2000	385	Ad
32565.5	2000	428	Ad & R ⁶⁸	36700	2000	385	Ad
32566	2000	428	Ad & R ⁶⁸	36710	2000	385	Ad
32567	2000	428	Ad & R ⁶⁸		2001	159	Am ³⁰⁵
32568	2000	428	Ad & R ⁶⁸	36725	2000	385	Ad
32569	2000	428	Ad & R ⁶⁸	36750	2000	385	Ad
32570	2000	428	Ad & R ⁶⁸	36800	2000	385	Ad
32571	2000	428	Ad & R ⁶⁸	36850	2000	385	Ad
32572	2000	428	Ad & R ⁶⁸	36870	2000	385	Ad
32573	2000	428	Ad & R ⁶⁸	36900	2000	385	Ad
32574	2000	428	Ad & R ⁶⁸	36970	2000	516	Ad
32574.5	2000	428	Ad & R ⁶⁸	36971	2000	516	Ad
32575	2000	428	Ad & R ⁶⁸	36972	2000	516	Ad
32576	2000	428	Ad & R ⁶⁸	36973	2000	516	Ad
32577	2000	428	Ad & R ⁶⁸	36979	2000	516	Ad
32578	2000	428	Ad & R ⁶⁸	36980	2000	516	Ad
32579	2000	428	Ad & R ⁶⁸	36990	2000	516	Ad
32580	2000	428	Ad & R ⁶⁸	36991	2000	516	Ad
32600	1999	788	Ad	36992	2000	516	Ad
	1999	789	Ad	36993	2000	516	Ad
32601	1999	788	Ad	36994	2000	516	Ad
	1999	789	Ad	36995	2000	516	Ad
32602	1999	788	Ad	37000	2000	113 *	Ad
	1999	789	Ad	37001	2000	113 *	Ad
32603	1999	788	Ad	37002	2000	113 *	Ad
	2000	711	Am		2000	900	Am (as ad by Stats. 2000, Ch. 113)
32604	1999	789	Ad				
32605	1999	789	Ad				
	2000	711	Am	37005	2000	113 *	Ad
32606	1999	789	Ad		2000	900	Am (as ad by Stats. 2000, Ch. 113)
32607	1999	789	Ad				
32608	1999	789	Ad				
32609	1999	789	Ad	37006	2000	113 *	Ad
32611	1999	789	Ad		2000	900	Am (as ad by Stats. 2000, Ch. 113)
32612	1999	789	Ad				
32613	1999	789	Ad				
32614	1999	789	Ad	37010	2000	113 *	Ad
32614.5	1999	789	Ad	37011	2000	113 *	Ad
32615	1999	789	Ad		2000	900	Am (as ad by Stats. 2000, Ch. 113)
32616	1999	789	Ad				
32620	1999	788	Ad				
32621	1999	788	Ad	37012	2000	113 *	Ad
33001	1999	83	Am ³⁰		2000	900	Am (as ad by Stats. 2000, Ch. 113)
33200	2000	991	Am				
33200.1	2000	991	Ad				
33204.4	1999	377	Ad	37013	2000	113 *	Ad
33213	1999	182	Am		2000	900	Am (as ad by Stats. 2000, Ch. 113)
	2000	991	Am				
33216	2000	991	R				
33500	1999	419	Am	37014	2000	113 *	Ad
33501	1999	419	Am	37015	2000	113 *	Ad
33502	1999	419	Am		2000	900	Am (as ad by Stats. 2000, Ch. 113)
33503	1999	419	Am				
	2000	217	Am				

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
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37016	2000	113 *	Ad	42635	2001	926	Ad
	2000	900	Am (as ad by Stats. 2000, Ch. 113)	42638	2001	926	Ad
				42640	2001	926	Ad
				42641	2001	926	Ad
37020	2000	113 *	Ad	42642	2001	926	Ad
	2000	900	Am (as ad by Stats. 2000, Ch. 113)	42646	2001	926	Ad
				42647	2001	926	Ad
				42701	1999	816	Am
37021	2000	113 *	Ad	42801.5	2000	838	Ad
	2000	900	Am (as ad by Stats. 2000, Ch. 113)	42801.6	2000	838	Ad
				42801.7	2000	838	Ad
				42803.5	2000	838	Ad
37022	2000	113 *	Ad	42805.5	2000	838	Ad
37023	2000	900	Ad	42805.6	2000	838	Ad
37024	2000	900	Ad	42805.7	2000	838	Ad
37025	2000	900	Ad	42806.5	2000	838	Ad
40106	1999	439	Am	42807	2000	838	Am
40148	1999	764	Ad	42808	2000	838	Am
40183	1999	600	Am	42814	2000	838	Ad
40184	1999	600	Am	42842	2000	838	R
40196.3	1999	764	Ad	42843	2000	838	R & Ad
40511	1999	815	Ad	42845	2000	838	Am
40912	2000	740	Am		2001	316	Am
40973	1999	600	Am	42846.5	1999	292	Ad
40977	2000	740	Ad	42849	2000	838	Am
41730	1999	600	Am	42866	2000	838	R
41731	1999	600	Am	42871	2001	745 *	Am
41770	2000	740	Am	42885	2000	838	Am ¹³
41780	2000	740	Am	42885.5	2000	838	Ad
41821	2000	740	Am	42886	1999	941	Am
41821.1	2000	740	Am		2001	251	Am
41821.2	1999	764	Ad	42886.1	1999	941	Ad
	2000	740	Am ⁴		2001	251	Am
			R ⁵	42889	2000	838	Am
			Ad ⁹⁶	42889.1	1999	292	Ad
					2000	838	Am
41821.5	2000	740	Am	42889.3	2000	838	Ad
41825	2000	740	Am	42889.4	2000	838	Ad
41850	2000	740	Am	42920	1999	764	Ad
42002	1999	467	Am	42921	1999	764	Ad
42005	2001	745 *	Am	42922	1999	764	Ad & R ⁴³
42010	1999	467	Am	42923	1999	764	Ad & R ⁴³
42021	2000	1055 *	Am		2000	135	Am ²⁰³
42022	2000	1055 *	Am		2001	159	Am ³⁰⁵
42023.1	1999	467	Ad ⁹⁸	42924	1999	764	Ad
			R ¹⁰⁰	42925	1999	764	Ad
			Ad ⁹⁸	42926	1999	764	Ad
42023.2	1999	467	R ¹⁰⁰	42927	1999	764	Ad & R ⁴³
			Ad ⁹⁸	42928	1999	764	Ad & R ⁴³
42023.3	1999	467	R ¹⁰⁰	42950	2000	838	Am
			Ad ⁹⁸	42951	2000	838	Am
42023.4	1999	467	R ¹⁰⁰	42952	2000	838	Am
			Ad ⁹⁸	42953	2000	838	Am
42023.5	1999	467	R ¹⁰⁰	42954	2000	838	Am
			Ad ⁹⁸	42955	2000	838	Am
42023.6	1999	467	R ¹⁰⁰	42956	2000	838	Am
			Am	42958	2000	838	Am
42175.1	2001	656	R	42959	2000	838	R
42176	2001	656	Am	42960	2000	838	Am
42291.5	2001	406	Am	42961.5	2000	838	R & Ad
42322	2001	406	Am		2001	316	Am
42603	2001	926	Ad				
42630	2001	926	Ad				

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Section	Affected By			Section	Affected By		
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42962	2000	838	Am	71110	2001	765	Ad(RN)
42963	2000	838	Am	71111	2001	765	Ad(RN)
43209.1	2001	424*	Am ^{364 13}	71112	2001	765	Ad(RN)
43308	2000	343	Am	71113	2001	765	Ad(RN)
44103	2000	343	Am	71114	2001	765	Ad(RN)
45014	1999	892	Am	71114.1	2001	765	Ad
47200	2001	316	Am	71115	2001	765	Ad(RN)
48007	1999	600	Am	71200	1999	849	Ad & R ¹⁹
			R & Ad ⁸	71201	1999	849	Ad & R ¹⁹
	2001	811	Am (as am by	71201.5	1999	849	Ad & R ¹⁹
			Sec. 6,	71202	1999	849	Ad & R ¹⁹
			Stats. 1999,	71203	1999	849	Ad & R ¹⁹
			Ch. 600) ³²⁵	71204	1999	849	Ad & R ¹⁹
			R ³²⁶	71205	1999	849	Ad & R ¹⁹
			Am (as ad by	71206	1999	849	Ad & R ¹⁹
			Sec. 7,	71207	1999	849	Ad & R ¹⁹
			Stats. 1999,	71210	1999	849	Ad & R ¹⁹
			Ch. 600) ³²⁷	71211	1999	849	Ad & R ¹⁹
48007.5	2001	811	Ad	71212	1999	849	Ad & R ¹⁹
48020	1999	496	Am	71213	1999	849	Ad & R ¹⁹
48021	1999	496	Am	71215	1999	849	Ad & R ¹⁹
48028	1999	496	Am	71216	1999	849	Ad & R ¹⁹
48100	2000	838	Am	71271	1999	849	Ad & R ¹⁹
48600	2001	317	Am	Div. 34,			
48618.4	2001	317	Ad	Pt. 3,			
48620.5	2001	317	Ad	heading			
48632	2001	317	Am	(Sec. 72000			
48645	2001	317	Ad	et seq.)	2001	765	R
48660	2001	316	Am	72000	1999	690	Ad
48690	2001	500	Am		2000	728	Am
48691	2001	500	Am		2001	765	Am & RN
48695	2001	115	R	72001	1999	690	Ad
71040	1999	65	Ad		2001	765	Am & RN
	2001	745*	Am	72001.5	2000	728	Ad
71045	1999	65	Ad & R ⁵		2001	765	Am & RN
71046	1999	65	Ad & R ⁵	72002	2000	728	Ad
71047	1999	65	Ad & R ⁵		2001	765	Am & RN
71100	2000	742	Ad ²⁸¹	72003	2000	728	Ad
71101	2000	742	Ad ²⁸¹		2001	765	Am & RN
71102	2000	742	Ad ²⁸¹	72004	2000	728	Ad
71103	2000	742	Ad ²⁸¹		2001	765	Am & RN
71104	2000	742	Ad ²⁸¹	72300	2000	504	Ad & R ⁹⁵
Div. 34,				72301	2000	504	Ad & R ⁹⁵
Pt. 3,				72302	2000	504	Ad & R ⁹⁵
heading				72303	2000	504	Ad & R ⁹⁵
(Sec. 71110				72304	2000	504	Ad & R ⁹⁵
et seq.)	2001	765	Ad	72305	2000	504	Ad & R ⁹⁵

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<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
3	1999	1005	R	311.4	1999	327	Ad
216	1X 2001-02	2*	Am	311.5	1999	784*	Am
218	2000	174	Am	314.5	1999	1005	Am
218.3	1999	1005	Ad	321.7	1999	322	Ad
224.8	1999	1005	Ad	327	1999	700	Ad
247.1	2001	638	Ad	328	1999	909	R & Ad
248	1999	1005	Ad	328.1	1999	909	Ad
270	1999	677	Ad	328.2	1999	909	Ad
	2001	118*	Am	330	1X 2001-02	2*	Am
	2001	903	Am	332.1	2000	328*	Ad
			R & Ad ⁸⁰		1X 2001-02	5*	Am
270.1	2001	109*	Ad		1X 2001-02	6*	Am
271	1999	677	Ad	332.2	1X 2001-02	5*	Ad
273	1999	677	Ad		1X 2001-02	6*	Ad
274	1999	677	Ad	335	1999	510	Am
	2001	118*	Am		2001	766	Am (as am by
275	1999	677	Ad				Sec. 1,
	2001	118*	Am				Stats. 2001-02,
	2001	903	Am				(1st. Ex. Sess.),
			R & Ad ⁸⁰				Ch. 1)
276	1999	677	Ad		1X 2001-02	1*	Am
	2001	118*	Am		2X 2001-02	16	Am
	2001	903	Am	337	1999	510	Am
			R & Ad ⁸⁰		2001	766	Am (as ad by
276.5	2001	903	Ad & R ⁴³				Sec. 3,
277	1999	677	Ad				Stats. 2001-02
	2001	118*	Am				(1st Ex. Sess.),
278	1999	677	Ad				Ch. 1)
	2001	118*	Am		1X 2001-02	1*	R & Ad
279	1999	677	Ad	338	1999	510	Am
	2001	118*	Am	339	1999	510	Am
280	1999	677	Ad	341.2	2001	766	Am (as am by
	2001	118*	Am				Sec. 4,
281	1999	677	Ad				Stats. 2001-02
305	1999	509	R & Ad				(1st Ex. Sess.),
307	1999	509	Am				Ch. 1)
308	1999	509	Am		1X 2001-02	1*	Am
308.5	1999	1005	Am	341.5	1999	510	Ad
309.1	1999	509	Am	341.6	2X 2001-02	16	Ad & R ³⁸⁷
			R & Ad ³⁴	342	2X 2001-02	16	Ad & R ³⁸⁷
309.5	1999	1005	Am (as ad by	349.5	2001	862	Ad
			Sec. 3,	352	1X 2001-02	1*	Ad
			Stats. 1996,	352.5	1X 2001-02	1*	Ad
			Ch. 856)	353.1	1X 2002-02	12*	Ad
	2001	440	R (as ad by	353.11	1X 2001-02	12*	Ad
			Sec. 4,	353.13	1X 2001-02	12*	Ad
			Stats. 1996,		2X 2001-02	15*	Am
			Ch. 856)	353.15	1X 2001-02	12*	Ad
			Am (as am by	353.3	1X 2001-02	12*	Ad
			Stats. 1999,	353.5	1X 2001-02	12*	Ad
			Ch. 1005) ¹³	353.7	1X 2001-02	12*	Ad
309.6	1999	1005	Am	353.9	1X 2001-02	12*	Ad
311	1999	1005	R (as ad by	355.1	2000	127*	Ad
			Sec. 2.5,		1X 2001-02	4*	R
			Stats. 1998,	359	1999	510	R & Ad
			Ch. 886)	360.5	1X 2001-02	4*	Ad
			Am (as am by	366.5	1999	214	Am
			Sec. 2,		1X 2001-02	4*	Am
			Stats. 1998,	367.7	1999	408	Ad
			Ch. 886) ¹³	368.5	2X 2001-02	7	Ad
311.1	1999	67*	Ad	372	2000	329*	Am

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Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
374.5	1999	909	Ad		457	1999	1005	R	
377	1X 2001-02	2 *	Am		458	1999	1005	Am	
379.5	2001	159	Ad(RN) ³⁰⁵		459	1999	1005	Am	
381	2000	1050	Am		460	1999	1005	R	
	2000	1051	Am		461	1999	1005	R	
381.5	1999	700	Ad		461.5	1999	1005	Am	
382	2X 2001-02	11	Am		486	1999	1005	Am	
382.1	2X 2001-02	11	Ad		488	1999	1005	Am	
383	2001	745 *	Am		491	1999	1005	Am	
383.5	2000	1050	Am		493	1999	1005	Am	
	2000	1051	Am		494	1999	1005	Am	
	2001	159	Am ³⁰⁵		495.7	2001	745 *	Am	
385	2000	1041	Am		496	1999	1005	R	
386	2X 2001-02	11	Ad		526	1999	1005	R	
393	2000	1040	Ad		527	1999	1005	Am	
394	1999	1005	Am		530	1999	1005	Am	
394.1	1999	1005	Am		556	1999	1005	Am	
394.2	1999	1005	Am		557	1999	1005	R	
394.25	1999	1005	Am		559	1999	1005	Am	
	2000	1050	Am		616.1	1999	774	Ad	
	2000	1051	Am		625	1999	774	Ad	
394.3	1999	1005	Am			2X 2001-02	14	Am	
394.4	1999	1005	Am		626	1999	774	Ad	
394.5	1999	1005	Am		703	1999	1005	Am	
394.8	1999	1005	Am		706	1999	1005	R	
396	1999	1005	Am		707	1999	1005	R	
398.5	2001	745 *	Am		709.7	1999	714	Ad	
399	2000	1050	Ad		728.5	1999	1005	Am	
	2000	1051	Ad		730	1999	1005	Am	
399.1	2000	1050	Ad		731	1999	1005	R	
	2000	1051	Ad		732	1999	1005	Am	
399.15	2000	329 *	Ad		733	1999	1005	Am	
	2001	159	Am & RN ³⁰⁵		739	1X 2001-02	8 *	Am	
399.2	2000	1050	Ad		739.1	2X 2001-02	11	Am	
	2000	1051	Ad		739.10	1X 2001-02	8 *	Ad	
399.3	2000	1050	Ad		739.11	1X 2001-02	8 *	Ad & R ^{37 20}	
	2000	1051	Ad		739.3	2000	931	Am ¹⁸	
399.4	2000	1050	Ad			2001	745 *	Am	
	2000	1051	Ad		739.4	1X 2001-02	11 *	Ad	
399.6	2000	1050	Ad		739.9	1999	1005	R	
	2000	1051	Ad		740.10	1X 2001-02	7 *	Ad	
	2001	774	Am		740.11	1X 2001-02	7 *	Ad	
399.7	2000	1050	Ad		740.7	1X 2001-02	7 *	Ad	
	2000	1051	Ad		740.8	1999	1005	Am	
399.8	2000	1050	Ad		740.9	1X 2001-02	7 *	Ad	
	2000	1051	Ad		743.3	2001	862	Ad	
	2001	770	Am (as ad by Stats. 2000, Ch. 1050 and Ch. 1051)		746	1999	1005	R	
					747	1999	1005	R	
					763	1999	1005	Am	
399.9	2000	1050	Ad		763.1	1999	1005	R	
	2000	1051	Ad		764	1999	1005	R	
421	1999	1005	Am		765	1999	1005	R	
422	2000	341	Am		765.5	1999	1005	Am	
424	2000	341	Am		769	1999	1005	R	
426	1999	1005	Ad		769.5	1999	1005	R	
454	1999	1005	Am		785.2	2001	771	Ad	
454.1	2000	1040	Ad		788	1999	1005	Am ^{96 114}	
	2000	1042	Ad		843	1999	991	Am ^{96 114}	
454.2	1999	1005	Am		844	1999	991	Am ^{96 114}	
454.5	1999	1005	R		846.2	1999	683	Ad	
					853	1999	1005	Am	

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC UTILITIES CODE—Continued

<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
871.7	2000	943	Ad	2756	1999	1005	R
874	1999	1005	Am	2757	1999	1005	R
882	1999	1005	Am	2758	1999	1005	R
883	2000	943	Ad	2759	1999	1005	R
890	2000	932	Ad	2761	1999	1005	R
891	2000	932	Ad	2762	1999	1005	R
892	2000	932	Ad	2763	1999	1005	R
892.1	2000	932	Ad	2764	1999	1005	R
892.2	2000	932	Ad	2765	1999	1005	R
893	2000	932	Ad	2766	1999	1005	R
894	2000	932	Ad	2767	1999	1005	R
895	2000	932	Ad	2768	1999	1005	R
896	2000	932	Ad	2769	1999	1005	R
897	2000	932	Ad	2769.5	1999	1005	R
898	2000	932	Ad	2772	2001	447 *	Am (as am by
899	2000	932	Ad				Sec. 1,
900	2000	932	Ad				Stats. 2001–02
1201.1	1999	841	Ad				(2nd Ex. Sess.),
1202	2000	263 *	Am				Ch. 2)
	2001	393	Am		2X 2001–02	2 *	Am
	2001	601 *	Am (by Sec. 1	2774.5	2001	3 *	Ad
			of Ch.) ¹⁹¹		2001	822	Am
			Am (by Sec. 1.5	2790	1999	700	Am
			of Ch.) ⁸		2X 2001–02	11	Am
1701.1	1999	1005	Am	2827	2000	1043	Am
1708.5	1999	568	Ad		1X 2001–02	8 *	Am
1731	1X 2001–02	9	Am				R & Ad ³⁴
1756	2000	953	R (as ad by	2827.5	1X 2001–02	8 *	Ad
			Sec. 10.5,	2827.7	1X 2001–02	8 *	Ad
			Stats. 1998,	2851	1999	1005	R
			Ch. 886) & Ad	2875.5	2001	696	Ad
1757	2000	953	R (as ad by	2881	1999	1005	Am
			Sec. 12.5,		2001	109 *	Am
			Stats. 1998,	2881.01	2001	109 *	R
			Ch. 886) & Ad	2881.1	1999	1005	Am
1757.1	2000	953	R (as ad by	2881.2	2001	109 *	Am
			Sec. 14.5,		2001	159	Am ³⁰⁵
			Stats. 1998,	2882	1999	1005	R
			Ch. 886) & Ad	2882.5	1999	1005	R
1758	2000	953	R (as ad by	2889.4	1999	384	Ad
			Sec. 15.5,	2889.8	1999	1005	Am
			Stats. 1998,	2890	1999	1005	Am (as ad by
			Ch. 886) & Ad				Sec. 2 and
1768	1X 2001–02	9	Ad				Sec. 3,
1823	1999	1005	R				Stats. 1998,
1824	1999	1005	R				Ch. 1041)
1904	1999	1005	Am		2000	931	Am (as am by
2739	1999	1005	R				Sec. 65.5,
2740	1999	1005	R				Stats. 1999,
2741	1999	1005	R				Ch. 1005) ^{4,5}
2742	1999	1005	R				Am (as am by
2743	1999	1005	R				Sec. 65.7,
2744	1999	1005	R				Stats. 1999,
2745	1999	1005	R				Ch. 1005) ⁹⁶
2750	1999	1005	R	2890.1	2000	931	Ad
2751	1999	1005	R	2892	2000	981	R & Ad
2752	1999	1005	R	2894	1999	256	Am
2753	1999	1005	R	3300	1X 2001–02	10	Ad
2754	1999	1005	R	3301	1X 2001–02	10	Ad
2754.1	1999	1005	R	3302	1X 2001–02	10	Ad
2755	1999	1005	R	3304	1X 2001–02	10	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC UTILITIES CODE—Continued

Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
3310	1X	2001-02	10	Ad	5328	1999	1005	Am	
3320	1X	2001-02	10	Ad	5329	1999	1005	Am	
3325	1X	2001-02	10	Ad	5331	1999	1005	Am	
3326	1X	2001-02	10	Ad	5363	1999	1005	Ad	
3327	1X	2001-02	10	Ad	5371.2	1999	1005	Am	
3328	1X	2001-02	10	Ad	7531.5	1999	1005	Am	
3330	1X	2001-02	10	Ad	7532	1999	1005	R	
3340	1X	2001-02	10	Ad	7532.5	1999	1005	R	
3341	1X	2001-02	10	Ad	7604	2000	263*	Am	
3341.1	1X	2001-02	10	Ad		2001	601*	Am	
3341.2	1X	2001-02	10	Ad	7678	2000	263*	Am	
3341.5	1X	2001-02	10	Ad	7711	1999	1005	Am	
3342	1X	2001-02	10	Ad	7902	1999	1005	R	
3343	1X	2001-02	10	Ad	7902.5	1999	1005	R	
3344	1X	2001-02	10	Ad	7934	1999	809*	Ad	
3345	1X	2001-02	10	Ad	7935	1999	809*	Ad	
3346	1X	2001-02	10	Ad	7936	1999	809*	Ad	
3347	1X	2001-02	10	Ad	7937	1999	809*	Ad	
3350	1X	2001-02	10	Ad	7938	1999	809*	Ad	
3351	1X	2001-02	10	Ad	7939	1999	809*	Ad	
3352	1X	2001-02	10	Ad	7940	1999	809*	Ad	
3353	1X	2001-02	10	Ad	7943	2000	907	Ad	
3354	1X	2001-02	10	Ad		2001	159	Am ³⁰⁵	
3355	1X	2001-02	10	Ad	9202	1999	1005	Am	
3356	1X	2001-02	10	Ad	9607	2000	1041	Ad ⁸²	
3365	1X	2001-02	10	Ad		2000	1042	Ad	
3366	1X	2001-02	10	Ad	9608	2000	1042	Ad	
3367	1X	2001-02	10	Ad		2001	159	Am ³⁰⁵	
3367.5	1X	2001-02	10	Ad	9610	2000	1042	Ad	
3368	1X	2001-02	10	Ad		2001	159	Am ³⁰⁵	
3369	1X	2001-02	10	Ad	9611	2000	1042	Ad	
3369.5	1X	2001-02	10	Ad	9612	2000	1042	Ad	
3370	1X	2001-02	10	Ad	9613	2X 2001-02	16	Ad & R ³⁸⁷	
3380.1	1X	2001-02	10	Ad	9614	2001	862	Ad	
3380.2	1X	2001-02	10	Ad	10004.5	2000	146*	Ad	
3381	1X	2001-02	10	Ad	11652	2X 2001-02	18	Am (by Sec. 1 of Ch.)	
3382	1X	2001-02	10	Ad					
3383	1X	2001-02	10	Ad	12702.5	2000	146*	Ad	
3384	1X	2001-02	10	Ad		2001	159	Am ³⁰⁵	
3950	1999	1005	Ad		12751	1999	55	Am	
4006	1999	1005	Am		12751.3	2001	665	Ad & R ⁷⁵	
4007	1999	1005	Am		12751.5	1999	55	Ad & R ²⁰	
4021	1999	1005	Am		16402.5	2000	146*	Ad	
4458	1999	1005	Am		16574	2001	606*	Am	
5001.5	1999	1005	Am		16580	2001	606*	Ad	
5002	1999	1005	Am		19000	2000	772	Ad & R ¹¹¹	
5003.2	1999	1005	Am		19001	2000	772	Ad & R ¹¹¹	
5009	1999	1005	Am		19002	2000	772	Ad & R ¹¹¹	
5012	1999	1005	Am		19010	2000	772	Ad & R ¹¹¹	
5102	1999	1005	Am		19012	2000	772	Ad & R ¹¹¹	
5109	1999	1005	Am		19014	2000	772	Ad & R ¹¹¹	
5112	1999	1005	Am		19020	2000	772	Ad & R ¹¹¹	
5113	1999	1005	Am		19022	2000	772	Ad & R ¹¹¹	
5133	1999	1005	Am		19024	2000	772	Ad & R ¹¹¹	
5135	1999	1005	Am		19026	2000	772	Ad & R ¹¹¹	
5137	1999	1005	Ad		19030	2000	772	Ad & R ¹¹¹	
5191	1999	1005	Am		19032	2000	772	Ad & R ¹¹¹	
5195	1999	1005	R		19050	2000	772	Ad & R ¹¹¹	
5259.5	1999	1005	Am		19052	2000	772	Ad & R ¹¹¹	
5285.6	1999	1006	Am		19054	2000	772	Ad & R ¹¹¹	
5326	1999	1005	Am		19060	2000	772	Ad & R ¹¹¹	

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC UTILITIES CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
21020	2001	534	Ad	103113	1999	724	Am
21414	1999	1000	R	103240.5	1999	624	Ad
21503	2000	860	R	120102.5	1999	729	Am
21606	2000	860	R	120222	2000	1035	Am
21632	2000	860	Am		2001	825	Am
21661.6	2001	534	Am	120265	1999	729	Am
21670	2000	506	Am		2001	297	R
21670.3	2001	946	Ad	120354	2001	297	Ad
21687	1999	105	Am	120450	2000	1035	Am
22002	2000	191	Am	120451	2000	1035	Am
22002.5	2000	191	Ad	125223	2001	825	Am
	2000	1056	R (as ad by Stats. 2000, Ch. 191)	130051.12	2000	1080	Am
22553	2000	191	Am	130051.24	2000	1080	Ad
22553.2	2000	1056	Ad	130110	2000	1080	Am
22555	2000	191	Am	130232	1999	1007	Am
22702	2000	191	Am	130241.5	2000	526	Ad & R ¹⁹
28748.8	1999	724	Am	130265	2001	512*	Am
28767.3	2001	745*	Am	130292	2001	745*	Am
29010.3	1999	624	Ad	131268	1999	724	Am
30630.5	2000	145*	Am	132320	2001	297	Ad
98005	2001	597	Am	132322	2001	297	Ad
99312.7	2000	787	Am	132324	2001	297	Ad
99314	2000	632	Am	132326	2001	297	Ad
99314.1	2000	632	Ad	132328	2001	297	Ad
99314.2	2000	632	Ad	132330	2001	297	Ad
99314.3	2000	632	Am	132332	2001	297	Ad
99315.5	1999	278	Ad ⁶² R ²²	132334	2001	297	Ad
99315.7	1999	1007	Ad	132410	2001	745*	Am
99315.8	2000	860	Ad	142001	2001	474	Am
99317.1	2001	597	Am	142050	2001	474	Am
99317.10	2001	597	Am	142052	2001	474	Am
99317.2	2001	597	R	142110	2001	474	R
99317.8	2001	597	Am	142200	2001	474	Am
99317.9	2001	597	Am	142201	2001	474	Am
99318.1	2001	597	Am	142250	2001	474	Am
99318.4	2001	597	R	142251	2001	474	Am
99319	2001	597	Am	142254	2001	474	Am
99400.7	1999	729	Ad	142255	2001	474	R & Ad
	2000	655	Am	142256	2001	474	R & Ad
Div. 10, Pt. 12, heading (Sec. 100000 et seq.)	1999	724	Am	142257	2001	474	Am
100000	1999	724	Am	142258	2001	474	Am
100001.5	2001	217	Ad	142259	2001	474	R & Ad
100002	1999	724	Ad	142260	2001	474	Am
100011	1999	724	Am	142263	2001	474	R & Ad
100022	2001	217	Ad	170000	2001	946	Ad
100115.5	2000	784	Ad	170002	2001	946	Ad
100130.5	1999	624	Ad	170004	2001	946	Ad
100160.1	2001	217	Ad	170006	2001	946	Ad
100161	2001	217	Am	170010	2001	946	Ad
100164	2001	217	Am	170012	2001	946	Ad
100170	2001	217	Am	170014	2001	946	Ad
102222	1999	1007	Am	170016	2001	946	Ad
102223	1999	1007	Ad	170018	2001	946	Ad
102240.5	2001	280	Ad	170020	2001	946	Ad
				170022	2001	946	Ad
				170024	2001	946	Ad
				170026	2001	946	Ad
				170030	2001	946	Ad
				170032	2001	946	Ad
				170034	2001	946	Ad
				170038	2001	946	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

PUBLIC UTILITIES CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
170040	2001	946	Ad	170066	2001	946	Ad
170042	2001	946	Ad	170068	2001	946	Ad
170044	2001	946	Ad	170070	2001	946	Ad
170046	2001	946	Ad	170072	2001	946	Ad
170048	2001	946	Ad	170074	2001	946	Ad
170050	2001	946	Ad	170076	2001	946	Ad
170052	2001	946	Ad	170078	2001	946	Ad
170054	2001	946	Ad	170080	2001	946	Ad
170056	2001	946	Ad	170082	2001	946	Ad
170058	2001	946	Ad	170084	2001	946	Ad
170058.5	2001	946	Ad	180050	2000	408	Am
170059	2001	946	Ad	180051	1999	1007	Am
170060	2001	946	Ad	185020	2000	791	Am
170062	2001	946	Ad	185032	2000	791	Am
170064	2001	946	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
51	2000	647	Am	98	2000	171	Am (by Sec. 1 of Ch.)
53	2000	272	Am (by Sec. 1 of Ch.)		2000	419	Am (by Sec. 1.5 of Ch.)
62.1	2001	772	Am	98.02	1999	550 *	Am ¹
62.2	1999	603 *	Am		2000	171	Am
63.1	1999	941	Am	99	1999	550 *	Am ¹
	2001	613	Am		2000	761	Am
64	1999	83	Am ³⁰	100.4	2000	611	Ad
66	1999	941	Am	100.7	1999	611	Ad
69.4	1999	941	Ad	168.5	1999	941	Ad
69.5	2000	417	Am	170	2001	407	Am
	2000	693 *	Am (by Sec. 1 of Ch.) ¹⁴	194.2	1999	387 *	Am
			Am (by Sec. 1.5 of Ch.) ²⁵	194.4	1999	387 *	Am
	2001	613	Am	194.5	1999	387 *	Am
70	1999	352 *	Am	194.6	1999	387 *	R
	2001	330 *	Am	195.1	1999	387 *	Am
74	1999	200 *	Am	195.83	1999	165 *	Ad
74.5	1999	504	Am ¹³	195.84	1999	165 *	Ad
	2001	330 *	Am	195.85	1999	165 *	Ad
75.11	2000	646	Am	195.86	2001	158 *	Ad
	2000	647	Am	195.87	2001	158 *	Ad
	2001	159	Am ³⁰⁵	195.88	2001	158 *	Ad
	2001	407	Am	205.5	2000	1085 *	Am (by Sec. 1 of Ch., as am by Sec. 17, Stats. 1996, Ch. 1087)
75.21	2000	646	Am				R (as am by Sec. 17, Stats. 1996, Ch. 1087)
	2000	647	Am		2000	1086 *	R (as am by Sec. 17, Stats. 1996, Ch. 1087)
75.31	2001	744	Am				Am (by Sec. 1.5 of Ch., as am by Sec. 16.5, Stats. 1996, Ch. 1087) ¹³
75.5	2000	406 *	Am				Am
75.51	1999	941	Am				Am
95.31	2000	602	Am				Am
95.35	2001	521	Ad				Am
96.1	2001	381	Am				Am
96.18	1999	824 *	Ad				Am
96.19	2000	604	Ad				Am
96.27	1999	567	Ad				Am
96.52	1999	567	Ad	211	1999	291 *	Am
96.6	1999	184	Am	214	1999	927 *	Am ¹²¹
97.2	1999	34	Am		2000	601 *	Am
	1999	78 *	Am ¹⁰¹		2001	159	Am ³⁰⁵
	1999	464	Am (as am by Stats. 1999, Ch. 78)	214.02	2001	533 *	Am ³²²
			Am ⁸²	214.15	1999	927 *	Ad ¹²¹
	1999	643	Am	225	2000	861 *	Ad
	1999	646	Am (as am by Stats. 1999, Ch. 78)	227	2000	826	Am
			Am	230	2000	647	Am
	2000	611	Am	236.5	2001	601 *	Ad
97.3	1999	78 *	Am	237	1999	609 *	Ad
	1999	646	Am (as am by Stats. 1999, Ch. 78)		2000	941	Ad
			Am (as am by Stats. 1999, Ch. 78)		2000	135	Am ²⁰³
	1999	649	Am (as am by Stats. 1999, Ch. 78)	241	2001	601 *	Am
			Am	254.5	1999	161 *	Am
	2000	611	Am	276	2000	927 *	Am ¹²¹
	2001	159	Am ³⁰⁵	276	2000	922 *	R & Ad
97.39	1999	567	Ad		2000	1085 *	R & Ad
97.43	1999	84 *	Ad ²⁹	276.1	2000	1085 *	Ad
				276.2	2000	922 *	Ad
					2000	1085 *	Ad
				276.3	2000	922 *	Ad
					2000	1085 *	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
401.10	2000	607	Am ¹¹¹	2610.5	1999	941	Am
401.15	1999	83	Am ³⁰	2613	1999	941	Am
402.9	1999	941	Am		2000	135	Am ²⁰³
408	2000	647	Am	2910.1	1999	941	Am
441	1999	334	Am	3101	2001	121	Am
463	1999	334	Am	3102	2001	121	Am
469	2000	613	Am	3437	1999	941	Am
	2001	238	Am	3440	1999	941	R
531.2	1999	941	Am	3692	1999	941	Am
531.8	1999	941	Am		2001	121	Am
532	2000	646	Am	3695.4	2000	606	Am
	2000	647	Am	3695.5	2000	606	Am
	2001	613	Am	3698.8	2001	121	Ad
534	2000	647	Am	3700	2000	606	Am
	2001	744	Am	3772.5	1999	83	Am ³⁰
602	1999	941	Am	3791.4	2000	606	Am
606	2001	613	Am	3793.1	2000	606	Am
674	2000	647	Am		2001	121	Am
731	2000	646	Am	3793.5	2000	606	R
	2000	647	Am	3793.6	2000	606	R
732	2000	646	Am	3794.2	2000	606	R
	2000	647	Am	3795	2000	606	Am
733	2000	646	Am	3795.5	2000	606	Am
	2000	647	Am	3807.3	2000	606	R
746	2000	646	Am	3807.5	2000	606	R
	2000	647	Am	4222.5	1999	941	Am
748	2000	646	Am	4837.5	1999	941	Am
	2000	647	Am	4911	2001	121	Am
749	2000	646	Am	4911.1	2001	121	Am
	2000	647	Am	4985	1999	941	Am
	2001	744	Am	4986.3	1999	550*	Am ²⁰
758	2000	646	Am	5108	1999	274	Am ²⁰
	2000	647	Am	5814	2001	407	Am
759	2000	646	Am	6010.30	1999	799*	Ad ⁶⁴
	2000	647	Am	6010.40	1999	361*	Ad
760	2000	116	Am	6011	2000	923	Am
830	2001	407	Am	6012	2000	923	Am
830.1	2001	407	Am	6051.45	2001	156*	Ad
833	2001	407	Am	6055	2000	600	Am
995.2	1999	83	Am ³⁰	6066	2000	256	Am
1603	2001	238	Am		2000	923	Am
1605	2000	647	Am	6066.3	1999	908	Ad & R ¹⁹
	2001	744	Am	6066.4	1999	908	Ad & R ¹⁹
1606	2001	407	Am	6201.45	2001	156*	Ad
1612.5	1999	941	Ad	6203	1999	865	Am
1612.7	1999	941	Ad		2000	617*	Am (by Sec. 1 of Ch.)
1622.6	1999	941	Am	6203.5	2000	600	Am
1624	1999	941	Am	6245.5	2000	923	Ad
	1999	942	Am	6261	2000	32*	R
1624.01	1999	942	Am	6262	2000	32*	R
1624.02	1999	942	Am	6263	2000	32*	Am
1624.05	1999	941	Am	6275	2000	861*	Am
	1999	942	Am	6285	2000	861*	Am
1624.3	1999	941	Ad	6291	2000	861*	Am
1636.2	1999	941	Ad	6293	2000	861*	Am
1636.5	1999	941	Ad	6353	2001	156*	Am
2189.5	2001	121	Am	6356.5	2001	156*	Ad
2189.6	2001	121	Am	6356.6	2001	156*	Ad
2512	1999	941	Am	6357.1	2001	156*	Ad
	2000	135	Am ²⁰³	6358	1999	289*	Am ⁶⁴
	2001	86	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6358.5	2001	156 *	Ad	6480.8	2001	429 *	R ⁶⁴
6363.3	2001	383	Am ⁷⁵	6592	1999	865	Am
6364	1999	758 *	Am ⁶⁴		2000	1052	Am
6366	2000	256	Am	6593.5	2001	251	Am
	2000	923	Am	6703	1999	991	Am ^{96 114}
6366.1	2000	256	Am	6704	2000	1052	Ad
	2000	923	Am	6832	2000	1052	Am
6367	2000	861 *	Am	6832.5	1999	929	Ad
6368.8	2001	592 *	Ad & R ¹⁹	6832.6	2000	1052	Ad
6369	2001	706 *	Am (by Sec. 1 of Ch.)	6902.4	1999	929	Ad
				6909	2000	32 *	Ad
6378.1	2000	107 *	Ad ⁶⁴	7056.6	2000	1052	Ad
			R ⁸⁰	7063	1999	443	Ad & R ¹⁸
6388.5	2001	826	Am	7076.1	2000	1052	S ²⁰
6452	1999	865	Am	7076.2	2000	1052	S ²⁰
	2000	256	Am	7076.3	2000	1052	S ²⁰
	2000	923	Am	7076.4	2000	1052	S ²⁰
6454	1999	865	Am	7076.5	2000	1052	S ²⁰
6456	2000	1052	Am	7076.6	2000	1052	S ²⁰
6471	1999	484	Am (as ad by Stats. 1985, Ch. 106)	7076.7	2000	1052	Am ²⁰
	2000	135	Am ²⁰³	7081	2001	670	Am
6471.4	2001	429 *	Am ⁶⁴	7091	2000	1052	Am
6472	1999	484	Am	7093.5	2000	923	Am
	2000	135	Am ²⁰³	7096	2001	543	Am ³⁷⁰
6477	1999	484	Am (as ad by Sec. 5, Stats. 1983, Ch. 337)	7099.1	2000	438	Ad & R ¹⁸
				7102	2000	91 *	Am
6479.3	1999	865	Am		2001	113 *	R & Ad ¹⁹⁵
6479.31	1999	865	Ad				Am (as ad by Sec. 11, Stats. 2000, Ch. 91)
	2000	256	Am	7104	2000	91 *	Ad ¹⁹⁶
	2000	923	Am		2000	656 *	R ¹⁰⁰
6480	2001	429 *	Am ⁶⁴		2001	113 *	Am ²²⁷
6480.1	1999	865	Am		2001	113 *	Am ³⁰²
	2000	256	Am	7232	1999	1005	Am (by Sec. 96 of Ch.)
	2001	429 *	Am ⁶⁴		1999	1007	Am (by Sec. 12 of Ch.)
6480.10	2001	429 *	R ⁶⁴	7235	2000	973	Am
6480.11	2001	429 *	R ⁶⁴	7236	2000	973	Am
6480.12	2001	429 *	R ⁶⁴	7252.10	2001	474	Ad
6480.13	2001	429 *	R ⁶⁴	7273	1999	865	Am
6480.14	2001	429 *	R ⁶⁴		2001	745 *	Am
6480.15	2001	429 *	R ⁶⁴	7285	2001	251	Am
6480.16	1999	865	Am	7285.5	1999	643	Am
	2001	429 *	R ⁶⁴		2001	251	Am
6480.17	2001	429 *	R ⁶⁴	7286.43	2001	285 *	Ad
6480.18	2001	429 *	R ⁶⁴	7286.56	1999	110	Ad
6480.19	2001	429 *	R ⁶⁴	7286.75	2001	263	Ad
6480.2	2001	429 *	Am ⁶⁴	7286.80	2000	264 *	Ad
6480.20	2001	429 *	R ⁶⁴		2001	292	Am
6480.21	2001	429 *	R ⁶⁴	7288.3	2001	251	Am
6480.22	2001	429 *	R ⁶⁴	7301	2000	1053	R & Ad ⁸
6480.23	2001	429 *	R ⁶⁴	7302	2000	1053	R & Ad ⁸
6480.3	2001	429 *	Am ⁶⁴	7303	2000	1053	R & Ad ⁸
6480.4	2001	429 *	Am ⁶⁴	7304	2000	1053	R & Ad ⁸
6480.5	2001	429 *	R ⁶⁴	7305	2000	1053	R & Ad ⁸
6480.6	1999	865	Am	7305.5	2000	1053	R ⁸
	2001	429 *	Am ⁶⁴	7306	2000	1053	R & Ad ⁸
6480.7	2001	429 *	Am ⁶⁴				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
7307	2000	1053	R & Ad ⁸	7366	2000	1053	Ad ⁸
7308	2000	1053	R & Ad ⁸	7367	2000	1053	Ad ⁸
7309	2000	1053	R & Ad ⁸	7368	2000	1053	Ad ⁸
7310	2000	1053	R & Ad ⁸	7369	2000	1053	Ad ⁸
7311	2000	1053	R & Ad ⁸	7370	2000	1053	R & Ad ⁸
7312	2000	1053	R & Ad ⁸	7371	2000	1053	R & Ad ⁸
7313	2000	1053	R & Ad ⁸	7372	2000	1053	R ⁸
7314	2000	1053	R & Ad ⁸		2001	429*	Ad ⁶⁴
7315	2000	1053	R & Ad ⁸	7373	2000	1053	R ⁸
7316	2000	1053	R & Ad ⁸		2001	429*	Ad ⁶⁴
7317	2000	1053	Ad ⁸	7374	2000	1053	R ⁸
7318	2000	1053	Ad ⁸	7375	2000	1053	R ⁸
7319	2000	1053	Ad ⁸	7376	2000	1053	R ⁸
7320	2000	1053	Ad ⁸	7380	2000	1053	R ⁸
	2001	429*	Am ⁶⁴	7381	2000	1053	R ⁸
7321	2000	1053	Ad ⁸	7382	2000	1053	R ⁸
7322	2000	1053	Ad ⁸	7385	2000	1053	Ad ⁸
7323	2000	1053	Ad ⁸	7386	2000	1053	Ad ⁸
7324	2000	1053	Ad ⁸	7387	2000	1053	Ad ⁸
7325	2000	1053	Ad ⁸	7388	2000	1053	Ad ⁸
7326	2000	1053	Ad ⁸	7389	2000	1053	Ad ⁸
	2001	429*	Am ⁶⁴	7390	2000	1053	R & Ad ⁸
7327	2000	1053	Ad ⁸	7391	2000	1053	R & Ad ⁸
7328	2000	1053	Ad ⁸	7392	2000	1053	Ad ⁸
7329	2000	1053	Ad ⁸	7393	2000	1053	Ad ⁸
7330	2000	1053	Ad ⁸	7394	2000	1053	Ad ⁸
	2001	429*	Am ⁶⁴	7395	2000	1053	R & Ad ⁸
7331	2000	1053	Ad ⁸	7396	2000	1053	R & Ad ⁸
7332	2000	1053	Ad ⁸	7397	2000	1053	Ad ⁸
7333	2000	1053	Ad ⁸	7398	2000	1053	Ad ⁸
7334	2000	1053	Ad ⁸	7401	2000	1053	R & Ad ⁸
7335	2000	1053	Ad ⁸	7402	2000	1053	Ad ⁸
7336	2000	1053	Ad ⁸	7403	2000	1053	Ad ⁸
7337	2000	1053	Ad ⁸	7403.1	2000	1053	Ad ⁸
	2001	429*	Am ⁶⁴	7403.2	2000	1053	Ad ⁸
7338	2000	1053	Ad ⁸	7404	2000	1053	Ad ⁸
7339	2000	1053	Ad ⁸		2001	429*	Am ⁶⁴
7340	2000	1053	Ad ⁸	7405	2000	1053	Ad ⁸
7341	2000	1053	Ad ⁸		2001	429*	Am ⁶⁴
7342	2000	1053	Ad ⁸	7406	2000	1053	R ⁸
7343	2000	1053	Ad ⁸	7408	2000	1053	R ⁸
	2001	429*	Am ⁶⁴	7409	2000	1053	R ⁸
7344	2000	1053	Ad ⁸	7451	2000	1053	R & Ad ⁸
	2001	429*	Am ⁶⁴	7452	2000	1053	R & Ad ⁸
7345	2001	429*	Ad ⁶⁴	7453	2000	1053	Ad ⁸
7351	2000	1053	R ⁸		2001	429*	Am ⁶⁴
7351.5	2000	1053	R ⁸	7457	2000	1053	R ⁸
7352	2000	1053	R ⁸	7460	2000	1053	Ad ⁸
7353	2000	1053	R ⁸	7470	2000	1053	Ad ⁸
7354	1999	865	Am	7481	2000	1053	R ⁸
	2000	1053	R ⁸	7482	2000	1053	R ⁸
7355	2000	1053	R ⁸	7483	2000	1053	R ⁸
7356	2000	1053	R ⁸	7484	2000	1053	R ⁸
7357	2000	1053	R ⁸	7485	2000	1053	R ⁸
7360	2000	1053	Ad ⁸	7486	2000	1053	R & Ad ⁸
7361	2000	1053	Ad ⁸		2001	429*	R & Ad ⁶⁴
7362	2000	1053	Ad ⁸	7487	2000	1053	R & Ad ⁸
7363	2000	1053	Ad ⁸		2001	429*	R & Ad ⁶⁴
7364	2000	1053	Ad ⁸	7491	2000	1053	R & Ad ⁸
	2001	429*	Am ⁶⁴	7492	2000	1053	R & Ad ⁸
7365	2000	1053	Ad ⁸	7493	2000	1053	R & Ad ⁸

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
7505	2000	1053	Ad ⁸	7671	2000	1053	R & Ad ⁸
7506	2000	1053	R & Ad ⁸	7672	2000	1053	R & Ad ⁸
7506.5	2000	1053	R ⁸	7673	2000	1053	R & Ad ⁸
7507	2000	1053	R & Ad ⁸	7674	2000	1053	R & Ad ⁸
7508	2000	1053	R & Ad ⁸	7675	2000	1053	R & Ad ⁸
7509	2000	1053	Ad ⁸	7675.1	2000	1053	R & Ad ⁸
7510	2000	1053	Ad ⁸	7676	2000	1053	R & Ad ⁸
7511	2000	1053	Ad ⁸	7698	2000	1053	R & Ad ⁸
7520	2000	1053	Ad ⁸	7699	2000	1053	R & Ad ⁸
7651	2000	1053	R & Ad ⁸	7700	2000	1053	R & Ad ⁸
7652	2000	1053	R & Ad ⁸	7700.5	2000	1053	R & Ad ⁸
	2001	429*	R ⁶⁴	7701	2000	1053	R & Ad ⁸
7652.5	2000	1053	R & Ad ⁸	7702	2000	1053	R & Ad ⁸
7652.7	2000	1053	Ad ⁸	7703	2000	1053	R & Ad ⁸
7653	2000	1053	R & Ad ⁸	7704	2000	1053	R & Ad ⁸
	2001	429*	Am ⁶⁴	7705	2000	1053	R & Ad ⁸
7654	2000	1053	Ad ⁸	7706	2000	1053	R & Ad ⁸
	2001	429*	R ⁶⁴	7707	2000	1053	R & Ad ⁸
7655	2000	923	Am	7710	2000	1053	R & Ad ⁸
	2000	1053	R & Ad ⁸	7710.5	2000	1053	R & Ad ⁸
	2001	251	Am	7711	2000	1053	R & Ad ⁸
7656	2000	1053	R & Ad ⁸	7711.5	2000	1053	R & Ad ⁸
7657	2000	923	Am (by Sec. 8	7712	2000	1053	R & Ad ⁸
			of Ch.)	7713	2000	1053	R & Ad ⁸
	2000	1052	Am (by Sec. 8.5	7714	2000	1053	R & Ad ⁸
			of Ch.)	7715	2000	1053	R & Ad ⁸
	2000	1053	R & Ad ⁸	7716	2000	1053	R & Ad ⁸
	2001	251	Am (by Sec. 9	7726	2000	1053	R & Ad ⁸
			of Ch.)	7727	2000	1053	R & Ad ⁸
	2001	429*	Am ⁶⁴		2001	429*	Am ⁶⁴
7657.1	2000	1053	R & Ad ⁸	7728	2000	1053	R & Ad ⁸
7658	2000	923	Am	7729	2000	1053	R & Ad ⁸
	2000	1053	R & Ad ⁸	7730	2000	1053	R & Ad ⁸
	2001	251	Am	7731	2000	1053	R & Ad ⁸
7658.1	1999	929	Ad	7732	2000	1053	R & Ad ⁸
	2000	1053	R & Ad ⁸	7851	2000	1053	Am ⁸
	2001	251	Am	7855	1999	991	Am ^{96 114}
7658.5	2000	1053	R & Ad ⁸		2000	1053	Am (as am by
7659	2000	1053	R & Ad ⁸				Stats. 1998,
7659.1	2000	1053	R & Ad ⁸				Ch. 609 and
7659.2	2000	923	Am				Stats. 1999,
	2000	1053	R & Ad ⁸				Ch. 991) ⁸
	2001	251	Am	7861	2000	1053	Am ⁸
7659.3	2000	1053	R & Ad ⁸	7863	2000	1053	Am ⁸
7659.4	2000	1053	R & Ad ⁸	7865	2000	1053	Am ⁸
7659.5	2000	1053	R & Ad ⁸	7891	2000	1053	Am ⁸
7659.6	2000	1053	R & Ad ⁸	7892	2000	1053	Am ⁸
7659.7	2000	1053	R & Ad ⁸	7893	2000	1053	Am ⁸
7659.8	2000	1053	R & Ad ⁸	7895	2000	1053	Am ⁸
7659.9	2000	923	Ad	7931	2000	1053	Am ⁸
	2001	251	Ad	7934	2000	1053	Am ⁸
7659.91	2000	923	Ad	7956	2000	1053	Am ⁸
	2001	251	Ad	7958	2000	1053	Am ⁸
7659.92	2000	923	Ad	8101	1999	865	Am
	2001	251	Ad		2000	1053	Am ⁸
7659.93	2001	429*	Ad ⁶⁴		2001	429*	Am ⁶⁴
7660	2000	1053	R & Ad ⁸	8103	2000	1053	Am ⁸
7661	2000	1053	R & Ad ⁸	8106	2000	1053	Am ⁸
7662	2000	1053	R & Ad ⁸	8106.1	2000	1053	Am ⁸
7663	2000	1053	R & Ad ⁸	8106.5	2000	1053	Am ⁸
7670	2000	1053	R & Ad ⁸	8106.7	1999	865	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
8106.7 (Cont.)	2000	1053	R ⁸	9262	1999	929	Am
8106.8	2001	429*	Ad ⁶⁴	9269	1999	929	Am
8126	2000	1053	Am ⁸		2000	1052	Am
	2001	429*	Am ⁶⁴	9272.1	1999	929	Ad
8127.6	1999	865	Ad	9274	2001	543	Am ³⁷⁰
	2000	1053	R ⁸	9275	1999	929	Am
8128	2000	1053	Am ⁸	10752	2000	861*	Am
8128.1	2000	1052	Ad		2001	826	Am (as am by Sec. 6.8, Stats. 2000, Ch. 861)
8130	2000	1053	Am ⁸				Am (as am by Sec. 139, Stats. 1997, Ch. 17) ²⁴
8146	2000	1053	Am ⁸				Am (as am by Sec. 140, Stats. 1997, Ch. 17) ²⁵
8150	2000	1053	Am ⁸	10753	1999	724	R (as am by Sec. 15, Stats. 1999, Ch. 724)
8152	2000	1053	Am ⁸				Am (as am by Sec. 14, Stats. 1999, Ch. 724) ¹³
8174	1999	929	Ad				Am
8253	2000	1053	Am ⁸				R (as am by Sec. 160, Stats. 1992, Ch. 427 and as am by Sec. 7, Stats. 2000, Ch. 861)
8257	2000	1052	Ad				Am (as am by Sec. 7, Stats. 2000, Ch. 861) ⁸²
8262	1999	929	Am				Am
8263	2000	1053	Am ⁸				Am
8269	1999	929	Am				R (as ad by Sec. 3, Stats. 1991, Ch. 474 and as am by Sec. 9, Stats. 2000, Ch. 861)
	2000	1052	Am				Am (as am by Sec. 9, Stats. 2000, Ch. 861) ⁸²
8270	2000	1053	Am ⁸		2000	596	Am
8301	2000	1053	R & Ad ⁸				Am
8302	2000	1053	R & Ad ⁸				Am
8303	2000	1053	R & Ad ⁸				Am
8304	2000	1053	R & Ad ⁸				Am
8305	2000	1053	R ⁸				Am
8306	2000	1053	R ⁸				Am
8351	2000	1053	Am ⁸	10753.1	2000	861*	Am
8352.1	2000	1053	Am ⁸		2001	744	R (as am by Sec. 160, Stats. 1992, Ch. 427 and as am by Sec. 7, Stats. 2000, Ch. 861)
8352.4	2000	1053	Am ⁸				Am
8401	2000	1053	R & Ad ⁸				R (as ad by Sec. 3, Stats. 1991, Ch. 474 and as am by Sec. 9, Stats. 2000, Ch. 861)
8402	2000	1053	R & Ad ⁸				Am (as am by Sec. 9, Stats. 2000, Ch. 861)
8403	2000	1053	R & Ad ⁸				Am
8404	2000	1053	R & Ad ⁸				Am
8405	2000	1053	R & Ad ⁸				Am
8406	2000	1053	Ad ⁸				Am
8502	2000	1053	Am ⁸				Am
8503	1999	724	Am				Am
8504	1999	724	Am				Am
8760	2000	923	Ad	10753.2	2000	861*	Am
8761	2000	923	Ad	10753.9	2000	861*	Am
8762	2000	923	Ad		2001	744	R (as ad by Sec. 3, Stats. 1991, Ch. 474 and as am by Sec. 9, Stats. 2000, Ch. 861)
8876	2000	923	Am				Am
8877	1999	941	Am				Am
	2000	923	Am (by Sec. 13 of Ch.)				Am
	2000	1052	Am (by Sec. 13.5 of Ch.)				Am
	2000	923	Am				Am
8878	2001	251	Am				Am
8878.5	1999	929	Ad				Am
	2001	251	Am				Am
8957	1999	991	Am ^{96 114}	10754	1999	74*	Am
8958	2000	1052	Ad		2001	5*	Am ⁹⁶
9033	1999	929	Ad	10754.1	1999	76*	Ad
	2000	1052	Am	10754.2	2000	91*	Ad
9033.5	2000	1052	Ad		2000	106*	Ad
9152.1	2000	1052	Ad		2000	107*	Am (as ad by Stats. 2000, Ch. 106)
9184	1999	929	Ad				
9255.2	2000	1052	Ad				

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
10754.2 (Cont.)	2001	5 *	R (as ad by Sec. 12, Stats. 2000, Ch. 91) ⁹⁶	17052.2	2000	75 *	Ad
			R (as am by Sec. 2, Stats. 2000, Ch. 107) ²⁹⁷		2000	603	Am (as ad by Stats. 2000, Ch. 75) ²⁶⁸
				17052.6	2000	114 *	Ad
				17053.14	2000	311 *	Am
				17053.30	2000	113 *	Ad
				17053.45	1999	987 *	Am ¹³⁴
				17053.46	2000	864	Am
10781.1	1999	911	Ad	17053.47	1999	58	Am
10903	2000	107 *	Ad		2000	864	Am
	2001	5 *	Am ⁹⁶		2000	865	Am
11005	1999	550 *	Am ¹	17053.49	1999	987 *	Am ¹³⁶
11006	2000	861 *	Ad	17053.5	1999	931 *	Am ⁶
11253	1999	929	Ad	17053.57	2001	535 *	Am ³⁷¹
	2000	1052	Am	17053.80	2000	105 *	Ad & R ¹⁹⁹
11253.5	2000	1052	Ad		2000	107 *	Ad & R ¹⁹⁹
11254	1999	929	Ad	17053.84	2X 2001–02	12 *	Ad & R ³⁵⁷
11273	2001	407	Am	17054.5	1999	987 *	Am
11338	2001	407	Am	17055	2001	920	Am ³⁸³
11339	2001	407	Am	17058	2000	3 *	Am
11409	1999	929	Ad		2001	668 *	Am
	2001	251	Am	17062	2001	543	Am ³⁷⁰
11452	1999	991	Am ^{96 114}		2001	920	Am ³⁸³
11453	2000	1052	Ad	17063	2001	920	Am
11553.5	2000	1052	Ad	17071	1999	987 *	Am
11597	2000	1052	Am	17073	1999	987 *	Am
11656	2000	1052	Ad		2X 2001–02	5 *	Am
11657	2000	1052	Ad	17074	1999	987 *	Am
11925	1999	75	Am	17075	1999	987 *	Am
12206	2000	3 *	Am	17076	1999	987 *	Am
	2001	668 *	Am	17077	1999	987 *	Am
12208	1999	808	Ad	17077.5	1999	987 *	R
12209	1999	821 *	Ad & R ¹⁴⁵	17083	1999	987 *	Am
	2001	535 *	Am ³²³	17084	1999	987 *	R
12210	2000	614	Ad	17085	1999	987 *	Am
13304	2000	363 *	Am	17085.5	1999	987 *	R
13402	2000	363 *	Am	17085.7	1999	931 *	Ad
13404	2000	363 *	Am	17087	1999	987 *	Am
13405	2000	363 *	Am	17132.5	1999	987 *	R
13550	2000	363 *	Am ²⁵	17134.5	1999	987 *	R
13551	2000	363 *	R ²⁵	17138	2001	212 *	Am
13563	2000	363 *	Am ²⁵	17139	1999	987 *	R
16760	2000	363 *	Am ²⁵	17139.5	2000	31 *	Ad
16870	2000	363 *	Am ²⁵	17140	1999	987 *	Am
16871	2000	363 *	R ²⁵	17140.3	1999	987 *	Am
17013	1999	987 *	R	17142.5	1999	987 *	Am
17015.5	2001	920	Ad ³⁸³	17143	1999	987 *	Am
17021.7	2001	893	Ad	17144	1999	987 *	Am
17037	2001	543	Am ³⁷⁰	17151	2000	107 *	Am
17039	1999	930 *	Am	17155.5	2000	685 *	Ad
	2000	75 *	Am	17156	1999	619 *	Ad ¹⁰⁶
	2001	920	Am	17156.5	1999	471 *	Ad
17039.1	2000	113 *	Ad	17157	2000	630	Ad
17041	2001	920	Am ³⁸³	17207	1999	165 *	Am
17052.12	1999	77 *	Am		2001	618 *	Am
	2000	103 *	Am (by Sec. 1 of Ch.)	17208.1	2X 2001–02	5 *	Ad
	2000	107 *	Am	17218	1999	987 *	R
17052.17	2001	650 *	Am ³⁷¹	17250	1999	987 *	Am
17052.18	2001	650 *	Am ³⁷¹	17268	1999	987 *	Am
				17270	1999	987 *	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
17273	1999	117 *	Am	18415	2000	862	Am ²⁶²
	1999	146 *	Am	18417	2001	543	Am ³⁷⁰
17274	1999	987 *	Am	18501	1999	196	Am ⁴⁷
17275.6	1999	83	Am ³⁰	18503	2000	863	Am & RN
	1999	987 *	R	18504	2000	863	R
17276	2000	104 *	Am	18505	2000	862	Am ²⁶²
	2000	107 *	Am		2000	863	Am
	2000	862	Am ²⁶²	18505.3	2000	863	Ad
	2001	543	Am ³⁷⁰	18505.6	2000	863	Ad(RN)
	2001	623 *	Am	18507	2000	863	R
17276.1	2001	623 *	Am	18508	2000	863	Am
17276.5	1999	987 *	Am	18510	2001	164 *	R
17276.7	2001	623 *	Ad	18521	1999	605	Am
17279.5	2000	862	Am ²⁶²	18528	2000	863	Am
17287	1999	987 *	Am	18531.5	2000	863	Ad
17301	2001	920	Am ³⁸³	18532	2000	863	Am
17301.3	2001	920	Ad ³⁸³	18533	1999	931 *	Am
17301.4	2001	920	Ad ³⁸³	18534	1999	931 *	Am
17301.5	2001	920	Ad ³⁸³	18547	2000	863	Am & RN
17303	2001	920	R ³⁸³	18552	2000	863	Am & RN
17304	2001	920	Ad ³⁸³	18601	1999	987 *	Am
17306	2001	920	Ad ³⁸³		2000	862	Am ²⁶²
17307	2001	920	Ad ³⁸³	18604	1999	987 *	Am
17310	2001	920	R ³⁸³	18605	1999	987 *	R
17330	1999	987 *	R	18621.7	2000	1084	Ad
17507.6	1999	8 *	Am ⁶	18622	1999	987 *	Am
17551	1999	987 *	Am	18624	1999	931 *	Am
17551.5	1999	987 *	R	18628	2000	863	Ad(RN)
17552	1999	987 *	Am	18631	2000	863	Am
17553	1999	987 *	Am	18633	2000	863	Am
17554	2001	920	R ³⁸³	18633.5	2000	862	Am ²⁶²
17563	1999	987 *	R		2000	863	Am
17639	1999	987 *	Am		2001	543	Am ³⁷⁰
17640	1999	987 *	Am	18635.5	2000	863	Ad
17651	1999	987 *	Am	18636	2000	863	R
17671	1999	987 *	Am	18637	2000	863	R
17732	1999	987 *	Am	18638	2000	863	R
17734	2001	920	Am ³⁸³	18639	2000	863	Am
17851	1999	987 *	Am	18641	2000	863	R
17852	1999	987 *	R	18643	2000	863	R
17853	1999	987 *	Am	18645	2000	863	R
17854	2001	920	Am ³⁸³	18647	2000	863	R
17857	1999	987 *	Am	18662	1999	987 *	Am
17859	1999	987 *	R	18665	2001	191	Am
17860	1999	987 *	R	18668	2000	862	Am ²⁶²
17935	1999	987 *	Am	18671	1999	991	Am ^{96 114}
	2000	647	Am	18673	1999	931 *	Ad
	2001	920	Am	18701	2000	577	Ad & R ²⁵²
17942	2001	391 *	Am ³⁶³	18702	2000	577	Ad & R ²⁵²
17943	2001	391 *	R & Ad	18703	2000	577	Ad & R ²⁵²
17951	2001	920	Am ³⁸³	18704	2000	577	Ad & R ²⁵²
17952	2001	920	Am ³⁸³	18711	1999	987 *	Am
17952.5	2001	920	Am ³⁸³	18721	1999	228	S ⁶⁰
17953	2001	920	Am ³⁸³		1999	987 *	Am
17954	2001	920	Am ³⁸³	18722	1999	228	S ⁶⁰
17955	2001	920	Am ³⁸³	18723	1999	228	S ⁶⁰
18152.5	1999	69 *	Am	18724	1999	228	Am ⁶⁰
18405	2000	862	Am ²⁶²	18741	1999	987 *	Am
18408	2000	863	Ad(RN)	18761	1999	315	S ⁶⁵
18409	2000	863	Ad(RN)	18762	1999	315	S ⁶⁵

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
18763	1999	315	S ⁶⁵	19057	1999	83	Am ³⁰
	1999	987*	Am	19059	1999	987*	Am
18764	1999	315	S ⁶⁵	19060	1999	987*	Am
18765	1999	315	S ⁶⁵	19064	1999	931*	Am
18766	1999	315	Am ⁶⁵	19067	1999	931*	Am
18782	1999	987*	Am	19081	2000	862	Am ²⁶²
18793	1999	987*	Am	19082	2000	862	Am ²⁶²
18801	1999	987*	Am	19084	1999	931*	Am
	1999	988	Am ⁴³	19089	1999	987*	Am
18802	1999	988	S ⁴³	19101	2000	863	Am
18803	1999	988	Am ⁴³	19102	2000	863	R
18804	1999	988	Am ⁴³	19103	2000	863	R
	2000	854	Am	19104	1999	203	Am
18805	1999	215	Ad & R ⁵⁸		2000	183	Am (as am by
18806	1999	215	Ad & R ⁵⁸				Stats. 1999,
18807	1999	215	Ad & R ⁵⁸				Ch. 203)
	2001	274*	Am		2000	862	Am ²⁶²
18808	1999	215	Ad & R ⁵⁸		2000	863	Am (as am by
	2000	854	Am				Stats. 2000,
18812	1999	987*	Am				Ch. 183)
18821	1999	987*	Am		2001	543	Am ³⁷⁰
	1999	989	S ¹⁵²	19105	2000	863	Am
18822	1999	989	S ¹⁵²	19106	1999	987*	Am
18823	1999	989	S ¹⁵²		2000	863	R
18824	1999	989	Am ¹⁵²	19109	1999	931*	Am
18831	2000	818	Ad & R ²³¹	19111	2000	863	R
18832	2000	818	Ad & R ²³¹	19115	2000	863	R
18833	2000	818	Ad & R ²³¹	19116	1999	931*	Am
18834	2000	818	Ad & R ²³¹	19117	1999	931*	Ad
18835	2000	818	Ad & R ²³¹	19120	2000	863	Ad
18836	2001	455	Ad & R ³¹⁸	19134	2000	862	Am ²⁶²
18837	2001	455	Ad & R ³¹⁸	19135	2000	862	Am ²⁶²
18838	2001	455	Ad & R ³¹⁸	19136	2000	862	Am ²⁶²
18839	2001	455	Ad & R ³¹⁸	19136.3	2000	862	Am ²⁶²
18840	2001	455	Ad & R ³¹⁸	19136.6	2000	862	Am ²⁶²
18841	1999	987*	Am	19141.2	2000	862	Am ²⁶²
18851	1999	987*	Am	19141.6	1999	83	Am ³⁰
18861	1999	398	Ad & R ⁷²		2000	862	Am ²⁶²
18862	1999	398	Ad & R ⁷²	19142	2000	862	Am ²⁶²
18863	1999	398	Ad & R ⁷²	19144	2000	862	Am ²⁶²
18864	1999	398	Ad & R ⁷²	19145	1999	987*	Am
18865	1999	398	Ad & R ⁷²		2000	862	Am ²⁶²
18871	1999	987*	Am	19147	2000	862	Am ²⁶²
19005	1999	203	Am		2001	4*	Am
19008	1999	931*	Am	19148	2000	862	Am ²⁶²
19011	2000	862	Am ²⁶²	19150	2000	862	Am ²⁶²
19023	1999	987*	Am	19151	1999	987*	Am
19025	2000	862	Am ²⁶²	19164	2000	862	Am ²⁶²
19026	2000	862	Am ²⁶²	19164.1	2001	410	Ad
19027	2000	862	Am ²⁶²	19183	2000	863	Am
19033	2000	414	Am	19187	1999	931*	Ad
19034	1999	931*	Am	19191	2000	862	Am ²⁶²
19041	1999	931*	Am		2001	543	Am ³⁷⁰
19041.5	1999	463	Ad	19192	2000	862	Am ²⁶²
19043	2001	191	Am		2001	543	Am ³⁷⁰
19043.5	2001	191	Ad	19193	2000	862	Am ²⁶²
19045	1999	931*	Am	19194	2000	862	Am ²⁶²
19052	1999	931*	R ⁰	19225	1999	348	Ad
	2000	647	Ad	19226	1999	931*	Ad
19053	1999	987*	R	19236	1999	931*	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
19236 (Cont.)	2000	647	Am	19551.1	2001	915	Ad & R ³⁵²
19271	1999	83	Am ³⁰	19556	1999	67*	R
	1999	478	Am		2001	920	Ad
	1999	480	Am (as am by Stats. 1999, Ch. 478)	19565	2000	862	Am ²⁶²
				19604	2001	543	Am ³⁷⁰
	2001	111*	Am	19607	2001	543	Am ³⁷⁰
	2001	651	Am	19705	1999	931*	Am
19271.5	1999	478	R		2001	543	Am ³⁷⁰
19271.6	1999	980	Am ⁹⁶		2001	854	Am (by Sec. 65.5 of Ch.)
	2000	808*	Am (as ad(RN) by Stats. 1998, Ch. 322 and as am by Stats. 1999, Ch. 980)	19717	1999	931*	Am
				19753.2	2001	826	Am (as am by Sec. 8, Stats. 2000, Ch. 861)
19272	1999	480	Am	20508.1	1999	928	Ad
	1999	980	Am (by Sec. 17.5 of Ch.)	20543	2000	60*	Am
	2000	808*	Am		2001	156*	Am
	2001	111*	Am		2001	266*	Am (as am by Sec. 8, Stats. 2001, Ch. 156)
19273	1999	980	Am	20544	2000	60*	Am
19274	2000	808*	Am		2001	156*	Am
19275	1999	480	Ad		2001	266*	Am (as am by Sec. 9, Stats. 2001, Ch. 156)
19280	2000	808*	Am				
	1999	344*	Am	20563	2000	60*	Am
	2000	545	Am	20583.1	1999	928	Ad
	2000	940	Am ²⁰		2001	670	Am
19281	2000	940	S ²⁰	21002	2001	670	Am
19282	2000	940	S ²⁰	21006	2001	543	Am ³⁷⁰
19283	2000	940	Am ²⁰	21007	2000	414	Am
19306	1999	614	Am	21013	1999	931*	Am (by Sec. 34 of Ch.)
	2001	543	Am ³⁷⁰				
19311	1999	987*	Am	21015.5	1999	348	Ad
	2001	543	Am ³⁷⁰	21015.6	2001	669	Ad
19322.1	2001	920	Ad	21016	1999	931*	Am
19323	1999	931*	Am	21026	2000	862	Am ²⁶²
19347	1999	605	Am	21027	2001	543	Am ³⁷⁰
19363	2000	862	Am ²⁶²	21028	2000	438	Ad & R ¹⁸
19364	2000	862	Am ²⁶²	Div. 2, Pt. 11, heading (Sec. 23001 et seq.)			
19365	2000	862	Am ²⁶²		2001	543	Am ³⁷⁰
19368	2000	863	Ad	23001	2001	543	Am ³⁷⁰
19378	2001	543	Am ³⁷⁰	23036	2000	862	Am ²⁶²
19384	1999	605	Am		2001	920	Am
19411	1999	987*	Am	23036.1	2000	113*	Ad
	2000	415	Am	23038.5	1999	83	Am ³⁰
19443	1999	931*	Ad	23040.1	2000	4*	Am ¹⁷³
	2001	543	Am ³⁷⁰		2001	543	Am ³⁷⁰
19503	2000	862	Am ²⁶²		2000	862	Am ²⁶²
19504	1999	931*	Am	23041	2000	862	Am
19504.5	1999	931*	Ad	23042	2000	862	Am
19504.7	1999	931*	Ad	23043	1999	987*	R
19524	2000	863	Am & RN	23051.5	2000	862	Am ²⁶²
19533	1999	478	Am	23051.7	2001	543	Am ³⁷⁰
19542.3	1999	931*	Ad	23055	2001	543	Am ³⁷⁰
19546.5	1999	931*	Ad	23058	2000	862	Am ²⁶²
19548	1999	478	Am				
19550	2000	940	Ad				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
Div. 2,				23612.2	1999	987 *	Am
Pt. 11,					2000	862	Am ²⁶²
Ch. 2,				23617	2000	862	Am ²⁶²
heading					2001	650 *	Am ³⁷¹
(Sec. 23101				23617.5	2000	862	Am ²⁶²
et seq.)	2001	543	Am ³⁷⁰		2001	650 *	Am ³⁷¹
23104	2000	862	Am ²⁶²	23621	2000	862	Am ²⁶²
23114	2000	862	Am ²⁶²	23622.7	1999	987 *	Am
23151	2000	862	Am		2000	862	Am ²⁶²
23151.1	2000	862	Am	23622.8	1999	58	Am
23151.2	2000	862	Am ²⁶²		2000	862	Am ²⁶²
23153	1999	64 *	Am		2000	864	Am
	1999	987 *	Am (as am by		2000	865	Am
			Stats. 1999,		2001	159	Am ³⁰⁵
			Ch. 64)		2001	543	Am ³⁷⁰
	2000	862	Am	23624	2000	862	Am ²⁶²
23181	2000	862	Am	23630	2000	113 *	Ad
23182	2001	543	Am ³⁷⁰		2001	543	Am ³⁷⁰
23183	2000	862	Am	23633	2000	862	Am ²⁶²
23183.1	2000	862	Am	23634	2000	862	Am ²⁶²
23183.2	2000	862	Am ²⁶²	23636	2000	862	Am ²⁶²
23186	2000	862	Am ²⁶²	23637	2000	862	Am ²⁶²
23188	2000	415	Am	23642	2000	862	Am ²⁶²
23221	1999	64 *	Am	23645	1999	987 *	Am ¹³⁵
			R & Ad ²⁵		2000	862	Am ²⁶²
	1999	987 *	Am (as am by		2001	543	Am ³⁷⁰
			Sec. 2,	23646	2000	862	Am ²⁶²
			Stats. 1999,		2000	864	Am
			Ch. 64)		2001	159	Am ³⁰⁵
23253	2000	862	Am ²⁶²		2001	543	Am ³⁷⁰
23281	2000	862	Am	23649	1999	987 *	Am ¹³⁶
23282	2000	862	Am		2000	862	Am ²⁶²
23301	2000	862	Am ²⁶²		2001	543	Am ³⁷⁰
23304.1	2000	862	Am ²⁶²	23657	2000	862	Am ²⁶²
23305.1	2000	862	Am ²⁶²		2001	535 *	Am ³⁷¹
23305.5	1999	249	Am ⁶¹	23666	2000	862	Am ²⁶²
23335	1999	987 *	Am	23684	2X 2001–02	12 *	Ad & R ³³⁷
23361	2000	862	Am ²⁶²	23701a	2000	862	Am ²⁶²
23362	2000	862	Am ²⁶²	23701b	2000	252	R & Ad
23453	2001	920	Am	23701c	1999	987 *	Am
23455	2000	862	Am ²⁶²		2000	252	R & Ad
23456	2000	862	Am ²⁶²	23701e	2000	252	R & Ad
23457	2000	862	Am ²⁶²	23701f	2000	252	R & Ad
23604	2000	862	Am ²⁶²	23701g	2000	252	R & Ad
23608	2000	862	Am ²⁶²	23701i	2000	252	R & Ad
23608.2	2000	311 *	Am	23701j	2000	252	R & Ad
	2000	862	Am ²⁶²	23701l	2000	252	R & Ad
	2001	543	Am ³⁷⁰	23701n	2000	252	R & Ad
23608.3	2000	862	Am ²⁶²		2000	862	Am ²⁶²
23609	1999	77 *	Am	23701q	1999	987 *	R
	2000	103 *	Am (by Sec. 3	23701s	2000	252	R & Ad
			of Ch.)		2000	862	Am ²⁶²
	2000	107 *	Am	23701t	1999	83	Am ³⁰
	2000	862	Am ²⁶²	23701y	1999	675 *	Ad
	2001	543	Am ³⁷⁰	23702	2000	252	R & Ad
23610	2000	862	Am ²⁶²	23703	2000	862	Am ²⁶²
23610.5	1999	83	Am ³⁰	23704	1999	83	Am ³⁰
	2000	3 *	Am		2000	252	R & Ad
	2000	862	Am ²⁶²		2000	862	Am ²⁶²
	2001	543	Am ³⁷⁰	23704.3	2000	252	R & Ad
	2001	668 *	Am ³³⁰	23704.4	2000	252	R & Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
23704.5	1999	987 *	Am	24356.5	2000	862	Am ²⁶²
	2000	252	R & Ad	24356.6	2000	862	Am ²⁶²
23704.6	1999	987 *	Am	24356.7	2000	862	Am ²⁶²
	2000	252	R & Ad	24356.8	2000	862	Am ²⁶²
23731	1999	987 *	Am	24357	2000	862	Am ²⁶²
	2000	862	Am ²⁶²	24357.2	2000	862	Am ²⁶²
23735	2000	862	Am ²⁶²	24357.6	1999	987 *	Am
23736.1	1999	987 *	Am	24357.7	2000	862	Am ²⁶²
23736.3	2000	862	Am ²⁶²	24357.9	2000	862	Am ²⁶²
23736.4	2000	862	Am ²⁶²	24358	2000	862	Am ²⁶²
23737	2000	862	Am ²⁶²	24360	2000	862	Am ²⁶²
23740	1999	987 *	Am	24361	2000	862	Am ²⁶²
	2000	252	R & Ad	24362	2000	862	Am ²⁶²
23771	2000	862	Am ²⁶²	24363	2000	862	Am ²⁶²
23772	2000	252	Am	24364	2000	862	Am ²⁶²
	2000	862	Am ²⁶²	24377	2000	862	Am ²⁶²
	2001	543	Am ³⁷⁰	24383	2000	862	Am ²⁶²
23774	2000	862	Am ²⁶²	24402	2000	862	Am ²⁶²
23775	2000	862	Am ²⁶²	24404	2000	862	Am ²⁶²
23776	1999	987 *	Am	24409	2000	862	Am ²⁶²
23777	1999	987 *	Am	24410	1999	987 *	Am (by Sec. 97 of Ch.) ¹³⁷
	2000	862	Am ²⁶²		2000	862	Am ²⁶²
23778	1999	987 *	Am	24415	2000	862	Am ²⁶²
23800	2000	862	Am ²⁶²	24416	2000	104 *	Am
23801	2000	862	Am ²⁶²		2000	107 *	Am
23802	2000	863	Am		2000	862	Am ²⁶²
23802.5	2000	862	Am ²⁶²		2001	543	Am ³⁷⁰
23803	2000	862	Am ²⁶²		2001	623 *	Am
23804.5	2000	862	Am ²⁶²	24416.1	2001	623 *	Am
23806	2000	862	Am ²⁶²	24416.2	1999	83	Am ³⁰
23810	2000	863	R		1999	987 *	Am
23811	2000	862	Am ²⁶²		2000	862	Am ²⁶²
24273	2000	862	Am ²⁶²	24416.4	2000	862	Am ²⁶²
24273.5	2000	862	Am ²⁶²	24416.5	1999	987 *	Am
24275	2000	862	Am ²⁶²		2000	862	Am ²⁶²
24276	2000	862	Am ²⁶²	24416.6	2000	862	Am ²⁶²
24306	1999	987 *	Am	24416.7	2001	623 *	Ad
	2000	862	Am ²⁶²	24424	2000	862	Am ²⁶²
24307	2000	862	Am ²⁶²	24425	2000	862	Am ²⁶²
24308	2000	862	Am ²⁶²	24434	2000	862	Am ²⁶²
24322	2000	862	Am ²⁶²	24436.1	2000	862	Am ²⁶²
24324	2000	862	Am ²⁶²	24436.5	1999	987 *	Am
24343.3	2000	862	Am ²⁶²		2000	862	Am ²⁶²
24343.5	2000	862	Am ²⁶²	24438	2000	862	Am ²⁶²
24343.7	2000	862	Am ²⁶²	24442.5	2000	862	Am ²⁶²
24344	2000	862	Am ²⁶²	24448	2000	862	Am ²⁶²
24344.5	2000	862	Am ²⁶²	24453	2001	543	Am ³⁷⁰
24344.7	2000	862	Am ²⁶²	24472	2001	543	Am ³⁷⁰
24345	2000	862	Am ²⁶²	24602	2000	862	Am ²⁶²
24346	2000	862	Am ²⁶²	24611	2000	862	Am ²⁶²
24347	2000	862	Am ²⁶²	24631	2000	862	Am ²⁶²
24347.5	1999	165 *	Am	24632	2000	862	Am ²⁶²
	2000	862	Am ²⁶²	24633	2000	862	Am ²⁶²
	2001	618 *	Am	24633.5	2000	862	Am ²⁶²
24348	2000	862	Am ²⁶²	24634	2000	862	Am ²⁶²
24349	2000	862	Am ²⁶²	24636	2000	862	Am ²⁶²
24351	2000	862	Am ²⁶²	24637	2000	862	Am ²⁶²
24354.1	2000	862	Am ²⁶²	24654	2000	862	Am ²⁶²
24355.5	2000	862	Am ²⁶²	24667	2000	862	Am ²⁶²
24356	2000	862	Am ²⁶²				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
24673.2	2000	862	Am ²⁶²	Div. 2,			
24674	2000	862	Am ²⁶²	Pt. 13,			
24675	2000	862	Am ²⁶²	Ch. 2,			
24676	2000	862	Am ²⁶²	Art. 3,			
24676.5	2000	862	Am ²⁶²	heading			
24677	2000	862	Am ²⁶²	(Sec. 30131			
24678	2000	862	Am ²⁶²	et seq.)	1999	126*	Am
24685	2000	862	Am ²⁶²	30131	1999	126*	Am
24690	2000	862	Am ²⁶²	30131.2	2001	426*	Am
24692	2000	862	Am ²⁶²	30131.3	1999	126*	Am
24710	2000	862	Am ²⁶²	30131.4	1999	126*	Am
24871	2000	862	Am ²⁶²	30163	1999	935*	Am
24871.5	2000	862	Am ²⁶²		2000	18*	Am
24872	2001	4*	Am	30176.1	2001	251	Am
24872.4	2000	862	Am ²⁶²	30176.2	2001	426*	Ad
24872.5	2000	862	Am ²⁶²	30177	2001	426*	Am
24872.6	2001	4*	Ad	30178.2	2001	426*	Am
24872.7	2000	862	Am ²⁶²	30181	2001	251	Am
24905.5	2000	862	Am ²⁶²	30188	1999	941	Am
24916	2000	862	Am ²⁶²	30190	2000	923	Ad
24918	2000	862	Am ²⁶²	30191	2000	923	Ad
24943	2000	862	Am ²⁶²	30192	2000	923	Ad
24944	2000	862	Am ²⁶²	30281	2000	923	Am
24945	2000	862	Am ²⁶²	30282	2000	923	Am (by Sec. 18
24946	2000	862	Am ²⁶²				of Ch.)
24949.1	2000	862	Am (as am by		2000	1052	Am (by
			Sec. 98,				Sec. 23.5 of Ch.)
			Stats. 1998,	30283	2000	923	Am
			Ch. 322) ²⁶²	30283.5	1999	929	Ad
24952	2000	862	Am ²⁶²		2001	251	Am
24954	2000	862	Am ²⁶²	30315	1999	991	Am ^{96 114}
24955	2000	862	Am ²⁶²	30316	2000	1052	Ad
24956	2000	862	Am ²⁶²	30354	1999	929	Ad
24990.4	2000	862	Am ²⁶²		2000	1052	Am
24990.7	2000	862	Am ²⁶²	30354.5	2000	1052	Ad
24994	2000	862	Am ²⁶²	30362.1	2000	1052	Ad
25101.3	2000	862	Am ²⁶²	30384	1999	929	Ad
25105	2000	862	Am ²⁶²	30436	1999	935*	Am
25106	1999	987*	Am		1999	941	Am
25108	2000	862	Am ²⁶²	30455.5	2000	1052	Ad
25110	2000	862	Am ²⁶²	30458.2	1999	929	Am
25111	2000	862	Am ²⁶²	30458.9	1999	929	Am
25111.1	2000	862	Am ²⁶²		2000	1052	Am
25112	2000	862	Am ²⁶²	30459.2A	1999	929	Ad
25114	1999	987*	Am (by Sec. 102	30459.4	2001	543	Am ³⁷⁰
			of Ch.)	30459.5	1999	929	Am
25124	2000	862	Am ²⁶²	30463	2001	251	R
25129	2000	862	Am ²⁶²	32177.5	2000	609*	Ad ²³⁸
25131	2000	862	Am ²⁶²	32252	2000	923	Am
25132	2000	862	Am ²⁶²	32254	2000	923	R
25134	2000	862	Am ²⁶²	32255	2000	923	Am (by Sec. 23
25141	2000	862	Am ²⁶²				of Ch.)
30005.5	2001	426*	Am		2000	1052	Am (by
30014	2001	251	Am				Sec. 30.5 of Ch.)
30016	2001	251	Am		2001	251	Am
30103.5	1999	941	Am	32256	2000	923	Am
30104	2001	251	Am	32256.5	1999	929	Ad
30108	2001	251	Am		2001	251	Am
30123	2001	426*	Am	32260	2000	923	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
32261	2000	923	Ad		2000	1052	Am
32262	2000	923	Ad	40212.5	1999	929	Ad
32292	2000	923	R	40214	2001	543	Am ³⁷⁰
32311	2000	923	Am	40215	1999	929	Am
32387	1999	991	Am ^{96 114}	41020	2001	638	Am
32387.5	2000	1052	Ad	41060	2000	923	Ad
32389	1999	929	Ad	41061	2000	923	Ad
	2000	1052	Am	41062	2000	923	Ad
32389.5	2000	1052	Ad	41095	2000	923	Am
32402	2001	543	Am ³⁷⁰	41096	2000	923	Am (by Sec. 36 of Ch.)
32402.1	2000	1052	Ad		2000	1052	Am (by Sec. 49.5 of Ch.)
32432	1999	929	Ad	41097	2000	923	Am
32455.5	2000	1052	Ad	41097.5	1999	929	Ad
32462	1999	929	Am		2001	251	Am
32469	1999	929	Am	41101.1	2000	1052	Ad
	2000	1052	Am	41123.5	1999	991	Am ^{96 114}
32472.1	1999	929	Ad	41123.6	2000	1052	Ad
32474	2001	543	Am ³⁷⁰	41127.6	1999	929	Ad
32475	1999	929	Am		2000	1052	Am
38061	2000	619	Ad & R ¹⁹	41127.7	2000	1052	Ad
38062	2000	619	Ad & R ¹⁹	41132	2000	1052	Ad
38063	2000	619	Ad & R ¹⁹	41136	1999	83	Am ³⁰
38064	2000	619	Ad & R ¹⁹	41162	1999	929	Am
38065	2000	619	Ad & R ¹⁹	41169	1999	929	Am
38066	2000	619	Ad & R ¹⁹		2000	1052	Am
38067	2000	619	Ad & R ¹⁹	41172.5	1999	929	Ad
38452	2000	1052	Am	41174	2001	543	Am ³⁷⁰
38455	1999	929	Ad	41175	1999	929	Am
	2001	251	Am	43010.1	1999	941	Am
38503	1999	991	Am ^{96 114}	43011.1	1999	941	Am
38503.5	2000	1052	Ad	43152.12	2000	923	Am
38504	1999	929	Ad	43152.15	2000	923	Am
	2000	1052	Am	43152.9	2001	251	Am
38504.5	2000	1052	Ad	43155	2000	923	Am
38505	1999	929	Ad	43156	2000	923	R
38602.5	2000	1052	Ad	43157	2000	923	Am (by Sec. 43 of Ch.)
38621	1999	929	Am		2000	1052	Am (by Sec. 56.5 of Ch.)
38624	1999	929	Ad	43158	2000	923	Am
38631	1999	941	Am	43158.5	1999	929	Ad
38707	2000	1052	Ad		2001	251	Am
38708	2000	1052	Ad	43170	2000	923	Ad
40067	2000	923	Ad	43171	2000	923	Ad
40068	2000	923	Ad	43172	2000	923	Ad
40069	2000	923	Ad	43444.2	1999	991	Am ^{96 114}
40101	2000	923	Am	43444.3	2000	1052	Ad
40102	2000	923	Am (by Sec. 31 of Ch.)	43448	1999	929	Ad
	2000	1052	Am (by Sec. 41.5 of Ch.)		2000	1052	Am
40103	2000	923	Am	43448.5	2000	1052	Ad
40103.5	1999	929	Ad	43452.1	2000	1052	Ad
	2001	251	Am	43484	1999	929	Ad
40112.1	2000	1052	Ad	43506	2000	1052	Ad
40155	1999	991	Am ^{96 114}	43513	1999	929	Am
40156	2000	1052	Ad	43520	1999	929	Am
40167	1999	929	Ad		2000	1052	Am
	2000	1052	Am	43523.5	1999	929	Ad
40167.5	2000	1052	Ad	43525	2001	543	Am ³⁷⁰
40176	2000	1052	Ad	43526	1999	929	Am
40202	1999	929	Am				
40209	1999	929	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

REVENUE AND TAXATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
44000	2000	110*	Ad & R ¹⁹	46613	1999	929	Am
44001	2000	110*	Ad & R ¹⁹	46620	1999	929	Am
44002	2000	110*	Ad & R ¹⁹		2000	1052	Am
44003	2000	110*	Ad & R ¹⁹	46623.5	1999	929	Ad
44004	2000	110*	Ad & R ¹⁹	46625	2001	543	Am ³⁷⁰
44005	2000	110*	Ad & R ¹⁹	46626	1999	929	Am
44006	2000	110*	Ad & R ¹⁹	50112	2000	923	Am
	2001	159	Am ³⁰⁵	50112.1	2000	923	R
44007	2000	110*	Ad & R ¹⁹	50112.2	1999	929	Am
44008	2000	110*	Ad & R ¹⁹		2000	923	Am (by Sec. 62 of Ch.)
45153	2000	923	Am				Am (by Sec. 80.5 of Ch.)
	2001	159	Am ³⁰⁵		2000	1052	Am (by Sec. 80.5 of Ch.)
45154	2000	923	R				
45155	2000	923	Am (by Sec. 49 of Ch.)	50112.3	2000	923	Am
				50112.4	1999	929	Ad
	2000	1052	Am (by Sec. 64.5 of Ch.)		2000	923	Am
					2001	251	Am
45156	2000	923	Am	50112.7	2000	923	Ad
45156.5	1999	929	Ad	50112.8	2000	923	Ad
	2000	923	Am	50112.9	2000	923	Ad
	2001	251	Am	50136	1999	991	Am ^{96 114}
45160	2000	923	Ad	50136.5	2000	1052	Ad
45161	2000	923	Ad	50138.6	1999	929	Ad
45162	2000	923	Ad		2000	1052	Am
45605	1999	991	Am ^{96 114}	50138.7	2000	1052	Ad
45605.5	2000	1052	Ad	50140	2001	543	Am ³⁷⁰
45609	1999	929	Ad	50140.1	2000	1052	Ad
	2000	1052	Am	50150.5	1999	929	Ad
45609.5	2000	1052	Ad	50155.5	2000	1052	Ad
45652	2001	543	Am ³⁷⁰	50156.14	2001	543	Am ³⁷⁰
45652.1	2000	1052	Ad	50156.15	1999	929	Am
45752	1999	929	Ad	50156.17	1999	929	Ad
45855.5	2000	1052	Ad	50156.2	1999	929	Am
45858	1999	929	Am	50156.9	1999	929	Am
45865	1999	929	Am		2000	1052	Am
	2000	1052	Am	50159	1999	941	Am
45868.5	1999	929	Ad	55042	2000	923	Am
45870	2001	543	Am ³⁷⁰	55043	2000	923	R
45871	1999	929	Am	55044	2000	923	Am (by Sec. 69 of Ch.)
46154	2000	923	Am				Am (by Sec. 89.5 of Ch.)
46154.1	2000	923	Ad		2000	1052	Am (by Sec. 89.5 of Ch.)
46155	2000	923	R				
46156	2000	923	Am (by Sec. 56 of Ch.)	55046	2000	923	Am
					2001	251	Am
	2000	1052	Am (by Sec. 72.5 of Ch.)	55050	2000	923	Ad
				55051	2000	923	Ad
46157	2000	923	Am	55052	2000	923	Ad
46157.5	1999	929	Ad	55053	2001	543	Ad
	2001	251	Am	55046	1999	929	Ad
46160	2000	923	Ad	55205	1999	991	Am ^{96 114}
46161	2000	923	Ad	55205.5	2000	1052	Ad
46162	2000	923	Ad	55209	1999	929	Ad
46406	1999	991	Am ^{96 114}		2000	1052	Am
46407	2000	1052	Ad	55209.5	2000	1052	Ad
46464	1999	929	Ad	55222	2001	543	Am ³⁷⁰
	2000	1052	Am	55222.1	2000	1052	Ad
46464.5	2000	1052	Ad	55262	1999	929	Ad
46502	2001	543	Am ³⁷⁰	55305	2000	1052	Ad
46502.1	2000	1052	Ad	55323	1999	929	Am
46544	1999	929	Ad	55330	1999	929	Am
46606	2000	1052	Ad		2000	1052	Am

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Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
55333.5	1999	929		Ad	60209	2000	923		Am (by Sec. 74 of Ch.)
55335	2001	543		Am ³⁷⁰	60209	2000	1052		Am (by Sec. 96.5 of Ch.)
55336	1999	929		Am					
60012	2000	1053		Am ⁸					
60015	2001	429*		Am ⁶⁴	60211	2000	923		Am
60022	2001	429*		Am (by Sec. 39 of Ch.) ⁶⁴		2001	429*		Am ⁶⁴
	2X 2001-02	8*		Am (by Sec. 2 of Ch.)	60212	1999	929		Ad
				R & Ad ¹⁰⁰		2001	251		Am
60023	2000	1053		Am ⁸	60250	2000	923		Ad
	2X 2001-02	8*		Am (as am by Stats. 2000, Ch. 1053)	60251	2000	923		Ad
				R & Ad ¹⁰⁰	60252	2000	923		Ad
60025	2001	429*		Ad ⁶⁴	60253	2001	429*		Ad ⁶⁴
60027	2001	429*		Am ⁶⁴	60360	2001	429*		Am ⁶⁴
60034	2001	429*		Am ⁶⁴	60361.5	2001	429*		Ad ⁶⁴
60047	2001	429*		Ad ⁶⁴	60401	2001	429*		Am ⁶⁴
60047.1	2001	429*		Ad ⁶⁴	60407	1999	991		Am ^{96 114}
60048	2001	429*		Ad ⁶⁴	60408	2000	1052		Ad
60048.1	2001	429*		Ad ⁶⁴	60493	1999	929		Ad
60049	2001	429*		Ad ⁶⁴		2000	1052		Am
60049.1	2001	429*		Ad ⁶⁴	60493.5	2000	1052		Ad
60052	2001	429*		Am ⁶⁴	60501	2001	429*		Ad ⁶⁴
60056	2001	429*		Am ⁶⁴	60503.1	2001	429*		Am ⁶⁴
60057	2001	429*		Am ⁶⁴	60503.2	2001	429*		Am ⁶⁴
60058	2001	429*		Am ⁶⁴	60508.4	2001	429*		Ad ⁶⁴
60063	2001	429*		Ad ⁶⁴	60521	2001	429*		Am ⁶⁴
60064	2001	429*		Ad ⁶⁴	60522.1	2000	1052		Ad
60101	2001	429*		Am ⁶⁴	60564	1999	929		Ad
60105	2001	429*		Am ⁶⁴	60605	2001	429*		Am ⁶⁴
60106.2	2001	429*		Am ⁶⁴	60609.5	2000	1052		Ad
60106.3	2001	429*		Am ⁶⁴	60623	1999	929		Am
60107	2001	429*		Am ⁶⁴	60630	1999	929		Am
60135	2001	429*		Ad ⁶⁴		2000	1052		Am
60161	2001	429*		Am ⁶⁴	60632.1	1999	929		Ad
60163	2001	429*		Am ⁶⁴	60633.1	1999	929		Ad
60181	2001	429*		Am ⁶⁴		2001	543		Am ³⁷⁰
60203	2001	429*		R ⁶⁴	60633.2	1999	929		Ad
60204.5	2001	429*		Ad ⁶⁴	65001	2001	343		S ^{36 341}
60206	2001	429*		Am ⁶⁴	65002	2001	343		S ^{36 341}
60207	2000	923		Am	65003	2001	343		S ^{36 341}
					65004	1999	83		Am ³⁰
						2000	618		Am ⁸²
						2001	343		Am ³⁶
									R ³⁴¹

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STREETS AND HIGHWAYS CODE

<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
72.1	1999	559	Ad		2001	597	Am (as am by
97	1999	169 *	Am ¹⁹				Sec. 1,
	2000	446	Am				Stats. 1999,
	2001	481	Am				Ch. 172) ³⁷⁷
100	2001	745 *	Am				Am (as ad by
101.10	2001	864	Ad & R ⁷⁵				Sec. 2,
104.12	2000	860	Am				Stats. 1999,
104.18	1999	724	Am				Ch. 172) ³⁷⁸
140.3	2000	127 *	Ad	325	2001	825	Am
147	2001	759	Ad	339	2000	596	Am
149.1	1999	481	Am ⁵	344	1999	724	Am
	2001	275	Am ¹³	354	1999	99 *	Am
154.1	2001	758	Ad	366	1999	724	Am
164.56	1999	739	Am	383	1999	724	Am
164.6	2000	91 *	Am	391.3	1999	724	Ad
172	2001	597	R		1999	1007	Ad
182.6	1999	783 *	Am	401	1999	559	Am
	2000	91 *	Am	410	2000	270	Am
	2001	512 *	Am	426	2001	757	Am
182.7	1999	783 *	Am	442	1999	724	Am
	2000	91 *	Am	444	1999	99 *	Am & R ⁴¹
	2001	512 *	Am (by Sec. 4 of Ch.)	460	1999	172	Am
	2001	597	Am (by Sec. 18.5 of Ch.)	509	2000	523	Am
182.8	2000	91 *	Ad	517.1	1999	1007	Ad
	2001	512 *	Am	527	2000	787	Am
	2001	597	Am	559	1999	724	Am
183.1	2000	91 *	Ad	574	1999	724	R
183.3	2001	597	R	603	1999	724	Ad(RN)
188.15	1999	628	Ad	625	2000	538	Am
188.5	2001	907	Am	630	1999	724	Am & RN
188.51	2001	907	Ad	635	1999	724	Am
188.6	2001	597	R		2001	739	Am ³⁵⁰
188.8	2001	815	Am	673	2001	152	Am
217	1999	378 *	Ad ⁷⁰	730.5	2001	284	Am
			R ⁶³	760	1999	546 *	Am
			Am ⁵⁴	891.5	1999	262	Ad
			Ad ⁷⁰	894.6	2000	833	Ad
			R ⁶³	894.7	2000	833	Ad
217.2	2000	340	Am ⁵⁴	894.8	2000	833	Ad
	1999	378 *	Ad ⁷⁰	1162.6	1999	269	Ad
			R ⁶³	1179.6	2000	179	Ad
217.4	2000	340	Am ⁵⁴	1950	2000	155	S ⁵⁷
	1999	378 *	Ad ⁷⁰	1951	2000	155	S ⁵⁷
			R ⁶³	1953	2000	155	S ⁵⁷
	2000	340	Am ⁵⁴	1955	2000	155	S ⁵⁷
217.6	1999	378 *	Ad ⁷⁰	1957	2000	155	S ⁵⁷
			R ⁶³	1957	2000	155	S ⁵⁷
	2000	340	Am ⁵⁴	1959	2000	155	S ⁵⁷
217.8	1999	378 *	Ad ⁷⁰	1961	2000	155	S ⁵⁷
			R ⁶³	1965	2000	155	S ⁵⁷
	2000	340	R		2001	745 *	R
253.1	1999	724	Am	1967	2000	155	R
253.2	2001	136 *	Am	2104	1999	724	Am
253.7	1999	724	Am	2105.1	2001	597	R
301	2001	757	Am	2106	2000	834	Am
301.5	2001	825	Ad	2108	2001	597	Am
302	2001	825	Am	2110	2001	176	Am
318	1999	724	Am	2121	2001	597	Am
319	1999	172	Am ⁴⁸	2182	2000	91 *	Ad
			R ⁴⁹		2000	656 *	Am
			Ad ⁵⁰	2182.1	2000	91 *	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
2182.1 (Cont.)	2000	656 *	Am	22090	2000	262	Am
2331	1999	663	Am	22092	2000	262	Am
	2001	600	R & Ad ⁸	22096	2000	262	Am
R (as ad by			22525	2000	262	Am	
Sec. 2,			22525.5	2000	262	R	
Stats. 1999,			22556	2000	262	Am	
Ch. 663)			22588	2000	262	Am	
Am (as am by			22589	2000	262	R	
Sec. 1,			22590	2000	262	R	
Stats. 1999,			22593	2000	262	Am	
Ch. 663) ¹⁸			22624	2000	262	Am	
Ad ⁶³			22626	2000	262	Am	
2333	1999	663	Am	22629	2000	262	Am
			R & Ad ⁸	22630.5	2000	262	Am
			R (as ad by	30796.10	1999	729	Am
			Sec. 4,	30796.7	1999	729	Am
			Stats. 1999,	30796.9	2001	745 *	Am
			Ch. 663)	30895	2001	745 *	R
			Am (as am by	30950.3	2001	745 *	Am
			Sec. 3,	30961	2001	745 *	Am
			Stats. 1999,	31010	2001	907	Am ³⁷⁴
			Ch. 663) ¹⁸	31050	2001	907	R
2333.5	1999	663	Ad & R ⁵	31070	2001	907	Ad
			Am ¹⁸	31070.5	2001	907	Ad
			Am	31070.7	2001	907	Ad
			Am	31071	2001	907	Ad
			S ⁵⁷	31071.3	2001	907	Ad
			Am ⁵⁷	31071.5	2001	907	Ad
			S ⁵⁷	31072	2001	907	Ad
			Am ⁵⁷	31073	2001	907	Ad
			Am ⁵⁷	35469.6	2001	636	Am
			Am ⁵⁷	36605	2001	88	R
2551	1999	262	Am	36614.5	2001	88	Ad
2560	2000	513	S ⁵⁷	36615	1999	871	Am
2560.5	2000	513	Am ⁵⁷	36621	1999	871	Am
2561	2000	513	S ⁵⁷	36622	2001	88	Am
2561.3	2000	513	Am ⁵⁷	36623	1999	871	Am
2561.5	2000	513	Am ⁵⁷	36624	1999	871	R & Ad(RN)
2562	2000	513	Am ⁵⁷	36625	1999	871	R & Ad
2562.3	2000	513	Am ⁵⁷	36626	1999	871	Am & RN & Ad
2562.5	2000	513	Am ⁵⁷	36626.5	1999	871	R
2563	2000	513	Am ⁵⁷	36626.6	1999	871	R
2563.5	2000	513	R	36626.7	1999	871	R
2564	2000	513	Am	36627	1999	871	R & Ad
2564.5	2000	513	R	36631	1999	871	Am
2565	2000	513	Ad	2001	88	R & Ad	
2601	1999	47 *	R ²²	36632	2001	88	R & Ad
2602	1999	47 *	R ²²	36633	1999	871	Am
2602.5	1999	47 *	Ad & R ¹⁹	2001	88	R & Ad	
2602.7	1999	47 *	Ad & R ¹⁹	36634	2001	88	R & Ad
8314	2000	787	Am	36635	1999	871	Am
10550	2000	253	Ad	2001	88	R & Ad	
10555	2000	253	Ad	36636	2001	88	R & Ad
11302	2000	262	Am	36637	2001	88	Ad
11303	2000	262	Am	36640	2001	88	R
11307	2000	262	Am	36641	1999	871	Am
11308	2000	262	Am	2001	88	R	
11501	2000	262	Am	36642	1999	871	Am
11502	2000	262	Am	2001	88	R	
18070	2000	262	Am	36643	2001	88	R
18074	2000	262	Am	36650	1999	871	Am
18075	2000	262	Am				
18076	2000	262	Am				
18343	2000	262	Am				
18362	2000	262	Am				
18363	2000	262	R				
18663	2000	262	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>				<i>Year</i>	<i>Chapter</i>	
36650 (Cont.)	2001	88		R & Ad	36660	2001	88	Ad
36651	1999	871		Am	36670	2001	88	Ad
	2001	88		R & Ad	36671	2001	88	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

UNEMPLOYMENT INSURANCE CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
125.4	2001	255	Am ³⁰⁹		2000	491	S ⁵⁷
135	2001	255	Am ³⁰⁹		2001	111*	Am
329	1999	306	Am ⁴³	1611.6	2000	491	R
	2001	180	Am	1612	2000	491	R
605	2001	255	Am ³⁰⁹	1735.1	2001	255	Am ³⁰⁹
634.5	2000	365	Am	1755	1999	991	Am ^{96 114}
	2001	255	Am ³⁰⁹	2630	2000	808*	Am
709	2001	255	Am ³⁰⁹	2655	1999	973	Am
710	2001	255	Am ³⁰⁹	2705.1	2001	893	Am
710.6	2001	255	Am ³⁰⁹	5007	2001	745*	Am
802	2001	255	Am ³⁰⁹	5202	2001	745*	R
803	2001	255	Am ³⁰⁹	9614	2000	299	Am
804	2001	255	Ad ³⁰⁹		2001	745*	R
976.6	2001	111*	Am ¹³	9616	2001	745*	Am
1030	2001	893	Am	9616.1	2001	745*	Am
1032	2001	893	Am	9616.5	2001	745*	R
1086	2001	255	Am ³⁰⁹	9617	2000	108*	Ad
1088	1999	144	Am	9618	2X 2001-02	17	Ad
1088.7	2001	745*	R	9800	1999	829	Ad ¹⁰⁷
1088.8	1999	478	Ad ⁵⁶	9801	1999	829	Ad ¹⁰⁷
	1999	480	Am (as ad by Stats. 1999, Ch. 478) ²⁵	9802	1999	829	Ad ¹⁰⁷
	2000	808*	Am	9802.5	1999	829	Ad ¹⁰⁷
1095	1999	83	Am ³⁰	9803	1999	829	Ad ¹⁰⁷
1110	2001	159	Am ³⁰⁵	9805	1999	829	Ad ¹⁰⁷
1119	2001	255	Ad ³⁰⁹	9806	1999	829	Ad ¹⁰⁷
1128.1	2001	255	Am ³⁰⁹	9807	1999	829	Ad ¹⁰⁷
1141.1	2001	255	Am ³⁰⁹	9808	1999	829	Ad ¹⁰⁷
1185	1999	987*	Am	9809	1999	829	Ad ¹⁰⁷
1222	2001	409	Am	9809.5	1999	829	Ad ¹⁰⁷
1252.3	1999	9*	Ad & R ⁷	9900	2000	313	Ad
	1999	147*	Am	9901	2000	313	Ad
1253.3	2001	255	Am ³⁰⁹	9902	2000	313	Ad
1253.8	2001	409	R & Ad	9903	2000	313	Ad
1255.7	2000	808*	Am	9904	2000	313	Ad
1256	2001	893	Am	9905	2000	313	Ad
1265.1	2001	409	Ad	9907	2000	313	Ad
1266	2000	299	S ¹⁸	9908	2000	313	Ad
1267	2000	299	S ¹⁸	10003	1999	551	Am
1268	2000	299	S ¹⁸	10006	1999	551	Ad
1269	2000	299	Am ¹⁸	10200	2000	491	Am ⁵⁷
1270	2000	299	S ¹⁸	10201	2000	491	Am ⁵⁷
1271	2000	299	Am ¹⁸	10201.5	2000	108*	Ad
1271.5	2000	299	Ad & R ¹⁸		2000	491	S ⁵⁷
1272	2000	299	S ¹⁸	10202	2000	491	R & Ad
1272.5	2000	299	S ¹⁸	10202.5	2000	491	Ad
1273	2000	299	S ¹⁸	10203	2000	491	Am ⁵⁷
1274	2000	299	S ¹⁸	10204	2000	491	Am ⁵⁷
1274.05	2000	299	S ¹⁸	10205	2000	491	Am ⁵⁷
	2001	745*	R		2001	111*	Am
1274.10	2000	299	Am ¹⁸	10206	2000	491	Am ⁵⁷
1275	2001	409	Am		2001	111*	Am
1279.1	1999	9*	Ad & R ⁷	10206.5	2000	491	R
1280	2001	409	Am	10207	2000	491	Am ⁵⁷
1281.5	1999	558*	Ad & R ¹³⁰	10208	2000	491	S ⁵⁷
1327	2001	409	Am	10209	2000	491	S ⁵⁷
1610	2000	491	S ⁵⁷	10210	2000	491	S ⁵⁷
1611	2000	491	S ⁵⁷	10211	2000	491	S ⁵⁷
1611.5	1999	147*	Am	10212	2000	491	R
	2000	108*	Am	10212.1	2000	491	R
				10212.2	2000	491	S ⁵⁷
					2001	111*	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
10213	2000	491	S ⁵⁷	12112	2000	1055*	Am
10213.5	2000	491	S ⁵⁷	12151	2000	1055*	Am
10214	2000	491	S ⁵⁷	13009.5	1999	144	Ad
10214.5	2000	491	R & Ad	13019	2000	438	Ad & R ¹⁸
	2001	111*	Am	13021	1999	144	Am
10214.6	2000	491	R	13028	1999	144	Am
10214.7	2000	491	S ⁵⁷	13050	1999	144	Am
10215	2000	491	S ⁵⁷	14000	2001	111*	Ad
10217	2000	491	S ⁵⁷	14002	2001	111*	Ad
10218	2000	491	R	15037	2001	745*	Am
10218.5	2000	491	R	15037.1	2000	491	Am
10522	2001	745*	R	15076	2000	1055*	Am
10525	2000	1055*	Am	15076.5	2000	1055*	Am
10529	2000	108*	Ad		2001	745*	Am
10532	2001	745*	Am	15077	2000	1055*	Am
11020	2000	108*	Ad	15079	2000	299	Am
11022	2000	108*	Ad	17002	2001	745*	Am
11024	2000	108*	Ad				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
28	1999	1007	Am	1803	1999	22 *	Am (as am by
221	1999	316	Am				Sec. 4,
246	1999	1007	Am				Stats. 1998,
260	2000	861 *	Am				Ch. 756) ¹⁶
285	2001	539	Am		1999	722	Am
286	2001	460	Am		1999	723	Am
	2001	539	Am (by Sec. 2.5		2000	787	Am
			of Ch.)	1803.4	1999	22 *	Am
288	2000	861 *	Ad	1806	1999	885	Am
289	2000	861 *	Ad	1808	1999	489	Am
296	2001	539	Am		2001	473	Am ³⁶⁹
297	2001	539	Am	1808.1	2000	1035	Am
322	2000	308	Am	1808.21	2000	1008	Am
331	2001	539	Am		2001	854	Am
331.1	2001	539	Am	1808.24	1999	880	Ad
331.2	2001	539	Am	1808.25	2001	676	Am ¹⁹
350	2000	861 *	Ad(RN)	1808.4	2001	363 *	Am
385.5	1999	140	Ad		2001	486	Am (by Sec. 1
390	2000	861 *	Am & RN				of Ch.)
407.5	1999	722	Ad		2001	809	Am (by Sec. 3
	1999	724	Ad				of Ch.)
426	2000	135	Am ²⁰³	1808.47	1999	880	Am
465	1999	1008	Am	1810	1999	489	Am
468	2000	861 *	Ad	1810.7	2001	745 *	Am
505.2	2000	1035	Am	1825	2000	524	Ad
545.1	2001	739	Am ³⁵⁰	2256	2001	162	Am
615	1999	456	Am	2266	2001	786	Ad
626	2001	457	Am	2407.5	2001	710	Ad & R ²⁰
627	2000	45	Am	2408.5	2000	1035	Ad & R ¹⁹
635	2000	566	Am	2425	2001	127 *	Ad & R ²⁰
666	1999	1008	Am	2429	1999	557 *	Ad
	2001	826	R	2429.3	2001	658 *	Ad
672	2001	539	Am	2429.5	1999	556 *	Ad
1655	2000	1035	Am	2430.3	2001	127 *	Am
1656.2	2000	375	Am	2432	2001	127 *	Am
	2000	787	Am	2478	1999	83	Am ³⁰
1656.3	2001	300	Am	2503	1999	1008	Am
1660	2001	460	Am	2800	1999	724	Am
1661	1999	22 *	Am	2802.5	2001	115	R
1666	2000	135	Am ²⁰³	2805	2000	688	Am
	2000	833	Am	2810	1999	83	Am ³⁰
1666.5	2001	300	Ad	2900	2000	181	Am
1672	2001	740	Am	2930	1999	610	S ⁵⁷
1673	2000	31 *	Ad	2931	1999	610	S ⁵⁷
1673.2	2000	31 *	Ad	2932	1999	610	S ⁵⁷
1673.4	2000	31 *	Ad	2933	1999	610	S ⁵⁷
1673.5	2000	31 *	Ad	2934	1999	610	S ⁵⁷
1673.6	2000	31 *	Ad	2935	1999	610	S ⁵⁷
1673.7	2000	31 *	Ad	2936	1999	610	Am ⁵⁷
1674	2000	985	Ad		2001	745 *	R
1674.2	2000	985	Ad & R ²⁰	2937	1999	610	R
1674.4	2000	985	Ad	2938	1999	610	R
1674.6	2000	985	Ad	3010	2000	637	Am
1675	2001	739	Am ³⁵⁰	3050.1	2000	637	Am
1677	2001	739	Am ³⁵⁰	3051	2000	637	Am
1680	1999	880	R	4000	2000	861 *	Am
	2001	857	Ad & R ²⁰	4000.11	2001	465 *	Ad ³⁶⁸
1685	2001	127 *	Ad				R ⁸

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
4000.37	1999	880	R & Ad	5014	2000	861*	Am
	2000	455	Am (by Sec. 1 of Ch.)	5014.1	2000	861*	Ad
					2001	825	Am (by Sec. 8.5 of Ch.)
	2000	1035	Am (by Sec. 6.5 of Ch.)		2001	826	Am (by Sec. 14.5 of Ch.)
	2001	159	Am ³⁰⁵				
4000.38	1999	880	Ad	5015	2000	861*	Am
4000.6	2000	861*	Ad	5016	2000	861*	Am
	2001	825	Am (by Sec. 7.5 of Ch.)	5017	2000	861*	Am
					2001	825	Am (by Sec. 8.9 of Ch.)
	2001	826	Am (by Sec. 8.5 of Ch.)		2001	826	Am (by Sec. 15.5 of Ch.)
4004	2000	861*	Am				
	2001	826	Am (as am by Sec. 18, Stats. 2000, Ch. 861)	5023	2001	745*	Am
				5060	2000	163	Am
				5061	2000	859	Ad
				5068	2001	201	Am ²¹ R ³⁴
4004.7	2001	539	Ad	5070	2000	651	Ad
4023	1999	140	Ad	5071.1	2000	422	Ad
4150.1	2000	861*	Am	5073	1999	594	Ad
	2001	826	Am (as am by Sec. 19, Stats. 2000, Ch. 861)	5080	2000	372	Ad
				5101	2000	163	Am
					2000	859	Am (by Sec. 3 of Ch.)
4152.5	2000	1035	Am				
4154	1999	557*	Ad		2000	861*	Am (by Sec. 28.5 of Ch.) ²⁹³
4161	2001	94	Am				
4451	2000	1035	Am				
4452	2001	826	Am		2001	826	Am (as am by Sec. 28.5, Stats. 2000, Ch. 861)
4453	2000	566	Am				
4453.2	1999	557*	Ad				
4454	1999	106	Am				
4458	2000	861*	Am	5101.2	1999	988	Am
	2001	826	Am (as am by Sec. 20, Stats. 2000, Ch. 861)	5101.3	1999	612	Am
				5101.4	1999	612	Am
				5101.8	1999	612	Am
				5103	2000	163	Am
					2000	859	Am (by Sec. 4 of Ch.)
4461	2000	524	Am				
4461.5	2000	215	Ad				
4463	2000	524	Am		2000	861*	Am (by Sec. 29.5 of Ch.) ²⁹³
4463.3	2000	215	Ad				
4466	1999	83	Am ³⁰				
4601.1	2001	868	Ad	5106	2000	861*	Am
4604.5	1999	724	Am ¹³	5108	2000	861*	Am
4750	1999	880	Am	5201	1999	1007	Am
4751	2000	1035	Am	5204	2000	135	Am ²⁰³
4764.1	2001	115	R		2000	861*	Am
4764.2	2000	787	R				
	2001	115	R ⁸²	5205.5	1999	330	Ad & R ⁶⁸
					2000	686	Am
4764.3	2001	115	R				
4764.4	2001	115	R	5301	2000	861*	Am
4852	2000	163	Am		2001	826	Am (as am by Sec. 33, Stats. 2000, Ch. 861)
	2000	859	Am				
5000	2000	861*	Am				
5002.7	1999	724	Am	5302	2000	861*	Am
	2000	860	Am	5305	2000	861*	Am
5007	2000	524	Am	5600	2000	1035	Am
5011	2000	861*	Am	5604.5	2000	455	Ad
	2001	826	Am	5900	2000	1035	Am

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Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
5902	2000	861 *	Am	Am (as am by Sec. 36, Stats. 2000, Ch. 861)	9259.5	2001	539	Ad	
	2001	826			9260	2000	861 *	Am	
6700.2	2000	30	Am	Am (by Sec. 49 of Ch.)	9261	2000	861 *	Am	
	2001	825	Am		9400	2000	861 *	Am (by Sec. 3 of Ch.) ²⁹¹	
6701	1999	100	Am	Am (by Sec. 3.5 of Ch.) ²⁹²	9400.1	2001	826	Am	
6851	2000	861 *	R			2000	861 *	Ad	
6851.5	2000	861 *	R	Am (by Sec. 10.5 of Ch.)	9400.3	2001	825	Am (by Sec. 26.5 of Ch.)	
8000	2000	861 *	Am			2000	861 *	Ad	
8054	2000	861 *	Am	Am (by Sec. 10.5 of Ch.)	9406.1	2001	825	Am (by Sec. 10.5 of Ch.)	
8058	2001	539	Ad			2001	826	Am (by Sec. 26.5 of Ch.)	
9104.5	1999	911	Ad	Ad	9407	2001	826	Am	
9250.10	2000	861 *	Am			2000	861 *	Am	
9250.11	1999	36 *	R	Ad & R ¹⁸	9408	2001	826	Am (as am by Sec. 53, Stats. 2000, Ch. 861)	
						2001	826	Am (as am by Sec. 44, Stats. 2000, Ch. 861)	
9250.13	2000	861 *	Am	Am (by Sec. 45 of Ch.)	9410	2001	825	Am	
	2001	826	Am (as am by Sec. 44, Stats. 2000, Ch. 861)		9553	1999	22 *	Am ¹⁶	
9250.14	1999	232	Am ¹⁸	Am (by Sec. 5 of Ch.) ²⁹¹	9554.2	2000	861 *	Ad	
	2000	861 *	Am (by Sec. 5 of Ch.) ²⁹¹		9564	1999	316	Am	
9250.15	2000	1064 *	Am (by Sec. 5.5 of Ch.) ²⁹²	Am (as am by Sec. 5.5, Stats. 2000, Ch. 1064)	9700	2001	826	Am	
					9706	2001	826	Am	
9250.19	2001	826	Am (as am by Sec. 46, Stats. 2000, Ch. 861)	Am (as am by Sec. 41, Stats. 2000, Ch. 861)	9862.5	2001	825	Am	
					9980	2000	135	Am ²⁰³	
9250.7	2000	861 *	Am (by Sec. 41 of Ch.)	Am (by Sec. 19.5 of Ch., as am by Sec. 41, Stats. 2000, Ch. 861)	10904	2000	867	Ad	
					2001	175	Am		
9250.8	2001	826	Am (as am by Sec. 42, Stats. 2000, Ch. 861)	Am (as am by Sec. 41, Stats. 2000, Ch. 861)	11102	2000	243	Am	
					2001	826	Am (by Sec. 19.5 of Ch., as am by Sec. 41, Stats. 2000, Ch. 861)		
9255	1999	1007	Am	Am (by Sec. 5 of Ch.)	11102.5	2000	243	Am	
					9259.3	2001	539	Ad	

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<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
11713.1 (Cont.)	2000	773	Am (by Sec. 4 of Ch.) ³⁹⁶		2001	740	Am (by Sec. 5 of Ch., as am by Sec. 5, Stats. 1999, Ch. 1008) ³²⁸
	2001	441	Am				Am (by Sec. 5.5 of Ch., as am by Sec. 5, Stats. 1999, Ch. 1008) ³²⁴
11713.10	1999	140	Ad				Am
11713.11	1999	672	Am				Am
11713.14	1999	672	Ad				Am
11713.3	2000	566	Am (by Sec. 6 of Ch.)				Am
	2000	789	Am (by Sec. 2.5 of Ch.)	12814	2000	985	Am
11715	2001	739	Am ³⁵⁰				R & Ad ¹⁹²
11729	1999	672	Am	12814.1	2000	985	Ad & R ⁵
11730	2000	1035	Am	12814.6	2000	1035	Am
11738	2000	1035	Am	12814.8	1999	206	Ad & R ¹⁹
12110	2000	641	Am	12815	1999	1008	Am
12509	2000	1035	Am		2000	135	Am ²⁰³
	2001	825	Am	12818	2000	985	Am
12512	2000	596	Ad				R & Ad ¹⁹²
12514	2000	1035	Am	13000	1999	1008	Am
12517.3	1999	229*	Am	13000.1	2000	787	Ad
12517.5	1999	1007	Am	13003	1999	1008	Am
12800.5	1999	489	Am	13005	2001	740	Am (by Sec. 6 of Ch., as ad by Sec. 9, Stats. 1998, Ch. 887) ³²⁸
12800.7	1999	1008	Am				Am (by Sec. 6.5 of Ch., as ad by Sec. 9, Stats. 1998, Ch. 887) ³²⁴
12802.5	1999	22*	Am ¹⁶				Am
12804.10	2001	658*	Ad	13005.5	1999	489	Am
12804.15	2001	658*	Ad	13102	1999	724	Am
12804.9	1999	722	Am (as am by Sec. 54.5 and Sec. 55, Stats. 1998, Ch. 877)	13106	1999	22*	Am ¹⁶
	2000	1035	R (as am by Sec. 4, Stats. 1999, Ch. 722)	13202.4	2001	854	Am
			Am (as am by Sec. 3, Stats. 1999, Ch. 722)	13210	2000	642	Ad
			R & Ad ²²	13350	1999	22*	Am ¹⁶
	2001	658*	Am (as am by Sec. 16 and as ad by Sec. 16.5, Stats. 2000, Ch. 1035)	13350.5	1999	22*	Am ¹⁶
				13351.8	2000	642	Ad
				13351.8.5	2000	641	Ad
				13352	1999	22*	Am ¹⁶
				13352.4	1999	22*	Am (as am by Stats. 1998, Ch. 756) ¹⁶
12805	2000	985	Am	13352.5	1999	22*	Am (as ad by Sec. 7, Stats. 1998, Ch. 756) ¹⁶
12808	2000	135	Am ²⁰³				Ad
	2000	985	Am	13352.6	2000	1063	Ad
			R & Ad ¹⁹²	13353	2001	473	Am ³⁶⁹
12810	2000	675	Am (by Sec. 1 of Ch.)	13353.1	2001	473	Am ³⁶⁹
	2000	1035	Am (by Sec. 18.1 of Ch.)	13353.2	1999	22*	Am (as am by Sec. 3.12, Stats. 1998, Ch. 118) ¹⁶
12811	1999	1008	Am (as ad by Sec. 7, Stats. 1998, Ch. 887)				Am
				13353.3	2001	473	Am ³⁶⁹
				13377	2000	135	Am ²⁰³

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
13386	1999	22 *	Ad(RN) ¹⁶	16020	1999	880	R (as ad by
	2000	1064 *	Am				Sec. 5,
	2001	473	Am ³⁶⁹				Stats. 1996,
13551.1	1999	1008	R				Ch. 1126)
13803	2000	985	Ad & R ¹¹¹				Am (as am by
14100	2001	658 *	Am				Sec. 10,
14104.5	1999	724	Am				Stats. 1997,
14105	1999	724	Am				Ch. 652) ¹³
14105.5	1999	724	Am		2000	1035	Am
14601	2000	1064 *	Am		2001	825	Am
14601.1	2000	1064 *	Am	16020.1	1999	794	Ad
14601.10	1999	877	Ad & R ¹⁹		2000	135	Am ²⁰³
14601.2	1999	22 *	Am (as am by		2000	1035	Am
			Sec. 10,	16020.2	1999	807	Ad
			Stats. 1998,		2000	1035	Am
			Ch. 756) ¹⁶	16021	2000	1035	Am
14601.3	1999	22 *	Am ¹⁶	16025	1999	880	Am
14601.4	2000	1064 *	Am	16028	1999	880	Am ¹³
14601.5	2000	1064 *	Am		2001	825	Am
14601.9	1999	122	Ad & R ¹⁹	16029	1999	880	Am ¹³
	2000	401	Am	16030	1999	880	Am ¹³
14602.1	2001	745 *	Am	16033	1999	880	Am ¹³
14602.6	2001	480	Am (by Sec. 1	Div. 7,			
			of Ch.)	Ch. 1,			
	2001	554	Am (by Sec. 2.5	Art. 3,			
			of Ch.)	heading			
14602.7	2001	554	Am	(Sec. 16050			
14900	2000	787	Am	et seq.)	2001	739	Am ³⁵⁰
14900.1	2000	787	Am	16050	2001	739	Am ³⁵⁰
	2001	739	Am ³⁵⁰	16051	2001	739	Am ³⁵⁰
14908	1999	1008	R	16052	2001	739	Am ³⁵⁰
15210	2001	504	Am	16054	1999	183	Am
15240	2001	504	Am		2001	739	Am ³⁵⁰
15242	2001	298	Am	16054.2	2000	1035	Am
15250.5	2001	739	R ³⁵⁰		2001	739	Am ³⁵⁰
15255	2001	739	R ³⁵⁰	16055	2001	739	Am ³⁵⁰
15275	1999	224	Am	16056	2000	1035	Am
15278	1999	224	Am	16056.1	2000	1035	Ad & R ¹⁹
15300	1999	724	Am	16070	1999	880	R (as ad by
	2001	504	Am				Sec. 11,
15302	1999	724	Am				Stats. 1996,
	2001	504	Am				Ch. 1126)
15309	1999	724	Ad				Am (as am by
15310	1999	1008	R				Sec. 10,
15311	1999	724	Ad				Stats. 1996,
15312	2001	504	Ad				Ch. 1126) ¹³
15320	1999	724	Ad		2001	739	Am ³⁵⁰
15600	2001	855	Ad	16071	1999	880	R (as ad by
15602	2001	855	Ad				Sec. 13,
15603	2001	855	Ad				Stats. 1996,
15620	2001	855	Ad				Ch. 1126)
15630	2001	855	Ad				Am (as am by
15632	2001	855	Ad				Sec. 12,
16000	2001	84 *	Am				Stats. 1996,
	2001	739	Am ³⁵⁰				Ch. 1126) ¹³
16002	2001	84 *	Am	16370	2001	44	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	<i>Section</i>	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
16373	2001	44	Am	21716	2000	155	R (as am by
16376	2001	44	Am				Sec. 4,
16379	2001	44	Am				Stats. 1997,
16457	1999	880	R (as ad by				Ch. 536)
			Sec. 15,				Am (as am by
			Stats. 1996,				Sec. 3,
			Ch. 1126)				Stats. 1997,
			Am (as am by				Ch. 536) ¹³ ,
			Sec. 14,	21752	2000	596	Am
			Stats. 1996,	21753	1999	724	Am
			Ch. 1126) ¹³	21800	2X 2001–02	6 *	Am
16560	1999	1007	Am	21810	1999	482	Ad & R ²⁰
20001	1999	854 *	Am	21949	2000	833	Ad
20002	1999	421	Am	21950	2000	833	Am
	2001	825	Am	21950.5	2000	833	Ad
21051	2000	135	Am ²⁰³	21956	2000	833	Am
21059	1999	1007	Am	21960	1999	722	Am
21100.4	1999	724	R	21970	2000	833	Ad
21115	1999	140	Am	21971	2000	833	Ad
21115.1	1999	140	Am	22110	1999	1008	Am
21200.5	1999	22 *	Am	22112	1999	647 *	Am
21211	1999	1007	Am	22349	1999	724	Am
	2001	127 *	Am	22352	2000	521	Am (as am by
21220	1999	722	Ad				Sec. 1 and as ad
21220.5	1999	722	Ad				by Sec. 2,
21221	1999	722	Ad				Stats. 1997,
21221.5	1999	722	Ad				Ch. 421)
	2000	287	Am ²¹⁶	22406	1999	724	Am
21223	1999	722	Ad		2000	787	Am
21224	1999	722	Ad	22406.1	2000	787	Ad
21225	1999	722	Ad	22411	1999	722	Ad
21227	1999	722	Ad	22451	2000	1035	Am
21228	1999	722	Ad	22452	2001	504	Am
21229	1999	722	Ad	22454	1999	647 *	Am
21230	1999	722	Ad	22456	2000	344	Ad
21235	1999	722	Ad	22507	2001	223	Am
21250	1999	140	Ad	22511.55	2000	524	Am
21251	1999	140	Ad		2001	708	Am
21252	1999	140	Ad	22511.56	2000	135	Am ²⁰³
21253	1999	140	Ad	22511.59	2000	524	Am
21254	1999	140	Ad		2001	708	Am
21260	1999	140	Ad	22511.85	2000	215	Ad
21266	1999	140	Ad	22522	1999	1007	Am
21376	2001	300	Ad	22526	2001	504	Am
21450	1999	277	Am	22651	1999	22 *	Am (as am by
			R & Ad ⁶³				Sec. 11.5,
21453	2001	14	Am				Stats. 1998,
21455.5	2001	496	Am				Ch. 118) ¹⁶
21455.6	2000	833	Am	22658	1999	1007	Am (by Sec. 23
	2000	860	Am				of Ch.)
21455.7	2001	496	Ad	22658.1	2001	854	Am
21456.2	1999	277	Ad & R ¹⁸	22710	2001	175	Am
21456.3	1999	277	Ad & R ¹⁸	22850.5	1999	456	Am
21655.12	1999	168	Ad ⁴		2001	554	Am
			R ⁸	22851	2001	127 *	Am
	2000	63 *	Am	23103	2001	739	Am ³⁵⁰
21655.16	2000	337	Ad ²²²	23113	1999	421	Am
			R ³⁴	23115	2001	279	Am
21655.9	1999	330	Ad & R ⁶⁸	23116	2000	308	Am

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Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
23130	2001	92		R	23249.53	1999	22*	Am & RN ¹⁶	
23130.5	2001	92		R	23249.54	1999	22*	Am (as am by	
23157	1999	22*		Am & RN ¹⁶				Sec. 6 and as ad	
23160	1999	22*		Am (as am by				by Sec. 7,	
				Sec. 11,				Stats. 1998,	
				Stats. 1998,				Ch. 756)	
				Ch. 756)				& RN ¹⁶	
				& RN ¹⁶	23249.55	1999	22*	Am & RN ¹⁶	
23161	1999	22*		Am (as am by	23330	1999	722	Am	
				Sec. 12,	23502	2000	1063	R & Ad	
				Stats. 1998,	23504	2000	1063	R	
				Ch. 756)	23506	2000	1063	R	
				& RN ¹⁶	23508	2000	1063	R	
23166	1999	22*		Am (as am by	23522	1999	22*	R ¹⁶	
				Sec. 13.5,	23524	1999	22*	R ¹⁶	
				Stats. 1998,	23536	1999	22*	Ad(RN) ¹⁶	
				Ch. 756)	23538	1999	22*	Ad(RN) ¹⁶	
				& RN ¹⁶	23542	1999	22*	Ad(RN) ¹⁶	
23186	1999	22*		Am (as am by	23546	1999	22*	Am ¹⁶	
				Sec. 15,	23550	1999	22*	Am ¹⁶	
				Stats. 1998,	23550.5	1999	22*	Am ¹⁶	
				Ch. 756)		1999	706*	Am	
				& RN ¹⁶		2001	849	Am	
23198	1999	22*		R	23552	1999	22*	Am ¹⁶	
				Ad & R ¹⁵	23558	1999	706*	Am	
23203	1999	22*		Am (as am by	23562	1999	22*	Ad(RN) ¹⁶	
				Sec. 17,	23566	1999	22*	Am ¹⁶	
				Stats. 1998,	23568	1999	22*	Am ¹⁶	
				Ch. 756)	23572	1999	22*	Am ¹⁶	
				& RN ¹⁶	23575	1999	22*	Ad(RN) ¹⁶	
23204	1999	22*		Am (as am by		2000	1064*	Am	
				Sec. 19,		2001	473	Am ³⁶⁹	
				Stats. 1998,	23577	1999	22*	Am ¹⁶	
				Ch. 756)	23590	1999	22*	R ¹⁶	
				& RN ¹⁶	23596	1999	22*	R	
23221	1999	723		Am				Ad ¹⁶	
23223	1999	723		Am	23600	1999	22*	Am ¹⁶	
23225	1999	723		Am	23602	1999	22*	Am ¹⁶	
23226	1999	723		Am	23612	1999	22*	Ad(RN) ¹⁶	
23235	1999	22*		Am (as am by		1999	853	Am ¹⁴⁴	
				Sec. 19,		1999	854*	Am	
				Stats. 1998,		2000	287	Am ²¹⁶	
				Ch. 756)	23620	1999	724	Am	
				& RN ¹⁶	23640	1999	22*	Am ¹⁶	
Div. 11,					23646	1999	22*	Ad(RN) ¹⁶	
Ch. 12,						2000	1064*	Am	
Art. 4.5,					23647	1999	22*	Ad(RN) ¹⁶	
heading					23648	1999	22*	Ad(RN) (by	
(Sec. 23246								Sec. 31 and	
et seq.)	1999	22*		R ¹⁶				Sec. 32 of Ch.) ¹⁶	
23246	1999	22*		Am (as am by	23649	1999	22*	Ad(RN) ¹⁶	
				Sec. 21,		2000	1064*	Am	
				Stats. 1998,	23650	1999	22*	Am ¹⁶	
				Ch. 756)	23655	1999	22*	Am ¹⁶	
				& RN ¹⁶	23660	1999	22*	Ad(RN) ¹⁶	
23247	1999	22*		Am (as am by	23662	1999	22*	Ad(RN) ¹⁶	
				Sec. 22,	23665	1999	22*	Am ¹⁶	
				Stats. 1998,	24002.5	2000	873	Ad	
				Ch. 756) ¹⁶	24604	2000	1035	Am	
23249	2001	473		Am ³⁶⁹	24607	1999	140	Am	
23249.52	1999	22*		Am & RN ¹⁶	24612	2001	825	Ad	

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Section	Affected By			Section	Affected By			
	Year	Chapter	Effect		Year	Chapter	Effect	
24616	2001	739	Ad ³⁵⁰	34501.13	1999	1007	Am	
25108	2001	739	Am ³⁵⁰	34501.18	2001	789	Ad	
27150.1	2001	92	Am	34501.2	2000	787	Am	
27150.2	2001	92	Am	34501.5	1999	1008	Am	
27150.3	2001	92	R	34505.6	1999	1005	Am	
27150.4	2001	92	R		1999	1006	Am	
27150.6	2001	92	R		2000	860	Am	
27150.7	2001	92	Am	34505.9	2000	135	Am ²⁰³	
27150.8	2001	92	R	34506.4	2000	873	Am	
27151	2001	92	Am	34506.5	2000	873	Ad	
Div. 12, Ch. 5, Art. 3, heading (Sec. 27302 et seq.)	1999	449	Am	34510	2001	504	Am	
	27315	1999	557 *	Am	34520	1999	724	Am
	27316	1999	648	R & Ad		2001	298	Am
		2001	581	Am	34520.5	1999	1007	Am
	27317	1999	449	Ad	34601	1999	1005	Am (by Sec. 98 of Ch.)
	27360	2000	675	Am		1999	1008	Am (by Sec. 15.5 of Ch.)
	27360.5	2000	675	R & Ad ⁸		2000	787	Am
				Am	34622	1999	1005	Am
				R & Ad ⁸	34623	1999	1006	Am
				Am		2001	298	Am
				R (as ad by Sec. 6, Stats. 2000, Ch. 675)	34631.5	1999	724	Am
		2001	84 *	Ad ⁸	34672	2001	825	Am
				Am (by Sec. 10 of Ch.)	35106	1999	724	Am
				Am	35400	2000	860	R & Ad ⁸
	27361	2000	675	Am		2001	658 *	Am
27363	2000	675	Am	35401.3	2000	860	Am	
			R & Ad ⁸	35401.5	2000	860	Am	
	2001	84 *	Am (as ad by Sec. 9, Stats. 2000, Ch. 675)	35401.7	1999	911	Ad & R ⁵	
			Am		2001	413	Am ¹⁹	
27363.5	2000	675	Am	35402	1999	181	Am	
			R & Ad ⁸		2000	860	Am	
27365	2000	675	Am	35555	2001	497 *	Am	
			R & Ad ⁸	35559	2001	504	R	
			Am	35581	2001	745 *	Am	
			R & Ad ⁸	35655.5	2000	212	Ad	
	2001	84 *	Am (as ad by Sec. 13, Stats. 2000, Ch. 675)	35780.3	2000	566	Am	
			Am	35790.1	2000	135	Am ²⁰³	
			Am	36010	2000	861 *	Am	
27907	1999	456	Am	36109	2000	861 *	Am	
27910	2000	861 *	Ad	38010	1999	1008	Am	
29004	1999	724	Am (by Sec. 45 of Ch.)	38225	2001	227	Am (as am by Sec. 6, Stats. 1996, Ch. 202) ⁷⁵	
31401	1999	556 *	Am				Am (as am by Sec. 7, Stats. 1996, Ch. 202) ¹⁰⁰	
31401.5	1999	557 *	Ad				Am	
31402	2000	873	Am	38246	1999	1008	Am	
31404	1999	556 *	Am	39004	1999	277	Am	
31405	1999	557 *	Ad	40000.13	1999	330	Am	
	2000	308	Am				R & Ad ⁶⁹	
31406	2000	308	Ad ²¹⁸	40000.15	1999	83	Am ³⁰	
31407	2000	308	Ad		2000	873	Am	
31408	1999	556 *	Ad		1999	316	Am	
31409	2000	308	Ad	40001	1999	724	Am	
34500	1999	724	Am					
	2000	566	Am					
34501.12	1999	1008	Am					

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
40001 (Cont.)	2001	504	Am	41501	1999	1008	Am
40303	1999	724	Am	42001	1999	841	Am
	2000	860	Am		2000	833	Am
40513	2001	830	Am	42001.1	1999	724	Am
40611	1999	880	R (as ad by	42001.16	1999	841	Ad
			Sec. 17,	42001.17	2000	833	Ad
			Stats. 1996,	42001.18	2000	833	Ad
			Ch. 1126)	42005	1999	724	Am
			Am (as am by	42007	1999	679	Am
			Sec. 16,	42007.4	1999	841	Ad
			Stats. 1996,	42010	1999	169*	Am ¹⁹
			Ch. 1126) ¹³	42030.1	2000	861*	Ad
				42205	1999	85	Am
				42232	2000	787	Am
				42271.5	1999	85	Ad & R ²⁷
			40802	1999	1008	Am	
	2000	521	Am				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
138.9	2001	7	Ad	10642	2000	297	Am
200	1X 2001-02	3 *	Ad ²⁹⁶	10644	2000	297	Am
232	2001	745 *	R	10656	2001	643	Am
1011	1999	938	Am	10657	2001	643	Ad & R ⁴³
1014	1999	938	Ad	10750	2000	708	Am
1015	1999	938	Ad	10752	1999	779 *	Am
1016	1999	938	Ad	10756	2001	745 *	R
1017	1999	938	Ad	10780	2001	522	Ad
1055	2001	315	Am	10781	2001	522	Ad
1055.2	2001	315	Am	10782	2001	522	Ad
1062	1999	83	Am ³⁰	10782.3	2001	522	Ad
1122	2001	315	Am	10795	2000	708	Ad
1126	2001	315	Am	10795.10	2000	708	Ad
1211	2001	315	Am	10795.12	2000	708	Ad
Div. 2,				10795.14	2000	708	Ad
Pt. 2,				10795.16	2000	708	Ad
Ch. 1,				10795.19	2000	708	Ad
Art. 2.7,				10795.2	2000	708	Ad
heading				10795.20	2000	708	Ad
(Sec. 1228				10795.4	2000	708	Ad
et seq.)	2000	306	Am	10795.6	2000	708	Ad
1228.1	2000	306	Am	10795.8	2000	708	Ad
1228.2	2000	306	Am	10910	2001	643	Am
1228.3	2000	306	Am	10911	2001	643	Am
1228.5	2000	306	Am	10912	2001	643	Am
1228.8	2000	306	Am	10913	2001	643	R
1228.9	2000	306	Am	10915	2001	643	Am
1701.1	2001	315	Ad	11156	2001	745 *	R
1701.2	2001	315	Ad	11912	2001	745 *	Am
1701.3	2001	315	Ad	12260	1999	779 *	S ⁵
1701.4	2001	315	Ad	12261	1999	779 *	S ⁵
1703.1	2001	315	Ad	12262	1999	779 *	S ⁵
1703.2	2001	315	Ad	12263	1999	779 *	S ⁵
1703.3	2001	315	Ad	12264	1999	779 *	S ⁵
1703.4	2001	315	Ad	12265	1999	779 *	S ⁵
1703.5	2001	315	Ad	12266	1999	779 *	S ⁵
1703.6	2001	315	Ad	12267	1999	779 *	S ⁵
1704	2001	315	Am	12268	1999	779 *	S ⁵
1707	1999	938	Am	12269	1999	779 *	S ⁵
1726	1999	938	R & Ad	12270	1999	779 *	S ⁵
1727	1999	938	R & Ad	12271	1999	779 *	S ⁵
1728	1999	938	Am	12272	1999	779 *	S ⁵
1732	1999	938	R & Ad	12273	1999	779 *	Am ⁵
1812.6	1999	725 *	Ad & R ²⁴	12308	2001	745 *	R
8610	2001	745 *	Am	12310	1999	779 *	Am
10004	1999	210	Am	12582.7	2000	1071	Ad
	2000	720	Am	12585.10	2001	606 *	Ad
10004.5	1999	210	Ad	12585.7	2000	1071	R & Ad
	2000	720	Am	12585.8	2000	1071	Ad
10004.6	2000	720	Ad	12585.9	2000	1071	Ad
10010	2001	745 *	R	12643	2000	1071	Ad
10013	2001	320	Ad	12657	2000	1071	Am
10610.2	2001	644	Am	12661.2	2000	1071	Ad
10620	2001	320	Am	12670.14	2000	1071	Ad
10621	2000	297	Am	12670.16	2000	1071	Ad
10631	2000	712 *	Am	12670.20	2000	1071	Ad
	2001	643	Am (by Sec. 3 of Ch.)	12670.7	2000	1071	Ad
	2001	644	Am (by Sec. 2.5 of Ch.)	12670.8	2000	1071	Ad
10634	2001	644	Ad	12684.2	2000	1071	Ad
				12684.4	2000	1071	Ad
				12684.6	2000	1071	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
12684.8	2000	1071	Ad	13397.5	2000	727	Am
12706.3	2000	1071	Ad	13399	2000	727	S ⁵⁷
12721.5	2000	1071	Ad	13399.1	2000	727	S ⁵⁷
12721.7	2000	1071	Ad	13399.2	2000	727	S ⁵⁷
12721.8	2000	1071	Ad	13399.3	2000	727	Am ¹³
12749.95	2001	637	Ad	13443	2001	869	Am
12830	2001	745 *	Am	13467	2001	745 *	R
12875	2001	745 *	Am	13480	1999	725 *	Am
12879.5	2001	745 *	Am	13578	2001	590	Ad
12890.4	2001	745 *	Am	13580.5	1999	173	Am
12928.5	2001	745 *	R	13580.7	1999	173	Am
12929.47	2001	745 *	R	13627.1	2001	869	Am
12939	2001	745 *	Am	13627.2	2001	869	Am & RN & Ad
12944.7	2001	929	Am	13627.3	2001	869	Am & RN
13176	2000	727	Am				& Ad(RN)
13177.5	2000	144 *	Ad	13627.4	2001	869	Ad(RN)
13177.6	2000	144 *	Ad	13752	1999	812	Am
13178	1999	488	Ad	13952.1	2000	391 *	Ad
	2000	727	Am	14014	2001	745 *	R
13191	1999	495	Ad	14058	1999	725 *	Am ¹²³
13192	1999	495	Ad	14919	2001	745 *	R
13193	2001	498	Ad	20527.12	2000	1078	Ad ²⁷³
13195	2000	727	Ad	20527.13	2000	1078	Ad ²⁷³
13196	2000	727	Ad		2001	606 *	Am
13197.5	2000	727	Ad	20804	2000	1042	Am
13198	2000	727	Ad	20805	2000	1042	Am
13261	2001	869	Am	21100	2000	1041	Am
13262	2001	869	Am	22651.5	2000	146 *	Ad
13263.3	1999	92	Ad	24253	2001	606 *	Ad
	1999	93	Ad ⁴⁰	30500.3	2001	176	Ad
	2000	807	Am	30547	1999	853	Am ¹⁴⁴
13263.6	1999	92	Ad	31013.5	1999	166	Ad
	1999	93	Ad ⁴⁰	31304.5	2001	606 *	Ad
13267	2001	869	Am	31483	1999	779 *	Am ²⁰
13269	1999	686	Am	31633	2001	929	Am
13271	2001	498	Am	35470.5	1999	779 *	Am
13273	2000	343	Am	35539.10	2001	209	Ad
13286	2001	700	Ad	35539.12	2001	209	Ad
13290	2000	781	Ad	35539.14	2001	209	Ad
13291	2000	781	Ad	35539.16	2001	209	Ad
13291.5	2000	781	Ad	36424.1	2000	25 *	Ad
13291.7	2000	781	Ad	37207.1	2000	25 *	Ad
13304	2001	332	Am	39034	1999	779 *	Ad
13304.1	2001	332	Ad	39035	1999	779 *	Ad
13323	2001	869	Am	41307	1999	779 *	Am
13327	1999	779 *	Am	46796	1999	779 *	Ad
	2001	869	Am	46797	1999	779 *	Ad
13350	1999	686	Am	55339	2000	722	Ad
	2001	869	Am	60167	2001	829	Ad
13351	2001	869	Am	60230.5	2000	894	Ad
13362	1999	92	Ad	60231	2000	894	Am
	1999	93	Ad ⁴⁰	60233.5	2000	888	Ad & R ²⁰
13366	2001	469	Ad & R ¹⁹	60290	2000	894	Ad
13367	2001	469	Ad & R ¹⁹	60291	2000	894	Ad
13369	1999	560	Ad	60292	2000	894	Ad
13383.5	2001	492	Ad	60315	2000	894	Am
13385	1999	92	Am	60316	2000	894	Am
	1999	93	Am	60318	2000	727	Am
	2000	807	Am	60328.1	2000	894	Ad
	2001	869	Am	60600	2000	888	Ad
13387	2001	869	Am	60602	2000	888	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

WATER CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
60602 (Cont.)	2001	829	Am	79044.7	1999	725 *	Ad ¹²³
60604	2000	888	Ad	79044.9	1999	725 *	Ad ¹²³
60606	2000	888	Ad	79045	1999	725 *	Ad ¹²³
60608	2000	888	Ad	79046	1999	725 *	Ad ¹²³
60610	2000	888	Ad	79047	1999	725 *	Ad ¹²³
60612	2000	888	Ad	79048	1999	725 *	Ad ¹²³
60614	2000	888	Ad	79049	1999	725 *	Ad ¹²³
	2001	829	Am	79050	1999	725 *	Ad ¹²³
60616	2000	888	Ad	79051	1999	725 *	Ad ¹²³
60618	2000	888	Ad	79052	1999	725 *	Ad ¹²³
60620	2000	888	Ad	79055	1999	725 *	Ad ¹²³
60622	2000	888	Ad	79056	1999	725 *	Ad ¹²³
71631.7	1999	779 *	Am ¹⁸	79057	1999	725 *	Ad ¹²³
71697	2000	129 *	Am	79060	1999	725 *	Ad ¹²³
74570.5	2001	606 *	Ad	79061	1999	725 *	Ad ¹²³
78621	1999	725 *	Am ¹²³	79062	1999	725 *	Ad ¹²³
78626	1999	725 *	R & Ad ¹²³	79062.5	1999	725 *	Ad ¹²³
78648.12	1999	725 *	R & Ad ¹²³	79065	1999	725 *	Ad ¹²³
	2000	1078	Am	79065.2	1999	725 *	Ad ¹²³
78675	1999	725 *	R & Ad ¹²³	79065.4	1999	725 *	Ad ¹²³
79000	1999	725 *	Ad ¹²³	79065.6	1999	725 *	Ad ¹²³
79005	1999	725 *	Ad ¹²³	79065.8	1999	725 *	Ad ¹²³
79006	1999	725 *	Ad ¹²³	79067	1999	725 *	Ad ¹²³
79007	1999	725 *	Ad ¹²³	79067.2	1999	725 *	Ad ¹²³
79008	1999	725 *	Ad ¹²³	79067.4	1999	725 *	Ad ¹²³
79009	1999	725 *	Ad ¹²³	79068	1999	725 *	Ad ¹²³
79010	1999	725 *	Ad ¹²³	79068.10	1999	725 *	Ad ¹²³
79011	1999	725 *	Ad ¹²³	79068.12	1999	725 *	Ad ¹²³
79012	1999	725 *	Ad ¹²³	79068.14	1999	725 *	Ad ¹²³
79013	1999	725 *	Ad ¹²³	79068.16	1999	725 *	Ad ¹²³
79019	1999	725 *	Ad ¹²³	79068.18	1999	725 *	Ad ¹²³
79020	1999	725 *	Ad ¹²³	79068.2	1999	725 *	Ad ¹²³
79021	1999	725 *	Ad ¹²³	79068.20	1999	725 *	Ad ¹²³
79022	1999	725 *	Ad ¹²³		2000	1078	Am
79022.5	1999	725 *	Ad ¹²³	79068.4	1999	725 *	Ad ¹²³
79022.7	1999	725 *	Ad ¹²³	79068.6	1999	725 *	Ad ¹²³
	2000	1078	Am	79068.8	1999	725 *	Ad ¹²³
79023	1999	725 *	Ad ¹²³	79069	1999	725 *	Ad ¹²³
79024	1999	725 *	Ad ¹²³		2000	1078	Am
79025	1999	725 *	Ad ¹²³	79069.10	1999	725 *	Ad ¹²³
79026	1999	725 *	Ad ¹²³	79069.12	1999	725 *	Ad ¹²³
79030	1999	725 *	Ad ¹²³	79069.2	1999	725 *	Ad ¹²³
79031	1999	725 *	Ad ¹²³	79069.4	1999	725 *	Ad ¹²³
79033	1999	725 *	Ad ¹²³	79069.6	1999	725 *	Ad ¹²³
79033.2	1999	725 *	Ad ¹²³	79069.8	1999	725 *	Ad ¹²³
79033.4	1999	725 *	Ad ¹²³	79070	1999	725 *	Ad ¹²³
79033.6	1999	725 *	Ad ¹²³	79071	1999	725 *	Ad ¹²³
79035	1999	725 *	Ad ¹²³	79075	1999	725 *	Ad ¹²³
79036	1999	725 *	Ad ¹²³	79076	1999	725 *	Ad ¹²³
79037	1999	725 *	Ad ¹²³	79077	1999	725 *	Ad ¹²³
79038	1999	725 *	Ad ¹²³	79078	1999	725 *	Ad ¹²³
79039	1999	725 *	Ad ¹²³	79079	1999	725 *	Ad ¹²³
79040	1999	725 *	Ad ¹²³	79079.5	1999	725 *	Ad ¹²³
79041	1999	725 *	Ad ¹²³	79080	1999	725 *	Ad ¹²³
79042	1999	725 *	Ad ¹²³	79081	1999	725 *	Ad ¹²³
79043	1999	725 *	Ad ¹²³	79082	1999	725 *	Ad ¹²³
79044	1999	725 *	Ad ¹²³	79083	1999	725 *	Ad ¹²³
79044.5	1999	725 *	Ad ¹²³	79084	1999	725 *	Ad ¹²³
79044.6	1999	725 *	Ad ¹²³	79085	1999	725 *	Ad ¹²³
	2000	1078	Am	79085.5	1999	725 *	Ad ¹²³
				79086	1999	725 *	Ad ¹²³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

WATER CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
79087	1999	725 *	Ad ¹²³	79128.5	1999	725 *	Ad ¹²³
79088	1999	725 *	Ad ¹²³		2000	1078	Am
79090	1999	725 *	Ad ¹²³	79129	1999	725 *	Ad ¹²³
79091	1999	725 *	Ad ¹²³	79130	1999	725 *	Ad ¹²³
79092	1999	725 *	Ad ¹²³	79131	1999	725 *	Ad ¹²³
	2001	606 *	Am	79132	1999	725 *	Ad ¹²³
79093	1999	725 *	Ad ¹²³	79133	1999	725 *	Ad ¹²³
79094	1999	725 *	Ad ¹²³		2000	1078	Am
79100	1999	725 *	Ad ¹²³	79135	1999	725 *	Ad ¹²³
79101	1999	725 *	Ad ¹²³	79136	1999	725 *	Ad ¹²³
79102	1999	725 *	Ad ¹²³	79137	1999	725 *	Ad ¹²³
79103	1999	725 *	Ad ¹²³	79138	1999	725 *	Ad ¹²³
79103.2	1999	725 *	Ad ¹²³	79139	1999	725 *	Ad ¹²³
79103.4	1999	725 *	Ad ¹²³	79140	1999	725 *	Ad ¹²³
79104	1999	725 *	Ad ¹²³		2000	1078	Am
79104.100	1999	725 *	Ad ¹²³	79141	1999	725 *	Ad ¹²³
79104.102	1999	725 *	Ad ¹²³	79142	1999	725 *	Ad ¹²³
79104.104	1999	725 *	Ad ¹²³	79142.2	1999	725 *	Ad ¹²³
79104.106	1999	725 *	Ad ¹²³	79142.4	1999	725 *	Ad ¹²³
79104.108	1999	725 *	Ad ¹²³	79142.6	1999	725 *	Ad ¹²³
79104.110	1999	725 *	Ad ¹²³	79142.8	1999	725 *	Ad ¹²³
79104.114	1999	725 *	Ad ¹²³	79143	1999	725 *	Ad ¹²³
79104.20	1999	725 *	Ad ¹²³	79144	1999	725 *	Ad ¹²³
79104.200	1999	725 *	Ad ¹²³	79145	1999	725 *	Ad ¹²³
79104.202	1999	725 *	Ad ¹²³	79146	1999	725 *	Ad ¹²³
79104.204	1999	725 *	Ad ¹²³	79147	1999	725 *	Ad ¹²³
79104.206	1999	725 *	Ad ¹²³	79148	1999	725 *	Ad ¹²³
79104.22	1999	725 *	Ad ¹²³		2000	1078	Am
79104.24	1999	725 *	Ad ¹²³	79148.10	1999	725 *	Ad ¹²³
79104.26	1999	725 *	Ad ¹²³	79148.12	1999	725 *	Ad ¹²³
79104.30	1999	725 *	Ad ¹²³	79148.14	1999	725 *	Ad ¹²³
79104.32	1999	725 *	Ad ¹²³	79148.15	1999	725 *	Ad ¹²³
79104.34	1999	725 *	Ad ¹²³	79148.16	1999	725 *	Ad ¹²³
79105	1999	725 *	Ad ¹²³	79148.2	1999	725 *	Ad ¹²³
79106	1999	725 *	Ad ¹²³	79148.4	1999	725 *	Ad ¹²³
	2000	1078	Am	79148.6	1999	725 *	Ad ¹²³
79110	1999	725 *	Ad ¹²³	79148.7	1999	725 *	Ad ¹²³
79111	1999	725 *	Ad ¹²³	79148.8	1999	725 *	Ad ¹²³
79112	1999	725 *	Ad ¹²³		2000	1078	Am
79113	1999	725 *	Ad ¹²³	79149	1999	725 *	Ad ¹²³
79114	1999	725 *	Ad ¹²³	79149.10	1999	725 *	Ad ¹²³
79114.2	1999	725 *	Ad ¹²³	79149.12	1999	725 *	Ad ¹²³
79114.3	1999	725 *	Ad ¹²³	79149.14	1999	725 *	Ad ¹²³
79114.5	1999	725 *	Ad ¹²³	79149.16	1999	725 *	Ad ¹²³
79115	1999	725 *	Ad ¹²³	79149.2	1999	725 *	Ad ¹²³
79116	1999	725 *	Ad ¹²³	79149.3	1999	725 *	Ad ¹²³
79117	1999	725 *	Ad ¹²³	79149.4	1999	725 *	Ad ¹²³
79120	1999	725 *	Ad ¹²³	79149.6	1999	725 *	Ad ¹²³
79121	1999	725 *	Ad ¹²³	79149.8	1999	725 *	Ad ¹²³
79122	1999	725 *	Ad ¹²³	79150	1999	725 *	Ad ¹²³
	2000	1078	Am	79151	1999	725 *	Ad ¹²³
79122.2	1999	725 *	Ad ¹²³	79152	1999	725 *	Ad ¹²³
79122.4	1999	725 *	Ad ¹²³	79153	1999	725 *	Ad ¹²³
79123	1999	725 *	Ad ¹²³	79154	1999	725 *	Ad ¹²³
79124	1999	725 *	Ad ¹²³	79155	1999	725 *	Ad ¹²³
79125	1999	725 *	Ad ¹²³	79155.5	1999	725 *	Ad ¹²³
79126	1999	725 *	Ad ¹²³	79156	1999	725 *	Ad ¹²³
79127	1999	725 *	Ad ¹²³	79157	1999	725 *	Ad ¹²³
	2000	1078	Am	79158	1999	725 *	Ad ¹²³
79128	1999	725 *	Ad ¹²³	79161	1999	725 *	Ad ¹²³
	2000	1078	Am	79161.5	1999	725 *	Ad ¹²³

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

WATER CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
79162	1999	725 *	Ad ¹²³	79210	1999	725 *	Ad ¹²³
79162.2	1999	725 *	Ad ¹²³	79211	1999	725 *	Ad ¹²³
79162.4	1999	725 *	Ad ¹²³	79212	1999	725 *	Ad ¹²³
79163	1999	725 *	Ad ¹²³	79213	1999	725 *	Ad ¹²³
79164	1999	725 *	Ad ¹²³	79214	1999	725 *	Ad ¹²³
79165	1999	725 *	Ad ¹²³	79215	1999	725 *	Ad ¹²³
79166	1999	725 *	Ad ¹²³	79216	1999	725 *	Ad ¹²³
79170	1999	725 *	Ad ¹²³	79217	1999	725 *	Ad ¹²³
79171	1999	725 *	Ad ¹²³	79218	1999	725 *	Ad ¹²³
	2000	1078	Am	79219	1999	725 *	Ad ¹²³
79172	1999	725 *	Ad ¹²³	79220	1999	725 *	Ad ¹²³
79173	1999	725 *	Ad ¹²³	79221	1999	725 *	Ad ¹²³
79174	1999	725 *	Ad ¹²³	80000	1X 2001–02	4 *	Ad
79175	1999	725 *	Ad ¹²³	80002	1X 2001–02	4 *	Ad
79176	1999	725 *	Ad ¹²³	80002.5	1X 2001–02	4 *	Ad
79177	1999	725 *	Ad ¹²³	80003	1X 2001–02	4 *	Ad
79178	1999	725 *	Ad ¹²³	80004	1X 2001–02	4 *	Ad
79179	1999	725 *	Ad ¹²³	80010	1X 2001–02	4 *	Ad
79180	1999	725 *	Ad ¹²³	80012	1X 2001–02	4 *	Ad
79181	1999	725 *	Ad ¹²³	80014	1X 2001–02	4 *	Ad
79182	1999	725 *	Ad ¹²³	80016	1X 2001–02	4 *	Ad
79183	1999	725 *	Ad ¹²³	80100	1X 2001–02	4 *	Ad
79190	1999	725 *	Ad ¹²³	80102	1X 2001–02	4 *	Ad
79191	1999	725 *	Ad ¹²³	80104	1X 2001–02	4 *	Ad
79192	1999	725 *	Ad ¹²³	80106	1X 2001–02	4 *	Ad
79193	1999	725 *	Ad ¹²³		1X 2001–02	9	Am
79194	1999	725 *	Ad ¹²³	80108	1X 2001–02	4 *	Ad
79195	1999	725 *	Ad ¹²³	80110	1X 2001–02	4 *	Ad
79196	1999	725 *	Ad ¹²³	80112	1X 2001–02	4 *	Ad
79196.5	1999	725 *	Ad ¹²³	80114	1X 2001–02	4 *	Ad
	2000	1078	Am		1X 2001–02	9	R (as ad by Stats. 2001, Ch. 4)
79197	1999	725 *	Ad ¹²³				
79198	1999	725 *	Ad ¹²³	80116	1X 2001–02	4 *	Ad
79199	1999	725 *	Ad ¹²³	80120	1X 2001–02	4 *	Ad
79200	1999	725 *	Ad ¹²³	80122	1X 2001–02	4 *	Ad
79201	1999	725 *	Ad ¹²³	80130	1X 2001–02	4 *	Ad
79201.5	1999	725 *	Ad ¹²³		1X 2001–02	9	Am
79202	1999	725 *	Ad ¹²³	80132	1X 2001–02	4 *	Ad
79203	1999	725 *	Ad ¹²³		1X 2001–02	9	Am
79205.10	1999	725 *	Ad ¹²³	80134	1X 2001–02	4 *	Ad
79205.12	1999	725 *	Ad ¹²³	80200	1X 2001–02	4 *	Ad
79205.14	1999	725 *	Ad ¹²³		1X 2001–02	9	Am
79205.16	1999	725 *	Ad ¹²³	80250	1X 2001–02	4 *	Ad
79205.2	1999	725 *	Ad ¹²³	80260	1X 2001–02	4 *	Ad
79205.4	1999	725 *	Ad ¹²³	80270	1X 2001–02	4 *	Ad
79205.6	1999	725 *	Ad ¹²³				
79205.8	1999	725 *	Ad ¹²³				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

WELFARE AND INSTITUTIONS CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
27	2001	683	Ad	2000	135	Am ²⁰³	
100	2000	447	Am	2000	824	Am	
	2001	824	Am			R & Ad ⁸⁰	
202	1999	997	Am (by Sec. 1 of Ch.)	2001	653 *	Am (as am by Sec. 5 and as ad by Sec. 5.5, Stats. 2000, Ch. 824)	
	2001	830	Am				
213.5	1999	661	Am (by Sec. 13 of Ch.)	362	2000	908	Am (by Sec. 2 of Ch.)
	1999	980	Am (by Sec. 19.5 of Ch.)		2000	910	Am (by Sec. 8.5 of Ch.)
	2001	572	Am (by Sec. 5 of Ch.)		2000	911	Am (by Sec. 1.5 of Ch.)
	2001	713	Am (by Sec. 1.5 of Ch.)	362.1	2000	909	Am
217	1999	233	Am	362.7	2001	653 *	Ad
229.5	2000	908	Am	366	1999	887	Am
241.1	2001	830	Am		2000	909	Am
256	2000	228	Am		2001	111 *	Am
257	2001	830	Am		2001	653 *	Am
300	2000	824	Am	366.1	2000	909	Am
			R & Ad ⁸⁰		2001	111 *	Am
300.2	1999	346	Am		2001	653 *	Am
302	2000	921	Am	366.21	1999	399	Am (by Sec. 2 of Ch.)
	2001	854	Am		1999	805	Am (by Sec. 2.2 of Ch.)
305.5	1999	275 *	Ad				
306.5	2001	747	Ad		2000	108 *	Am
309	2000	421 *	Am		2000	910	Am
	2000	824	Am		2001	747	Am
			R & Ad ⁸⁰	366.22	1999	399	Am
	2001	653 *	Am (as am by Sec. 4 and as ad by Sec. 4.5, Stats. 2000, Ch. 824)		2000	108 *	Am
				366.23	1999	997	Am
316.2	2000	56	Am	366.24	1999	887	Ad
317	2000	450	Am		2000	910	R
319	1999	83	Am ³⁰	366.25	1999	887	Ad
	2001	653 *	Am		2000	910	R
319.1	1999	892	Am	366.26	1999	83	Am ³⁰
	2001	854	Am		1999	997	Am
326	2000	450	R ⁹⁶		2000	910	Am
326.5	2000	450	Ad	366.28	2001	747	Am
355.1	1999	417 *	Am	366.29	2001	747	Am
358.1	2000	909	Am (by Sec. 1 of Ch.)	366.3	1999	887	Am (by Sec. 2 of Ch.)
	2000	930	Am		2000	108 *	Am
	2001	754	Am		2000	909	Am (by Sec. 6 of Ch.)
360.6	1999	275 *	Ad		2000	910	Am (by Sec. 14.1 of Ch.)
361.2	2000	909	Am (by Sec. 2 of Ch.)				
	2001	653 *	Am		2000	911	Am (by Sec. 2.3 of Ch.)
361.21	1999	881 *	Am				
361.3	2001	653 *	Am		2001	747	Am
361.4	2000	421 *	Am	367	2001	854	Am
	2001	445 *	Am	369.5	1999	552	Ad
			R & Ad ⁶³	388	2000	909	Am
361.5	1999	399	Am (by Sec. 1 of Ch.)	391	2000	911	Ad
	1999	805	Am (by Sec. 1.2 of Ch.)	396	1999	620	Am
				602	1999	996	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

WELFARE AND INSTITUTIONS CODE—Continued

<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
602 (Cont.)					2000		
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
				663	2000		
					Initiative		
602.3	2001	854	Am		(Prop. 21		
	2001	854	Ad(RN)		adopted		
602.5	1999	996	Ad		March 7,		
					2000)		Am
					Initiative	996	Am
				676	1999	996	
					2000		
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
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					Initiative		
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					Initiative		
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					adopted		
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					2000)		Am
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
					Initiative		
					(Prop. 21		
					adopted		
					March 7,		
					2000)		Am
					Initiative		
					(Prop. 21		</

WELFARE AND INSTITUTIONS CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Effect</i>	<i>Section</i>	<i>Affected By</i>			<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	<i>Chapter</i>	
729.6	2001	484		Ad	793	2000			
730.6	2000	481		Am		Initiative (Prop. 21 adopted March 7, 2000)			Ad
	2000	1016		Am (by Sec. 12.5 of Ch.)					
730.7	1999	996		Ad	794	2000	Initiative (Prop. 21 adopted March 7, 2000)		
	2001	854		Am (as ad by Stats. 1999, Ch. 996) & RN					
730.8	2001	854		Ad(RN)		2000	Initiative (Prop. 21 adopted March 7, 2000)		Ad
731.3	2000	366*		Ad & R ^{21 20}					
Div. 2, Pt. 1, Ch. 2, Art. 18.5, heading (Sec. 743 et seq.)	2001	854		Am & RN	795	2000	Initiative (Prop. 21 adopted March 7, 2000)		
Div. 2, Pt. 1, Ch. 2, Art. 18.6, heading (Sec. 743 et seq.)	2001	854		Ad(RN)	796	2000	366*		Ad & R ^{21 20}
777	2000			Am (by Sec. 3 of Ch.)	827	1999	984		Am
	Initiative (Prop. 21 adopted March 7, 2000)			Am (by Sec. 3 of Ch.)					
781	1999	83		Am ³⁰	827.1	1999	985		Am (by Sec. 3 of Ch.)
	2000			Am (by Sec. 22.3 of Ch.)					
781.5	1999	167		Am & R ⁵²	827.2	2000	Initiative (Prop. 21 adopted March 7, 2000)		Am (as ad by Stats. 1996, Ch. 422) & RN
	2000								
790	Initiative (Prop. 21 adopted March 7, 2000)			Ad	827.5	1999	996		Am
791	2000			Ad(RN)					
792	2000			Ad	827.6	1999	996		Am & R & Ad
	Initiative (Prop. 21 adopted March 7, 2000)			Ad					

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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<i>Affected By</i>				<i>Affected By</i>			
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827.6 (Cont.)	2000			4096.7	2000	93 *	Ad ⁶² R ²²
	Initiative			4097	2000	93 *	Ad
	(Prop. 21			4097.1	2000	93 *	Ad
	adopted			4097.2	2000	93 *	Ad
	March 7,			4097.3	2000	93 *	Ad
	2000)		Am	4098	2000	93 *	Ad
827.7	1999	996	Ad(RN)	4098.1	2000	93 *	Ad
827.9	2001	830	Ad		2001	159	Am ³⁰⁵
828	2001	830	Am	4098.2	2000	93 *	Ad
828.01	2000			4098.3	2000	93 *	Ad
	Initiative			4098.4	2000	93 *	Ad
	(Prop. 21			4098.5	2000	93 *	Ad
	adopted			4099	2001	692	Ad & R ^{37 20}
	March 7,			4099.1	2001	692	Ad & R ^{37 20}
	2000)		R	4099.3	2001	692	Ad & R ^{37 20}
903	2001	463	Am	4099.4	2001	692	Ad & R ^{37 20}
903.3	2001	824	Am	4107	2001	171 *	Am
903.4	2000	808 *	Am	4107.5	2000	93 *	Ad
903.41	2000	808 *	Am	4136	2001	171 *	Am
903.45	2001	755 *	Am	4341.1	2000	814	Ad
903.5	2000	808 *	Am	4353	1999	1023	S ¹⁸
	2001	755 *	Am		2001	171 *	S ³¹²
903.7	2000	108 *	Am	4354	1999	1023	Am ¹⁸
	2001	755 *	Am		2001	171 *	S ³¹²
904	2001	824	Am	4354.5	1999	1023	Ad & R ¹⁸
990	2000	59	Am		2001	171 *	S ³¹²
1077	2000	659	Ad	4355	1999	1023	Am ¹⁸
1078	2000	659	Ad		2001	171 *	S ³¹²
1120.1	1999	996	Am	4356	1999	1023	R
1120.2	1999	78 *	Am		2001	171 *	Am ³¹²
1700	1999	333	Am	4357	1999	1023	Am ¹⁸
1714	2000	481	Am		2001	171 *	S ³¹²
1732.6	2000			4357.1	1999	1023	Ad & R ¹⁸
	Initiative				2001	171 *	S ³¹²
	(Prop. 21			4357.2	1999	1023	Ad & R ¹⁸
	adopted				2001	171 *	S ³¹²
	March 7,			4358	1999	1023	S ¹⁸
	2000)		Am		2001	171 *	S ³¹²
1732.8	2001	476	Ad	4358.5	1999	1023	Ad & R ¹⁸
1752.81	2000	481	Am		2001	171 *	S ³¹²
1755.4	2000	659	Ad	4359	1999	1023	Am ¹⁸
1760.3	2001	115	R		2001	171 *	Am ³¹²
1764.2	2000	481	Am	4427.5	2001	171 *	Ad
1767	2000	481	Am	4441.5	1999	146 *	Ad
1768.85	2000	627	Ad	4519.7	2000	382	Ad & R ⁴³
1787	1999	83	Ad(RN) ³⁰	4598.5	2000	93 *	Ad
1788	1999	83	Ad(RN) ³⁰		2001	171 *	Am
	2000	135	Am ²⁰³	4631	2001	171 *	Am
1789	1999	83	Ad(RN) ³⁰	4639.5	2000	93 *	Ad
1789.5	1999	83	Ad(RN) ³⁰	4640.6	1999	146 *	Am
	2000	135	Am ²⁰³		2001	171 *	Am
	2001	159	Am ³⁰⁵		2001	745 *	Am
1790	1999	83	Am & RN ³⁰	4643.3	2001	171 *	Ad
1791	1999	83	Am & RN ³⁰	4647	1999	146 *	Am
1792	1999	83	Am & RN ³⁰	4669.2	1999	369	S ⁵⁷
1793	1999	83	Am & RN ³⁰	4669.75	1999	369	S ⁵⁷
1801	1999	83	Am ³⁰		2001	745 *	Am
4094.1	2000	93 *	Ad	4669.8	1999	369	R
4094.2	2000	93 *	Ad	4681.3	1999	146 *	Am
	2001	171 *	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
4681.5	2001	188	R	5811	2000	518*	Am
4685.5	2001	171*	Am ¹⁹	2001	454	Am	
4689.7	2000	93*	Am	5811.2	2001	677	Ad
4695.2	2001	188	Ad	5814	1999	617*	Am
4701	2000	416	Am	2000	518*	Am	
4702.7	2000	416	Ad	2001	454	Am	
4705	2000	416	Am	5814.5	1999	617*	Ad ⁴⁵
4710	2000	416	Am			R ²⁵	
4710.5	2000	416	Am	2000	518*	Am	
4710.6	2000	416	Am	2001	454	Am	
4710.7	2000	416	Am	5830	2000	93*	Ad & R ⁵
4710.8	2000	416	Am	2001	171*	S ^{70 18}	
4711	2000	416	Am	5831	2000	93*	Ad & R ⁵
4711.5	2000	416	Am	2001	171*	S ^{70 18}	
4712	2000	416	Am	5832	2000	93*	Ad & R ⁵
4712.2	2000	416	Am	2001	171*	S ^{70 18}	
4712.5	2000	416	Am	5833	2000	93*	Ad & R ⁵
4731	2001	171*	Am	2001	171*	S ^{70 18}	
4791	2000	93*	Am ^{4 5}	5834	2000	93*	Ad & R ⁵
5008.2	2001	506	Am	2001	171*	S ^{70 18}	
5012	2001	506	Ad	5835	2000	93*	Ad & R ⁵
5150.05	2001	506	Ad	2001	171*	S ^{70 18}	
5270.55	2001	854	Am	5836	2000	93*	Ad & R ⁵
5328	2001	37	Am	2001	171*	S ^{70 18}	
	2001	506	Am (by Sec. 8.5 of Ch.)	5837	2000	93*	Ad & R ⁵
				2001	171*	S ^{70 18}	
5332	2001	506	Am	5838	2000	93*	Ad & R ⁵
5586	2001	745*	R	2001	171*	S ^{70 18}	
5600.8	2000	93*	Ad	5839	2000	93*	Ad & R ⁵
5614	2000	93*	Ad	2001	171*	Am ^{70 18}	
	2001	159	Am ³⁰⁵	5851	2000	520	Am
5614.5	2000	93*	Ad	5852.5	2000	520	Am
5618	2000	93*	Ad	5855.5	2000	520	Am
5673	2001	745*	Am	5856.2	2000	520	Ad
5675	2000	93*	Am ^{4 5}	5857	2000	520	Am
	2001	171*	Am ^{36 13}	5859	2000	520	Am
5675.1	2000	93*	Ad	5860	2000	520	Am
5676	2000	93*	Ad	5863	2000	520	Am
5676.5	2000	93*	Ad	5865	2000	520	Am
5689	2000	93*	Ad	5865.1	2000	520	Ad
5689.1	2000	93*	Ad	5865.3	2000	520	Ad
5689.2	2000	93*	Ad	5866	2000	520	Am
5689.3	2000	93*	Ad	5869	2000	520	Am
5689.4	2000	93*	Ad	5880	2000	520	Am
5689.5	2000	93*	Ad	6501	1999	146*	Ad
5689.6	2000	93*	Ad	6513	2001	176	Am
5689.7	2000	93*	Ad	6600	1999	350*	Am
5689.8	2000	93*	Ad			995	Am (by Sec. 2.2 of Ch.)
5689.9	2000	93*	Ad				Am (by Sec. 1 of Ch.)
5696.5	2000	140	Am		2000	643	
5701.1	1999	146*	Ad	6600.05	2001	171*	Am
5768.5	1999	83	Am ³⁰	6601	1999	136*	Am
5777	1999	525	Am ^{112 114}	6601.1	1999	136*	Ad & R ²⁰
	2000	857	Am ²⁰³	6601.3	2000	41*	Am
5777.5	2000	811	Ad	6601.5	2000	41*	Am
5777.6	2000	811	Ad	6602	2000	41*	Am
5802	1999	617*	Am	6603	2000	420*	Am
5806	1999	617*	Am		2001	323*	Am
	2000	518*	Am	6604	2000	420*	Am
	2001	454	Am				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6604.1	2000	420 *	R (as ad by Sec. 8, Stats. 1998, Ch. 961)	9678	2001	689	Ad
			Am (as am by Sec. 7, Stats. 1998, Ch. 961) ^{36 13}	9679	2001	689	Ad
6609.1	1999	83	Am ³⁰	9680	2001	689	Ad
8016	2001	115	R	9681	2001	689	Ad
8102	2000	254	Am	9710.5	1999	943	Ad
	2001	159	Am ³⁰⁵	9712	1999	943	Am
8103	1999	578 *	Am	9740	1999	943	Am
9016	2001	242	Am	9745	1999	943	Ad
Div. 8.5, Ch. 2, Art. 1, heading (Sec. 9100 et seq.)	2000	797	Ad	10072	1999	371	Am
9101.5	1999	948	Ad	10080	1999	479 *	R & Ad
9113	2000	108 *	Ad	10081	1999	479 *	R & Ad
9115	2000	797	Ad		2001	755 *	Am
9116	2000	797	Ad	10082	1999	479 *	R & Ad
9117	2000	797	Ad		2000	808 *	Am
9305	2000	108 *	Am		2001	159	Am ³⁰⁵
9320	2001	682	Ad ³⁷	10083	1999	479 *	R & Ad
9450	2000	797	Ad	10084	1999	479 *	R & Ad
9451	2000	797	Ad		2001	755 *	Am
9452	2000	797	Ad	10085	1999	479 *	R
9453	2000	797	Ad			Ad ^{119 120}	
9454	2000	797	Ad	10086	1999	479 *	R & Ad
9520	2000	597	Ad ²⁵⁵	10087	1999	479 *	R & Ad
			R ⁶³	10088	1999	479 *	R & Ad
9521	2000	597	Ad ²⁵⁵	10089	1999	479 *	R
			R ⁶³	10090	1999	479 *	R & Ad
9522	2000	597	Ad ²⁵⁵	10091	1999	479 *	R & Ad
			R ⁶³	10092	1999	479 *	R & Ad
9523	2000	597	Ad ²⁵⁵	10093	1999	479 *	R & Ad
			R ⁶³	10094	1999	479 *	R
9541	1999	525	Am ^{112 114}	10095	1999	479 *	R
	2000	857	Am ²⁰³	10096	1999	479 *	R
9542	2001	681	Am	10097	1999	479 *	R
9560	1999	859	Am	10544.1	2000	108 *	Am
9563	1999	859	Am	10554	1999	887	Am
	2000	558	Am	10601.2	2001	678	Ad
9564	1999	147 *	Am	10603.3	2001	745 *	R
	1999	859	Am	10604.5	2000	808 *	Am
	2000	135	Am ²⁰³	10604.6	2000	808 *	Am
9650	2001	689	Ad	10609.3	2000	108 *	Am
9651	2001	689	Ad	10609.4	1999	147 *	Ad
9652	2001	689	Ad	10609.5	2001	745 *	Am
9653	2001	689	Ad	10609.6	2000	108 *	Ad
9654	2001	689	Ad	10618.5	2001	894	Ad
9660	2001	689	Ad	10727	2001	290	Am
9661	2001	689	Ad	10728	2001	290	Ad
9662	2001	689	Ad	10740	2001	745 *	Am
9663	2001	689	Ad	10790	2001	745 *	Am
9675	2001	689	Ad	10851	2000	569	Am
9676	2001	689	Ad	10851.5	2001	111 *	Ad
9677	2001	689	Ad	10950	1999	803	Am ⁸²
				10951	1999	803	Am ⁸²
				10963	1999	803	Am ⁸²
				10980	1999	83	Am ³⁰
				11006.2	2000	795	Am
				11008.17	1999	471 *	Am
				11008.19	1999	83	Am (as ad by Sec. 2, Stats. 1998, Ch. 962) & RN ³⁰
				11008.20	1999	83	Ad(RN) ³⁰

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
11024	2001	276	Ad		1999	147*	R
11024.3	2001	276	Ad				Ad ¹
11155.5	2001	686	Am	11370	1999	147*	Am ¹
11203	2001	111*	Am	11371	1999	147*	Ad ¹
11265.1	1999	826	Am ¹³¹	11372	1999	147*	Ad ¹
			R ¹⁴⁰		2000	108*	Am
11265.2	1999	826	R		2001	111*	Am
			Ad ¹³²	11373	1999	147*	Ad ¹
			R ⁶³	11374	2000	108*	Ad
	2000	108*	Am ^{201 43}	11375	2000	108*	Ad
11265.5	2001	115	Am	11400	2001	125*	Am
11320.1	2001	652	Am		2001	653*	Am
11322.6	2000	933	Am	11401	1999	83	Am ³⁰
11322.61	2000	933	Am		2001	653*	Am
11322.9	2000	933	Am	11402	2001	653*	Am
	2001	652	Am	11403.1	2001	125*	Ad ⁸
11323.9	2001	750	Ad	11403.2	2001	125*	Ad
11325.9	1999	919	Ad	11403.3	2001	125*	Ad
11325.91	1999	919	Ad	11403.4	2001	125*	Ad
11325.93	1999	919	Ad	11404.1	1999	887	Am
11325.95	1999	919	Ad	11450	1999	147*	Am
11329	2001	745*	Am	11450.16	1999	147*	Am
11350	1999	478	R	11450.3	2001	745*	Am
	1999	653	Am ⁸²	11451.5	2000	933	Am
11350.1	1999	478	R	11454	2001	652	Am
11350.2	1999	478	R	11457	2000	808*	Am
11350.3	1999	478	R		2001	755*	Am
11350.4	1999	478	R	11460.1	2001	125*	R
11350.5	1999	478	R	11461	1999	147*	Am
11350.6	1999	478	R		2000	108*	Am
	1999	652	Am ⁸²		2001	653*	Am
	1999	654	Am (by Sec. 5 of Ch.)	11461.1	2001	745*	Am
			Ad ⁸²	11462	1999	147*	Am
11350.61	1999	653	Ad ⁸²		2000	108*	Am
11350.7	1999	478	R	11462.07	1999	634	Ad
11350.75	1999	980	Ad ⁸²	11462.4	2000	1060	Am
11350.8	1999	478	R	11463	1999	147*	Am
11350.9	1999	478	R		2000	108*	Am
11351	1999	478	R	11465	1999	147*	Am
11352	1999	478	R	11465.6	2000	108*	Ad
11354	1999	478	R	11466.21	1999	881*	Am
11355	1999	478	R	11467.2	2000	108*	Ad
	1999	652	Am ⁸²	11475	1999	478	R
11356	1999	478	R	11475.1	1999	478	R
11356.2	1999	653	Ad ⁸²		1999	980	Am ⁸²
11357	1999	478	R	11475.12	1999	653	Ad ⁸²
11358	1999	653	Ad ⁸²	11475.14	1999	653	Ad ⁸²
11360	1999	147*	S ¹	11475.15	1999	478	R
11361	1999	147*	S ¹	11475.3	1999	478	R (as ad by
11362	1999	147*	S ¹				Stats. 1994,
11363	1999	147*	S ¹				Ch. 906)
	2000	108*	Am				Am (as ad by
11364	1999	147*	R				Stats. 1997,
			Ad ¹				Ch. 270)
11365	1999	147*	S ¹	11475.4	1999	478	R
11366	1999	147*	S ¹	11475.5	1999	478	R
11367	1999	147*	S ¹	11475.6	1999	652	Ad ⁸²
	2000	108*	Am	11475.8	1999	478	R
11368	1999	147*	S ¹	11476	1999	478	R
11369	1999	83	Am ³⁰	11476.1	1999	478	R

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
11476.3	1999	654	Ad ⁸²	12500	2001	111 *	Am
11476.6	1999	478	Am	12501	2001	111 *	Am
11477	1999	478	Am	12502	2001	111 *	Ad
	2000	808 *	Am	12550	2001	111 *	Am
11477.02	1999	478	Am	12550.1	2001	111 *	Ad
	2000	808 *	Am	12552.1	2001	111 *	Ad ⁹⁶
11477.04	1999	478	Am	12554	1999	906	Ad
11478	1999	478	R		2001	452	Am
11478.1	1999	653	Ad ⁸²	13002	2000	108 *	Am
11478.2	1999	478	R		2001	111 *	Am
11478.3	1999	652	Ad ⁸²	13004	2001	111 *	Am
11478.5	1999	478	R	13006	2001	111 *	Am
	1999	652	Am ⁸²	14005.24	2000	824	Ad & R ⁴³
11478.51	1999	478	R	14005.25	2000	945	Ad
	1999	652	Am ⁸²	14005.28	2000	93 *	Ad
11478.52	1999	652	Ad ⁸²		2001	159	Am ³⁰⁵
11478.6	1999	478	R	14005.30	1999	146 *	Am
11478.7	1999	478	R		1999	148 *	Am (as am by
11478.8	1999	478	R				Stats. 1999,
11478.9	1999	478	R				Ch. 146)
11479	1999	478	Am		2000	93 *	Am
11479.5	1999	478	R		2001	171 *	Am
11479.6	1999	478	R	14005.31	2000	1088	Ad
11479.7	2000	808 *	R	14005.32	2000	1088	Ad
11484	2000	808 *	Ad	14005.33	2000	1088	Ad
11485	1999	478	Am	14005.34	2000	1088	Ad
11487.5	2001	745 *	Am	14005.35	2000	1088	Ad
11488	1999	478	R		2001	159	Am ³⁰⁵
11489	1999	478	R	14005.36	2000	1088	Ad
11490	1999	478	R	14005.37	2000	1088	Ad
11491	1999	478	R	14005.38	2000	1088	Ad
11492	1999	478	R	14005.39	2000	1088	Ad
11492.1	1999	478	R	14005.40	2000	93 *	Ad
12200.018	1999	147 *	R		2001	171 *	Am
12251	2001	111 *	Am	14005.41	2001	894	Ad
12301.3	1999	90 *	Ad	14005.7	2001	171 *	Am
	2000	445 *	Am	14005.81	2000	1088	Am
12301.4	1999	90 *	Ad	14006.3	1999	227	Am
	2000	445 *	Am	14006.4	1999	227	Am
12301.6	1999	90 *	Am	14007.45	2001	171 *	Ad
	1999	91 *	R (as am by	14007.5	1999	146 *	Am
			Stats. 1999,	14007.65	1999	146 *	Ad
			Ch. 90)		1999	148 *	R (as ad by
			& Ad ⁴²				Stats. 1999,
	2000	108 *	Am				Ch. 146) & Ad
12301.8	1999	90 *	Ad	14007.7	1999	146 *	Ad
	1999	91 *	R (as ad by	14007.71	2001	171 *	Ad
			Stats. 1999,	14007.9	1999	820	Ad ¹⁴⁶
			Ch. 90)				R ⁸⁰
12302.25	1999	90 *	Ad	14008.6	2000	808 *	Am
12302.3	1999	83	Am ³⁰		2001	159	Am ³⁰⁵
12302.7	1999	90 *	R	14008.85	1999	146 *	Ad ⁴⁴
12303.4	1999	90 *	Am	14011.15	1999	146 *	Ad
12306.1	1999	91 *	Ad		2000	93 *	Am
	2000	108 *	R	14011.2	2001	171 *	Ad
			Ad ²⁰²	14011.6	2001	171 *	Ad
	2001	111 *	Am	14015	2000	435	Am
12306.2	2000	108 *	Ad ²⁵	14016.8	2000	347	Ad
12306.21	2001	111 *	Ad ⁹⁶	14017.1	2001	745 *	Am
12306.3	2000	108 *	Ad	14017.6	2001	171 *	Ad
12400	2000	143 *	Ad	14017.7	2001	171 *	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
14018.1	2001	742	Ad	14087.32	1999	525	Am ^{112 114}
14018.5	1999	146 *	Ad		2000	857	Am ²⁰³
14021.35	2000	108 *	Ad		2000	858	Am (as am by Stats. 1999, Ch. 525)
14021.4	2000	93 *	Am				Am ³⁰⁵
14021.8	2001	506	Ad		2001	159	Am
14040	2000	322	Am	14087.325	2001	171 *	Am
14040.1	2000	322	Ad ²¹⁹	14087.36	1999	525	Am ^{112 114}
14040.5	2000	322	Am		2000	857	Am ²⁰³
14043	1999	146 *	Ad		2000	858	Am (as am by Stats. 1999, Ch. 525)
14043.1	1999	146 *	Ad				Am ^{112 114}
	2000	322	Am	14087.37	1999	525	Am ²⁰³
14043.15	1999	146 *	Ad		2000	857	Am ^{112 114}
14043.2	1999	146 *	Ad		2000	857	Am ²⁰³
	2000	322	Am	14087.38	1999	525	Am ^{112 114}
14043.25	1999	146 *	Ad		2000	857	Am ²⁰³
14043.3	1999	146 *	Ad		2000	857	Am ^{112 114}
14043.34	2000	322	Ad	14087.4	1999	525	Am ²⁰³
14043.35	1999	146 *	Ad		2000	857	Am ^{112 114}
14043.36	1999	146 *	Ad				Am ²⁰³
	2000	322	Am	14087.41	1999	539	Ad
14043.37	1999	146 *	Ad	14087.51	2000	696	Am
	2000	322	Am	14087.57	2000	696	Am
14043.4	1999	146 *	Ad	14087.961	2001	143	Am
14043.45	1999	146 *	Ad	14087.9655	2001	528	Am
14043.5	1999	146 *	Ad	14087.9657	2001	528	Ad
14043.55	1999	146 *	Ad	14087.969	2001	143	Am
14043.6	1999	146 *	Ad	14087.9705	1999	525	Am ^{112 114}
14043.61	2000	322	Ad		2000	857	Am ²⁰³
14043.62	2000	322	Ad	14088.19	1999	525	Am ^{112 114}
14043.65	1999	146 *	Ad		2000	857	Am ²⁰³
	2000	322	Am	14089	1999	525	Am ^{112 114}
14043.7	1999	146 *	Ad		2000	857	Am ²⁰³
	2000	322	Am	14089.4	1999	525	Am ^{112 114}
14043.75	1999	146 *	Ad		2000	857	Am ²⁰³
	2000	322	Am	14089.7	2001	171 *	R & Ad
14051	1999	887	Am ¹⁶³	14094.3	1999	146 *	Am
14053	1999	146 *	Am	14100.75	1999	993	Ad
	2000	93 *	Am		2000	322	Am ²²⁰
14053.1	1999	146 *	Ad	14103.2	2001	745 *	Am
	1999	148 *	Am (as ad by Stats. 1999, Ch. 146) & R ³⁹	14104.3	2001	745 *	Am
	2000	93 *	Am ¹⁹⁴	14105.13	2001	242	Ad
	2001	171 *	Am ¹³	14105.17	2000	93 *	Ad ²⁵⁶
14067	1999	146 *	Am	14105.26	1999	757	Ad ¹⁶⁸
14067.5	2000	93 *	Ad		2000	135	Am ²⁰³
14085.5	1999	701	Am		2000	852	Am
	2001	745 *	Am		2001	159	Am ³⁰⁵
14085.54	2000	842	Ad	14105.27	2001	171 *	Ad
14085.56	2000	846	Ad	14105.31	1999	146 *	Am ²⁴
14085.7	1999	146 *	Am ^{45 24}		2000	93 *	Am ²⁰
	2000	93 *	Am ^{21 20}	14105.33	1999	146 *	Am ²⁴
14085.8	1999	146 *	Am ^{45 24}		2000	93 *	Am ²⁰
	2000	93 *	Am ^{21 20}	14105.337	2001	171 *	Am
14085.81	2000	93 *	Ad		1999	190	Ad
14085.9	1999	226	Ad	14105.35	1999	146 *	Am ²⁴
14087.11	2001	172	Ad		2000	93 *	Am ²⁰
14087.23	2001	526	Ad	14105.37	1999	146 *	Am ²⁴
14087.301	1999	146 *	Ad		2000	93 *	Am ²⁰
				14105.38	1999	146 *	Am ²⁴
					2000	93 *	Am ²⁰
				14105.39	1999	146 *	Am ²⁴

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

WELFARE AND INSTITUTIONS CODE—Continued

Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
14105.39 (Cont.)	2000	93 *		Am ²⁰	14107	2000	322	Am	
14105.4	1999	146 *		Am (as am by Sec. 90, Stats. 1998, Ch. 310) ²⁴	14107.11	1999	146 *	Ad	
				Am (as am by Sec. 91, Stats. 1998, Ch. 310) ²⁵	2000	322	Am		
	2000	93 *		Am (as am by Sec. 51, Stats. 1999, Ch. 146) ²⁰	14110.55	1999	845	Ad	
				Am (as am by Sec. 52, Stats. 1999, Ch. 146) ³⁴	14110.6	1999	146 *	Am	
14105.405	1999	146 *		Am ²⁴		2000	93 *	Am	
	2000	93 *		Am ²⁰	14110.65	2001	171 *	Ad	
14105.41	1999	146 *		Am (as am by Sec. 93, Stats. 1998, Ch. 310) ²⁴	14110.7	1999	146 *	Am (as am by Sec. 3, Stats. 1990, Ch. 502)	
				Am (as am by Sec. 94, Stats. 1998, Ch. 310) ²⁵		2001	685	Am	
	2000	93 *		Am (as am by Sec. 54, Stats. 1999, Ch. 146) ²⁰	14110.8	1999	658	Am ⁵⁶	
				Am (as am by Sec. 55, Stats. 1999, Ch. 146) ³⁴		2000	800	Am	
				Am (as am by Sec. 93, Stats. 1998, Ch. 310) ²⁴	14115	2000	93 *	Am	
				Am (as am by Sec. 95, Stats. 1998, Ch. 310) ²⁴	14115.6	2001	115	R	
				Am (as am by Sec. 13, Stats. 1992, Ch. 723) & RN	14115.8	2001	655	Ad ³⁴⁴	
					14123.25	2000	322	Ad	
					14124.1	2000	322	Am	
					14124.2	2000	322	Am	
					14124.7	2000	451	Am	
					14124.93	2000	808 *	Am	
					14126.02	2000	451	Ad	
						2001	171 *	Am	
						2001	684	Am	
					14132	1999	146 *	Am ⁵³	
						2000	453	Am	
						2001	745 *	Am	
					14132.05	2000	93 *	Ad	
					14132.22	1999	146 *	Am ²⁴	
						2000	93 *	Am ⁵	
					14132.26	2000	557	Ad	
					14132.47	1999	831 *	Am	
					14132.72	2000	93 *	Am ¹³	
					14132.88	2000	93 *	Ad	
					14132.90	1999	147 *	Am	
						2001	745 *	Am	
					14132.91	2000	93 *	Ad	
					14132.92	2000	804 *	Ad	
					14132.93	2000	804 *	Ad	
					14132.95	1999	90 *	Am	
					14132.98	2001	172	Ad	
					14132.99	2001	172	Ad	
					14133.05	2000	93 *	Ad	
					14133.12	1999	845	Ad ⁹³	
					14133.5	2001	745 *	Am	
					14133.61	2001	115	R	
					14138.5	2001	745 *	Am	
					14139.13	1999	525	Am ^{112 114}	
						2000	857	Am ²⁰³	
14105.425	2000	93 *		Ad(RN)	14139.53	2000	858	Am	
14105.8	2001	171 *		R	14145.1	2001	745 *	Am	
14105.91	1999	146 *		Am ²⁵	14148	2001	745 *	Am	
	2000	93 *		Am ³⁴	14148.8	2001	745 *	Am	
14105.915	1999	146 *		Am ²⁵	14163	1999	146 *	Am	
	2000	93 *		Am ³⁴		2000	93 *	Am	
14105.916	1999	146 *		Am	14170	2000	322	Am	
	2000	93 *		Am	14170.8	1999	993	Am	
14105.98	1999	44 *		Am		2000	322	Am	
	2000	48 *		Am		1999	993	Am	
14105.981	1999	146 *		Am ²⁴	14171.6	2000	322	Am	
	2000	93 *		Am ²⁰		1999	993	Am	
14105.982	2000	48 *		Ad		2000	322	Am	

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WELFARE AND INSTITUTIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
14176.5	2001	649	Ad	15610.53	2000	559	Am
14251	1999	525	Am ^{112 114}	15610.63	2000	287	Am ²¹⁶
	2000	857	Am ²⁰³	15630	1999	236	Am
14308	1999	525	Am ^{112 114}	15655	1999	414	Ad
	2000	857	Am ²⁰³		2001	196	Am
14408.5	2000	93 *	Ad	15657.03	1999	561	Ad
14409	2000	93 *	Am		2001	176	Am
14456	1999	525	Am ^{112 114}	15660	2000	972	Am
	2000	857	Am ²⁰³		2001	845	Am
14456.5	2000	811	Ad	15660.1	2000	972	Ad ⁸²
14457	1999	525	Am ^{112 114}	15763	1999	670	Am ⁹⁴
	2000	857	Am ²⁰³		2001	111 *	Am ³⁰⁶
14459	1999	525	Am ^{112 114}	15766	1999	147 *	Ad
	2000	857	Am ²⁰³	16000	2000	745	Am
14460	1999	525	Am ^{112 114}	16001.7	2000	108 *	Ad
	2000	857	Am ²⁰³	16001.9	2001	683	Ad
14482	1999	525	Am ^{112 114}	16002	2000	909	Am
	2000	857	Am ²⁰³	16003	2000	745	Ad
14495.10	1999	845	Ad & R ²⁰	16004	2000	909	Ad
14499.71	1999	525	Am ^{112 114}	16005	2001	353	Ad
	2000	857	Am ²⁰³	16010	1999	552	Am
14501	2001	745 *	Am		2001	353	Am
14530	2001	681	Am	16011	2001	125 *	Ad
14552	2001	681	Am	16012	2001	694	Ad & R ⁷⁵
14552.1	2001	681	R	16118	1999	83	Am ³⁰
14552.2	2001	681	R		1999	547	Am
14553	2001	681	Am	16119	1999	547	Am
14554	2001	681	Am		1999	905 *	Am (by Sec. 1 of Ch.) ⁷⁷
14570	2001	681	Am				Am (by Sec. 2 of Ch.) ¹
14571	2001	681	Am	16120.05	1999	547	Am
14573	2001	681	Am	16121.05	1999	547	Am
14574	2000	869	Am	16121.2	1999	887	Ad
	2001	681	Am	16122	1999	905 *	Am
14574.1	2000	869	Ad	16164	1999	147 *	Am
	2001	681	Am		2001	683	Am
14575	2001	681	Am	16170	1999	887	Ad
14576	2001	681	Am	16171	1999	887	Ad
14580	2001	681	R	16172	1999	887	Ad
14618	2001	745 *	R	16173	1999	887	Ad
15200.05	2000	108 *	Am	16174	1999	887	Ad
15200.6	1999	478	R	16175	1999	887	Ad
15200.75	1999	478	R	16176	1999	887	Ad
15200.81	1999	147 *	Am	16177	1999	887	Ad
	1999	478	R	16206	1999	211	Am
	1999	480	R (as am by Sec. 34, Stats. 1999, Ch. 147)	16500.1	1999	634	Ad
15200.92	1999	478	R	16500.2	2001	745 *	Am
15200.95	1999	478	R	16501.1	1999	83	Am ³⁰
	1999	479 *	Am & R ²		1999	887	Am
15200.96	1999	478	R		2000	909	Am
15200.97	1999	478	R		2001	111 *	Am
15200.98	1999	478	R		2001	683	Am
15204.3	1999	147 *	Am	16501.3	1999	147 *	Ad
	2000	108 *	Am	16504.5	2000	421 *	Ad
	2001	111 *	Am		2001	653 *	Am
15204.8	2001	111 *	Am	16507	2001	470	Am
15452	2001	745 *	R	16507.5	2001	653 *	Am
15610.30	2000	442	Am	16515	2001	115	R
	2000	813	Am ²³⁶	16516.5	2001	675	Am
				16516.6	2001	675	Ad

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WELFARE AND INSTITUTIONS CODE—Continued

<i>Section</i>	<i>Affected By</i>			<i>Effect</i>	<i>Section</i>	<i>Affected By</i>			<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>			<i>Year</i>	<i>Chapter</i>	<i>Effect</i>	
16518	2001	653 *	Am		18256.5	2001	111 *	S ^{54,57}	
16522	2001	125 *	Am		18257	2001	111 *	R	
16522.1	2001	125 *	Am		18308	2001	90	Ad & R ⁷⁵	
16522.3	2001	125 *	R		18358.30	1999	147 *	Am	
16525.2	2000	799	Am		18600	2001	115	R	
16605	2000	866	Am		18901.8	2000	682	Ad	
16809	1999	146 *	Am (as am by		18910	1999	826	Ad	
			Sec. 1,		18918	2000	108 *	Ad	
			Stats. 1997,		18919	2001	115	R	
			Ch. 669)		18920	2001	115	R	
	2000	93 *	Am (as am by		18925	2001	897	Ad	
			Sec. 68,		18930	1999	147 *	Am (as ad by	
			Stats. 1999,					Sec. 34,	
			Ch. 146)					Stats. 1998,	
	2001	171 *	Am (as am by					Ch. 329)	
			Sec. 99,			2000	108 *	Am	
			Stats. 2000,			2001	111 *	Am	
			Ch. 93)		18930.5	1999	147 *	Am ^{36,13}	
16946	1999	741	Am		18931	1999	147 *	S ^{36,13}	
17012.5	1999	83	R (as ad by		18932	1999	147 *	Am ^{36,13}	
			Sec. 2,		18933	1999	147 *	S ^{36,13}	
			Stats. 1997,		18934	1999	147 *	Am ^{36,13}	
			Ch. 283) ³⁰		18935	1999	147 *	Ad	
			Am (as ad by		18937	1999	147 *	S ^{36,13}	
			Sec. 2,		18938	1999	147 *	Am ^{36,13}	
			Stats. 1997,			2000	108 *	Am	
			Ch. 284) ³⁰			2001	111 *	Am	
17600	1999	90 *	Am		18939	1999	147 *	S ^{36,13}	
17600.110	1999	90 *	R		18940	1999	147 *	Am ^{36,13}	
18205	1999	480	Am (as ad by			1999	148 *	Am (as am by	
			Stats. 1997,					Stats. 1999,	
			Ch. 606) & RN					Ch. 147)	
	1999	980	Am & RN (by			2001	111 *	Am	
			Sec. 22.5 of Ch.)		18941	1999	147 *	S ^{36,13}	
18205.5	1999	480	Ad(RN)		18942	1999	147 *	S ^{36,13}	
	1999	980	Ad(RN) (by		18943	1999	147 *	S ^{36,13}	
			Sec. 22.5 of Ch.)		18944	1999	147 *	Am ^{36,13}	
18206	2001	745 *	Am		18959	2000	108 *	Ad ¹⁹⁷	
18210	2001	115	R					R ²²	
18211	2001	115	R		18959.1	2000	108 *	Ad ¹⁹⁷	
18212	2001	115	R					R ²²	
18212.5	2001	115	R		18959.2	2000	108 *	Ad ¹⁹⁷	
18213	2001	115	R					R ²²	
18214	2001	115	R		18986.60	2001	17 *	S ^{98,75}	
	2001	745 *	R		18986.61	2001	17 *	S ^{98,75}	
18215	2001	115	R		18986.62	2001	17 *	Am ^{98,75}	
18240	2001	745 *	Am		18986.86	1999	705	Ad & R ¹⁸	
18242	1999	803	Am		18986.87	1999	705	Ad & R ¹⁸	
18243	1999	803	Am		18986.88	1999	705	Ad & R ¹⁸	
18246	1999	803	R		18987	2000	300	Am ^{70,18}	
18247	1999	803	Am		18987.05	2000	300	S ^{70,18}	
18250	2001	111 *	S ^{54,57}		18987.1	2000	300	S ^{70,18}	
18251	2000	259	Am		18987.15	2000	300	Am ^{70,18}	
	2001	111 *	S ^{54,57}		18987.16	2000	300	Am ^{70,18}	
18252	2001	111 *	S ^{54,57}		18987.17	2000	300	Am ^{70,18}	
18253	2001	111 *	S ^{54,57}		18987.2	2000	300	Am ^{70,18}	
18253.5	2001	111 *	S ^{54,57}		18987.25	2000	300	S ^{70,18}	
18254	2000	259	Am		18987.3	2000	300	Am ^{70,18}	
	2001	111 *	S ^{54,57}		18987.36	2000	300	Am ^{70,18}	
18255	2001	111 *	S ^{54,57}		18987.4	2000	300	Am ^{70,18}	
18256	2001	111 *	S ^{54,57}		18987.45	2000	300	S ^{70,18}	

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
18987.5	2000	300	Am ^{70 18}		2000	108 *	Am
18990	2001	115	R		2001	111 *	Am
18991	2001	115	R	19820	1999	861	Ad & R ²⁰
18993	1999	146 *	S ^{45 24}	19821	1999	861	Ad & R ²⁰
	2000	839	S ^{54 57}	19822	1999	861	Ad & R ²⁰
18993.1	1999	146 *	S ^{45 24}	19823	1999	861	Ad & R ²⁰
	2000	839	S ^{54 57}	22000	1999	802	Am
18993.2	1999	146 *	S ^{45 24}	22001	1999	802	Am
	2000	839	S ^{54 57}	22002	1999	802	Am
18993.3	1999	146 *	S ^{45 24}	22003	1999	802	Am
	2000	839	S ^{54 57}	22004	1999	802	Am
18993.4	1999	146 *	S ^{45 24}	22005	1999	525	Am ^{112 114}
	2000	839	S ^{54 57}		1999	802	R & Ad
18993.5	1999	146 *	S ^{45 24}	22005.1	1999	802	Ad
	2000	839	S ^{54 57}	22006	1999	802	Am
18993.6	1999	146 *	S ^{45 24}	22007	1999	802	Am
	2000	839	S ^{54 57}	22008	1999	802	Am
18993.7	1999	146 *	S ^{45 24}	22008.5	1999	802	Am
	2000	839	S ^{54 57}	22009	1999	802	Am
18993.8	1999	146 *	S ^{45 24}	22010	1999	525	Am ^{112 114}
	2000	839	S ^{54 57}		1999	802	R & Ad(RN)
	2000	847	Am	22011	1999	802	R
18993.9	1999	146 *	Am ^{45 24}	22013	1999	802	Am & RN
	1999	754 *	Am	24000	1999	146 *	S ^{54 57}
	2000	839	R & Ad	24001	1999	146 *	Am ^{54 57}
19000	2001	193	Am	24003	1999	146 *	S ^{54 57}
19011	2001	193	Am	24003.2	1999	146 *	Ad
19090	2001	193	Am	24003.5	1999	146 *	Ad
19091	1999	147 *	Am	24005	1999	146 *	Am ^{54 57}
19092	1999	147 *	Am		2000	322	Am
	2001	193	Am	24007	1999	146 *	S ^{54 57}
19352	2000	108 *	Am	24007.5	1999	146 *	Ad
19355.5	1999	147 *	Am	24009	1999	146 *	S ^{54 57}
	2000	95 *	Am ¹⁹⁷	24011	1999	146 *	S ^{54 57}
			R ²²	24013	1999	146 *	S ^{54 57}
19356	2000	108 *	Am	24015	1999	146 *	S ^{54 57}
19356.6	1999	147 *	Am ^{45 24}	24017	1999	146 *	S ^{54 57}
	2000	95 *	Am ^{197 19}	24021	1999	146 *	S ^{54 57}
19356.65	2000	108 *	Ad	24023	1999	146 *	S ^{54 57}
19356.7	1999	147 *	Am ^{45 24}	24027	1999	146 *	R & Ad
	2000	95 *	Am ^{197 19}	25000	1999	990	Ad
19461	2000	182	Am	25001	1999	990	Ad
19462	2001	193	Am	25002	1999	990	Ad
19469	2001	193	Am		2000	135	Am ²⁰³
19630.5	2001	327	Ad		2000	1067	Am
19801	1999	493	Am	25003	1999	990	Ad
19806	1999	147 *	Am				

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STATUTES OTHER THAN CODES

<i>Statute Affected Chapter</i>	<i>Affected By</i>		<i>Effect</i>	<i>Statute Affected Chapter</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
1911	700	2000	714	Am 1	1969	209	1999 46 Am 132
1913	317	2000	527 *	Am 4, 5			1999 415 Ad 126.5, 126.7, 130.5, 130.7
1917	594	2000	734 *	Am 1			1999 524 Ad & R 127 ¹⁸
1919	354	2000	262	Am 12 (as am by Sec. 2, Stats. 1933, Ch. 787)		1032	2001 632 Ad 125.5
							2001 473 R all ³⁶⁹
1943	545	1999	62	Am 13	1973	113	2000 134 Am 4.1, 4.2, 4.3
		1999	83	Am 8.2 (as am by Stats. 1998, Ch. 812) ³⁰		1089	2000 134 Am 4.1, 4.2, 4.5
		1999	97	Am 8	1974	569	2000 375 R 3
		2000	506	Am 10 (as am by Sec. 66, Stats. 1998, Ch. 829), 10.2 (as am by Sec. 67, Stats. 1998, Ch. 829)	1978	74	2001 745 * Am 1 (as am by Sec. 1, Stats. 1997, Ch. 317)
		2000	1044	Am 5.1	1982	1005	1999 174 * Am 1
1951	1405	2001	63 *	Ad 13.2	1985	1523	2001 745 * R 3
	1544	1999	89	Am 4, 5, 31, 33 R 7	1987	29	2001 170 R 5
				Am 3, 5, 12, 13, 13.1	1988	1495	2001 745 * Am 2
				Ad 12.1		1601	2000 590 Am 12
1952 (1st Ex. Sess.)	10	1999	779 *	Am 8.2, 54	1989	620	1999 870 R 10
1955	503	2000	1078	Am 14		1350	2001 745 * Am 1
1959	2139	2001	91	Am 33	1990	674	2001 745 * R 1
1961	1654	1999	96 *	Ad 76.5		1621	2001 745 * Am 1
1962 (1st Ex. Sess.)	28	2001	225	Am 5.1 ³¹⁵	1991	625	1999 870 Am 2 (as am by Stats. 1998, Ch. 731), 3 (as am by Stats. 1994, Ch. 391)
	67	2000	302	Ad 15.1, 16.1			
		2001	929	Ad 5.5	1992	684	2001 319 Am 4
		2001	946	Am 4 (as am by Sec. 1, Stats. 1996, Ch. 399) ³⁸⁵		722	2001 171 * R 147
		2001		Am 5 (as am by Sec. 1.5, Stats. 1996, Ch. 399) ³⁸⁵		776	2000 905 Am 304, 313, 502, 506, 507, 508, 511, 605, 607, 705, 706, 707 ¹⁸⁷
1963	1797	2001	473	R all ³⁶⁹			R 602
	1982	1999	96 *	R 106, 107, 108 Am 105			Ad 314.5, 503.1 ¹⁸⁷
					1993	1012	2001 745 * R 2
						1094	2000 713 R 3

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record. For Budget Item references, see section titled “BUDGET ITEMS” following “STATUTES OTHER THAN CODES”.

STATUTES OTHER THAN CODES—Continued

<i>Statute Affected Chapter</i>	<i>Affected By</i>			<i>Statute Affected Chapter</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
1994				78	1999	78 *	S 65, 66, 70, 72, 73 ³⁷
868	2001	24	R all		1999	646	Am 65
1995					2000	76 *	Am 62
899	1999	796 *	Am 3	84	1999	84 *	S 9 ²⁹
	2001	895	Am 3 (as am by Sec. 3, Stats. 1999, Ch. 796)		1999	86	Am 7
					2000	135	Am 7 (as am by Sec. 7, Stats. 1999, Ch. 86) ²⁰³
Res. Ch. 100	2001	745 *	R all	85	1999	85	R 4, 5, 6 ²⁸
1996					1999	86	S 8 ⁸² , 9 ⁸²
151	2000	585	Am 1				R 8, 9
204	1999	152 *	Am 31	152	1999	646	Am 6
417	2001	610	R 2	521	1999	521 *	S 4 ¹¹⁵
953	1999	63	Am 31 ⁵	562	1999	562	R 1 ¹⁰⁴
1047	2001	750	R 2	607	2000	1035	Am 1
1997				721	1999	721	S 8, 9 ¹⁷¹
58	2000	19 *	Am 1 (as am by Sec. 39, Stats. 1997, Ch. 825)	811	1999	811 *	S 2 ³⁷
				817	2001	874 *	Am 9
78	2000	393	R 1	870	2001	610	Am 4
299	1999	152 *	Am 39	956	1999	956 *	S 2 ³⁷
784	2000	770	Am 2	959	1999	959	S 1 ³⁷
	2001	610	Am 12	963	1999	963	R 2 ¹³³
867	1999	351 *	Am ⁶²		2000	506	R 901
881	2001	745 *	Am 2	965	1999	965	S 2 ³⁷
928	1999	152 *	Am 44	996	1999	996	S 28 ³⁷
1998				999	1999	999	R 2 ¹⁴³
21	1999	83	Am 2 ³⁰	1000	1999	1000	R 54,6 ¹⁶¹
47	2000	139 *	R 1, 2	1001	1999	1001 *	S 2 ³⁷
310	1999	83	Am 111 ³⁰	1010	1999	1010 *	S 2 ³⁷
	1999	831 *	Am 111	1021	1999	1021 *	S 2, 15, 17, 21 ³⁷
328	1999	67 *	Am 3 ²³				S 1.5 ³⁷
330	1999	78 *	Am 56	2000			
	1999	152 *	Am 53	71	2000	71 *	S 41, 42, 43 ³⁷
504	2001	595	Am 5		2000	1058	Am 35, 42 ³⁷
652	1999	83	Am 3 ³⁰	91	2000	656 *	R ²¹
722	1999	83	Am 1 ³⁰	100	2000	100 *	S 6 ³⁷
760	1999	83	Am 11, 12 ³⁰		2000	353 *	Am 6
868	1999	153 *	Am 1	127	2000	127 *	S 33 ²⁰⁰ , 36 ³⁷
	2000	135	Am 1 (as am by Sec. 1, Stats. 1999, Ch. 153) ²⁰³	223	2001	398	Am 3
				321	2000	321	S all ⁸
886	2000	953	Am 1.5	332	2000	332 *	R 1 ⁵
946	1999	670	Am 14	352	2001	159	Am 1 ³⁰⁵
948	1999	78 *	Am 2	363	2000	363 *	S 11 ¹⁹¹
969	1999	83	Am 10 ³⁰	395	2000	395	S 3 ³⁷
1045	2000	671 *	Am 1	402	2000	402 *	S 23 ³⁷
1051	1999	573 *	Am 1	407	2000	407	S 2 ²²⁹
1080	1999	365	Am 3, 4, 7 ²⁴ S 1, 2, 5, 6 ²⁴	545	2000	545	S 4 ⁵
1999				597	2000	597	S 3 ³⁷
50	1999	800	Am 3.60	661	2001	159	Am 1 ³⁰⁵
66	1999	66 *	Ad 10, 11 ³¹ R 10, 11 ²⁵	672	2000	672 *	S 24,5 ³⁷
				693	2001	159	Am 2 ³⁰⁵
67	1999	67 *	S 43 ³³	703	2000	703 *	S 11 ³⁷
				714	2001	159	Am 5, 6 ³⁰⁵
				719	2000	719	S 1 ³⁷
				744	2000	744	S 1 ³⁷
				746	2000	746	S 1 ³⁷

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record. For Budget Item references, see section titled "BUDGET ITEMS" following "STATUTES OTHER THAN CODES".

STATUTES OTHER THAN CODES—Continued

<i>Statute Affected Chapter</i>	<i>Affected By</i>		<i>Effect</i>	<i>Statute Affected Chapter</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
754	2000	754	S 6 ³⁷	576	2001	576	S 3 ³⁷
794	2000	794	S 3 ³⁷	577	2001	577	S 4 ³⁷
807	2000	807	R 3 ⁸	579	2001	579	S 2 ³⁷
861	2001	826	Am 59	682	2001	682	S 3 ³⁷
862	2001	159	Am 228 ³⁰⁵	692	2001	692	S 2 ³⁷
866	2000	866	S 2, 3 ³⁷	698	2001	698	S 1 ³²⁰
902	2000	902	S 4 ³⁷	711	2001	711	S 2, 3 ³⁵
935	2000	935	S 2 ³⁷	721	2001	721*	S 7 ³⁷
942	2000	942	S 3 ³⁷	736	2001	736	S 4 ³⁷
			R 4 ⁸	737	2001	737	S 11 ³⁷
	2001	382	Am 4	743	2001	743	S 2 ³⁷
975	2001	159	Am 2, 3 ³⁰⁵	749	2001	749*	S 8 ³⁷
1016	2000	1016	S 13 ³⁷	768	2001	768*	S 2 ³⁷
1023	2001	941	Am 1	827	2001	827	S 1 ³⁷
1024	2001	734*	Am 3	837	2001	837*	S 3 ³⁷
1087	2000	1087	S 3 ³⁷	860	2001	860	S 2 ³⁷
Prop. 34	2001	241*	Am 83	870	2001	870*	S 3, 4 ³⁷
1999–2000 (1st Ex. Sess.)				879	2001	879	S 4 ³⁷
1	1X 1999–2000	1	S 1 ¹	885	2001	885*	S 4 ³⁷
2	1X 1999–2000	2*	S 9 ⁹	886	2001	886	S 3 ³⁷
3	1999	646	Am 2	891	2001	891*	S 34 ³⁷
	2000	695*	Am 2	913	2001	913	S 3 ³⁷
2001				932	2001	932	S 1 ³⁷
155	2001	155*	S 4 ³⁷	2001–02 (1st Ex. Sess.)			
421	2001	421	R 2, 3, 5 ¹⁰⁰	4	1X 2001–02	9	Am & R 6 ²⁰
443	2001	443	S 2 ³⁷	7	2001	111*	Am 5
468	2001	468*	S 4 ³⁷		1X 2001–02	7*	S 5 ³⁷
523	2001	523	S 4 ³⁷				R 5, 6 ⁶³
558	2001	558	S 1 ³⁷	8	1X 2001–02	8*	S 14 ³⁷
566	2001	566	S 2 ³⁷	12	1X 2001–02	12	S 12 ^{222 20}

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BUDGET ITEMS

<i>Section</i>	<i>Affected By</i>		<i>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
1986, Ch. 186				2660-301-042	1999	50*	S
2660-101-046	1999	50*	S		2000	52*	S
4440-801-036	2000	52*	S		2001	106*	S
1987, Ch. 135				2660-325-042	1999	50*	S
2660-001-890	1999	50*	S		2000	52*	S
	2000	52*	S		2001	106*	S
	2001	106*	S	6110-001-890	2001	750	Am
2660-101-045	2000	52*	S	1992, Ch. 587			
1988, Ch. 313				2660-001-890	1999	50*	S
2660-001-890	1999	50*	S		2000	52*	S
	2000	52*	S		2001	106*	S
	2001	106*	S	2660-101-045	2000	52*	S
	2000	52*	S	2660-101-853	1999	50*	S
2660-101-045	1999	50*	S		2000	52*	S
1989, Ch. 93					2001	106*	S
2660-001-890	1999	50*	S	2660-101-890	1999	50*	S
	2000	52*	S		2000	52*	S
	2001	106*	S		2001	106*	S
2660-101-045	2000	52*	S	2660-125-042	1999	50*	S
2660-101-046	1999	50*	S		2000	52*	S
	2000	52*	S		2001	106*	S
	2001	106*	S	2660-125-046	1999	50*	S
2660-301-042	1999	50*	S		2000	52*	S
	2000	52*	S		2001	106*	S
	2001	106*	S	2660-301-890	1999	50*	S
2660-301-890	2001	106*	S		2000	52*	S
3680-101-235	2000	52*	S		2001	106*	S
1990, Ch. 467				2660-302-046	1999	50*	S
2660-001-890	1999	50*	S		2000	52*	S
	2000	52*	S		2001	106*	S
	2001	106*	S	6110-001-890	2001	750	Am
2660-101-042	1999	50*	S	1993, Ch. 55			
	2000	52*	S	2660-001-890	1999	50*	S
	2001	106*	S		2000	52*	S
2660-101-045	2000	52*	S		2001	106*	S
2660-101-046	1999	50*	S	2660-101-890	1999	50*	S
	2000	52*	S		2000	52*	S
	2001	106*	S		2001	106*	S
2660-101-890	1999	50*	S	2660-125-042	1999	50*	S
	2000	52*	S		2000	52*	S
	2001	106*	S		2001	106*	S
2660-301-042	1999	50*	S	2660-125-046	1999	50*	S
	2000	52*	S		2000	52*	S
	2001	106*	S		2001	106*	S
2660-301-890	2001	106*	S	2660-301-042	1999	50*	S
2660-302-046	1999	50*	S		2000	52*	S
2660-325-042	1999	50*	S		2001	106*	S
	2000	52*	S	2660-301-890	2001	106*	S
	2001	106*	S	2660-302-046	1999	50*	S
3680-101-235	2000	52*	S		2000	52*	S
1991, Ch. 118					2001	106*	S
2660-001-890	1999	50*	S	2660-325-042	1999	50*	S
	2000	52*	S		2000	52*	S
	2001	106*	S		2001	106*	S
2660-101-042	1999	50*	S	3790-301-164	2000	52*	S
	2000	52*	S	5240-303-0746	1999	888	S
	2001	106*	S	1994, Ch. 139			
2660-101-045	2000	52*	S	1760-101-768	1999	50*	S
2660-101-046	1999	50*	S		2000	52*	S
	2000	52*	S		2001	106*	S
	2001	106*	S				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUDGET ITEMS—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
2660-001-890	1999	50*	S	3760-101-0001	1999	50*	S
	2000	52*	S	3790-301-0001	1999	50*	S
	2001	106*	S	3790-301-0235	1999	50*	S
2660-101-046	2001	106*	S	3790-301-0263	1999	50*	S
2660-101-890	1999	50*	S	3960-013-0710	2000	52*	S
	2000	52*	S	6110-107-0001	1999	50*	S
	2001	106*	S	6870-101-0001	1999	50*	S
2660-125-042	1999	50*	S	6870-301-0658	1999	50*	S
	2000	52*	S	8940-301-0001	1999	50*	S
	2001	106*	S	8940-301-0890	1999	50*	S
2660-125-046	1999	50*	S	1997, Ch. 282			
	2000	52*	S	0540-101-0001	2001	106*	S
	2001	106*	S	0820-001-0001	1999	50*	S
2660-302-046	1999	50*	S		2000	52*	S
	2000	52*	S	0820-301-0660	1999	50*	S
	2001	106*	S	2660-101-0045	2000	52*	S
2660-325-042	2000	52*	S		2001	106*	S
	2001	106*	S	2660-101-0183	2001	106*	S
2660-325-056	1999	50*	S	2660-125-0183	2000	52*	S
	2000	52*	S	2660-301-0890	2000	52*	S
	2001	106*	S	2660-325-0042	2000	52*	S
3125-101-0001	1999	50*	S	2920-101-0001	2000	52*	S
3790-101-733	1999	50*	S	3340-301-0001	2000	52*	S
1995, Ch. 303				3360-101-0497	2001	106*	S
1760-301-768	1999	50*	S	3680-101-0516	2000	52*	S
2660-001-890	2000	52*	S	3680-301-0516	1999	50*	S
	2001	106*	S	3790-101-0140	2001	400*	S
2660-101-042	2000	52*	S	3790-301-0001	1999	50*	S
	2001	106*	S	3790-301-0263	2000	52*	S
2660-101-045	1999	50*	S	3860-301-0001	2000	52*	S
	2000	52*	S		2001	106*	S
	2001	106*	S	4200-101-0001	1999	50*	S
2660-125-042	1999	50*	S	4200-102-0001	1999	50*	S
	2000	52*	S	5240-301-0660	2000	52*	S
	2001	106*	S	5430-005-0890	2000	52*	S
2660-125-183	1999	50*	S	5430-105-0890	2000	52*	S
	2000	52*	S	6110-001-0890	1999	50*	S
	2001	106*	S	6110-107-0001	1999	50*	S
2660-302-046	2000	52*	S	6110-113-0001	1999	50*	S
	2001	106*	S	6110-156-0001	1999	152*	S
2660-325-042	2001	106*	S	6870-101-0001	1999	50*	S
3790-101-156	2000	52*	S		2000	52*	S
3790-111-786	2000	52*	S	6870-301-0658	1999	50*	S
5240-301-746	2001	106*	S		2000	52*	S
1996, Ch. 162					2001	106*	S
2660-001-0890	2001	106*	S	1998, Ch. 324			
2660-101-0042	2001	106*	S	0160-001-0001	1999	50*	S
2660-101-0045	1999	50*	S	0450-101-0932	1999	50*	S
	2000	52*	S	0540-101-0001	2001	106*	S
	2001	106*	S	0690-301-0660	1999	50*	S
2660-125-0042	2001	106*	S		2000	52*	S
2660-125-0183	1999	50*	S	0820-301-0001	1999	50*	S
	2000	52*	S	1100-301-0001	1999	50*	S
	2001	106*	S		2000	52*	S
2660-301-0890	1999	50*	S	1100-301-0890	1999	50*	S
2660-302-0046	2001	106*	S		2000	52*	S
2660-325-0042	1999	50*	S	1730-301-0001	1999	50*	S
3540-301-0001	1999	50*	S	1760-101-0022	1999	50*	S
	2000	52*	S	1760-101-0768	1999	50*	S
3600-001-0321	2000	52*	S		2000	52*	S

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUDGET ITEMS—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1760-301-0002	1999	50*	S	5240-002-0001	1999	50*	S
1760-301-0768	1999	50*	S	5240-004-0001	1999	50*	S
	2000	52*	S		2001	106*	S (as ad by Stats. 1998, Ch. 502)
1920-001-0835	1999	50*	S				
2320-001-0317	2001	106*	S	5240-301-0001	1999	50*	S
2660-101-0045	2001	106*	S		1999	888	S
2660-101-0183	2001	106*	S		2000	52*	S
2660-311-0042	1999	50*	S		2001	106*	S
2720-301-0001	1999	50*	S	5240-302-0001	1999	50*	S
2920-101-0001	1999	50*	S		2000	52*	S
3340-301-0001	1999	50*	S		2001	106*	S
3360-001-0465	2001	106*	S	5240-303-0001	1999	50*	S
3540-301-0001	1999	50*	S	5460-301-0001	1999	50*	S
	2000	52*	S		2000	52*	S
	2001	106*	S	6110-001-0001	1999	37*	S
3600-301-0200	1999	50*	S		1999	78*	S
3680-301-0001	1999	50*	S	6110-011-0001	1999	50*	S
3680-301-0516	1999	50*	S	6110-106-0001	1999	50*	S
3690-001-0014	1999	50*	S	6110-112-0001	1999	50*	S
3790-102-0001	2000	672*	S		2000	52*	S
	2001	400*	S	6110-113-0001	1999	50*	S
3790-301-0001	1999	50*	S	6110-156-0001	2000	52*	S
	2000	52*	S	6110-191-0001	1999	50*	S
	2001	400*	S	6110-196-0001	1999	50*	S
3790-301-0263	2001	106*	S		2000	52*	S
3790-301-0545	1999	50*	S		2001	106*	S
3790-302-0001	1999	50*	S	6110-200-0001	1999	50*	S
3860-001-0001	1999	50*	S	6110-212-0001	1999	50*	S
3860-301-0001	1999	50*	S	6110-232-0001	1999	50*	S
	2001	106*	S	6110-295-0001	1999	50*	S
3960-001-0014	2000	52*	S		2000	52*	S
3960-001-0018	2000	52*	S	6360-001-0408	1999	50*	S
4170-101-0001	1999	50*	S	6440-001-0001	1999	50*	S
	2000	52*	S	6440-301-0574	1999	50*	S
4200-101-0001	1999	50*	S	6600-001-0001	1999	50*	S
4200-102-0001	1999	50*	S	6610-001-0001	1999	50*	S
4260-001-0001	1999	50*	S	6610-001-0498	1999	50*	S
4260-001-0823	1999	50*	S	6870-101-0001	1999	50*	S
4300-101-0001	1999	50*	S		2000	52*	S
4300-301-0001	1999	50*	S	6870-103-0001	1999	50*	S
	2000	52*	S	6870-301-0574	1999	50*	S
4440-011-0001	1999	50*	S		2000	52*	S
4440-111-0001	1999	50*	S	6870-301-0658	2001	106*	S
4700-001-0890	1999	50*	S	6870-302-0574	1999	50*	S
4700-101-0890	1999	50*	S	8260-001-0001	1999	50*	S
5100-001-0579	2001	106*	S		2000	52*	S
5100-001-0870	1999	50*	S	8570-001-0001	1999	50*	S
5100-031-0890	2001	106*	S		2001	106*	S
5100-101-0579	2001	106*	S	8840-001-0001	1999	50*	S
5100-131-0890	2001	106*	S	8940-301-0001	1999	50*	S
5160-101-0001	1999	50*	S	8940-301-0890	1999	50*	S
5180-001-0001	1999	50*	S	8960-301-0001	1999	50*	S
5180-001-0890	1999	50*	S	9800-001-0001	1999	12*	S
5180-101-0001	1999	50*	S	9800-002-0494	1999	12*	S
	2000	52*	S	9800-011-0001	1999	12*	S
5180-101-0890	1999	50*	S	9840-001-0001	1999	50*	S
5180-102-0001	1999	50*	S		1999	68*	S
	2000	52*	S	9840-001-0494	1999	50*	S
	2001	106*	S		1999	68*	S
5180-151-0001	1999	50*	S				
5240-001-0001	1999	50*	S				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUDGET ITEMS—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
9840-001-0988	1999	50 *	S	4260-111-0233	1999	744 *	S
	1999	68 *	S	4260-111-0236	1999	831 *	S
9840-011-0001	1999	68 *	S	4300-101-0001	2000	52 *	S
1999, Ch. 50				4300-301-0001	2000	52 *	S
0450-112-0556	2000	52 *	S		2001	106 *	S
0540-103-0001	2000	672 *	S	4440-001-0001	1999	617 *	S
	2001	932	S	4440-101-0001	1999	617 *	S
0690-301-0660	2000	52 *	S	4440-301-0001	2000	52 *	S
0840-001-0001	2000	5 *	Am		2001	106 *	S
0845-001-0217	2000	52 *	S	4440-301-0660	2000	52 *	S
1100-301-0001	2000	52 *	S	5100-001-0579	2001	106 *	S
1111-002-0421	2000	52 *	S	5100-031-0890	2001	106 *	S
1730-001-0001	1999	479 *	S	5100-101-0001	1999	1021 *	S
1760-101-0768	2000	52 *	S		2000	52 *	S
	2001	106 *	S	5100-101-0579	2001	106 *	S
1760-301-0001	2000	52 *	S	5100-131-0890	2001	106 *	S
1920-001-0835	2000	52 *	S	5160-001-0001	2000	52 *	S
2240-001-0001	2000	52 *	S	5160-001-0890	2000	52 *	S
2240-105-0001	1999	793 *	S	5180-001-0001	1999	479 *	Am
2660-101-0001	2000	52 *	S	5180-101-0001	1999	479 *	S
2660-311-0042	2000	52 *	S		2000	52 *	S
	2001	106 *	S		2001	106 *	S
2720-301-0044	2000	52 *	S	5180-102-0001	2000	52 *	S
2920-101-0001	1999	1021 *	S ³⁷		2001	106 *	S
3360-102-0001	1999	1003	S	5180-141-0001	1999	479 *	S
3540-001-0001	2000	2 *	S	5240-102-0001	1999	1003	Ad
3540-001-0001	2000	52 *	S	5240-103-0001	1999	888	Ad
3540-006-0001	2000	2 *	S	5240-301-0001	2000	52 *	S
3540-301-0001	2000	52 *	S	5240-301-0660	2000	52 *	S
	2001	106 *	S		2001	106 *	S
3540-301-0660	2001	106 *	S	5240-493	1999	888	Ad
3600-102-0001	1999	811 *	S	5430-111-0001	2000	52 *	S
3600-301-0890	2000	52 *	S	5460-301-0001	2000	52 *	S
3680-101-0516	1999	1003	S	6110-104-0001	2001	106 *	S
3760-301-0940	2000	52 *	S	6110-112-0001	2000	52 *	S
3760-302-0001	1999	1003	S	6110-122-0001	1999	646	Am
	1999	1021 *	S	6110-133-0001	2000	52 *	S
	2000	672 *	S	6110-156-0001	2001	106 *	S
3790-002-0001	1999	811 *	S ³⁷	6110-181-0001	2000	52 *	S
3790-101-0001	1999	1003	S	6110-184-0001	2000	52 *	S
	1999	1021 *	S ³⁷	6110-186-0001	1999	646	Am
	2000	52 *	S	6110-196-0001	2000	52 *	S
	2000	672 *	S		2001	106 *	S
3790-301-0001	2000	52 *	S	6110-211-0001	2000	52 *	S
3790-301-0263	2001	106 *	S	6110-488	2000	52 *	S
3790-302-0001	1999	811 *	S ³⁷	6110-490	2000	52 *	S
	2000	52 *	S	6110-495	1999	646	Am
	2001	106 *	S	6110-498	1999	646	Am
3860-101-0001	1999	811 *	S	6120-140-0001	1999	1003	S
3860-201-0001	1999	1003	S	6440-001-0001	1999	1021 *	S ³⁷
3860-301-0001	2000	52 *	S		2000	52 *	S
	2001	106 *	S	6440-301-0574	2001	106 *	S
3960-001-0001	2000	52 *	S	6600-001-0001	2000	52 *	S
	2001	106 *	S	6610-001-0001	2000	52 *	S
3980-001-0001	2000	52 *	S	6610-001-0498	2000	52 *	S
4200-101-0001	2000	52 *	S	6610-302-0574	2001	106 *	S
4200-102-0001	2000	52 *	S	6870-101-0001	1999	738	S
	2001	106 *	S		1999	959	S ³⁷
4200-103-001	2001	106 *	S		2000	52 *	S
4260-001-0001	1999	148 *	S		2001	106 *	S
4260-111-0001	1999	146 *	S	6870-103-0001	2000	52 *	S

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUDGET ITEMS—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6870-301-0574	2000	52 *	S		2001	400 *	S
	2001	106 *	S	3790-301-0001	2001	106 *	S
8100-101-0001	1999	1003	S	3790-301-0005	2001	106 *	S
8260-001-0001	2000	52 *	S	3790-301-0263	2001	106 *	S
	2001	106 *	S	3790-302-0005	2000	672 *	S
8260-103-0001	1999	602 *	Am	3860-001-6003	2001	106 *	S
8350-001-0001	1999	1021 *	S	3860-101-0001	2000	672 *	S
	2000	52 *	S	3860-101-6027	2001	106 *	S
8350-001-0571	1999	1021 *	S	3860-301-0001	2001	106 *	S
8350-011-0001	1999	1021 *	S	3940-101-0418	2000	672 *	Am
8380-001-0001	2000	402 *	S	3940-101-0419	2000	672 *	Am
8570-301-0001	2000	52 *	S	3940-101-0744	2000	672 *	Am
8940-001-0001	1999	793 *	S	3940-101-6013	2000	672 *	Am
8940-301-0001	2000	52 *	S	3940-101-6016	2000	672 *	Am
9210-117-0001	1999	1003	S	3940-101-6017	2000	672 *	Am
9650-001-0001	1999	800	Am	3940-101-6019	2000	672 *	Am
9800-001-0001	1999	776 *	S	3940-101-6020	2000	672 *	Am
9800-001-0494	1999	776 *	S	3940-101-6021	2000	672 *	Am
	2000	402 *	S ³⁷	3940-101-6022	2000	672 *	Am
9800-001-0988	1999	776 *	S	3960-001-0001	2001	106 *	S
9840-001-0001	2000	52 *	S	4100-001-0890	2001	106 *	S
	2001	2 *	S	4130-001-0632	2001	106 *	S
9840-001-0494	2000	52 *	S	4170-101-0001	2001	106 *	S
	2001	2 *	S	4200-101-0001	2000	672 *	Am ³⁷
9840-001-0988	2000	52 *	S	4200-102-0001	2001	106 *	S
	2001	2 *	S	4200-103-0001	2001	106 *	S
2000, Ch. 52				4260-001-0001	2000	540 *	S
0540-491	2000	672 *	Ad		2001	106 *	S
0690-103-0001	2000	672 *	S	4260-101-0001	2000	540 *	S
0820-301-0001	2001	106 *	S		2001	106 *	S
0855-001-0567	2001	23 *	S	4260-101-0890	2000	540 *	S
1760-301-0001	2001	106 *	S		2001	106 *	S
1760-301-0666	2001	106 *	S	4260-111-0001	2000	540 *	S
1760-301-0768	2001	106 *	S		2001	106 *	S
1760-301-0853	2001	106 *	S	4300-101-0001	2001	106 *	S
1920-001-0835	2001	106 *	S	4440-101-0001	2001	106 *	S
2660-001-0042	2001	106 *	S	5175-101-0001	2001	106 *	S
2660-001-0046	2001	106 *	S	5180-001-0001	2000	309 *	S
2660-001-0890	2001	106 *	S		2001	111 *	Am
2660-102-0890	2001	106 *	S	5180-101-0890	2001	106 *	S
2660-103-0046	2001	106 *	S	5180-102-0001	2001	106 *	S
2660-311-0042	2001	106 *	S	5180-111-0001	2001	106 *	S
2720-101-0001	2001	106 *	S	5180-111-0890	2001	106 *	S
2720-301-0044	2001	106 *	S	5180-141-0001	2001	106 *	S
2740-301-0042	2001	106 *	S	5180-141-0890	2001	106 *	S
2740-301-0044	2001	106 *	S	5180-151-0001	2001	106 *	S
2740-301-0064	2001	106 *	S	5180-151-0890	2001	106 *	S
3360-001-0465	2001	106 *	S	5240-001-0001	2001	106 *	S
3540-301-0001	2001	106 *	S	5240-301-0001	2001	106 *	S
3600-001-0001	2001	106 *	S	5460-301-0001	2001	106 *	S
3600-101-0001	2001	106 *	S	5480-001-0001	2001	106 *	S
3680-301-0516	2001	106 *	S	6110-001-0001	2001	106 *	S
3720-101-0001	2001	11 *	S	6110-104-0001	2000	1058	Am
3760-302-0005	2000	672 *	S		2001	106 *	S
3790-001-0001	2000	570 *	S	6110-105-0001	2000	1058	Am
3790-101-0001	2000	672 *	Am	6110-112-0001	2001	106 *	S
	2001	106 *	S	6110-125-0001	2001	106 *	S
	2001	400 *	S	6110-133-0001	2001	106 *	S
3790-101-0005	2000	672 *	S	6110-134-0001	2000	1058	Am
3790-102-0005	2000	672 *	Am	6110-151-0001	2000	1058	Am
	2001	106 *	S	6110-158-0001	2001	106 *	S

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

BUDGET ITEMS—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6110-165-0001	2000	1058	Am	9906-001-0001	2001	106*	S
6110-181-0001	2001	106*	S	9908-001-0001	2001	106*	S
6110-184-0001	2001	106*	S	9908-001-0494	2001	106*	S
6110-193-0001	2001	106*	S	9908-001-0988	2001	106*	S
6110-196-0001	2001	106*	S	2001, Ch. 106			
6110-198-0001	2001	106*	S	2660-001-0042	2001	400*	Am
6110-204-0001	2001	106*	S	3680-101-0516	2001	932	Am
6110-205-0001	2001	106*	S	3790-001-0392	2001	112	Am
6110-212-0001	2001	106*	S	3790-101-0001	2001	400*	S
6110-232-0001	2001	106*	S	3790-102-0383	2001	400*	Am
6110-495	2000	1058	Am	3790-302-0005	2001	400*	S
6440-001-0001	2000	672*	Am	3790-491	2001	400*	S
	2001	106*	S	3940-101-0001	2001	400*	S
6440-301-0574	2001	106*	S	5180-101-0001	2001	111*	S
6600-001-0001	2001	106*	S		2001	400*	S
6610-001-0498	2001	106*	S	5180-101-0890	2001	111*	S
6610-301-0001	2001	106*	S	5440-001-0001	2001	131*	S
6870-101-0001	2000	746	S ³⁷	6110-001-0001	2001	749*	S ³⁷
6870-301-0574	2001	106*	S	6110-001-0890	2001	734*	Am
7980-101-0001	2001	106*	S	6110-123-0001	2001	749*	Am
8260-001-0001	2001	106*	S	6110-128-0001	2001	891*	Ad
8260-103-0001	2000	672*	Am	6110-132-0001	2001	891*	Am
8380-001-0367	2001	106*	S	6110-161-0001	2001	203*	S
8940-001-0001	2000	127*	S	6110-161-0890	2001	690	S
8955-102-0001	2000	672*	S	6110-165-0001	2001	734*	Am
8960-011-0001	2001	106*	S	6110-210-0001	2001	734*	Am
9100-101-0001	2000	615*	S	6110-233-0001	2001	400*	S
	2001	2*	S	6110-295-0001	2001	734*	Am
9650-001-0001	2000	1002	Am	6110-485	2001	734*	Am
9800-001-0001	2001	1*	S	6120-101-0001	2001	400*	S
	2001	22*	S	6440-001-0001	2001	564*	Am
	2001	25*	S	6870-101-0001	2001	514	S
9800-001-0494	2001	1*	S		2001	891*	S ¹⁷
	2001	22*	S	6870-301-0574	2001	891*	S
	2001	25*	S	8260-103-0001	2001	400*	S
9800-001-0988	2001	1*	S	9100-101-0001	2001	197*	S
	2001	22*	S	9210-107-0001	2001	400*	S
	2001	25*	S	9800-001-0001	2001	366*	Ad
9840-001-0001	2001	106*	S	9800-001-0494	2001	366*	Ad
	2001	222*	S	9800-001-0988	2001	366*	Ad
9840-001-0494	2001	106*	S	9909-001-0001	2001	635*	S
	2001	222*	S	9909-001-0494	2001	635*	S
9840-001-0988	2001	106*	S	9909-001-0890	2001	635*	S
	2001	222*	S	9909-001-0988	2001	635*	Ad
9905-001-0001	2001	106*	S				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

1999–2001 Superior Numbers

- * Effective immediately.
- 1 Operative January 1, 2000.
- 2 Repeal operative January 1, 2000.
- 3 Contingent effect.
- 4 Inoperative July 1, 2001.
- 5 Repeal operative January 1, 2002.
- 6 Operative for taxable years beginning on or after January 1, 1998.
- 7 Repeal operative August 7, 1999.
- 8 Operative January 1, 2002.
- 9 Paragraphs (1) to (3), inclusive, of subdivision (b) shall not become operative unless and until the Regents of the University of California adopt a resolution within the meaning of Sections 92851, 92856, and 99221 of the Education Code.
- 10 Operative when Los Angeles County Board of Supervisors, by resolution adopted by majority vote, makes provisions of this section applicable in the county.
- 11 Inoperative July 31, 1999.
- 12 Inoperative July 1, 1999.
- 13 Repeal deleted by amendment.
- 14 Inoperative January 1, 2001.
- 15 Repeal operative July 1, 1999.
- 16 Operative July 1, 1999.
- 17 Operative pursuant to the provisions of Sec. 25390.9 of the Health and Safety Code, as added by Ch. 23, Stats. 1999.
- 18 Repeal operative January 1, 2005.
- 19 Repeal operative January 1, 2004.
- 20 Repeal operative January 1, 2003.
- 21 Inoperative July 1, 2002.
- 22 Operative January 1, 2004.
- 23 In effect until the effective date of the Budget Act of 2000 or June 30, 2000, whichever occurs later.
- 24 Repeal operative January 1, 2001.
- 25 Operative January 1, 2001.
- 27 Repeal operative on June 30, 2000, or on the day following the execution of the transfers required under Sections 4, 5, and 6 of Chapter 85 of the Statutes of 1999, whichever date is first.
- 28 Operative on June 30, 2000, or on the day following the execution of the transfers required under Sections 4, 5, and 6 of Chapter 85 of the Statutes of 1999, whichever date is first.
- 29 Not operative unless an amendment to the California Constitution is placed on the ballot by the Legislature and is approved by the statewide electorate during the 2000 calendar year, that would do as specified in Sec. 11 of act.
- 30 Any section of any act enacted by the Legislature during the 1999 calendar year that takes effect on or before January 1, 2000, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act. The repeal, or repeal and addition, of any article, chapter, part, title, or division of any code by this act shall not become operative if any section of any other act that is enacted by the Legislature during the 1999 calendar year and takes effect on or before January 1, 2000, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.
- 31 Inoperative June 30, 2000.

- 32 Operative only if an appropriation is made for its purposes in the Budget Act of 1999, or in another statute enacted during the first calendar year of the 1999–2000 Regular Session, and shall be funded exclusively with funds appropriated thereby.
- 33 Effective only until the effective date of the Budget Act of 2000 or July 1, 2000, whichever occurs later.
- 34 Operative January 1, 2003.
- 35 Operative July 1, 2002.
- 36 Inoperative date deleted by amendment.
- 37 See Governor's Item Veto Message.
- 38 Repeal operative January 1, 2010.
- 39 Repeal operative July 1, 2000.
- 40 This section prevails over the same-numbered section as added to the Water Code by Ch. 92, Stats. 1999.
- 41 Repealed as of the date the relinquishment authorized under subd. (b) becomes effective.
- 42 Subdivision (m), paragraph (1) shall become inoperative when the State Department of Health Services has obtained all necessary federal approvals pursuant to Welfare and Institutions Code Section 14132.95, subdivision (j), paragraph (3).
- 43 Repeal operative January 1, 2006.
- 44 Operative March 1, 2000.
- 45 Inoperative July 1, 2000.
- 46 Subdivision (b), paragraph (1) shall become inoperative January 1, 2005.
- 47 The changes to subdivision (c) made by the act adding this subdivision shall apply to each taxable year beginning on or after January 1, 1999.
- 48 Inoperative on the effective date of the relinquishment by the California Transportation Commission to the City of Downey of the portion of Route 19 located between Gardendale Street and Telegraph Boulevard within the city.
- 49 Operative January 1 following the effective date of the relinquishment by the California Transportation Commission to the City of Downey of the portion of route 19 located between Gardendale Street and Telegraph Boulevard within the city.
- 50 Operative as of the effective date of the relinquishment by the California Transportation Commission to the City of Downey of the portion of Route 19 located between Gardendale Street and Telegraph Boulevard within the city, pursuant to subdivision (c) of Section 319, as that section read on the day before it was repealed pursuant to the act that added this section during the 1999–2000 Regular Session.
- 51 Operative November 1, 2000.
- 52 Repeal operative on effective date of a final judgment based on a claim under California or United States Constitution holding that evidence that is relevant, reliable, and material may not be considered for purposes of a judicial determination of factual innocence under this section.
- 53 In the event that the Department of Finance determines that the program operated under the authority of the waiver described in subd. (aa), para. (2) is no longer cost-effective, subd. (aa) shall become inoperative on the first day of the first month following the issuance of a 30-day notification of that determination in writing by the Department of Finance to the chairperson in each house that considers appropriations, the chairpersons of the committees, and the appropriate subcommittees in each house that considers the State Budget, and the Chairperson of the Joint Legislative Budget Committee.
- 54 Inoperative date repealed.
- 55 Not operative in any county until the time the board of retirement, by a majority vote, makes this section applicable in the county.
- 56 Operative July 1, 2000.
- 57 Termination date repealed.

- 58 Repeal operative January 1, 2006. However, if, in any calendar year the Franchise Tax Board estimates by September 1 that contributions described in this article (RTC Art. 9.5 (Sec. 18805 et seq.)) made on returns filed in that calendar year will be less than \$250,000, or the adjusted amount specified in RTC 18808(c), as may be applicable, then this section is repealed with respect to taxable years beginning on and after January 1 of the calendar year.
- 59 Inoperative date for para. (9) of subd. (b) deleted by amendment.
- 60 Repeal operative January 1, 2005. However, if the Franchise Tax Board estimates by September 1 that contributions described in this article (RTC Art. 3 (Sec. 18721 et seq.)) made on returns filed in that calendar year will be less than \$250,000 for taxable years beginning in 2001, or the adjusted amount specified in RTC 18724(c) for any subsequent taxable year, as may be applicable, then this section is repealed with respect to taxable years beginning on or after January 1 of that calendar year.
- 61 The changes made to RTC 23305.5 by this act shall apply to taxable years beginning on or after January 1, 1997.
- 62 Inoperative June 30, 2003.
- 63 Operative January 1, 2005.
- 64 The provisions of this act shall become operative on the first day of the first calendar quarter commencing more than 90 days after the effective date of this act.
- 65 Repeal operative January 1, 2005. If, in any calendar year, the Franchise Tax Board estimates by September 1 that contributions described in this article (RTC Art. 6 (Sec. 18761 et seq.)) made on returns filed in that calendar year will be less than \$250,000 for taxable years beginning in 2000, or the adjusted amount specified in RTC 18766(c) for subsequent taxable years, as may be applicable, then this section is repealed with respect to taxable years beginning on and after January 1 of that calendar year.
- 66 Inoperative not later than 60 days from the date the Director of Transportation receives notice from the United States Secretary of Transportation that future operation of this section will result in a reduction of the state's share of federal highway funds pursuant to Section 131 of Title 23 of the United States Code.
- 67 Operative on January 1 immediately following the date the Secretary of State receives the notice required under paragraph (2) of this section.
- 68 Repeal operative January 1, 2008.
- 69 Operative January 1, 2008.
- 70 Inoperative July 1, 2004.
- 71 Amendments to section not implemented until July 1, 2001, unless otherwise authorized by the Department of Information Technology pursuant to Executive Order D-3-99.
- 72 Repeal operative January 1 of the fifth taxable year following the first appearance of the Birth Defects Research Fund on the tax return or January 1, 2007, whichever occurs first. If, in any calendar year after the first taxable year the Birth Defects Research Fund appears on the tax return, the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000), or the adjusted amount specified in subd. (c), RTC Sec. 18865 for subsequent taxable years, as may be applicable, then this section is repealed with respect to taxable years beginning on or after January 1 of that calendar year.
- 73 Inoperative July 1, 2003.
- 74 Repeal operative June 30, 2005.
- 75 Repeal operative January 1, 2007.

- 76 Operative January 1, 2001, with respect to any cash register or other machine or device that electronically prints receipts for credit card transactions that is first put into use on or after January 1, 2001; operative January 1, 2004, with respect to any cash register or other machine or device that electronically prints receipts for credit card transactions that is in use before January 1, 2001.
- 77 Inoperative January 1, 2000.
- 78 Repeal operative January 1 of an unspecified year.
- 79 Inoperative July 1, 2005.
- 80 Operative January 1, 2006.
- 81 Operative July 1, 2005.
- 82 Not operative.
- 84 The changes made to subdivision (b) during the 1999 portion of the 1999–2000 Regular Session of the Legislature shall be operative in any fiscal year only if funds are appropriated for purposes of those changes in the annual Budget Act or in another measure.
- 85 The changes made to subdivision (a) during the 1999 portion of the 1999–2000 Regular Session of the Legislature shall be operative in any fiscal year only if funds are appropriated for purposes of those changes in the annual Budget Act or in another measure.
- 86 The change made to subdivision (c) during the 1999 portion of the 1999–2000 Regular Session of the Legislature shall be operative in any fiscal year only if funds are appropriated for purposes of that change in the annual Budget Act or in another measure.
- 87 Operative only if there is an appropriation in the Budget Act to fund the provisions of this act.
- 88 Operative by voter approval of the Veterans' Homes Bond Act of 2000, as set forth in Section 2 of this act (M&VC Ch. 2 (Sec. 1100 et seq.)), at the March 7, 2000, statewide primary election, Prop. 16.
- 89 Approved by voters at March 7, 2000, election, Prop. 16.
- 90 Approved by voters at March 7, 2000, election, Prop. 12.
- 92 Operative in the County of San Diego when the board of supervisors adopts a resolution declaring this section operative.
- 93 Operative only if the federal waiver identified under Section 14495.10 of the Welfare and Institutions Code is approved by the federal Health Care Financing Administration.
- 94 Paragraphs (2) and (3) of subdivision (b) inoperative January 1, 2001.
- 95 Repeal operative July 1, 2003.
- 96 Operative July 1, 2001.
- 98 Inoperative July 1, 2006.
- 99 Subdivision (g) operative January 1, 2001.
- 100 Operative January 1, 2007.
- 101 Clause (iv), of subparagraph (B), of paragraph (4), of subdivision (d), of this section shall be operative for the 1999–2000 fiscal year only to the extent that moneys are appropriated for purposes of that clause in the Budget Act of 1999 by an appropriation that specifically references that clause.
- 103 In effect as long as Section 42 of the Internal Revenue Code, relating to low-income housing credits, remains in effect.
- 104 Operative June 1, 2001.
- 105 Subdivision (l) operative January 1, 2001.
- 106 Applicable to taxable years beginning on or after January 1, 1999.
- 107 Operative only when funds are specifically appropriated for the purposes of the California YouthBuild Act.
- 110 Prevails over and supersedes Chapter 461, Statutes of 1999, Reg. Sess., with regard to this section.

- 111 Repeal operative January 1, 2011.
- 112 This act shall become effective on January 1, 2000, and shall become operative on the date that the Governor, by executive order, establishes the Department of Managed Care or July 1, 2000, whichever occurs first.
- 113 Inoperative date for subdivision (p) deleted by amendment.
- 114 Any section of any act enacted by the Legislature during the 1999 calendar year that takes effect on or before January 1, 2000, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act.
- 115 Operative as of the date of approval by the governing board of the Los Angeles Unified School District of the contract to provide air-conditioning to 150 schools within the district.
- 116 Subdivision (a), paragraph (2) is repealed on January 1, 2005.
- 117 Operative only for as long as Fam C Sec. 17704 requires participating counties to report data to the department.
- 118 Operative July 1, 1998.
- 119 Paragraph (1) subd. (a) inoperative January 1, 2000. Paragraph (2) subd. (a) operative January 1, 2000.
- 120 Paragraph (1) subd. (c) inoperative January 1, 2000. Paragraph (2) subd. (c) operative January 1, 2000.
- 121 Applicable on and after the property tax lien date on January 1, 2000.
- 122 Subdivision (e) of this section shall become operative on July 1, 2000, and shall be implemented only to the extent that funds are appropriated for its purposes in the Budget Act.
- 123 Approved by voters at March 7, 2000, election, Prop. 13.
- 124 This section shall remain in effect only until the operative date of the independent review process established by Chapter 533 of the Statutes of 1999, and as of that date is repealed.
- 127 Not operative unless the Board of Administration of the Public Employees' Retirement System adopts a resolution that does both of the following: (A) employs, for the June 30, 1998, valuation, 95 percent of the market value of assets of the state employer as the actuarial value of the assets; and (b) amortizes the June 30, 1998, excess assets over a period of 20 years, beginning July 1, 1999.
- 129 Subdivision (a) shall only become operative upon a determination by the Director of Finance that funds are available to make an adjustment pursuant to subdivision (h) of EDC Sec. 60640.
- 130 Repeal operative August 1, 2000.
- 131 Inoperative on the date that the director executes a declaration stating that Section 11265.2 of the Welfare and Institutions Code, as added by the act adding this subdivision, is fully implemented statewide, and shall be repealed on January 1 of the year following the year in which it becomes inoperative.
- 132 Paragraph (2) of subdivision (a) inoperative January 1, 2004.
- 133 Inoperative July 1, 2000, and repealed January 1, 2001, if all of the events described in Section 901 of the Pajaro River Watershed Flood Prevention Authority Act (Stats. 1999, Ch. 963) occur.
- 134 Applicable to taxable years beginning on or after January 1, 1998.
- 135 Applicable to income years beginning on or after January 1, 1998.
- 136 Applicable to taxable or income years beginning on or after January 1, 1998.
- 137 The amendments made to subdivision (a) shall apply to all income years for which the Franchise Tax Board may propose an assessment or allow a claim for refund.
- 138 Subdivision (h) shall remain operative until January 1, 2005, and as of that date shall be repealed.

- 139 Subdivision (m) shall remain operative only until January 1, 2005.
- 140 Operative on January 1 of the year following the year in which it becomes inoperative.
- 142 Inoperative January 1, 2005, or on such earlier date as the Board of Administration of the Public Employees' Retirement System makes a formal determination that HMOs are no longer the most cost-effective health care plans offered by the board.
- 143 Repealed as of January 1 following the Secretary of State's submittal to the Legislature of the report regarding the special handling fee charged for preclearance documents and expedited filings provided for in Gov. C. Sec. 12208.
- 144 Any section of any act enacted by the Legislature during the 1999 calendar year that takes effect on or before January 1, 2000, and that amends, amends and renumbers, adds, repeals and adds, or repeals any one or more of Sections 3 to 18, inclusive, of this act shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act. The repeal, or repeal and addition, of any article, chapter, part, title, or division of any code by this act shall not become operative if any section of any other act that is enacted by the Legislature during the 1999 calendar year and takes effect on or before January 1, 2000, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.
- 145 Repeal operative December 31, 2002.
- 146 Inoperative April 1, 2005.
- 147 Subdivision (e) of this section shall be operative only until January 1, 2003.
- 148 Inoperative February 1, 2000.
- 149 Inoperative June 30, 2001.
- 152 Repealed on January 1 of the fifth taxable year following the notification required under subd. (a) of Sec. 18821, RTC, unless a later enacted statute, which is enacted before that date, deletes that date. However, if, in any calendar year, beginning in the year 2001, the Franchise Tax Board estimates by September 1 that contributions described in Art. 11, Ch. 3, Pt. 10.2, Div. 1 (Sec. 18821 et seq.) RTC, made on returns filed in that calendar year will be less than \$250,000 then this section is repealed with respect to taxable years beginning on and after January 1 of that calendar year.
- 153 Subdivision (c) of this section inoperative December 31, 2001.
- 154 Subd. (b), paragraph (10) shall be operative only to the extent that funds for purposes of paragraph (10) are appropriated in the annual Budget Act.
- 155 Repeal operative April 1, 2000.
- 156 Operative December 31, 2003.
- 157 Not operative until the State Mining and Geology Board approves the County of Yolo implementing ordinance governing in-channel noncommercial extraction activities carried out pursuant to the Cache Resource Management Plan and notifies the Secretary of State in writing of that approval.
- 160 Rejected by voters at March 7, 2000, election, Prop. 15.
- 161 Repealed as of January 1 following the Secretary of State's submittal to the Legislature of the report regarding the special handling fee charged for preclearance documents and expedited filings provided for in Gov. C. Sec. 12182.
- 162 Second paragraph of subdivision (l) operative January 1, 2001.
- 163 Subparagraph (A) shall become inoperative on October 1, 2002.
- 164 Applicable to the entire 1999-2000 fiscal year, regardless of the effective date of act.
- 165 Approved by voters at March 7, 2000, election, Prop. 14.

- 166 This section shall prevail over Section 1874.8 of the Insurance Code as added by Chapter 884 of the Statutes of 1999 to the extent that it provides for the allocation and distribution of funds under the program established to target organized fraud activity.
- 167 Section 1874.8 of the Insurance Code as added by Chapter 885 of the Statutes of 1999 shall prevail to the extent that it provides for the allocation and distribution of funds under the program established to target organized fraud activity.
- 168 Section is inoperative if federal approval is not obtained for its implementation. Section shall also become immediately inoperative in the event there is a final judicial determination by any court of appellate jurisdiction or a final determination by the administrator of the federal Health Care Financing Administration that the supplemental reimbursement provided in this section must be made to any facility not described therein.
- 169 Amendments not operative unless the Board of Administration of the Public Employees' Retirement System adopts a resolution that does both of the following: (A) employs, for the June 30, 1998, valuation, 95 percent of the market value of assets of the state employer as the actuarial value of the assets; and (B) amortizes the June 30, 1998, excess assets over a period of 20 years, beginning July 1, 1999.
- 170 Rejected by voters at March 7, 2000, election, Prop. 30.
- 171 Rejected by voters at March 7, 2000, election, Prop. 31.
- 173 Amendments made to this section by the act adding subdivision (e) shall apply to income years beginning on or after January 1, 1999.
- 174 Inoperative January 1, 2006.
- 175 Operative July 1, 2003.
- 181 Proposed by Chapter 629, Statutes of 1998.
- 182 Proposed by Chapter 760, Statutes of 1998.
- 183 Proposed by Chapter 800, Statutes of 1998.
- 184 Proposed by Chapter 409, Statutes of 1998.
- 185 Operative upon passage of the "Smaller Classes, Safer Schools and Financial Accountability Act", approved by voters at November 7, 2000, general election, Prop. 39.
- 186 Approved by voters at November 7, 2000, election, Prop. 32.
- 187 Repeal operative July 1, 2005.
- 188 Effective January 1, 2003.
- 189 Inoperative June 30, 2010.
- 190 Subdivision (b) to (f), inclusive, shall be inoperative from the operative date of Subdivision (g) to June 30, 2001, inclusive.
- 191 Inoperative January 1, 2002.
- 192 Operative January 1, 2011.
- 193 Inoperative July 31, 2004.
- 194 Repeal operative July 1, 2001.
- 195 Operative June 30, 2001.
- 196 Inoperative June 30, 2006.
- 197 Inoperative September 1, 2003.
- 198 Inoperative June 30, 2004.
- 199 Repeal operative December 1, 2005.
- 200 Effective only until the effective date of the Budget Act of 2001 or June 30, 2001, whichever occurs first.
- 201 Paragraph (2) of subdivision (a) inoperative January 1, 2005.
- 202 Paragraph (1) of subdivision (d) operative for the 2000–01 fiscal year and each year thereafter unless otherwise provided in paragraphs (2), (3), (4), and (5).

- 203 Any section of any act enacted by the Legislature during the 2000 calendar year that takes effect on or before January 1, 2001, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, added, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act. The repeal, or repeal and addition, of any article, chapter, part, title, or division of any code by this act shall not become operative if any section of any other act that is enacted by the Legislature during the 2000 calendar year and takes effect on or before January 1, 2001, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.
- 204 Paragraph (4) of subdivision (b), subdivision (c), and paragraph (3) of subdivision (d) shall become inoperative, and are repealed as of December 31, 2001.
- 205 Repeal operative December 31, 2003.
- 206 Inoperative April 10, 2005.
- 207 Repeal operative July 1, 2006.
- 208 Repeal operative December 31, 2005.
- 210 Approved by voters at November 7, 2000, election, Prop. 34.
- 211 This section shall become effective with regard to the March 31 holiday only when the Department of Personnel Administration notifies the Legislature that the language contained in this section has been agreed to by all exclusive representatives, and the Department of Personnel Administration authorizes this holiday to be applied to employees designated as excluded from the Ralph C. Dills Act (Ch. 10.3 (Sec. 3512 et seq.), Div. 4, Title 1 of the Government Code), and the necessary statutes are amended to reflect this change.
- 214 Subdivision (e) of this section inoperative January 1, 2004.
- 215 Not operative in any county until such time as the board of supervisors shall, by resolution adopted by majority vote, make the provisions of this section applicable in that county.
- 216 Any section of any act enacted by the Legislature during the 2000 calendar year that takes effect on or before January 1, 2001, and that amends, amends and renumbers, adds, repeals and adds, or repeals any one or more of the sections affected by this act shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act. The repeal, or repeal and addition, of any article, chapter, part, title, or division of any code by this act shall not become operative if any section of any other act that is enacted by the Legislature during the 2000 calendar year and takes effect on or before January 1, 2001, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.
- 217 Repeal operative January 1, 2003, except that the binding commitments in paragraph (5) of subdivision (e) shall remain in effect after that date.
- 218 Operative March 31, 2002.
- 219 Subdivision (d) operative only if the director executes a declaration, that shall be retained by the director, stating that the surety bonds described in this paragraph are commercially offered throughout the state and by more than one vendor.
- 220 Subdivision (a) operative only if the director executes a declaration, that shall be retained by the director, stating that the surety bonds described in this paragraph are commercially offered throughout the state and by more than one vendor.
- 222 Inoperative June 1, 2002.
- 224 Subdivision (c) of this section inoperative January 1, 2003.
- 225 Subdivision (g) shall become inoperative on January 1, 2007.
- 227 Inoperative on the date that all encumbrances incurred for the projects funded under paragraph (3) of subdivision (c) have been liquidated or on June 30, 2006, whichever date is later, and as of the January 1 immediately following that date is repealed.

- 228 Inoperative April 1, 2006.
- 229 Section not operative until (1) the City of Watsonville and the County of Santa Cruz both have housing elements in their respective general plans certified by the Department of Housing and Community Development and unless (2) either the City of Watsonville or the County of Santa Cruz takes any official action to amend or repeal the supermajority voting requirements as contained in the Memorandum of Understanding.
- 230 Effective retroactively to January 1, 2000.
- 231 Repeal operative January 1 of the fifth taxable year following the first appearance of the California Lung Disease and Asthma Research Fund on the tax return. If, in any calendar year after the first taxable year the fund appears on the tax return, the Franchise Tax Board estimates by September 1 that contributions made on returns filed in that calendar year will be less than \$250,000, or the adjusted amount specified in RTC Sec. 18835(c) for subsequent taxable years, as may be applicable, then this section is repealed with respect to taxable years beginning on or after January 1 of that calendar year.
- 232 Operative January 1, 2010.
- 233 Inoperative on (1) January 1, 2004, or (2) the date of adoption of an accreditation or designation by an agency of the state or federal government or by a voluntary national health organization of an HIV or AIDS specialist, whichever date is earlier.
- 234 Operative on January 1, 2004, or the January 1 following the date of adoption of an accreditation or designation by an agency of the state or federal government or by a voluntary national health organization of an HIV or AIDS specialist, whichever date is earlier.
- 235 Operative on (1) January 1, 2004, or (2) the date of adoption of an accreditation or designation by an agency of the state or federal government or by a voluntary national health organization of an HIV or AIDS specialist, whichever date is earlier.
- 236 The amendments to this section made by Stats. 2000, Ch. 442, prevail over the amendments made by this act.
- 238 The provisions of this act shall become operative on the first day of the first month commencing more than 90 days after the effective date of this act.
- 240 Repeal operative on one of the following dates, whichever comes first: (1) January 1, 2002; (2) The date that all motor carriers of passengers that operate regular service on the route described in subdivision (a) of this section operate only vehicles on that route that are fully accessible to disabled passengers who rely substantially on the use of wheelchairs; (3) The date that the memorandum of understanding described in Section 14035.57 is executed by all parties listed in that section.
- 241 Subdivision (d) inoperative on July 1, 2003.
- 242 Section is effective until such time as Gov. C. Sec. 3502.5 is amended to provide that a 30-percent or greater showing of interest by means of a petition requires an election regarding an agency shop, and a vote at that election of 50 percent plus one of those voting secures an agency shop arrangement, and as of that date is repealed.
- 243 Operative only if Gov. C. Sec. 3502.5 is amended to provide that a 30-percent or greater showing of interest by means of a petition requires an election regarding an agency shop, and a vote at that election of 50 percent plus one of those voting secures an agency shop arrangement.
- 244 Repeal operative January 2, 2006.
- 245 Subdivisions (b) and (d) operative July 1, 2001.
- 246 Operative September 1, 2001.
- 248 Repealed on the effective date of legislation implementing the San Diego Regional Government Efficiency Commission's plan for consolidation of regional agencies.

- 249 Section in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 2006, deletes or extends that date, or unless tax-increment moneys have, prior to that date, been received by the joint powers agency, in which case the date of repeal of this section shall be extended until the time that the joint powers agency shall expend these funds in accordance with this section.
- 250 Paragraph (4) of subdivision (d) inoperative July 1, 2004.
- 251 Operative upon submission to, and approval by, the voters at the next statewide election.
- 252 Repeal operative January 1 of the third taxable year following the first appearance of the National World War II Veterans Memorial Trust Fund on the tax return. If, in any calendar year after the first taxable year the fund appears on the tax return, the Franchise Tax Board estimates by September 1 that contributions made on returns filed in that calendar year will be less than \$250,000, or the adjusted amount specified in RTC Sec. 18704(c) for subsequent taxable years, as may be applicable, then this section is repealed with respect to taxable years beginning on or after January 1 of that calendar year.
- 253 Operative April 1, 2001.
- 255 Inoperative September 30, 2004.
- 256 Inoperative if federal approval is not obtained for implementation of this section.
- 257 Inoperative April 1, 2003.
- 258 Repeal operative January 31, 2003.
- 259 Operative three months after Contractors' State License Board adopts regulations referenced in paragraph (1) of subdivision (a) of this section.
- 260 This section supersedes Section 50898.2 of the Health and Safety Code, as added by Chapter 83 of the Statutes of 2000, which section shall not become operative.
- 262 Any section of any act enacted by the Legislature during the 2000 calendar year that takes effect on or before January 1, 2001, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, added, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act.
- 263 Subdivision (c) of this section inoperative January 1, 2004.
- 265 Operative when moneys are appropriated for deposit in the Rice Straw Demonstration Project Grant Fund, created pursuant to H & S C Sec. 39751, by the Legislature, or when moneys are transferred to that fund by any other entity.
- 267 Subparagraph (B) of paragraph (1) of subdivision (d) operative January 1, 2002.
- 268 The amendments made to Section 17052.2 of the Revenue and Taxation Code by this act shall apply to taxable years beginning on or after January 1, 2000.
- 269 Operative July 1, 2002, if the revenue limit cost-of-living adjustment computed by Superintendent of Public Instruction for the 2001-02 fiscal year is equal to or greater than 3.5 percent. Otherwise this section shall become operative July 1, 2003.
- 270 Inoperative July 1, 2002, if the revenue limit cost-of-living adjustment computed by Superintendent of Public Instruction for the 2001-02 fiscal year is equal to or greater than 3.5 percent. Otherwise section shall become inoperative July 1, 2003.
- 273 Section shall be operative as long as the district does not provide water, drainage services, electricity, flood control services, or sewage disposal services for domestic purposes for residents of the district, and shall become inoperative if the district commences to provide any of those services.
- 274 Inoperative July 1, 2003, if the revenue limit cost-of-living adjustment computed by Superintendent of Public Instruction for the 2001-02 fiscal year is equal to or greater than 3.5 percent. Otherwise section shall become inoperative July 1, 2004.

- 275 Operative July 1, 2003, if the revenue limit cost-of-living adjustment computed by Superintendent of Public Instruction for the 2001-02 fiscal year is equal to or greater than 3.5 percent. Otherwise section shall become operative July 1, 2004.
- 279 This section shall become operative upon the appropriation of sufficient funds in the Budget Act to implement this section.
- 280 Operative until January 1, 2004, and repealed as of that date.
- 281 Operative only during those fiscal years for which funds are appropriated in the annual Budget Act to implement this part, or are made available from contributions or donations from the sources identified in PRC Section 71101.
- 282 Subdivisions (b), (c), and (d) inoperative January 1, 2007.
- 283 Subdivision (d) not operative.
- 284 Inoperative June 1, 2010.
- 285 Inoperative April 1, 2002.
- 286 Operative April 1, 2002.
- 287 Any section of any act enacted by the Legislature during the 2000 calendar year that takes effect on or before January 1, 2001, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act. The repeal, or repeal and addition, of any article, chapter, part, title, or division of any code by this act shall not become operative if any section of any other act that is enacted by the Legislature during the 2000 calendar year and takes effect on or before January 1, 2001, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.
- 288 Inoperative November 30, 2004.
- 289 Operative for those years in which there is an appropriation from the General Fund in the Budget Act.
- 290 Operative pursuant to the provisions of Sec. 25390.9 of the Health and Safety Code, as amended by Ch. 912, Stats. 2000.
- 291 Operative only until the operative date of Chapter 861 of the Statutes of 2000.
- 292 Operative upon the operative date of Chapter 861 of the Statutes of 2000.
- 293 Operative for vehicle registrations that expire on or after December 31, 2001.
- 294 Effective July 1, 2001.
- 295 Conditional operation provision repealed.
- 296 Inoperative February 2, 2001.
- 297 Operative July 1, 2001, except that the additional vehicle license fee offset established by this section shall continue to be operative on or after July 1, 2001, with respect to those vehicle license fees with a final due date before July 1, 2001.
- 298 Operative retroactively to January 1, 2000.
- 299 Repeal operative March 1, 2006.
- 300 Inoperative July 1, 2008.
- 301 Operative January 1, 2009.
- 302 Inoperative on the date that all encumbrances incurred for the projects funded under paragraph (3) of subdivision (c) have been liquidated or on June 30, 2008, whichever date is later, and as of the January 1 immediately following that date is repealed.
- 303 Operative only until the effective date of the Budget Act of 2002 or June 30, 2002, whichever occurs later.
- 304 Except as provided in subdivision (b) of HSC Section 51455, this section shall not be operative on and after January 1, 2002.

- 305 Any section of any act enacted by the Legislature during the 2001 calendar year that takes effect on or before January 1, 2002, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, added, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act. The repeal, or repeal and addition, of any article, chapter, part, title, or division of any code by this act shall not become operative if any section of any other act that is enacted by the Legislature during the 2001 calendar year and takes effect on or before January 1, 2002, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.
- 306 Inoperative date for paragraphs (2) and (3) of subdivision (b) deleted by amendment.
- 307 This section shall not be operative in any county until it is adopted by a majority vote of the board of supervisors.
- 308 Repeal operative January 1, 2004, or on the date that all motor carriers of passengers that operate regular service on the route described in subd. (a) of this section operate only vehicles on that route that are fully accessible to disabled passengers who rely substantially on the use of wheelchairs, whichever occurs first.
- 309 Effective retroactively to December 21, 2000.
- 310 Not operative unless and until the county board of supervisors, by resolution adopted by a majority vote, make this section operative in the county.
- 311 Inoperative if an unappealable court decision or judgment determines that specified conditions apply.
- 312 Repeal operative July 1, 2007.
- 313 Operative only to the extent that funds are appropriated for its purpose in the annual Budget Act.
- 314 Subdivision (p) (9) (B) shall only remain operative until the Sierra Valley District Hospital is annexed by the Eastern Plumas Health Care District or January 1, 2008, whichever occurs first.
- 315 Paragraph (1) of subdivision (b) shall not be effective with respect to the director appointed by the Santa Clarita Water Company until a court of competent jurisdiction issues a final decision holding that the Castaic Lake Water Agency acquired the property.
- 316 Subdivision (c) inoperative on and after January 1, 2007.
- 317 Repeal operative January 1, 2009.
- 318 Repeal operative January 1 of the fifth taxable year following the first appearance of the Lupus Foundation of America, California Chapters Fund on the tax return. If, in any calendar year after the second taxable year the Lupus Foundation of America, California Chapters Fund appears on the tax return, the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand (\$250,000), or the adjusted amount specified in subd. (c), RTC Sec. 18840 for subsequent taxable years, as may be applicable, then this article is repealed with respect to taxable years beginning on or after January 1 of that calendar year.
- 319 Inoperative July 1, 2009.
- 320 Implemented January 1, 2003.
- 322 This section shall become inoperative after the lien date in 2012, and as of January 1, 2013, is repealed.
- 323 Repeal operative December 31, 2007.
- 324 Operative on the date the Director of Finance makes the determination described in subdivision (d) of Section 7152.7 of the Health and Safety Code.

- 325 Inoperative on the operative date of the regulations adopted by the California
Integrated Waste Management Board pursuant to Section 48007.5.
- 326 Operative January 1 following the operative date of the regulations adopted by the
California Integrated Waste Management Board pursuant to Section 48007.5.
- 327 Operative on the operative date of the regulations adopted by the California
Integrated Waste Management Board pursuant to Section 48007.5.
- 328 Inoperative on the date the Director of Finance makes the determination described
in subdivision (d) of Section 7152.7 of the Health and Safety Code.
- 330 Amendments to this section made by the act adding subdivision (s) shall apply
only to taxable years beginning on or after January 1, 1994, except that paragraph
(1) of subdivision (q), as amended, shall apply to taxable years beginning on or
after January 1, 1993.
- 331 Subdivisions (a), (b), and (c) shall become operative on July 1, 2002. Subdivisions
(d) and (e) shall become operative on July 1, 2002, or as soon thereafter as
administratively feasible, as determined by the registrar, but not later than January
2, 2003.
- 332 Clause (xvi) of subparagraph (A) of paragraph (2) of subdivision (c) of Section
25160.2 of the Health and Safety Code shall not become operative unless Section
25163.2 of the Health and Safety Code, as that section is proposed to be added by
Assembly Bill No. 1708 of the 2001-02 Regular Session, also becomes operative.
- 333 Inoperative upon the adoption by the Fish and Game Commission of a market
squid fishery management plan and the adoption of implementing regulations
pursuant to Section 8425, and repealed six months thereafter.
- 334 Inoperative on January 1, 2003.
- 335 Operative January 1, 2004, only if funding is approved in the Budget Act of 2003
for the purposes of increased reimbursements pursuant to this article.
- 336 Not implemented unless and until funds are appropriated by the Legislature in the
annual Budget Act or another statute.
- 337 Repeal operative December 1, 2006.
- 338 Except for the provisions of subparagraph (C) of paragraph (3) of subdivision (a)
of Section 1748.13 which shall become operative on January 1, 2002, this act
shall become operative on July 1, 2002.
- 340 Operative on July 1, 2002, and only if funds are appropriated to the Department
of Justice in the 2002-03 Budget Act for the purposes described in this article.
- 341 This part shall remain in effect only until January 1, 2004, and as of that date is
repealed, provided that the interim report required by Section 38066 of the
Revenue and Taxation Code is submitted to the Governor and the Legislature on
or before December 1, 2002. If the interim report is not submitted to the Governor
and the Legislature on or before December 1, 2002, this part shall remain in effect
only until January 1, 2003, and as of that date is repealed.
- 342 Operative only if the Budget Act of 2001 for the 2001-02 fiscal year contains an
appropriation for the Rural Transit System Grant Program.
- 344 Subdivisions (e) to (i), inclusive, shall become inoperative on January 1, 2006.
- 345 Inoperative March 31, 2004.
- 347 This section shall become inoperative on July 1, 2003, and as of January 1, 2004,
is repealed, at which time the member's retirement contribution rate shall be
restored to the levels in effect on August 30, 2001, as defined in Section 20687.
- 348 Inoperative July 1, 2011.
- 349 Repeal operative January 1, 2012.
- 350 Any section of any act enacted by the Legislature during the 2001 calendar year
that takes effect on or before January 1, 2002, and that amends, amends and
renumbers, add, repeals and adds, or repeals a section that is amended, added, or
repealed by this act, shall prevail over this act, whether that act is enacted prior
to, or subsequent to, the enactment of this act.

- 351 Not operative in the county until the board of supervisors, by resolution adopted
352 by a majority vote, makes the provisions of this section applicable in the county.
353 Repeal operative December 31, 2008.
354 Effective upon adoption by the voters of the California Clean Water, Clean Air,
Safe Neighborhood Parks, and Coastal Protection Act of 2002.
355 This section shall only be applicable to Los Angeles County and shall not become
operative until the board of supervisors of that county elects, by resolution
adopted by a majority vote, to make this section operative in the county.
356 Inoperative July 1, 2020.
357 Operative January 1, 2021.
358 Operative on the date that Assembly Constitutional Amendment No. 4 (Res. Ch.
87, Stats. 2001) is approved by the voters.
359 Effective on the earlier of July 1, 2003, or the effective date of regulations adopted
by the California State Board of Pharmacy pursuant to B&PC Section 4127.
360 Operative upon the allocation of positions to the California State Board of
Pharmacy for the implementation of the provisions of B&PC Article 7.5 (Sec.
4127 et seq.) in the annual Budget Act.
361 Operative January 1, 2005, or on the date the board of directors of the sanitation
district notifies the Legislature that construction of a pipeline facility in the
unincorporated portion of Yolo County is completed, whichever is later.
362 This chapter shall become effective at such time as it is adopted in substantially
similar form by this state and one or more states, subject to specified conditions.
363 The changes made to subdivision (a) by the act adding paragraph (6) of
subdivision (a) shall apply to taxable years beginning on or after January 1, 2001.
364 Inoperative April 1, 2003, unless the California Integrated Waste Management
Board adopts and submits regulations governing the operation of organic
composting sites to the Office of Administrative Law pursuant to subdivision (c)
of Section 43209.1 of the Public Resources Code on or prior to that date.
365 Operative April 1, 2003, unless the California Integrated Waste Management
Board adopts and submits regulations governing the operation of organic
composting sites to the Office of Administrative Law pursuant to subdivision (c)
of Section 43209.1 of the Public Resources Code on or prior to that date.
366 This section shall become operative only upon enactment into law of amendments
to the Federal Internal Revenue Code to impose an excise tax on a transfer of
structured settlement payment rights if the transfer is not approved by a court.
367 Subdivision (a) of this section shall become operative only if both of the following
occur: (1) the Director of Motor Vehicles makes a written finding that the
implementation of subdivision (a) is necessary to ensure that there is a sufficient
and stable supply of rental cars available in California; and (2) the Executive
Officer of the State Air Resources Board makes a written finding that the
implementation of subdivision (a) will not result in a significant adverse impact
upon air quality.
368 Any section of any act enacted by the Legislature during the 2001 calendar year
that takes effect on or before January 1, 2002, and that amends, amends and
renumbers, adds, repeals and adds, or repeals any one or more of the sections
affected by this act shall prevail over this act, whether that act is enacted prior to,
or subsequent to, the enactment of this act. The repeal, or repeal and addition, of
any article, chapter, part, title, or division of any code by this act shall not become
operative if any section of any other act that is enacted by the Legislature during
the 2001 calendar year and takes effect on or before January 1, 2002, amends,
amends and renumbers, adds, repeals and adds, or repeals any section contained
in that article, chapter, part, title, or division.

- 370 Any section of any act enacted by the Legislature during the 2001 calendar year, other than Chapter 159 of the Statutes of 2001 (relating to maintenance of the codes), that takes effect on or before January 1, 2002, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act.
- 371 Repeal operative December 1, 2007.
- 372 Subdivision (a) operative upon the effective date of the annexation of all or part of the Annexed Area by the City of Newport Beach.
- 373 Any section of any act enacted by the Legislature during the 2001 calendar year that takes effect on or before January 1, 2002, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, added, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act.
- 374 This section shall remain in effect only until the date that the California Transportation Commission notifies the Secretary of State that sufficient funds have been generated to meet the obligations identified in paragraph (4) of subdivision (b) of Section 188.5 of the Streets and Highways Code, and repayment of any outstanding debt secured by tolls, and as of that date is repealed.
- 375 Repeal operative July 1, 2004.
- 376 Subdivision (e) effective until January 1, 2006.
- 377 This section shall become inoperative on the effective date of the relinquishment described in subdivision (c) or (d), whichever date is later, and as of January 1 following that date is repealed.
- 378 Operative on the later date, as between the effective date of the relinquishment by the California Transportation Commission to the City of Downey of the portion of Route 19 located between Century Boulevard and Telegraph Road within the City of Downey, pursuant to subdivision (c) of Section 319, and the effective date of the relinquishment by the commission to the City of Bellflower of the portion of Route 19 located between the southerly city limit of the City of Bellflower near Rose Avenue and Foster Road within the City of Bellflower, pursuant to subdivision (d) of Section 319, as that section read on the day before it was repealed pursuant to the act that amended this section during the 2001–02 Regular Session.
- 379 Subdivisions (c) and (d) and paragraph (3) of subdivision (e) shall become inoperative, and are repealed as of December 31, 2001.
- 381 Effective upon the approval by the people of the Voting Modernization Bond Act of 2002 (Shelley-Hertzberg Act).
- 382 Inoperative January 1, 2004.
- 383 Applicable to taxable years beginning on or after January 1, 2002.
- 384 Inoperative July 1, 2010.
- 385 Operative December 2, 2002.
- 386 Operative only if ACA 9 of the 2001–02 Regular Session is adopted by the voters and amends the California Constitution by adding Section 2.5 to Article II thereof.
- 387 Repeal operative upon receipt of notice by Secretary of State of the Attorney General’s determination that the Electricity Oversight Board has been abolished, merged with, or replaced by, another agency, or that the functions of the board have been duplicated by statute, executive order, or otherwise; or as of January 1, 2003, whichever is earlier.

APPENDIX

COUNTY, CITY, AND CITY AND COUNTY CHARTERS
AND CHARTER AMENDMENTS

as transmitted by the Secretary of State for inclusion in the official statutes in
accordance with Section 3, Article XI, of the California Constitution as amended
by vote of electors on November 5, 1974.

CHARTER AMENDMENTS—2001

Charter Chapter Number	City—County	Date of Election	Date of Filing
1	City and County of San Francisco	Nov. 7, 2000	Jan. 5, 2001
2	City of Santa Monica.....	Nov. 7, 2000	Jan. 8, 2001
3	City of Santa Monica.....	Nov. 7, 2000	Jan. 8, 2001
4	City of San Luis Obispo.....	Nov. 7, 2000	Jan. 9, 2001
5	City of San Leandro	Nov. 7, 2000	Jan. 26, 2001
6	City of Chula Vista	Nov. 7, 2000	Feb. 6, 2001
7	City of Anaheim	Nov. 7, 2000	Feb. 6, 2001
8	City of Oakland	Nov. 7, 2000	Feb. 13, 2001
9	City of Signal Hill	Nov. 7, 2000	Feb. 23, 2001
10	City of Vallejo.....	Nov. 7, 2000	Feb. 26, 2001
11	City of Redondo Beach	March 6, 2001	March 29, 2001
12	City of Napa	March 6, 2001	April 3, 2001
13	City of San Jose.....	Nov. 7, 2000	April 16, 2001
14	City of Los Angeles.....	April 24, 2001	May 2, 2001
15	City of Burbank.....	April 10, 2001	June 11, 2001
16	City of Los Angeles.....	June 5, 2001	July 10, 2001
17	City of Monterey	Nov. 6, 2001	Dec. 27, 2001

Charter Chapter 1—City and County of San Francisco

***Amendments to the Charter of the City and County
of San Francisco***

[Filed with the Secretary of State January 5, 2001.]

Appendix A8.587 and Appendix A8.857-1 through A8.587-13 are added to read as follows:

A8.587 RETIREMENT—MISCELLANEOUS OFFICERS AND EMPLOYEES ON AND AFTER NOVEMBER 7, 2000

Miscellaneous officers and employees on November 7, 2000 who were members of the retirement system under Section A8.584, miscellaneous officers and employees under Section A8.584 whose accumulated contributions were in the retirement fund on November 7, 2000 and who were not retired on that date, and miscellaneous officers and employees who become members of the retirement system on and after November 7, 2000 shall be members of the retirement system subject to the provisions of Sections A8.587 through A8.587-13, in addition to such other applicable provisions including, but not limited to, A8.500 of this charter; provided that persons who become members under the Public Employees' Retirement System of the State of California or members of the State Teachers' Retirement System of the State of California shall not be members of the San Francisco City and County Employees' Retirement System and provided, further, that the retirement system shall be applied to persons employed on a part-time or temporary basis only as the board of supervisors shall determine by ordinance enacted by three-fourths vote of all members of the board.

A8.587-1 DEFINITIONS

The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall have the following meaning:

“Retirement allowance,” or “allowance,” shall mean equal monthly payments, beginning to accrue upon the date of retirement, and continuing for life unless a different term of payment is definitely provided by the context.

“Compensation,” as distinguished from benefits under the workers' compensation laws of the State of California shall mean all remuneration whether in cash or by other allowances made by the city and county, for service qualifying for credit under this section, but excluding remuneration for overtime and such other forms of compensation excluded by the board of supervisors pursuant to Section A8.500 of the charter.

“Compensation earnable” shall mean the compensation as determined by the retirement board, which would have been earned by the member had he or she worked, throughout the period under consideration, the average number of days ordinarily worked by persons in the same grade or class of positions as the positions held by him or her during such period and at the rate of pay attached to such positions, it being assumed that during any absence, he or she was in the position

held by him or her at the beginning of the absence, and that prior to entering city service, he or she was in the position first held by him or her in city service.

“Benefit” shall include “allowance,” “retirement allowance,” and “death benefit.”

“Average final compensation” shall mean the average monthly compensation earned by a member during any one year of credited service in the retirement system in which his or her average final compensation is the highest.

For the purposes of the retirement system and of this section, Section A8.587 and Sections A8.587-2 through A8.587-13, the terms “miscellaneous officer or employee,” or “member,” shall mean any officer or employee employed on November 7, 2000 who was a member of the retirement system under Section A8.584, any member of the retirement system under Section A8.584 whose accumulated contributions were in the retirement fund on November 7, 2000 and who was not retired on that date, and any officer or employee employed on or after November 7, 2000 who is not a member of the police or fire departments as defined in the charter for the purposes of the retirement system. Said terms shall not include those persons who become members under the Public Employees’ Retirement System or members of the State Teachers’ Retirement System.

“Retirement system” or “system” shall mean San Francisco City and County Employees’ Retirement System as created in Section A8.500 of the charter.

“Retirement board” shall mean “retirement board” as created in Section 12.100 of the charter,

“Charter” shall mean the charter of the City and County of San Francisco.

Words used in the masculine gender shall include the feminine and neuter genders, and singular numbers shall include the plural and the plural the singular.

“Interest” shall mean interest at the rate adopted by the retirement board.

A8.587-2 SERVICE RETIREMENT

Any member who completes at least 20 years of service in the aggregate credited in the retirement system and attains the age of 50 years, or at least 10 years of service in the aggregate credited in the retirement system, and attains the age of 60 years, said service to be computed under Section A8.587-7 may retire for service at his or her option. Members may retire under this section or under the provisions of A8.587-6, on the first day of the month next following the attainment by them of the age of 65 years. A member retired after reaching the age of 60 years shall receive a service retirement allowance at the rate of 2 percent of said average final compensation for each year of service. The service retirement allowance of any member retiring prior to attaining the age of 60 years, and after rendering 20 years or more of such service, computed under Section A8.587-7, and having attained the age of 50 years, shall be an allowance equal to the percentage of said average final compensation set forth opposite his or her age at

retirement, taken to the preceding completed quarter year, for each year of service, computed under Section A8.587-7:

Age at Retirement	Percent for Each Year of Credited Service
50	1.000
50 $\frac{1}{4}$	1.0250
50 $\frac{1}{2}$	1.0500
50 $\frac{3}{4}$	1.0750
51	1.1000
51 $\frac{1}{4}$	1.1250
51 $\frac{1}{2}$	1.1500
51 $\frac{3}{4}$	1.1750
52	1.2000
52 $\frac{1}{4}$	1.2250
52 $\frac{1}{2}$	1.2500
52 $\frac{3}{4}$	1.2750
53	1.3000
53 $\frac{1}{4}$	1.3250
53 $\frac{1}{2}$	1.3500
53 $\frac{3}{4}$	1.3750
54	1.4000
54 $\frac{1}{4}$	1.4250
54 $\frac{1}{2}$	1.4500
54 $\frac{3}{4}$	1.4750
55	1.5000
55 $\frac{1}{4}$	1.5250
55 $\frac{1}{2}$	1.5500
55 $\frac{3}{4}$	1.5750
56	1.6000
56 $\frac{1}{4}$	1.6250
56 $\frac{1}{2}$	1.6500
56 $\frac{3}{4}$	1.6750
57	1.7000
57 $\frac{1}{4}$	1.7250
57 $\frac{1}{2}$	1.7500
57 $\frac{3}{4}$	1.7750
58	1.8000
58 $\frac{1}{4}$	1.8250
58 $\frac{1}{2}$	1.8500
58 $\frac{3}{4}$	1.8750
59	1.9000
59 $\frac{1}{4}$	1.9250
59 $\frac{1}{2}$	1.9500
59 $\frac{3}{4}$	1.9750
60	2.0000

In no event shall a member's retirement allowance exceed seventy-five percent of his or her average final compensation.

Before the first payment of a retirement allowance is made, a member, retired under this section or Section A8.587-3, may elect to receive the actuarial equivalent of his or her allowance, partly in an allowance to be received by him or her throughout his or her life, and partly in other benefits payable after his or her death to another person or persons, provided that such election shall be subject to all the conditions prescribed by the board of supervisors to govern similar elections by other members of the retirement system, including the character and amount, of such other benefits. Notwithstanding the provisions of Section A8.514 of this charter, the portion of service retirement allowance provided by the city and county's contributions shall be not less than \$100 per month upon retirement after thirty years of service and after attaining the age of 60 years, and provided further that as to any member with 15 years or more of service at the retirement age of 65, the portion of the service retirement allowance provided by the city and county's contribution shall be such that the total retirement allowance shall not be less than \$100 per month. In the calculations under this section of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other position, separate retirement allowances shall be calculated, in the manner prescribed for each class of service, the average final compensation in each case being that for the respective class of service, provided that the aggregate retirement allowance shall be taken into account in applying the provisions of this section providing for a minimum retirement allowance. Part-time service and compensation shall be converted to full-time service and compensation in the manner prescribed by the board of supervisors, and when so converted shall be applied on full-time service and compensation in the calculation of retirement allowances.

A8.587-3 RETIREMENT FOR INCAPACITY

Any member who becomes incapacitated for performance of duty because of disability determined by a qualified hearing officer to be of extended and uncertain duration, and who shall have completed at least 10 years of service credited in the retirement system in the aggregate, computed as provided in Section A8.587-7, shall be retired upon an allowance of 1.8% (one and eight-tenths percent) percent of the average final compensation of said member, as defined in Section A8.587-1 for each year of credited service, if such retirement allowance exceeds 40 percent of his or her average final compensation; otherwise 1.8% (one and eight-tenths percent) percent of his or her average final compensation multiplied by the number of years of city service which would be credited to him or her were such city service to continue until attainment by him or her of age 60, but such retirement allowance shall not exceed 40 percent of such average final compensation. In the calculation under this section of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other

position, separate retirement allowances shall be calculated, in the manner prescribed, for each class of service, the average final compensation in each case being that for the respective class of service; provided that the average final compensation upon which the minimum total retirement allowance is calculated in such case shall be based on the compensation earnable by the member in the classes of service rendered by him or her during the one year immediately preceding his or her retirement. Part-time service and compensation shall be converted to full-time service and compensation in the manner prescribed by the board of supervisors, and when so converted shall be applied as full-time service and compensation in the calculation of retirement allowances. The question of retiring members under this section may be brought before the retirement board on said board's own motion, by the retirement board's executive director on its behalf, by said member, by his or her department head or by his or her guardian. If his or her disability shall cease, his or her retirement allowance shall cease, and he or she shall be restored to service in the position or classification he or she occupied at the time of his or her retirement.

A8.587-4 NO ADJUSTMENT FOR COMPENSATION PAYMENTS

No modification of benefits provided in this section shall be made because of any amounts payable to or on account of any member under workers' compensation laws of the State of California.

A8.587-5 DEATH BENEFIT

If a member shall die, before retirement:

(a) If no benefit is payable under subsection (b) of this section:

(1) Regardless of cause, a death benefit shall be paid to the member's estate or designated beneficiary consisting of the compensation earnable by the member during the six months immediately preceding death, plus the member's contributions and interest credited thereon.

(2) If a member sustains a traumatic bodily injury through external and violent means in the course and scope of employment and death results within 180 days of such injury, an additional insurance benefit of 12 months of compensation earnable shall be paid to the member's estate or designated beneficiary.

(b) If, at the date of his or her death, he or she was qualified for service retirement by reason of service and age under the provisions of Section A8.587-2, and he or she has designated as beneficiary his or her surviving spouse, who was married to him or her for at least one full year immediately prior to the date of his or her death, one-half of the retirement allowance to which the member would have been entitled if he or she had retired for service on the date of his or her death shall be paid to such surviving spouse who was his or her designated beneficiary at the date of his or her death, until such spouse's death or remarriage, or if there be no surviving spouse, to the unmarried child or children of such member under the age of 18 years, collectively, until every such child dies, marries or attains the age of 18 years, provided that no child shall receive any allowance after marrying

or attaining the age of 18 years. If, at the death of such surviving spouse, who was receiving an allowance under this Subsection (b), there be one or more unmarried children of such member under the age of 18 years, such allowance shall continue to such child or children, collectively, until every such child dies, marries or attains the age of 18 years, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. If the total of the payments of allowance made pursuant to this Subsection (b) is less than the benefit which was otherwise payable under Subsection (a) of this section, the amount of said benefit payable under Subsection (a) less an amount equal to the total of the payments of allowance made pursuant to this Subsection (b) shall be paid in a lump sum as follows:

(1) If the person last entitled to said allowance is the remarried surviving spouse of such member, to such spouse.

(2) Otherwise, to the surviving children of the member, share and share alike, or if there are no such children, to the estate of the person last entitled to said allowance.

The surviving spouse may elect, on a form provided by the retirement system and filed in the office of the retirement system before the first payment of the allowance provided herein, to receive the benefit provided in Subsection (a) of this section in lieu of the allowance which otherwise would be payable under the provisions of this subdivision. If a surviving spouse, who was entitled to make the election herein provided, shall die before or after making such election but before receiving any payment pursuant to such election, then the legally appointed guardian of the unmarried children of the member under the age of 18 years may make the election herein provided before any benefit has been paid under this section, for and on behalf of such children if in his or her judgment it appears to be in their interest and advantage, and the election so made shall be binding and conclusive upon all parties in interest.

If any person other than such surviving spouse shall have and be paid a community property interest in any portion of any benefit provided under this section, any allowance payable under this Subsection (b) shall be reduced by the actuarial equivalent, at the date of the member's death, of the amount of benefits paid to such other person.

Upon the death of a member after retirement and regardless of the cause of death, a death benefit shall be paid to his or her estate or designated beneficiary in the manner and subject to the conditions prescribed by the board of supervisors for the payment of a similar death benefit upon the death of other retired members.

Upon the death of a member after retirement, an allowance, in addition to the death benefit provided in the immediately preceding paragraph, shall be paid to his or her surviving spouse, until such surviving spouse's death or remarriage, equal to one-half of his or her retirement allowance as it was prior to optional modification and prior to reduction as provided in Subsection (a) of Section A8.514 of this charter, but exclusive of the part of such allowance which was pro-

vided by additional contributions. No allowance, however, shall be paid under this paragraph to a surviving spouse unless such surviving spouse was married to said member at least one year prior to his or her retirement. If such retired person leaves no such surviving spouse, or if such surviving spouse should die or remarry before every child of such deceased retired person attains the age of 18 years, the allowance which such surviving spouse would have received had he or she lived and not remarried shall be paid to retired person's child or children under said age, collectively, to continue until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years.

A8.587-6 BENEFITS UPON TERMINATION OF MEMBERSHIP

Should any miscellaneous member cease to be employed as such a member, through any cause other than death or retirement, all of his or her contributions, with interest credited thereon, shall be refunded to him or her subject to the conditions prescribed by the board of supervisors to cover similar terminations of employment and re-employment with and without redeposit of withdrawn accumulated contributions of other members of the retirement system, provided that, if such member is entitled to be credited with at least five years of service, he or she shall have the right to elect, without right of revocation and within 90 days after said termination of service, or if the termination was by lay-off, 90 days after the retirement board determines the termination to be permanent, whether to allow his or her accumulated contributions to remain in the retirement fund and to receive benefits only as provided in this paragraph. Failure to make such election shall be deemed an irrevocable election to withdraw his or her accumulated contributions. At or after 50 years of age, he or she shall be entitled to receive a retirement allowance which shall be the actuarial equivalent of his or her accumulated contributions and an equal amount of the contributions of the city and county, plus 1.667% (one and two-thirds percent) percent of his or her average final compensation for each year of service credited to him or her as rendered prior to his or her first membership in the retirement system. Upon the death of such member prior to retirement, his or her contributions with interest credited thereon shall be paid to his or her estate or designated beneficiary.

A8.587-7 COMPUTATION OF SERVICE

The following time and service shall be included in the computation of the service to be credited to a member for the purpose of determining whether such member qualifies for retirement and calculating benefits:

(a) For miscellaneous officers and employees on November 7, 2000 who were members of the retirement system under Section A8.584, time during which said officers and employees were members under Section A8.584.

(b) Time during which said member is a member of the retirement system under Section A8.587 and during and for which said member is entitled to receive compensation because of services as a miscellaneous officer or employee.

(c) Service in the fire and police departments which is not credited as service as a member under Section A8.587 shall count under this section upon transfer of a member of either of such departments to employment entitling him or her to membership in the retirement system under Section A8.587, provided that the accumulated contributions standing to the credit of such member shall be adjusted by refund to the member or by payment by the member to bring the account at the time of such transfer to the amount which would have been credited to it had the member been a miscellaneous member throughout the period of his or her service in either of such departments at the compensation he or she received in such departments.

(d) Prior service, during which said member was entitled to receive compensation while a miscellaneous member under any other section of the charter, provided that accumulated contributions on account of such service previously refunded are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the retirement board.

(e) Prior service determined and credited as prescribed by the board of supervisors.

(f) The board of supervisors, by ordinance enacted by a three-fourths vote of its members, may provide for the crediting as service, rendered as an employee of the federal government and service rendered as an employee of the State of California or any public entity or public agency in the State of California. Said ordinance shall provide that all contributions required as the result of the crediting of such service shall be made by the member and that no contributions therefor shall be required of the city and county.

(g) Time during which said member is absent from a status included in Subsections (a), (b) or (c) and for which such member is entitled to receive credit as service for the city and county by virtue of contributions made in accordance with the provisions of Section A8.520 or Section A8.521 of the charter.

A8.587-8 SOURCES OF FUNDS

All payments provided for members under Section A8.587 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.587 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member under Section A8.587, or shall be paid to said member or his or her estate or beneficiary as provided in Sections A8.587-5 and A8.587-6. A member's individual account under Section

A8.587 shall include all monies credited to the member's account under Section A8.584.

(b) The city and county shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.587-8, to provide the benefits payable to members under Section A8.587. Such contributions of the city and county to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.587, said percentage to be the ratio of the value as of the latest periodical actuarial valuation of the benefits thereafter to be paid to or on account of members under Section A8.587 from contributions of the city and county, less the amount of such contributions, plus accumulated interest thereon, then held by said system to provide said benefits on account of service rendered by respective members after said date, to the value at said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from service before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuations and investigations shall be made at least every two years.

(c) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the city and county held by the system to provide benefits for members under Section A8.587 shall be a part of the fund in which all other assets of said system are included.

A8.587-9 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.587-2 as requisite to retirement, a member shall be entitled to retire at any time thereafter in accordance with the provisions of said Section A8.587-2, and, except as provided in the following paragraph, nothing shall deprive said member of said right.

Any member convicted of a crime involving moral turpitude committed in connection with his or her duties as an officer or employee of the city and county shall, upon his or her removal from office or employment, pursuant to the provisions of this charter, forfeit all rights to any benefits under the retirement system except refund of his or her accumulated contributions; provided, however, that if such member is qualified for service retirement by reason of service and age under the provisions of Section A8.587-2, he or she shall have the right to elect, without right of revocation and within 90 days after his or her removal from office or employment to receive as his or her sole benefit under the retirement system an

annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of such removal from office or employment.

A8.587-10 LIMITATION ON EMPLOYMENT DURING RETIREMENT

(a) Except as provided in Section A8.511 of this charter and Subsection (b) of this section, no person retired as a member under Section A8.587 for service or disability and entitled to receive a retirement allowance under the retirement system shall be employed in any capacity by the city and county, nor shall such person receive any payment for services rendered to the city and county after retirement.

(b) (1) Service as an election officer or juror, or in the preparation for or giving testimony as an expert witness for or on behalf of the city and county before any court or legislative body shall not be affected by the provisions of Subsection (a) of this section.

(2) The provisions of Subsection (a) shall not prevent such retired person from serving on any board or commission of the city and county and receiving the compensation for such office, provided said service does not exceed 120 working days or 960 hours per fiscal year.

(3) If such retired person is elected or appointed to a position or office which subjects him or her to membership in the retirement system under Section A8.587, he or she shall re-enter membership under Section A8.587 and his or her retirement allowance shall be cancelled immediately upon such re-entry. The provisions of Subsection (a) of this section shall not prevent such person from receiving the compensation for such position or office. The rate of contribution of such member shall be the same as that for other members under Section A8.587. Such member's individual account shall be credited with an amount which is the actuarial equivalent of his or her annuity at the time of his or her re-entry, but the amount thereof shall not exceed the amount of his or her accumulated contributions at the time of his or her retirement. Such member shall also receive credit for his or her service as it was at the time of his or her retirement.

(4) The provisions of Subsection (a) shall not prevent such retired persons from employment which requires coverage under the Public Employees' Retirement System or the State Teachers' Retirement System.

A8.587-11 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.587 shall be adjusted in accordance with the provisions of Subsection (b) of Section A8.526 of this charter.

A8.587-12 CONFLICTING CHARTER PROVISIONS

Any section or part of any section in this charter, insofar as it should conflict with the provisions of Sections A8.587 through A8.587-13 or with any part thereof, shall be superseded by the contents of said sections. In the event that any word, phrase, clause or section of sections shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

A8.587-13 APPLICATION OF PLAN

The provisions of Section A8.587 and Section A8.587-1 through A8.587-13 shall not apply to any members of the Retirement System under Section A8.584 who retired or died before November 7, 2000 or to their continuants.

Section 1. The San Francisco Charter is hereby amended, by adding Section 16.108, to read as follows:

SEC. 16.108. CHILDREN'S FUND.

(a) Fund for Children's Services. Operative July 1, 2001, there is hereby established a fund to expand children's services, which shall be called the Children's Fund ("Fund"). Monies in the Fund shall be expended or used only to provide services for children as provided in this section.

(b) Goals. The goals of expenditures from the Fund shall be:

(1) To ensure that San Francisco's children are healthy, ready to learn, succeed in school and live in stable, safe, and supported families and communities;

(2) To reach children in all neighborhoods;

(3) To the maximum extent reasonable, to distribute funds equitably among services for infants and preschoolers, elementary school age children and adolescents;

(4) To focus on the prevention of problems and on supporting and enhancing the strengths of children, youth and their families;

(5) To strengthen collaboration between the City and County of San Francisco and the San Francisco Unified School District;

(6) To fill gaps in services and to leverage other resources whenever feasible; and

(7) To foster projects initiated by San Francisco youth.

(c) Amount. There is hereby set aside for the Fund, from the revenues of the property tax levy, revenues in an amount equivalent to an annual tax of three cents (\$.03) per one hundred dollars (\$100) of assessed valuation for each fiscal year beginning with July 1, 2001–June 30, 2002, and ending with July 1, 2015–June 30, 2016. If the 2010 U.S. Census shows that children make up a percentage of the population of the City and County that is at least two percentage points more than their percentage as shown in the 2000 U.S. Census, then the amount of the property tax levy set aside under this section shall be increased for each fiscal year beginning after publication of the 2010 Census. The increase shall be in an amount equal to: one-quarter cent (\$.0025) per one hundred dollars of assessed valuation, for each two full percentage points of increase in the percentage of the City and County population that is made up of children. The Fund shall be maintained separate and apart from all other City and County funds and appropriated by annual or supplemental appropriation.

(d) New Services. Monies in the Fund shall be used exclusively for the costs of services to children less than 18 years old provided as part of programs that predominantly serve children less than 18 years old, above and beyond services funded from sources other than the previous Children's Fund prior to July 1, 2001.

To this end, monies from the Fund shall not be appropriated or expended for services that received any of the funds included in the higher of the Controller's baseline budget covering July 1, 2000–June 30, 2001 appropriations, or the Controller's baseline budget covering July 1, 1999–June 30, 2000 appropriations, whether or not the cost of such services increases. Nor shall monies from the Fund be appropriated or expended for services that substitute for or replace services included or partially included in the higher of the two baseline budgets, except and solely to the extent that the City ceases to receive federal, state or private agency funds that the funding agency required to be spent only on those services. The Controller's baseline budget shall mean the Controller's calculation of the actual amount of City appropriations for services for children that would have been eligible to be paid from the Fund but are paid from other sources.

(e) Eligible Services. Services for children eligible for Fund assistance shall include only:

- (1) Affordable child care and early education;
- (2) Recreation, cultural and after-school programs, including without limitation, arts programs;
- (3) Health services, including prevention, education, mental health, and prenatal services to pregnant women;
- (4) Training, employment and job placement;
- (5) Youth empowerment and leadership development;
- (6) Youth violence prevention programs;
- (7) Youth tutoring and educational enrichment programs; and
- (8) Family and parent support services for families of children receiving other services from the Fund.

(f) Excluded Services. Notwithstanding subsection (e), services for children paid for by the Fund shall not include:

- (1) Services provided by the Police Department or other law enforcement agencies, courts, the District Attorney, Public Defender, City Attorney; or the Fire Department; detention or probation services mandated by state or federal law; or public transportation;
- (2) Any service that benefits children incidentally or as members of a larger population including adults;
- (3) Any service for which a fixed or minimum level of expenditure is mandated by state or federal law, to the extent of the fixed or minimum level of expenditure;
- (4) Acquisition of any capital item not for primary and direct use by children;
- (5) Acquisition (other than by lease for a term of ten years or less) of any real property; or
- (6) Maintenance, utilities or any similar operating costs of any facility not used primarily and directly by children, or of any recreation or park facility (including a zoo), library, or hospital.

(g) **Baseline.** The Fund shall be used exclusively to increase the aggregate City appropriations and expenditures for those services for children that are eligible to be paid from the Fund (exclusive of expenditures mandated by state or federal law). To this end, the City shall not reduce the amount of such City appropriations for eligible services (not including appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in any of the fifteen years during which funds are required to be set aside under this section below the amount so appropriated for the fiscal year 2000–2001 (“the base year”) as set forth in the Controller’s baseline budget, as adjusted (“the base amount”). The base amount shall be adjusted for each year after the base year by the Controller based on calculations consistent from year to year by the percentage increase or decrease in aggregate City and County discretionary revenues. In determining aggregate City and County discretionary revenue, the Controller shall only include revenues received by the City and County that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. The method used by the Controller to determine discretionary revenues shall be consistent with method used by the Controller to determine the Library and Children’s Baseline Calculations dated June 20, 2000, which the Controller shall place on file with the Clerk of the Board in File No. 000952. Errors in the Controller’s estimate of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year’s estimate. Within 90 days following the end of each fiscal year through 2014–2015, the Controller shall calculate and publish the actual amount of City appropriations for services for children that would have been eligible to be paid from the Fund but are paid from other sources, separately identifying expenditures mandated by state or federal law.

(h) **Three-Year Planning Cycle.** To provide time for community participation and planning, and to ensure program stability, appropriations from the Fund for all fiscal years beginning after June 30, 2004 shall be made pursuant to a three-year planning cycle as set forth in subsections (h) through (l). During every third fiscal year beginning with the 2001–2002 fiscal year, the City shall prepare a Community Needs Assessment to determine services eligible to receive moneys from the Fund. During every third fiscal year beginning with the 2002–2003 fiscal year, the City shall prepare a Children’s Services and Allocation Plan (“the Plan”), based on the Community Needs Assessment approved during the previous year. The Board of Supervisors may modify an existing Community Needs Assessment or Plan, provided that any modification shall occur only after a noticed public hearing. All appropriations from the Fund shall be consistent with the most recent Plan, provided that the Board of Supervisors may approve an amendment to the Plan at the same time it approves an appropriation.

(i) **Community Needs Assessment and Children’s Services and Allocation Plan.**

(1) The Community Needs Assessment and the Plan shall be in writing, shall be made available to the public in draft form not later than January 31 of each

fiscal year in which they are required, shall be presented by March 31 of each such fiscal year to the commissions listed in subsection (m)(3) for review and comment, and by April 30 of each such fiscal year shall be presented to the Board of Supervisors for approval.

(2) Prior to preparation of each draft Community Needs Assessment, the City shall hold at least one public hearing in each geographical area defined in Charter Section 13.110. The City shall also make available opportunities for parents, youth, and agencies receiving monies from the Fund to provide information for the Community Needs Assessment. The Community Needs Assessment shall include the results of a citywide survey of parents and youth to be conducted by the Controller every three years.

(3) The Plan shall include all services for children furnished or funded by the City or funded by another governmental or private entity and administered by the City, whether or not they received or may receive monies from the Fund. The Plan shall be outcome-oriented and include goals, measurable and verifiable objectives and measurable and verifiable outcomes.

(4) The Plan shall state how all services receiving money from the Fund will be coordinated with other children's services. The Plan shall specify amounts of funding to be allocated: (i) toward achieving specified goals, measurable and verifiable objectives and measurable and verifiable outcomes, (ii) to specified service models; and (iii) for specific populations and neighborhoods. The Plan shall also state the reasons for the allocations and demonstrate how the allocations are consistent with the Community Needs Assessment. A minimum of three percent of the funding allocated under the Plan shall be for youth-initiated projects.

(j) Evaluation. The Plan shall include an evaluation of services that received money from the Fund at any time during the last three fiscal years. The evaluation shall involve those who use the funded services and other parents and youth.

(k) Failure of Board to Act. If the Board of Supervisors has not approved a Community Needs Assessment before the first day of the fiscal year during which the Plan is to be prepared, the Plan shall be based on the Community Needs Assessment as originally submitted to the Board of Supervisors.

(l) Selection of Contractors. Except for services provided by City employees, the Fund shall be expended through contractors selected based on their responses to one or more requests for proposals issued by the City. The City shall award contracts to coincide with the City's fiscal year starting July 1.

(m) Implementation.

(1) In implementation of this section, facilitating public participation and maximizing availability of information to the public shall be primary goals.

(2) So long as there exists within the executive branch of City government a Department of Children, Youth and Their Families, or an equivalent department or agency as its successor, that department shall administer the Children's Fund and prepare the Community Needs Assessment and the Plan pursuant to this section.

If no such department or agency exists, the Mayor shall designate a department or other City body to administer the Children's Fund pursuant to this section.

(3) In addition to all other hearings otherwise required, the Recreation and Park, Juvenile Probation, Youth, Health and Human Services Commissions shall each hold at least one separate or joint hearing each fiscal year to discuss issues relating to this section. The Department of Children, Youth and Their Families, or other agency as described above in subsection (m)(2), shall consult with the Recreation and Park Department, Arts Commission, Juvenile Probation Department, Unified School District, Health Department, Department of Human Services, Commission on the Status of Women, Police Department, Library Department and Municipal Transportation Agency in preparation of portions of the Community Needs Assessment and the Plan that relate to their respective activities or areas of responsibility.

(4) The Board of Supervisors may by ordinance implement this section.

(n) Advisory Committee. There shall be a Children's Fund Citizens' Advisory Committee ("the Committee") that shall consist of 15 members, each appointed by the Mayor to a three-year term, to serve at the Mayor's pleasure. At least three members of the Committee shall be parents and at least three members shall be less than 18 years old at the time of appointment. For each of the following areas, there shall be at least one Committee member with professional expertise in that area: early childhood development, childcare, education, health, recreation and youth development. The Committee shall meet at least quarterly, and shall advise the department or agency that administers the Children's Fund and the Mayor concerning the Children's Fund. The Committee shall convene by July 1, 2001. Each member of the Committee shall receive copies of each proposed Community Needs Assessment and each Plan (including the evaluation required as part of the Plan). Members of the Committee shall serve without pay, but may be reimbursed for expenses actually incurred.

(o) Unspent Funds. All unspent funds in the Children's Fund created by former Charter Section 16.108 shall be transferred to the Children's Fund established herein.

(p) Effect of Procedural Errors. No appropriation, contract or other action shall be held invalid or set aside by reason of any error, including without limitation any irregularity, informality, neglect or omission, in carrying out procedures specified in subsections (h) through (n) unless a court finds that the party challenging the action suffered substantial injury from the error and that a different result would have been probable had the error not occurred.

Section 2. Effective July 1, 2001, the San Francisco Charter is hereby amended by repealing Section 16.108.

Section 1. The charter is hereby amended to read:

A8.428 HEALTH SERVICE SYSTEM FUND

There is hereby created a health service system fund. The costs of the health service system shall be borne by the members of the system and retired persons, the City and County of San Francisco because of its members and retired persons and because of the members and retired persons of the Parking Authority of the City and County of San Francisco, the San Francisco Unified School District because of its members and retired persons and the San Francisco Community College District because of its members and retired persons. A retired person as used in this section means a former member of the health service system retired under the San Francisco City and County Employees' Retirement System, and the surviving spouse or surviving domestic partner of an active employee and the surviving spouse or surviving domestic partner of a retired employee, provided that the surviving spouse or surviving domestic partner and the active or retired employee have been married or registered as domestic partners for a period of at least one year prior to the death of the active or retired employee.

The city and county, the school district and the community college district shall each contribute to the health service fund amounts sufficient for the following purposes, and subject to the following limitations:

(a) All funds necessary to efficiently administer the health service system.

(b) The city and county, the school district and the community college district shall contribute to the health service system fund with respect to each of their members an amount equal to "the average contribution," as certified by the health service board in accordance with the provisions of Section A8.423.

(c) Monthly contributions required from retired persons and the surviving spouses and surviving domestic partners of active employees and retired persons participating in the system shall be equal to the monthly contributions required from members in the system for health coverage—excluding health coverage or subsidies for health coverage paid for active employees as a result of collective bargaining, with the following modifications:

(1) the total contributions required from retired persons who are also covered under Medicare shall be reduced by an amount equal to the amount contributed monthly by such persons to Medicare;

(2) because the monthly cost of health coverage for retired persons may be higher than the monthly cost of health coverage for active employees, the city and county, the school district and the community college district shall contribute funds sufficient to defray the difference in cost to the system in providing the same health coverage to retired persons and the surviving spouses and surviving domestic partners of active employees and retired persons as is provided for active

employee members excluding health coverage or subsidies for health coverage paid for active employees as a result of collective bargaining;

(3) after application of subsection (c) and subsections (c) (1) and (c) (2), the city and county, the school district and the community college district shall contribute 50% of retired persons' remaining monthly contributions.

(d) The city and county, the San Francisco Unified School District and the San Francisco Community College District shall contribute to the health service system fund 50% of the monthly contributions required for the first dependent of retired persons in the system. Except as hereinbefore set forth, the city and county, the San Francisco Unified School District and the San Francisco Community College District shall not contribute to the health service system fund any sums on account of participation in the benefits of the system by members' dependents, except surviving spouses and surviving domestic partners, retired persons' dependents, except surviving spouses and surviving domestic partners, persons who retired and elected not to receive benefits from San Francisco City and County Employees' Retirement System; resigned employees and teachers defined in Section A8.425, and any employee whose compensation is fixed in accordance with Sections A8.401, A8.403, or A8.404 of this charter and whose compensation therein includes an additional amount for health and welfare benefits or whose health service costs are reimbursed through any fund established for said purpose by ordinance of the board of supervisors.

It shall be the duty of the board of supervisors, the board of education and the governing board of the community college district annually to appropriate to the health service system fund such amounts as are necessary to cover the respective obligations of the city and county, the San Francisco Unified School District and the San Francisco Community College District hereby imposed. Contributions to the health service system fund of the city and county, of the school district and of the community college district shall be charged against the general fund or the school, utility, bond or other special fund concerned.

The amendments of this section contained in the proposition therefor submitted to the electorate on November 7, 2000 shall be effective July 1, 2001.

Section 2. The Clerk of the Board of Supervisors is hereby authorized to recodify and make clerical changes to this amendment as may be necessary.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Board of Supervisors Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 2—City of Santa Monica

Amendments to the Charter of the City of Santa Monica

[Filed with the Secretary of State January 8, 2001.]

The Santa Monica City Charter shall be amended by the addition of Article XXII, to read as follows:

ARTICLE XXII. TAXPAYER PROTECTION**Section 2200. Title**

This Article shall be known as the City of Santa Monica Taxpayer Protection Amendment of 2000.

Section 2201. Findings and Declarations

(a) The people of the City of Santa Monica (“City”) find that the use or disposition of public assets are often tainted by conflicts of interest among local public officials entrusted with their management and control. Such assets, including publicly owned real property, land use decisions conferring substantial private benefits, conferral of a franchise without competition, public purchases, taxation, and financing, should be arranged strictly on the merits for the benefit of the public, and irrespective of the separate personal or financial interests of involved public officials.

(b) The people find that public decisions to sell or lease property, to confer cable, trash hauling and other franchises, to award public construction or service contracts, or to utilize or dispose of other public assets, and to grant special land use or taxation exceptions have often been made with the expectation of, and subsequent receipt of, private benefits from those so assisted to involved public ‘decision makers’. The people further find that the sources of such corruptive influence include gifts and honoraria, future employment offers, and anticipated campaign contributions for public officials who are either elected or who later seek elective office. The trading of special favors or advantage in the management or disposal of public assets and in the making of major public purchases compromises the political process, undermines confidence in democratic institutions, deprives meritorious prospective private buyers, lessees, and sellers of fair opportunity, and deprives the public of its rightful enjoyment and effective use of public assets.

(c) Accordingly, the people declare that there is a compelling state interest in reducing the corruptive influence of emoluments, gifts, and prospective campaign contributions on the decisions of public officials in the management of public assets and franchises, and in the disposition of public funds. The people, who compensate public officials, expect and declare that as a condition of such public office, no gifts, promised employment, or campaign contributions shall be received from any substantial beneficiary of such a public decision for a reasonable period, as provided herein.

Section 2202. Definitions

(a) As used herein, the term public benefit does not include public employment in the normal course of business for services rendered, but includes a contract, benefit, or arrangement between the City and any individual, corporation, firm, partnership, association, or other person or entity to:

(1) provide personal services of a value in excess of \$25,000 over any 12 month period,

(2) sell or furnish any material, supplies or equipment to the City of a value in excess of \$25,000 over any 12 month period,

(3) buy or sell any real property to or from the City with a value in excess of \$25,000, or lease any real property to or from the City with a value in excess of \$25,000 over any 12 month period,

(4) receive an award of a franchise to conduct any business activity in a territory in which no other competitor potentially is available to provide similar and competitive services, and for which gross revenue from the business activity exceeds \$50,000 in any 12 month period,

(5) confer a land use variance, special use permit, or other exception to a pre-existing master plan or land use ordinance pertaining to real property where such decision has a value in excess of \$25,000,

(6) confer a tax abatement, exception, or benefit not generally applicable of a value in excess of \$5,000 in any 12 month period,

(7) receive cash or specie of a net value to the recipient in excess of \$10,000 in any 12 month period.

(b) Those persons or entities receiving public benefits as defined in Section 2202(a)(1)-(7) shall include the individual, corporation, firm, partnership, association, or other person or entity so benefiting, and any individual or person who, during a period where such benefit is received or accrues,

(1) has more than a ten percent (10%) equity, participation, or revenue interest in that entity, or

(2) who is a trustee, director, partner, or officer of that entity.

(c) As used herein, the term personal or campaign advantage shall include:

(1) any gift, honoraria, emolument, or personal pecuniary benefit of a value in excess of \$50;

(2) any employment for compensation;

(3) any campaign contributions for any elective office said official may pursue.

(d) As used herein, the term public official includes any elected or appointed public official acting in an official capacity.

Section 2203. City Public Official Shall Not Receive Personal or Campaign Advantage From Those To Whom They Allocate Public Benefits

(a) No City public official who has exercised discretion to approve and who has approved or voted to approve a public benefit as defined in Section 2202(a) may receive a personal or campaign advantage as defined in Section 2202(c) from

a person as defined in Section 2202(b) for a period beginning on the date the official approves or votes to approve the public benefit, and ending no later than

(1) two years after the expiration of the term of office that the official is serving at the time the official approves or votes to approve the public benefit;

(2) two years after the official's departure from his or her office whether or not there is a pre-established term of office; or

(3) six years from the date the official approves or votes to approve the public benefit; whichever is first.

(b) Section 2203(a) shall also apply to the exercise of discretion of any such public official serving in his or her official capacity through a redevelopment agency, or any other public agency, whether within or without the territorial jurisdiction of the City either as a representative or appointee of the City.

Section 2204. Applicable Public Beneficiaries Section. Responsibilities of City Public Officials and Advantage Recipients

(a) City public officials shall practice due diligence to ascertain whether or not a benefit defined under Section 2202(a) has been conferred, and to monitor personal or campaign advantages enumerated under Section 2202(c) so that any such qualifying advantage received is returned forthwith, and no later than ten days after its receipt.

(b) City public officials shall provide, upon inquiry by any person, the names of all entities and persons known to them who respectively qualify as public benefit recipients under the terms of Sections 2202 and 2203.

Section 2205. Disclosure of the Law

The City shall provide any person, corporation, firm, partnership, association, or other person or entity applying or competing for any benefit enumerated in Section 2202(a) with written notice of the provisions of this Article and the future limitations it imposes. Said notice shall be incorporated into requests for 'proposal', bid invitations, or other existing informational disclosure documents to persons engaged in prospective business with, from, or through the City.

Section 2206. Penalties and Enforcement

(a) In addition to all other penalties which might apply, any knowing and willful violation of this Article by a public official constitutes a criminal misdemeanor offense.

(b) A civil action may be brought under this Article against a public official who receives a personal or campaign advantage in violation of Section 2203. A finding of liability shall subject the public official to the following civil remedies:

(1) restitution of the personal or campaign advantage received, which shall accrue to the general fund of the City;

(2) a civil penalty of up to five times the value of the personal or campaign advantage received;

(3) injunctive relief necessary to prevent present and future violations of this Article;

(4) disqualification from future public office or position within the jurisdiction, if violations are willful, egregious, or repeated.

(c) A civil action under subdivision (b) of this section may be brought by any resident of the City. In the event that such an action is brought by a resident of the City and the petitioner prevails, the respondent public official shall pay reasonable attorney's fees and costs to the prevailing petitioner. Civil penalties collected in such a prosecution shall accrue 10% to the petitioner, and 90% to the City's general fund.

Section 2207. Severability

If any provision of this Article is held invalid, such invalidity or unconstitutionality shall not affect other provisions or applications which can be given effect without the invalidated provision, and to this end the provisions of this Article are severable.

Certified to be a true copy by Ken Genser, Mayor, and Maria M. Stewart, City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 3—City of Santa Monica

Amendments to the Charter of the City of Santa Monica

[Filed with the Secretary of State January 8, 2001.]

Section 620 is amended to read as follows:

Section 620. Ordinances. Violation. Penalty.

A violation of any ordinance of the City shall constitute a misdemeanor and may be prosecuted in the name of the people of the State of California or may be redressed by civil action. The maximum fine or penalty for any violation of a City ordinance shall be the sum of Five Hundred Dollars (\$500.00), or a term of imprisonment for a period not exceeding six (6) months, or both such fine and imprisonment. The City Council may provide by ordinance that persons imprisoned in the City Jail for violation of law or ordinance may be compelled to labor on public works. This Section does not limit the City's power to establish civil penalties or fines by ordinance.

Certified to be a true copy by Ken Genser, Mayor, and Maria M. Stewart, City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 4—City of San Luis Obispo

Amendments to the Charter of the City of San Luis Obispo

[Filed with the Secretary of State January 9, 2001.]

Section 1107. Impartial and Binding Arbitration For San Luis Obispo Police Officers Association and San Luis Obispo Firefighters Association, IAFF Local 3523, Employee Disputes.

(a) Declaration of Policy. It is hereby declared to be the policy of the City of San Luis Obispo that strikes by firefighters and police officers are not in the public interest and should be prohibited, and that a method should be adopted for peacefully and equitably resolving disputes that might otherwise lead to such strikes.

(b) Prohibition Against Strikes. No City of San Luis Obispo firefighter or police officers shall willfully engage in a strike against the City. Any such employee against whom the City brings charges of failing to report for work as part of a strike shall be subject to dismissal from his or her employment in the event the charges are sustained upon conclusion of the proceedings that are required by law for the imposition of disciplinary action upon said employee.

(c) Obligation to Negotiate in Good Faith. The City, through its duly authorized representatives, shall negotiate in good faith with the San Luis Obispo Police Officers Association and/or the San Luis Obispo Firefighters Association, IAFF Local 3523, as the exclusive representatives of representation units comprised solely of employees of the police department and/or the fire department, as such units are currently constituted or as they may be amended through negotiation or arbitration as provided in this section, on all matters relating to the wages, hours, and other terms and conditions of City employment. Unless and until agreement is reached through negotiations between authorized representatives of the City and said employee organization or organizations or a determination is made through the impartial arbitration procedure hereinafter provided, no existing benefit, term or condition of employment for employees represented by the San Luis Obispo Police Officers Association and/or the San Luis Obispo Firefighters Association, IAFF Local 3523, shall be altered, eliminated or changed.

(d) Impasse Resolution Procedures.

(1) All disputes, controversies and grievances pertaining to wages, hours or terms and conditions of City employment which remain unresolved after good faith negotiations between the City and said employee organization shall be submitted to a three member Board of Arbitrators upon the declaration of an impasse by the City or by said employee organization. Upon declaration of impasse by either party, the City and employee organization shall each exchange a written last offer of settlement on each of the issues remaining in dispute. Written last offer of settlement shall be exchanged between parties within two days of the declaration of impasse.

(2) Representatives designated by the City and representatives of the employee organization shall each select and appoint one arbitrator to the Board of Arbi-

trators within three (3) business days after either party has notified the other, in writing, of the declaration of impasse and the desire to proceed to arbitration. The third member of the Board of Arbitrators shall be selected by agreement between the City's and the employee's organization representative within ten (10) business days of the declaration of impasse. This third member shall serve as the neutral arbitrator and Chairperson of the Board. In the event that the City and the employee organization cannot agree upon the selection of the neutral arbitrator within ten (10) business days from the date that either party has notified the other that it has declared an impasse, either party may then request the State Mediation and Conciliation Service of the State of California Department of Industrial Relations to provide a list of seven (7) persons who are qualified and experienced as labor arbitrators. If the arbitrators selected by the City and the employee organization cannot agree within three (3) days after receipt of such list on one of the seven (7) to act as the third arbitrator, they shall have five (5) business days to alternately strike names, with the City's arbitrator striking first, from the list of nominees until one name remains and that person shall then become the neutral arbitrator and Chairperson of the Board of Arbitrators.

(3) Any arbitration proceeding convened pursuant to this Article shall be conducted in conformance with, subject to, and governed by Title 9 of Part 3 of the California Code of Civil Procedure. The Board of Arbitrators shall hold public hearings, receive evidence from the parties and cause a transcript of the proceedings to be prepared. The Board of Arbitrators may adopt by unanimous consent such other procedures that are designed to encourage an agreement between the parties, expedite the arbitration hearing process, or reduce the costs of the arbitration process.

(4) In the event no agreement is reached prior to the conclusion of the arbitration hearings, the Board of Arbitrators shall direct each of the parties to submit, within such time limit as the Board of Arbitrators may establish, but not to exceed thirty (30) business days, a last offer of settlement on each of the remaining issues in dispute. The Board of Arbitrators shall decide each issue by majority vote by selecting whichever last offer of settlement on that issue it finds most nearly conforms to those factors traditionally taken into consideration in the determination of wages, hours, benefits and terms and conditions of public and private employment, including, but not limited to the following: changes in the average consumer price index for goods and services using the San Francisco-Oakland-San Jose index, as reported at the time impasse is declared for the preceding twelve (12) months, the wages, hours, benefits and terms and conditions of employment of employees performing similar services in comparable cities; and the financial condition of the City of San Luis Obispo and its ability to meet the costs of the decision of the Board of Arbitrators.

(5) After reaching a decision, the Board of Arbitrators shall mail or otherwise deliver a true copy of its decision to the parties. The decision of the Board of Arbitrators shall not be publicly disclosed and shall not be binding until ten (10) days

after it is delivered to the parties. During that ten (10) day period the parties shall meet privately, attempt to resolve their differences, and by mutual agreement amend or modify the decision of the Board of Arbitrators. At the conclusion of the ten (10) day period, which may be extended by mutual agreement between the parties, the decision of Board of Arbitrators, as it may be modified or amended by the parties, shall be publicly disclosed and shall be binding on the parties. The City and the employee organization shall take whatever action is necessary to carry out and effectuate the arbitration award. No other actions by the City Council or by the electorate to conform or approve the decision of the Board of Arbitrators shall be permitted or required.

(6) The expenses of any arbitration proceeding convened pursuant to this Article, including the fee for the services of the chairperson of the Board of Arbitrators and the costs of preparation of the transcript of the proceedings shall be borne equally by the parties. The expenses of the arbitration, which the parties may incur individually, are to be borne by the party incurring such expenses. Such expenses include, but are not limited to, the expense of calling a party's witnesses, the costs incurred in gathering data and compiling reports, and any expenses incurred by the party's arbitrator. The parties may mutually agree to divide the costs in another manner.

(7) The proceedings described herein shall supercede the dispute resolution process for the San Luis Obispo Police Officers Association and the San Luis Obispo Firefighters Association which is set forth in Sections 13.2 and 14.1 of City of San Luis Obispo Resolution No. 6620, to the extent that such language is in conflict with this amendment. Furthermore, the proceedings described herein shall supercede any language within the Employer-Employee Resolution, the Personnel Rules and Regulations, any Memorandum of Agreement with the employee associations or any written policy or procedure relating to wages, hours or other terms and conditions of City employment, to the extent that such language is in conflict with this amendment. However, nothing in this section shall preclude the parties from mutually agreeing to use dispute resolution processes other than the binding arbitration process herein set forth. Nor, does it preclude the parties from negotiating, and submitting to the arbitration process set forth herein, a grievance process, which includes a form of binding arbitration that differs from the one, set forth herein.

Certified to be a true copy by Lee Price, City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 5—City of San Leandro

Amendments to the Charter of the City of San Leandro

[Filed with the Secretary of State January 26, 2001.]

**ARTICLE II. CITY COUNCIL: MEMBERSHIP, COMPENSATION AND
ARTICLE VI. ELECTIONS**

Section 1. Section 225(b) is renumbered to Section 225(c) and Section 225(c) of the City Charter is amended to Section 225(d).

Section 2. A new Section 225(b) is added to read as follows:

The candidate receiving the highest number of votes for the offices of Mayor and Council Members of the City shall be elected to such offices, provided that such candidate receives at least 50% plus one of the votes cast for each such office. In the event that no candidate for such elective office of the City receives at least 50% plus one of the votes cast for that office, the City Council shall provide for a run-off vote to determine the person elected. The City Council shall adopt an ordinance establishing a run-off system. The run-off system may include mailed ballots, an instant run-off voting system when such technology is available to the City, or a special run-off election. The ordinance setting forth the run-off system may be amended from time to time for any reason, but no amendment to the ordinance may take effect less than 103 days prior to any municipal election.

Section 3. Section 235 is amended to read as follows:

Council Members and the Mayor shall hold office for four years. The term of office shall commence thirty-five days after the General Municipal Election. If a run-off is required pursuant to Section 225(b) of this Charter, the term of office for all offices voted on during that General Municipal Election shall commence thirty-five days after the run-off is held.

Section 4. Section 600 is amended to delete the sentence:

Such ordinance shall also provide for the date of commencement of terms of office following the consolidated General Municipal election.

Certified to be a true copy by Gayle Petersen, City Clerk.

Date of Election: November 7, 2000.

Charter Chapter 6—City of Chula Vista

Amendment to the Charter of the City of Chula Vista

[Filed with the Secretary of State February 6, 2001.]

Section 602 is amended to read as follows:

Sec. 602. Appointments; Terms and Vacancies.

(a) Appointments and Terms. The members of each of such boards or commissions shall be appointed, and shall be subject to removal, by motion of the City

Council adopted by at least three affirmative votes. The members thereof shall serve for a term of four (4) years and until their respective successors are appointed and qualified. Members of such boards and commissions shall be limited to a maximum of two (2) consecutive terms and an interval of two (2) years must pass before a person who has served two (2) consecutive terms may be reappointed to the body upon which the member had served; provided, further, that for the purpose of this section, an appointment to fill an initial term or an unexpired term of less than two (2) years in duration shall not be considered as a term; however, any appointment to fill an initial term or an unexpired term in excess of two (2) years shall be considered to be a full term.

(b) Initial Classification of Appointees. The members first appointed to such boards and commissions shall so classify themselves by lot so that each succeeding July 1st the term of one (1) of their number shall expire. If the total number of members of such body to be appointed exceeds four (4), the classification by lot shall provide for the grouping of terms to such an extent as is necessary in order that the term of at least one (1) member shall expire on each succeeding July 1st.

(c) Vacancies. Vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the City Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. If a member of a board or commission is absent from three (3) regular meetings of such body consecutively, unless by permission of such board or commission expressed in its official minutes, or is convicted of a felony or crime involving moral turpitude, or ceases to be a qualified elector of the City, the office shall become vacant and shall be so declared by the City Council.

(d) Eligibility. All members of boards and commissions shall be qualified electors in the City of Chula Vista with the exception of Youth Commissioners who need only be residents of the City of Chula Vista. The City Council may appoint non-electors of the City of Chula Vista to those boards and commissions which are advisory only and whose duties involve regional issues. Appointment of non-electors must be passed by at least four affirmative votes. No person may be appointed nor shall serve on more than one of the Charter-created boards or commissions simultaneously.

Certified to be a true copy by Shirley Horton, Mayor, and Susan Bigelow, City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 7—City of Anaheim

Amendments to the Charter of the City of Anaheim

[Filed with the Secretary of State February 6, 2001.]

Articles I, II and III, in their entirety, is amended to read as follows:

ARTICLE I
NAME OF CITY

Section 100. NAME.

The City of Anaheim, hereinafter termed the City, shall continue to be a municipal corporation under its present name of “City of Anaheim.”

ARTICLE II
BOUNDARIES

Section 200. BOUNDARIES.

The boundaries of the City shall be as now established until changed in the manner authorized by law.

ARTICLE III
RIGHTS, LIABILITIES AND SUCCESSION

Section 300. RIGHTS AND LIABILITIES.

The City shall continue to own, possess and control all rights and property of every kind and nature owned, possessed and controlled by it on the effective date of this Charter and shall continue to be subject to all its lawfully enforceable debts, obligations, liabilities and contracts.

Section 301. ORDINANCES, RESOLUTIONS AND OTHER REGULATIONS.

All lawful ordinances, resolutions, rules and regulations in force on the effective date of this Charter, and not in conflict or inconsistent herewith, shall continue in force until duly repealed, amended, changed or superseded.

Section 302. RIGHTS OF OFFICERS AND EMPLOYEES PRESERVED.

Unless otherwise specifically provided in this Charter, nothing contained herein shall affect or impair the personnel, pension, or retirement rights or privileges of officers or employees of the City which rights or privileges existed on the effective date of this Charter or any amendments hereto.

Section 303, 304, 305 and 306 of Article III is repealed.

Section 500 of Article V is amended to read as follows:

Section 500. CITY COUNCIL. TERMS.

The elective officers of the City shall consist of a Mayor and four City Council members elected from the City at large and at the times and in the manner provided in this Charter who shall serve for a term of four years and until their respective successors qualify. The term “City Council,” “legislative body,” or other similar terms as used in this Charter or any other provision of law shall be deemed to refer to the collective body composed of the Mayor and four City Council members unless such other provision of this charter or other provision of

law expressly provides to the contrary or unless such interpretation would be clearly contrary to the intent and context of such other provision.

The Mayor and members of the City Council in office at the time this Charter provision takes effect shall continue in office until the expiration of their respective terms and until their successors are elected and qualified. The Mayor and two members of the City Council shall be elected at the general municipal election held in November, 1994, and each fourth year thereafter. Two members of the City Council shall be elected at the general municipal election held in November, 1996, and each fourth year thereafter.

Ties in voting among candidates for office, including the office of the Mayor, shall be settled by the casting of lots.

Section 501 of Article V is amended to read as follows:

Section 501. ELIGIBILITY.

No person shall be eligible to hold office as the Mayor or a member of the City Council unless he or she is and shall have been a resident and qualified elector of the City at the time of, and for the thirty-day period immediately preceding, filing of his or her nominating papers or such other equivalent declaration of candidacy as may be required or authorized by law, or at the time of, and for the thirty-day period immediately preceding, his or her appointment to such office.

No employee of the City of Anaheim shall be eligible to hold office as the Mayor or as a member of the City Council. An employee of the City of Anaheim shall resign from such employment prior to being sworn into office as an elected or appointed member of the City Council or as the Mayor. If such employee does not resign his or her employment with the City prior to being sworn into office, such employment shall automatically terminate upon his or her being sworn into office.

Section 504 of Article V is amended to read as follows:

Section 504. MAYOR.

The Mayor shall have the same rights, privileges, powers and duties as are held by members of the City Council and shall be regarded as a member of the City Council for all purposes except to the extent expressly inconsistent with any other provision of this Charter or other applicable law.

The Mayor may make and second motions and shall have a voice and vote in all proceedings of the City Council. The Mayor shall be the official head of the City for ceremonial purposes. The Mayor shall have the primary, but not the exclusive, responsibility for communicating the policies, programs and needs of the City government to the people, and as occasion requires, he or she may inform the people of any major change in policy or program. The Mayor shall perform such other duties consistent with his or her office as may be prescribed by this Charter or as may be imposed by the City Council.

The Mayor shall serve for a term of four years and until his or her successor is elected and qualified.

The City Council shall designate one of its members as Mayor Pro Tempore, who shall serve in such capacity at the pleasure of the City Council. The Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence or disability.

Notwithstanding any other provision of this Charter to the contrary, no person shall file nominating papers, or other equivalent declaration of candidacy as may be required or authorized by law, for election to both the office of Mayor and member of the City Council at the same election. The City Clerk shall reject, refuse to accept for filing, and otherwise refuse to process any such nominating papers or other declaration of candidacy for the office of Mayor or City Council member where such person has previously filed nominating papers or a declaration of candidacy for election to the office of Mayor or City Council member at the same election. In the event a person seeks to simultaneously file nominating papers or declarations of candidacy for election to both the offices of Mayor and member of the City Council at the same election, the City Clerk shall reject, refuse to accept for filing, and otherwise refuse to process all such nominating papers or declarations of candidacy simultaneously tendered.

Section 507 of Article V is amended to read as follows:

Section 507. SPECIAL MEETINGS.

A special meeting may be called at any time by the Mayor, or by three members of the City Council, by written notice to each member of the City Council and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting. Such written notice may be dispensed with as to any person entitled thereto who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any person who is actually present at the meeting at the time it convenes.

Section 508 of Article V is amended to read as follows:

Section 508. PLACE OF MEETINGS.

Except to the extent otherwise required or permitted by law, all meetings shall be held in the Council Chambers of the City Hall, or in such place within the City to which any such meeting may be adjourned, and shall be open to the public. If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place within the City as is designated by the Mayor, or, if he should fail to act, by three members of the City Council.

Section 509 of Article V is amended to read as follows:

Section 509. QUORUM. PROCEEDINGS.

A majority of the members of the City Council shall constitute a quorum to do business but a lesser number may adjourn from time to time. In the absence of all

the members of the City Council from any regular meeting or adjourned regular meeting, the City Clerk may declare the same adjourned to a stated day and hour. The City Clerk shall cause written notice of a meeting adjourned by less than a quorum or by the City Clerk to be delivered to each council member at least twenty-four hours before the time to which the meeting is adjourned, or such notice may be dispensed with in the same manner as specified in this Charter for dispensing with notice of special meetings of the City Council. The City Council shall judge the qualifications of its members as set forth by the Charter. It shall judge all election returns. It may establish rules for the conduct of its proceedings and evict or refer any member or other person for prosecution for disorderly conduct at any of its meetings.

Each member of the City Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the City Council. The City Council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas shall be issued in the name of the City and be attested by the City Clerk. They shall be served and complied with in the same manner as subpoenas in civil actions. Disobedience of such subpoenas, or the refusal to testify (upon other than constitutional grounds), shall constitute a misdemeanor, and shall be punishable in the same manner as violations of this Charter are punishable.

Voting on all matters which come before the Council shall be by voice or visual means wherein the vote of each member may be ascertained. At the demand of any member, and upon the adoption of any ordinance, resolution, or order for the payment of money, the City Clerk shall call the roll and shall cause the ayes and noes taken on such questions to be entered in the minutes of the meeting.

Section 510 of Article V is amended to read as follows:

Section 510. CITIZEN PARTICIPATION.

All regular and special meetings of the City Council shall be open and public and all persons shall be permitted to attend such meetings, except that the provisions of this Section shall not apply to closed sessions held pursuant to any provision of Chapter 9 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California (the Ralph M. Brown Act), or any successor statute thereto. No person shall be denied the right to be heard by the City Council on any item of interest to the public that is within the subject matter jurisdiction of the City Council, but such right shall be subject to such reasonable rules and regulations as may be authorized or adopted by ordinance.

Section 515 of Article V is amended to read as follows:

Section 515. PENALTY FOR VIOLATION OF ORDINANCES.

A violation of any ordinance of the City shall constitute a misdemeanor unless by ordinance it is made an infraction. Any such violation may be prosecuted in the name of the People of the State of California and/or may be redressed by civil action. The maximum fine or penalty for conviction of any misdemeanor shall be

the maximum fine or term of imprisonment, or both, as authorized by Section 19 of the Penal Code of the State of California, or any successor provision thereto. The maximum fine or penalty for conviction of any infraction shall be as provided by state law.

Section 703 of Article VII is amended to read as follows:

Section 703. CITY ATTORNEY. POWERS AND DUTIES.

To become and remain eligible for City Attorney, the person appointed shall be an attorney at law duly licensed as such under the laws of the State of California, and shall have been engaged in the practice of law for at least three years prior to such appointment. The City Attorney shall have the power and may be required to:

(a) Represent and advise the City Council and all City officers in all matters of law pertaining to their offices.

(b) Prosecute on behalf of the people any or all criminal cases arising from violation of the provisions of this Charter or of City ordinances and such state misdemeanors as the City has the power to prosecute, unless otherwise provided by the City Council. Except for such prosecutions as may be conducted by another public agency having jurisdiction to do so, all prosecutions pursuant to this paragraph shall be conducted by the City Attorney or by employees or persons under the direction and control of the City Attorney. The City Council shall not contract with any person or firm to act as special or independent prosecutor or otherwise appoint or designate any other person or firm to prosecute any criminal matter.

(c) Represent and appear for the City in any or all actions or proceedings in which the City is concerned or is a party and represent and appear for any City officer or employee, or former City officer or employee, in any or all civil actions or proceedings in which such officer or employee is concerned or is a party for any act arising out of such employment or by reason of such official capacity.

(d) Attend all regular meetings of the City Council, unless excused, and give advice or opinion orally or in writing whenever requested to do so by the City Council or by any of the boards or officers of the City.

(e) Approve the form of all contracts made by and all bonds given to the City, endorsing approval thereon in writing.

(f) Prepare any and all proposed ordinances and City Council resolutions and amendments thereto.

(g) Devote entire time to the duties of the office.

(h) Perform such legal functions and duties incident to the execution of the foregoing powers as may be necessary.

(i) Surrender to the successor City Attorney all books, papers, files and documents pertaining to the City's affairs.

The City Council shall have control of all legal business and proceedings of the City and may employ or contract with other attorneys to take charge of or assist in any civil litigation or other civil legal matters or business.

Section 705, paragraph (b) is amended to read as follows:

Section 705. CITY TREASURER. POWERS AND DUTIES.

(b) Have custody of all public funds belonging to or under the control of the City or any office, department or agency of the City government, except such funds as may be in the custody of any City office or department as expressly authorized by resolution of the City Council, and deposit or cause to be deposited all funds under his or her custody in such depository as may be designated by resolution of the City Council, or, if no such resolution be adopted, then in such depository designated in writing by the City Manager, and in compliance with all of the provisions of the State Constitution and laws of the State governing the handling, depositing and securing of public funds.

Section 706, paragraph (d) is amended to read as follows:

Section 706. DIRECTOR OF FINANCE. POWERS AND DUTIES.

(d) Supervise and be responsible for the disbursement of all moneys and have control of all expenditures, except expenditures from funds under the control of any other City office or department as expressly authorized by resolution of the City Council, to insure that budget appropriations are not exceeded; audit all purchase orders before issuance; audit and approve before payment, all bills, invoices, payrolls, demands or charges against the City government; with the advice of the City Attorney, when necessary, determine the regularity, legality and correctness of such claims, demands or charges; and draw warrants upon the City Treasurer, or where such procedure is authorized by the City Council, prepare or approve wire transfers, electronic payments and checks or other negotiable instruments drawn upon a proper City depository for the approval of the City Treasurer and, where required, the signatures or facsimile signatures of the City Treasurer and the Mayor, for all claims and demands audited and approved as in this Charter provided specifying the purpose for which drawn and the fund from which payment is to be made.

Section 708 of Article VII is amended to read as follows:

Section 708. PROHIBITED FINANCIAL INTERESTS IN CONTRACTS. FORFEITURE OF OFFICE.

Any member of the City Council, city officer or employee, or member of any city board or commission, who has a financial interest in any contract made by such person in his or her official capacity, or by any body or board of which he or she is a member, in violation of Article 4 of Division 4 of Title 1 (commencing with Section 1090) of the Government Code of the State of California, or any successor provision thereto, upon conviction thereof, and in addition to any other penalty imposed for such violation, shall forfeit his or her office or position of employment with the City.

Article VIII, in its entirety, is amended to read as follows:

ARTICLE VIII.

(Left blank intentionally.)

Section numbers in Article X (with the exception of Section 1000), and all references in the City Charter to such section numbers, is amended to read as follows:

Current Number	Proposed Number
10.200	1050
10.201	1051
10.202	1052
10.203	1053

Section 1100 of Article XI is amended to read as follows:

Section 1100. RETIREMENT SYSTEM.

Authority and power are hereby vested in the City, its City Council and its several officers, agents and employees to do and perform any act, and to exercise any authority granted, permitted, or required under the provisions of the Public Employees' Retirement Act, as it now exists or hereafter may be amended, to enable the City to continue as a contracting City under the Public Employees' Retirement System. The City Council may terminate any contract with the Board of Administration of the Public Employees' Retirement System only under authority granted by ordinance adopted by a majority vote of the electors of the City voting on such proposition at an election at which such proposal is presented.

Section 1207 of Article XII is repealed in its entirety.

Sections 1212, 1213, 1214 and 1215 of Article XII are repealed in their entirety.

Section 1300 of Article XIII is amended to read as follows:

Section 1300. GENERAL MUNICIPAL ELECTIONS.

General municipal elections for the election of officers and for such other purposes as the City Council may prescribe shall be held in the City on the first Tuesday after the first Monday in November in each even-numbered year. However, in the event the state legislature hereafter prescribes a different day for the holding of the statewide general election, general municipal elections shall be held upon such day in each even-numbered year as prescribed for the statewide general election.

Section 1501 of Article XV is amended to read as follows:

Section 1501. VIOLATIONS.

The violation of any provision of this Charter shall be a misdemeanor and shall be punishable upon conviction by a fine or imprisonment, or both, not exceeding the maximum fine or term of imprisonment, or both, as authorized by Section 19 of the Penal Code of the State of California, or any successor provision thereto.

The following sections are amended in the following manner to make all provisions GENDER NEUTRAL:

Section 503. VACANCIES.

A vacancy in the office of Mayor or on the City Council, from whatever cause arising, shall be filled by appointment by the City Council, such appointee to hold office until the first Tuesday following the next general municipal election and until his or her successor qualifies. At the next general municipal election following any vacancy, a successor shall be elected to serve for the remainder of any unexpired term. As used in this paragraph, the next general municipal election shall mean the next such election at which it is possible to place the matter on the ballot and elect a successor.

If the Mayor or a member of the City Council is absent from all regular meetings of the City Council for a period of thirty days consecutively from and after the last regular City Council meeting attended by such person, unless by permission of the City Council expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be an elector of the City, his office shall become vacant. The City Council shall declare the existence of any such vacancy.

In the event it shall fail to fill a vacancy by appointment within sixty days after such office shall become vacant, the City Council shall cause an election to be held forthwith to fill such vacancy for the remainder of the unexpired term.

Section 600. CITY MANAGER.

There shall be a City Manager who shall be the chief administrative officer of the City. The City Manager shall be appointed by the affirmative vote of at least a majority of the members of the City Council and shall serve at the pleasure of the City Council, provided, however, that he or she shall not be removed from office except as provided in this Charter. The City Manager shall be chosen on the basis of his or her executive and administrative qualifications, with special reference to actual experience in, and knowledge of, accepted practice in respect to the duties of the office as herein set forth.

Section 602. ELIGIBILITY.

No person shall be eligible to receive appointment as City Manager while serving as a member of the City Council nor within one year after such person has ceased to be a member of the City Council.

Section 603. COMPENSATION AND BOND.

The City Manager shall be paid a salary commensurate with the responsibilities as chief administrative officer of the City, which salary shall be established by ordinance or resolution. The City Manager shall furnish a corporate surety bond conditioned upon the faithful performance of his or her duties in such form and in such amount as may be determined by the City Council, the premium on such bond to be paid by the City.

Section 604. POWERS AND DUTIES.

The City Manager shall be the chief administrative officer and head of the administrative branch of the City Government. Except as otherwise provided in this Charter, the City Manager shall be responsible to the City Council for the proper administration of all affairs of the City. Without limiting the foregoing general grant of powers, responsibilities and duties, subject to the provisions of this Charter, including the personnel provisions thereof, the City Manager shall have power and be required to:

(a) Appoint, and he or she may promote, demote, suspend or remove all department heads, officers and employees of the City except elective officers and those department heads, officers and employees the power of whose appointment is vested by this Charter in the City Council. He or she may authorize the head of any department or office to appoint or remove subordinates in such department or office. No department head shall be appointed or removed until the City Manager shall first have reviewed such appointment or removal with the City Council and received its approval for such appointment or removal.

(b) Prepare the budget annually, submit it to the City Council, and be responsible for its administration after its adoption.

(c) Prepare and submit to the City Council as of the end of each fiscal year, a complete report on the finances of the City for the preceding fiscal year, and annually or more frequently, a current report of the principal administrative activities of the City.

(d) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may to him or her seem desirable.

(e) Establish a centralized purchasing system for all City offices, departments and agencies.

(f) Prepare rules and regulations governing the contracting for, purchasing, inspection, storing, inventory, distribution and disposal of all supplies, materials, equipment and services required by any office, department or agency of the City government and recommend them to the City Council for adoption by ordinance, and administer and enforce the same after adoption.

(g) See that the laws of the State pertaining to the City, the provisions of this Charter and the ordinances, franchises and rights of the City are enforced.

(h) Exercise control of all administrative offices and departments of the City and of all appointive officers and employees except those directly appointed by the City Council and prescribe such general rules and regulations as he or she may deem necessary or proper for the general conduct of the administrative offices and departments of the City under his or her jurisdiction.

(i) Perform such other duties consistent with this Charter as may be required by the City Council.

Section 605. MEETINGS.

The City Manager shall be accorded a seat at all meetings of the City Council and of all boards and commissions and shall be entitled to participate in their deliberations, but shall not have a vote. The City Manager shall receive notice of all special meetings of the City Council, and of all boards and commissions.

Section 606. REMOVAL.

The City Manager shall not be removed from office during or within a period of ninety days next succeeding any municipal election at which a member of the City Council is elected. At any other time the City Manager may be removed only at a regular meeting of the City Council and upon the affirmative votes of a majority of the total membership of the City Council. At least thirty days prior to the effective date of his or her removal, the City Manager shall be furnished with a written notice stating the Council's intention to remove him or her and the reasons therefor. After furnishing the City Manager with written notice of his or her intended removal, the City Council may suspend him or her from duty, but his or her compensation shall continue until his or her removal as herein provided. In removing the City Manager, the City Council shall use its uncontrolled discretion, and its actions shall be final.

Section 607. NON-INTERFERENCE WITH ADMINISTRATIVE SERVICE.

Except as otherwise provided in this Charter, neither the Council nor any of its members shall interfere with the execution by the City Manager of his or her powers and duties, or order, directly or indirectly, the appointment by the City Manager, or by any of the department heads in the administrative service of the City, of any person to any office or employment, or his or her removal therefrom. Except for the purpose of inquiry, the City Council and its members shall deal with the administrative service under the jurisdiction of the City Manager solely through the City Manager, and neither the City Council nor any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately.

Section 608. ASSISTANT CITY MANAGER.

There shall be an Assistant City Manager who shall act as the principal aide to the City Manager in the performance of his or her duties and who shall serve as Acting City Manager during the temporary absence or disability of the City Manager, except as otherwise provided in Section 609 of this Charter.

Section 609. ACTING CITY MANAGER.

The City Manager shall appoint, subject to the approval of the City Council, one of the other officers or department heads of the City to serve as Acting City Manager during any temporary absence or disability of both the City Manager and the Assistant City Manager. If the City Manager fails to make such appointment, the City Council may appoint an officer or department head to serve as such Acting City Manager.

Section 704. CITY CLERK. POWERS AND DUTIES.

The City Clerk shall have the power and shall be required to:

(a) Attend all meetings of the City Council, unless excused, and be responsible for the recording and maintaining of a full and true record of all of the proceedings of the City Council in records that shall bear appropriate title and be devoted to such purpose.

(b) Maintain separate records, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the Clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter.

(c) Maintain separate records of all written contracts and official bonds.

(d) Keep all books and records in his or her possession properly indexed and open to public inspection when not in actual use.

(e) Be the custodian of the seal of the City.

(f) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records.

(g) Be ex-officio Assessor, unless the City Council has availed itself, or does in the future avail itself, of the provisions of the general laws of the State relative to the assessment of property and the collection of City taxes by the county officers, or unless the City Council by ordinance provides otherwise.

(h) Have charge of all City elections.

(i) Perform such other duties consistent with this Charter as may be required by ordinance or resolution of the City Council.

Section 707. ADMINISTERING OATHS.

Each department head and his or her deputies shall have the power to administer oaths and affirmations in connection with any official business pertaining to his or her department.

Section 709. ACCEPTANCE OF OTHER OFFICE.

Any elective officer of the City who shall accept or retain any other elective public office, except as provided in this Charter, shall be deemed thereby to have vacated his or her office under the City government.

Section 710. NEPOTISM.

The City Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the third degree of any one or more of the members of such City Council, nor shall the City Manager or any department head or other officer having appointive power appoint any of his or her relatives, or any relative of a Council member, within such degree to any such position.

Section 711. OFFICIAL BONDS.

The City Council shall fix by ordinance or resolution the amounts and terms of the official bonds of all officials or employees who are required by this Charter or by ordinance to give such bonds. All bonds shall be executed by responsible cor-

porate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

In all cases wherein an employee of the City is required to furnish a faithful performance bond, there shall be no personal liability upon, or any right to recover against, his or her superior officer or other officer or employee, or the bond of the latter, unless such superior officer, or other officer or employee is a party to, or has conspired in, the wrongful act causing directly or indirectly such loss.

Section 1201. ANNUAL BUDGET. PREPARATION BY THE CITY MANAGER.

At such date as the City Manager shall determine, each board or commission and each department head shall furnish to the City Manager, personally, or through the Director of Finance, estimates of revenue and expenditures for his or her department or for such board or commission for the ensuing fiscal year, detailed in such manner as may be prescribed by the City Manager. In preparing the proposed budget, the City Manager shall review the estimates, hold conferences thereon with the respective department heads, boards or commissions as necessary, and may revise the estimates as he or she may deem advisable.

Certified to be a true copy by Tom Daly, Mayor, and Sheryll Schroeder, City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 8—City of Oakland

Amendments to the Charter of the City of Oakland

[Filed with the Secretary of State February 13, 2001.]

Section 26000(a) is added to Article XXVI to read as follows:

(a) Notwithstanding any other provision of this Article XXVI, active members of PFRS shall be permitted to terminate their membership in PFRS and become members of the California Public Employees' Retirement Systems ("PERS") (hereinafter referred to as "transfer to PERS"); provided that active members may transfer to PERS only if the following occur:

- (1) the City Council authorizes the transfer to PERS; and
- (2) the PFRS Board authorizes transfer of PFRS retirement funds representing the employer and employee contributions to PFRS for each PFRS member who exercises the option to transfer to PERS.

The decision to authorize the transfer to PERS shall be based on the City Council's sole judgment and discretion. The City shall have absolutely no obligation to authorize such transfer and the City Council's decision shall be final and binding and without recourse to a court of law, section 910 of the City Charter, which provides for binding interest arbitration, or any other administrative, contractual or legal avenue or remedy.

The decision of the PFRS Board to authorize transfer of PFRS retirement funds to PERS as described above, shall be based upon the board's sole judgment and discretion exercised in accordance with board members' fiduciary obligations, the prudent person standard, the provisions of Article XXVI of the City Charter, the California Constitution and other applicable law.

Section 2615(1) of Article XXVI is amended to read as follows:

No member of the System who is retired for service or disability under this Article shall hold an elective or appointive position in the service of the City of Oakland, including membership on Boards or Commissions, except that retired members of the Police and Fire Departments may serve on the Police and Fire Retirement Board as provided in Section 2601, nor shall any such person receive any payment for service rendered to the City, provided that service such as an election officer or juror shall not be affected by this section.

Notwithstanding any other provision of this section 2615 or this City Charter, retired members of the System may hold employment with the City pursuant to a Deferred Retirement Option Plan ("DROP") authorized by the City. DROP shall mean a program under which, after the effective date of a System member's retirement, (1) he/she continues to work for the City (a) for a period of time prescribed by the City and (b) in the position and assignment determined by the City in its sole judgment and discretion; (2) neither the City nor the System member makes retirement contributions; (3) the System member receives no service credit for the period of time he/she is employed by the City; and (4) the System member's monthly retirement allowances are paid into a fund established by PFRS until the member terminates his/her City employment. DROP is intended to encompass all types of DROP programs.

Section 107 is amended to read:

Section 107. Form of Government.

The government provided by this Charter shall be known as the Mayor-Council form of government.

Section 207 is amended to read:

Section 207. Powers of the Council.

The Council shall be the governing body of the City. It shall exercise the corporate powers of the City and, subject to the expressed limitations of this Charter, it shall be vested with all powers of legislation in municipal affairs adequate to provide a complete system of local government consistent with the Constitution of the State of California. It shall have no administrative powers. The council shall fix the compensation of all City employees, officers and officials except as otherwise provided by the Charter.

Section 218 is amended to read:

Section 218. Non-Interference in Administrative Affairs.

Except for the purpose of inquiry, the Council and its members shall deal with the administrative service for which the City Manager, Mayor and other appointed or elected officers are responsible, solely through the City Manager, Mayor or

such other officers. Neither the Council nor any Council member shall give orders to any subordinate of the City under the jurisdiction of the City Manager or such other officers, either publicly or privately; nor shall they attempt to coerce or influence the City Manager or such other officers, in respect to any contract, purchase of any supplies or any other administrative action; nor in any manner direct or request the appointment of any person to or his removal from office by the City Manager, or any of his subordinates or such other officers, nor in any manner take part in the appointment or removal of officers or employees in the administrative service of the City. Violation of the provisions of this section by a member of the Council shall be a misdemeanor, conviction of which shall immediately forfeit the office of the convicted member.

Section 405 is deleted in its entirety.

Section 701 is amended to read:

Section 701. Board of Port Commissioners.

The exclusive control and management of the Port Department is hereby vested in the Board of Port Commissioners, which shall be composed of seven (7) members who shall be appointed by the Council, upon nomination by the Mayor.

No person shall be appointed as, or continue to hold office as, a member of the Board who is not at the time of his appointment, and has not been continuously for thirty (30) days immediately preceding his appointment, and who shall not continue to be during his term, a bona fide resident of the City of Oakland.

The Members of the Board shall serve without salary or compensation.

Section 809 is amended to read:

Section 809. Annual Audit.

Council shall engage during the first month of each fiscal year an independent certified public accountant who shall examine and report to the Council on the annual financial statement of the City. He shall have free access to the books, records, inventories and reports of all officers and employees who receive, handle, or disburse public funds, and of such other officers, employees, or departments as the Council may direct. He shall submit his audit as soon as practicable after the closing of the books for the fiscal year for which he is engaged. Copies of such audit reports shall be filed with the Council, and shall be available for public inspection and review.

Section 906 is deleted in its entirety.

Section 1208 is amended to read:

Section 1208. Violation.

The violation of any provision of the Charter shall be deemed a misdemeanor and be punishable upon conviction in the manner provided by State Law, unless otherwise expressly provided for in this Charter.

Section 1213 is amended to read:

Section 1213. Sunset Provision.

At the general election to be held in November, 2004, the City Council shall cause to be placed on the ballot a proposed Charter amendment the sole effect of

which, if passed, shall be to retain the changes made to the Charter that relate specifically to the 1998 adoption of Measure X. If that proposed Charter amendment is put before the voters and not passed, then all of said changes to the Charter shall lapse and have no further effect.

Certified to be a true copy by Ignacio De La Fuente, President of the City Council, and Ceda Floyd, City Clerk.

Date of Election: November 7, 2000.

Charter Chapter 9—City of Signal Hill

Charter of the City of Signal Hill

[Filed with the Secretary of State February 23, 2001.]

We, the People of the City of Signal Hill, State of California, do ordain and establish this Charter as the organic law of the City under the Constitution of the State of California.

ARTICLE I. INCORPORATION AND SUCCESSION

SECTION 100. Name and Boundaries.

The City of Signal Hill, hereinafter termed the City, shall continue to be a municipal corporation under its present name of “City of Signal Hill.” The boundaries of the City shall be the boundaries as established at the time this Charter takes effect, and as such boundaries may be changed thereafter from time to time in the manner authorized by law.

SECTION 101. Succession, Rights and Liabilities.

The City of Signal Hill, shall continue to own, possess and control all rights and property of every kind and nature owned, possessed or controlled by it at the time this Charter takes effect and shall continue to be subject to all its debts, obligations, liabilities and contracts.

SECTION 102. Ordinances.

All lawful ordinances, resolutions, rules and regulations, and portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, are hereby continued in force until they are repealed, amended, changed or superseded by proper authority.

SECTION 103. Continuance of Present Officers and Employees.

The present officers and employees of the City shall continue to perform the duties of their respective offices and employments without interruption and for the same compensations and under the same conditions until the appointment or election and qualification of their successors, but subject to removal, amendment, change, or control provided by the provisions of this Charter. Nothing contained in this Charter, unless specifically otherwise provided herein, shall affect or impair the civil service, personnel, pension, or retirement rights or privileges of officers

or employees of the City, or of any office, department, or agency thereof, existing at the time this Charter takes effect.

SECTION 104. Continuance of Contracts.

Except with respect to the term of certain franchises as provided in Section 918, all contracts entered into by the City or for its benefit prior to the effective date of this Charter and then in effect, shall continue in full force and effect according to their terms.

SECTION 105. Pending Actions and Proceedings.

No action or proceeding, civil or criminal, filed and pending at the time this Charter takes effect, brought by or against the City or any officer, office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything contained in the Charter, but all such actions or proceedings may be continued notwithstanding that functions, powers, and duties of any officer, office, department or agency a party thereto, may be assigned or transferred by or under this Charter to another officer, office, department or agency, but in that event the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers and duties have been assigned or transferred by or under this Charter.

SECTION 106. Seal.

The City shall have an official seal, which may be changed from time to time by ordinance. The seal of the City at the time this Charter takes effect shall continue to be the official seal of the City until changed as provided herein.

SECTION 107. Validity.

If any article, sections, sentence, clause or portion of this Charter is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 108. Effective Date of Charter.

This Charter shall take effect upon its approval by the Legislature after it has been ratified by the qualified voters of the City in the manner set forth in the Constitution of the State of California.

SECTION 109. Amendment.

Any proposal for the amendment, revision, or repeal of this Charter or any portion thereof may be proposed by majority vote of the city council, or by initiative by the People of the City of Signal Hill. No such proposal shall be effective until approved by a majority vote of the voters voting at an election on the question, and until filed with the Secretary of State of the State of California. In the event of any conflict between this section and Article XI, § 3 of the California Constitution, as may be amended, the latter shall govern.

ARTICLE II. POWERS OF CITY

SECTION 200. Powers.

The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. The City shall also have the power to exercise, or act pursuant to any and all rights, powers, privileges or procedures, heretofore, or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise, or act pursuant to, under the Constitution of the State of California. The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, the generality of the foregoing provisions. This Charter shall be liberally construed to vest the City with all legal authority and powers necessary to protect the health, safety, and general welfare of all of the citizens of the City.

SECTION 201. Procedures.

The City shall have the power to and may act pursuant to any procedure established by any law of the State, unless a different procedure is required by this Charter.

SECTION 202. Form of Government.

The municipal government established by this Charter shall be known as the “Council-Manager” form of government.

SECTION 203. Intergovernmental Relations.

The City may exercise any of its authority and may perform any of its powers jointly, or in cooperation with, one or more other cities, counties, states, the United States, or any political subdivisions, civil divisions, or agencies thereof, or any other governmental entity.

SECTION 204. Establishment of Specialized Agencies or Authorities.

The City shall have the power to establish a redevelopment agency, housing authority, economic development authority, special district, or other agency or authority of specialized expertise or application to the full extent as may be permitted by state or federal law, in order to carry out the business of the City or otherwise advance the health, safety, or general welfare of its citizens. All specialized agencies created by the City and in existence on the effective date of this Charter shall continue to perform their duties and operate pursuant to their existing legal authority, unless and until the city council may otherwise provide by ordinance or resolution.

SECTION 205. Reserved.

ARTICLE III. ELECTED OFFICERS

SECTION 300. Powers Vested in the city council.

All powers of the City shall be vested in the city council except as otherwise provided in this Charter.

SECTION 301. Officers.

The elective officers of the City shall consist of a city clerk, a city treasurer, and a city council of five members, one of whom shall be the mayor. Each elected officer shall be elected from the City at large and shall be all of the following: (i) a citizen of the United States; (ii) 18 years of age or older; and (iii) a registered voter and resident of the City for at least 29 days prior to the date of filing nomination papers. Each elected officer shall continue to reside in the City for the duration of his or her tenure. Subject to the requirements provided in this Charter, all elected officers shall serve for a term of four years and until their respective successors are elected and qualified.

The five members of the city council in office at the time this Charter takes effect shall continue in office until the termination of their current terms.

Those city councilmembers who are serving existing terms as of the effective date of this Charter and who were elected at the March 4, 1997 general municipal election shall serve terms until no later than the third Tuesday in March, 2001. Those city councilmembers who are serving existing terms as of the effective date of this Charter and who were elected at the March 2, 1999 general municipal election shall serve terms until no later than the third Tuesday in March, 2003. All city council offices filled by general municipal election occurring after the effective date of this Charter shall be for a term of four years, and shall be elected at the general municipal election each fourth year thereafter.

The term of each member of the city council shall commence on the third Tuesday of March in the year in which they are elected. Ties in voting among candidates for office shall be settled by drawing by lot or by special election as the City Council shall determine by ordinance or resolution to be conducted pursuant to procedures which may be established by ordinance. City council may, by ordinance or resolution passed no later than thirty (30) days prior to election, determine whether ties in voting among candidates shall be settled by drawing by lot, by special election, or by other means.

SECTION 302. The Mayor; Vice Mayor.

At the first regular city council meeting following a general municipal election in which newly elected councilmembers are sworn and seated, and at the first regular city council meeting following the anniversary of that date for any year in which no general municipal election is held, the city council shall designate one of its members as mayor and one of its members as vice mayor, whom shall serve in such capacity at the pleasure of the city council. The vice mayor shall perform the duties of the mayor during any period of the mayor's absence or disability.

The mayor shall be the head of the City for all ceremonial purposes. The mayor shall serve as the primary, but not exclusive, spokesperson of the City. The mayor shall perform such other duties consistent with his or her office as may be prescribed by this Charter, or as may be imposed by the city council.

SECTION 303. Eligibility.

No person shall be eligible to hold an elective office unless he or she is, at the time of issuance of nomination papers for the elective office, an elector of the City, or of territory annexed thereto. Any elective officer of the City who shall accept or retain any other elective public office, or any other public office whose duties are incompatible with the duties of a member of the city council of the City, except as may be otherwise provided by this Charter, shall be deemed thereby to have vacated his or her office under the City government.

SECTION 304. Compensation.

The members of the city council shall receive such compensation for their services as may be established by ordinance. Those members of city council in office on the effective date of this Charter shall continue to be compensated at the level of compensation effective immediately prior to the effective date of this Charter, and shall continue to be compensated at such level for the remainder of their terms. No ordinance of the city council shall increase the compensation of any member of the council during that member's term of office, provided that nothing herein shall prevent the adjustment of the compensation of all members of a council serving staggered terms whenever one or more members of such council becomes eligible for a salary increase by virtue of beginning a new term of office. Each member of the city council shall receive reimbursement on order of the city council for council-authorized traveling and other expenses when on official duty.

SECTION 305. Vacancies.

If a member of the city council is absent from all regular meetings of the city council for a period of 60 days consecutively from and after the last regular city council meeting attended by such member, unless such absence is by permission of the city council expressed in its official minutes, or is convicted of any felony, any offense involving a violation of his or her official duties, or a crime involving moral turpitude, or ceases to be an elector of the City, the office shall become vacant. The city council shall declare the existence of any such vacancy, and the office shall be deemed vacant from the date of such declaration.

A vacancy in the city council, from whatever cause, may be filled by appointment by a majority of the remaining members of the city council, or by special election. Any person appointed or elected to fill a vacancy in the city council shall serve the remaining unexpired term of the office. In the event it shall fail to fill a vacancy by appointment within forty-five days after such office shall become vacant, the city council shall cause an election to be held forthwith to fill such vacancy. If city council calls a special election to fill the vacancy, the city council may make an interim appointment to fill the vacancy until the date of the special election. The times and procedures for the calling of any special election to fill a city council vacancy may be established by ordinance.

SECTION 306. Interference in Administrative Service.

Except as otherwise provided in this Charter, neither the city council nor any of its members shall interfere with the execution by the city manager of his or her powers and duties. Except for the purpose of inquiry, the city council and its members shall deal with the administrative service under the city manager solely through the city manager, and neither the city council nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately.

SECTION 307. Regular Meetings.

Unless otherwise provided by ordinance, or resolution of the city council, the city council shall hold regular meetings at least twice each month. City council meetings shall be held at such times as it shall fix by ordinance or resolution and the city council may adjourn or readjourn any regular meeting to a date and hour certain which shall be specified in the order of adjournment and when so adjourned each adjourned meeting shall be a regular meeting for all purposes. If the hour to which a meeting is adjourned is not stated in the order of adjournment, such meeting shall be held at the hour for holding regular meetings. If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day.

SECTION 308. Special Meetings.

Special meetings may be called at any time by the mayor, or by three members of the city council, by written notice delivered personally to each member at least twenty-four hours before the time specified for the proposed meeting. A special meeting may also be validly held without the giving of such written notice, if required to be held by this Charter or if all members shall give their consent, in writing, to the holding of such meeting and such consent is on file in the office of the city clerk at the time of such meeting. At any special meeting only such matters may be acted upon as are referred to in such written notice or consent.

SECTION 309. Place of Meetings.

Unless otherwise provided by ordinance or resolution of the city council, all meetings shall be held in the council chambers of the city hall, or in such place to which any such meeting may be adjourned, and except for any closed sessions permitted under the laws of the State of California shall be open to the public. If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the mayor, or, if he or she is unable or should fail to act, by three members of the city council.

SECTION 310. Quorum; Proceedings.

Three members of the city council shall constitute a quorum to do business, but a less number may adjourn from time to time. In the absence of all the members of the city council from any regular meeting or adjourned regular meeting, the city clerk may declare the meeting adjourned to a stated day, hour, and place. Notice of a meeting adjourned by less than a quorum or by the clerk shall be given by the

clerk or may be waived by consent in the same manner as specified in this Charter for the giving or waiving of notice of special meetings of the city council, but need not specify the matters to be acted upon. The city council shall judge the qualifications of its members as set forth by the Charter. It shall judge all election returns. It may establish rules for the conduct of its proceedings and evict or prosecute any member or other person for disorderly conduct at any of its meetings, or for violation of the rules for conduct of city council proceedings.

Each member of the city council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the city council. The city council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas may issued by the city council in the name of the City and be attested by the city clerk. Disobedience of such subpoenas, or the refusal to testify (upon other than constitutional grounds), shall constitute a misdemeanor, and shall be punishable in the same manner as violations of this Charter are punishable.

SECTION 311. Citizen Participation.

No person shall be denied the right, personally or through counsel, to address the city council at any regular meeting regarding any item within its subject matter jurisdiction. City council may, by ordinance or resolution, impose reasonable regulations on the exercise of such right to preserve the orderly nature of its proceedings.

SECTION 312. Adoption of Ordinances.

With the sole exception of ordinances which take effect upon adoption, referred to in this article, all ordinances shall be first introduced by the city council, and shall be adopted no sooner than five days after the date of their introduction. All ordinances shall be introduced, deliberated, and passed upon at a regular, adjourned regular or special meeting of the city council. At the time of its introduction, an ordinance shall become a part of the proceedings of such meeting, and a copy of the introduced ordinance shall be kept in the custody of the city clerk. At the time of adoption of an ordinance, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the councilmembers present. In the event that any ordinance is altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than five days after the date upon which such ordinance was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

No order for the payment of money shall be adopted or made at any meeting other than a regular, adjourned regular, or special meeting.

Unless a higher vote is required by other provisions of this Charter, or by the laws of the State of California which supersede this Charter, the affirmative votes of at least three members of the city council shall be required for the enactment of

any ordinance, or for the making or approving of any order for the payment of money, or for entering into any contract where the amount to be paid by the City exceeds fifty thousand dollars (\$50,000), or such other amount as the city council may establish by ordinance. All ordinances shall be signed by the mayor and attested by the city clerk. Resolutions shall also be signed by the mayor, and attested by the city clerk.

Any ordinance declared by the city council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least four affirmative votes.

SECTION 313. Ordinances, Publication.

The city clerk shall cause each ordinance or a summary of each ordinance to be published at least once in a newspaper of general circulation in the City or by such other method of publication permitted by the then-existing law, within fifteen days after its adoption.

SECTION 314. Codification of Ordinances.

Any or all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a comprehensive ordinance code, and such code may be adopted by reference, with the same effect as an ordinance, by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed for use and examination by the public in the office of the city clerk prior to the adoption thereof. Amendments to the code shall be enacted in the same manner as ordinances.

Detailed regulations pertaining to the construction of buildings, plumbing and wiring, mechanical devices, abatement of dangerous buildings, or similar matters consisting of part of a uniform code adopted by the County of Los Angeles, or generally adopted on a state-wide or region-wide basis, when arranged as a comprehensive code, may likewise be adopted by reference to the full extent permitted by the general laws of the State of California, and pursuant to procedures established therein. Maps, charts and diagrams also may be adopted by reference in the same manner.

SECTION 315. Ordinances, When Effective.

No ordinance shall become effective until thirty days from and after the date of its adoption, except the following, which shall take effect immediately upon adoption:

- (a) An ordinance calling or otherwise relating to an election.
- (b) An improvement proceeding ordinance adopted under some special law or procedural ordinance relating thereto.
- (c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation, or levying the annual tax upon property.

(d) An emergency ordinance adopted in the manner provided for in this article.

SECTION 316. Ordinances; Violation; Penalty.

The city council may designate the violation of any ordinance of the City to constitute a misdemeanor or an infraction. Unless specifically designated as an infraction, a violation of any ordinance of the city shall constitute a misdemeanor and may be prosecuted in the name of the people of the State of California or may be redressed by civil action. The maximum fine or penalty for any violation of a city ordinance, whether a misdemeanor or an infraction, shall be as established by ordinance, resolution, or minute order of the city council.

SECTION 317. Publishing of Legal Notices.

The city clerk shall cause all legal notices to be published in a newspaper of general circulation within the City or by such other method of publication permitted by the then-existing law, pursuant to procedures which may be adopted by the city council by ordinance or resolution.

In the event there is no newspaper of general circulation published and circulated in the City, then all legal notices or other matter may be published by posting copies thereof in at least three public places in the City, or by such other method of publication permitted by the then-existing law.

No defect or irregularity in proceedings taken under this section, or failure to designate an official newspaper, shall invalidate any publication where the same is otherwise in conformity with this Charter, an ordinance, or other law.

SECTION 318. City Clerk, Powers and Duties.

There shall be a city clerk who shall have power and shall be required to:

(a) Attend in person or through authorized representative, all meetings of the city council and be responsible for the recording and maintaining of a full and true record of all of the proceedings of the city council in books that shall bear appropriate titles and be devoted to such purpose.

(b) Maintain records, in which shall be recorded respectively all ordinances, with the certificate of the clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter; and keep all books properly indexed and open to public inspection when not in actual use.

(c) Have the responsibility for records management of official actions of the city council, including contracts, bonds, deeds, and other recorded instruments.

(d) Be the custodian of the seal of the City.

(e) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records.

(f) Be ex-officio assessor, unless the city council has availed itself, or does in the future avail itself, of the provisions of the general laws of the State relative to the assessment of property and the collection of city taxes by county officers, or unless the city council by ordinance provides otherwise.

(g) Serve as the election official of the City and have charge of all City elections.

(h) Serve as the City's agent for service of process.

(i) Perform such other duties consistent with this Charter as may be required by ordinance or resolution of the city council.

Any duties of the city clerk can be assigned by the city clerk to the city manager or the deputy city clerk. The city clerk shall receive such compensation for his or her services as may be established by ordinance. The city clerk in office on the effective date of this Charter shall continue to be compensated at the level of compensation effective immediately prior to the effective date of this Charter, and shall continue to be compensated at such level for the remainder of his or her term. The city clerk shall receive reimbursement on order of the city council for council-authorized traveling and other expenses when on official duty.

SECTION 319. City Treasurer, Powers and Duties.

There shall be a city treasurer who shall have the legal responsibility to:

(a) Receive and safely keep all money which is transmitted to the City or any of its officers and issue a receipt to the payor for each remittance received.

(b) Comply with all laws governing the deposit and securing of public funds and the handling of trust funds in his or her possession.

(c) Prepare as of the end of each day a summary of the moneys received, which summary shall state the fund into which the payments have been credited and the source thereof, and submit the same to the finance director.

(d) Pay out money only on warrants signed by legally designated persons.

(e) Submit to the finance director a written report at the end of each month accounting for all moneys received and disbursements made during such month and setting forth the fund balances as of the end of such month and file a copy of such report with the city clerk whom shall present the same to the city council at its next regularly scheduled meeting.

(f) Perform such other duties consistent with this Charter as may be required by the city council.

Any duties of the city treasurer can be assigned by the city treasurer to the director of finance. The city treasurer shall receive such compensation for his or her services as may be established by ordinance. The city treasurer in office on the effective date of this Charter shall continue to be compensated at the level of compensation effective immediately prior to the effective date of this Charter, and shall continue to be compensated at such level for the remainder of his or her term. The city treasurer shall receive reimbursement on order of the city council for council-authorized traveling and other expenses when on official duty.

ARTICLE IV. CITY COUNCIL APPOINTED OFFICERS;
CITY MANAGER AND CITY ATTORNEY

SECTION 400. City Manager.

There shall be a city manager who shall be the chief administrative officer of the city. The city council shall appoint, by an affirmative vote of at least three of its members, the person that it believes to be best qualified on the basis of his or her executive and administrative qualifications, with special reference to experience in, and knowledge of, accepted practice with respect to the duties of the office as set forth in this Charter. The city manager shall serve at the pleasure of the city council.

SECTION 401. Eligibility.

No person shall be eligible to receive appointment as city manager while serving as a member of the city council nor within one year after he or she has ceased to be a member of the city council.

SECTION 402. Compensation and Bond.

The city council shall be authorized to enter into a contract of employment with the city manager. The city manager shall have no vested or procedural rights in connection with his or her employment as city manager, except as may be granted by city council through contract or otherwise. The city manager shall be paid a salary commensurate with his or her responsibilities as chief administrative officer of the city, which salary shall be established by ordinance or resolution, or by contract with the city manager.

The city manager shall furnish a corporate surety bond conditioned upon the faithful performance of his or her other duties in such form and in such amount as may be determined by the city council.

SECTION 403. City Manager, Powers and Duties.

The city manager shall be the head of the administrative branch of the city government. The city manager shall be responsible to the city council for, and shall have jurisdiction over, the proper administration of all affairs of the City except those delegated by this Charter to the city attorney or other appointive boards or commissions. Without limiting the foregoing general grant of powers, responsibilities and duties, the city manager shall have power and be required to:

(a) Appoint, suspend or remove, subject to the provisions of this Charter including the personnel system provisions thereof, officers of the City except elective officers and those department heads and officers the power of whose appointment is vested by this Charter in the city council or in other appointive boards or commissions, and approve or disapprove all proposed appointments and removals of subordinate employees by those department heads who are appointed by the city manager.

(b) Prepare the budget annually, submit such budget to the city council and be responsible for its administration after its adoption.

(c) Prepare and submit to the city council as of the end of the fiscal year a comprehensive report on the finances and administrative activities of the City for the preceding fiscal year.

(d) Keep the city council advised of the financial condition and future needs of the City and make such recommendations as may seem appropriate.

(e) Prepare rules and regulations governing the contracting for, purchasing, storing, distribution, or disposal of all supplies, materials and equipment required by any office, department or agency of the city government and recommend them to the city council for adoption.

(f) See that the laws of the State pertaining to the City, the provisions of this Charter and the ordinances of the City are enforced.

(g) Prescribe such general rules and regulations as he or she may deem necessary or proper for the general conduct of the administrative offices and departments of the City under his or her jurisdiction, and exercise control of all such administrative offices and departments and the officers and employees thereof.

(h) Perform such other duties consistent with this Charter as may be required by the city council.

SECTION 404. Meetings.

The city manager or his or her designated representative shall attend all city council meetings, and may attend all meetings of other boards and commissions, and shall be entitled to participate in their deliberations, but shall not have a vote.

SECTION 405. Removal.

The city manager shall not be removed from office during or within a period of ninety days next succeeding any municipal election at which a member of the city council is elected. At any other time the city manager may be removed only at a regular meeting of the city council and upon the affirmative votes of at least three members of the city council. In removing the city manager, the city council shall have absolute discretion, and its actions shall be final. The city manager shall not have any procedural rights entitling him or her to a hearing or other notice prior to termination, except as may be provided by ordinance or contract.

SECTION 406. Interim City Manager.

The city manager may appoint one of the officers or department heads of the City, or any other qualified person, to serve as interim city manager during the temporary absence or disability of the city manager. In the event of the death, resignation or dismissal of the city manager, the city council may appoint any qualified person to act as interim city manager pending the appointment of a new city manager.

SECTION 407. City Attorney.

There shall be a city attorney, who shall be appointed by and serve at the pleasure of the city council. An affirmative vote of three members of the city council shall be required to appoint or remove the city attorney. To become and

remain eligible for city attorney the person appointed shall be an attorney-at-law duly licensed as such under the laws of the State of California, and shall have been engaged in the practice of municipal law for at least five years prior to his or her appointment.

SECTION 408. City Attorney, Powers and Duties.

The city council is authorized to enter into a contract with the city attorney. The city attorney shall have no vested or procedural rights in connection with his or her employment as city attorney, except as may be granted by city council, through ordinance, contract or otherwise. The city attorney shall have power and be required to:

(a) Represent and advise the city council and all city officers in all matters of law pertaining to their offices.

(b) Represent and appear for the City in any or all actions or proceedings in which the City is concerned or is a party, and represent and appear for any city officer or employee, or former city officer or employee, in any or all actions and proceedings in which any such officer or employee is concerned or is a party for any act arising out of his employment or by reason of his or her official capacity.

(c) Attend all meetings of the city council and give advice or opinions in writing whenever requested to do so by the city council or by any of the boards or officers of the City.

(d) Approve the form of contracts made by and bonds given to the City, and all deeds or covenants recorded for or on behalf of the City.

(e) Approve any and all proposed ordinances and resolutions for the City and amendments thereto.

(f) Surrender to his or her successor all books, papers, files and documents pertaining to the City's affairs.

(g) Prosecute on behalf of the people of the City any or all criminal cases arising from violation of this Charter or city ordinances, and such State misdemeanors as the City has the power to prosecute.

(h) Recommend and oversee the hiring and supervise the work of any and all other attorneys employed by the City to perform legal work on any litigation or other matter, or to otherwise assist the city attorney.

(i) To otherwise serve as the legal counselor to the City, and to perform other duties consistent with the Charter, as directed by the city council.

ARTICLE V. OFFICERS AND EMPLOYEES

SECTION 500. Administrative Departments.

The city council may provide, by ordinance not inconsistent with this Charter, for the organization, conduct and operation of the several offices and departments of the City as established by this Charter, for the creation of additional departments, divisions, offices and agencies and for their consolidation, alteration or abolition. Each new department created by the city council shall be headed by an

officer as department head who shall be appointed and may be suspended or removed by the city council.

All department heads shall be at-will employees, all of whom shall be appointed to serve at the pleasure of the city council, and shall have no procedural hearing rights on termination, but shall be entitled to all vested compensation and benefits at the time of termination, provided, however, that nothing in this Charter shall change the status or rights of any existing officer or employee.

The city council, by ordinance or resolution, may assign additional functions or duties to offices, departments or agencies not inconsistent with this Charter. Where the positions are not incompatible, the city council may combine in one person the powers and duties of two or more offices created or authorized by this Charter. No office provided in this Charter to be filled by appointment by the city manager may be consolidated with an office to be filled by direct appointment by the city council. The city council shall provide for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

SECTION 501. Director of Finance.

There shall be a director of finance who shall be appointed by the city council, and whose appointment, suspension or removal shall be made by the city council. The director of finance shall be qualified by sufficient technical accounting training, skill, and experience to be proficient in the discharge of the responsibilities of the office. The director of finance shall have power and shall be required to:

- (a) Serve as the chief fiscal officer of the City.
- (b) Have charge of the administration of the financial affairs of the City under the direction of the city manager, and to assist and advise the city council and city manager in all matters pertaining to City finances.
- (c) Compile annual expense and income estimates for the city manager.
- (d) Maintain a general accounting system for the City government and each of its offices, departments and agencies, and perform all financial and accounting duties.
- (e) Supervise and be responsible for the disbursement of all moneys and have control of all expenditures to insure that budget appropriations are not exceeded; audit all purchase orders before issuance; audit and approve before payment, all bills, invoices, payrolls, demands or charges against the City government and, with the advice of the city attorney, when necessary, determine the regularity, legality and correctness of such claims, demands or charges.
- (f) Submit to the city council through the city manager a periodic statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; and, as of the end of each fiscal year, submit a complete financial statement and report.
- (g) Supervise the keeping of current inventories of all property of the City by all City departments, offices and agencies.

(h) Receive all taxes, assessments, license fees and other revenues of the City, or for whose collection the City is responsible, and receive all taxes or other money receivable by the City from the county, state or federal government, or from any court, or from any office, department or agency of the City.

(i) Submit to the city manager and city council an annual Statement of Investment Policy, which Statement shall comply with all of the provisions of the State Constitution and laws of the State governing the handling, depositing and securing of public funds and which shall be adopted by resolution of the city council.

(j) Have custody of all public funds belonging to or under control of the City or any office, department or agency of the City government and deposit all funds coming into his or her hands in such depository as designated in the City's Municipal Code as the same may be amended from time to time, and to invest such funds in accordance with the City of Signal Hill Statement of Investment Policy, as such Statement may be amended from time to time.

(k) Prepare and submit to the city manager and city council a monthly report which shall include information regarding the City's outstanding investments, a statement of the city's compliance with the Statement of Investment Policy, and such other information as required in the Statement of Investment Policy, as the same may be amended from time to time.

(l) Perform such other duties consistent with this Charter as may be required by the city council.

SECTION 502. Chief of Police.

There shall be a chief of police who shall be appointed by the city council, and whose appointment, suspension or removal shall be made by the city council. The chief of police shall have the power conferred upon sheriffs by general law and be entitled to the same protection for the suppression of riot, public tumult, disturbance of the peace or resistance against the laws or public authorities in the lawful exercise of their function and shall be required to:

(a) Execute and return all process issued and directed to him by legal authority.

(b) Manage the prisoners and any City jail established by the city council.

(c) Receive the same fees as constables for service or any process.

(d) Perform any license fee and tax collection services prescribed by ordinance.

(e) Maintain a detailed and up-to-date record of all fees for service of process or other money collected by his or her department or paid to him or her in his or her official capacity.

(f) Immediately deposit with the city treasurer all money collected by his or her department as required by ordinance.

(g) Perform such other duties consistent with this Charter as may be required by the city council.

SECTION 503. Administering Oaths.

Each department head and his or her deputies shall have the power to administer oaths and affirmations in connection with any official business pertaining to his or her department.

SECTION 504. Department Heads; Appointment Powers.

Each department head and appointive officer shall have the power to appoint, suspend or remove such deputies, assistants, subordinates and employees as are provided for by the city council for his or her department or office, subject to the provisions of this Charter and of any personnel system adopted hereunder. Any such appointment or removal by a department head shall be subject to approval of the city manager.

SECTION 505. Official Bonds.

The city council shall fix by ordinance or resolution the amounts and terms of the official bonds of all officials or employees who are required by ordinance to give such bonds. All bonds shall be executed by responsible corporate surety, shall be approved as to form by the city attorney, and shall be filed with the city clerk. Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or his bond, for any wrongful act or omission of his subordinate, unless such superior officer was a party to, or conspired in, such wrongful act or omission.

SECTION 506. Compensation.

The city council shall determine, by ordinance, resolution, or contract the amount of compensation to be paid to all City officers, department heads, and employees.

SECTION 507. Indemnification of Employees.

Upon request by any employee or former employee of the City named in any claim or action against him or her for an injury arising out of an act or omission occurring within the scope of his or her employment as an employee of the City, made in writing not less than ten (10) days before the trial of the action, and so long as the employee or former employee cooperates reasonably and in good faith in the defense of the claim or action, the City shall pay any judgment based thereon or any compromise or settlement of the claim or action to which the City has agreed. Where the City conducts the defense of the claim or action pursuant to an agreement with the employee or former employee, reserving the City's rights not to pay the judgment, compromise, or settlement until it is established the injury arose out of act or omission occurring within the scope of his or her employment as a City employee, the City shall be required to pay the judgment, compromise, or settlement only if it is established the injury arose out of an act or omission occurring within the scope of his or her employment as a City employee. The City may indemnify any employee or former employee for any part of a claim or judgment that is for punitive or exemplary damages only upon a vote to do so by a majority of the membership of the city council.

ARTICLE VI. APPOINTIVE BOARDS AND COMMISSIONS

SECTION 600. In General.

There shall be the following enumerated boards and commissions which shall have the powers and duties herein stated: A planning commission, a parks and recreation commission, and a civil service commission. In addition, the city council may create by ordinance or resolution such additional advisory boards or commissions as in its judgment are required, and may grant to them such powers and duties as are consistent with the provisions of this Charter.

SECTION 601. Appropriations.

The city council shall include in its annual budget such appropriations of funds as in its opinion shall be sufficient for the efficient and proper functioning of such boards and commissions. The city council may, by ordinance or resolution, set reasonable fees and charges for defraying the costs of hearings or other administrative proceedings of the City's appointive boards and commissions.

SECTION 602. Appointments; Terms.

The members of each of such boards or commissions shall be appointed by the mayor, with the approval of the city council. Unless otherwise provided by ordinance, each member shall be all of the following: (i) a citizen of the United States; (ii) 18 years of age or older; and (iii) a registered voter and resident of the City for at least 29 days prior to the date of appointment. Each member shall continue to reside in the City for the duration of his or her tenure. No member shall hold any paid office or employment in the City government. They shall serve at the pleasure of the city council, and shall be subject to removal by motion of the city council adopted by at least three affirmative votes. The members shall serve for a term of four years, unless city council by ordinance or resolution establishes a different term, and until their respective successors are appointed and qualified. The respective terms of office of all members of the boards and commissions in existence at the time this Charter takes effect shall continue upon the effective date of this Charter.

SECTION 603. Meetings; Chair.

As soon as practicable, following the first day of every calendar year, or such other time as may be designated by resolution of the city council, each of such boards and commissions shall organize by electing one of its members to serve as chair and by electing one of its members to serve as vice-chair at the pleasure of such board or commission. Unless otherwise provided by ordinance or in the rules of proceeding promulgated by the applicable board or commission, each board or commission shall hold regular meetings at least once each month, and may hold special meetings as such board or commission may require. All proceedings shall be open to the public, except for such closed sessions as may be authorized by law, and shall be conducted in accordance with open meeting laws of the State of California.

Except as may be otherwise provided in this Charter, the city manager shall designate a secretary for the recording of minutes for each of such boards and

commissions, who shall keep a record of its proceedings and transactions and shall provide staff support for such board or commission. Each board or commission shall be governed by Roberts Rules of Order except that each board or commission may by resolution adopt such other rules and regulations which shall be consistent with this Charter, as each may deem appropriate. Copies of all such resolutions shall be kept on file in the office of the city clerk, where they shall be available for public inspection. The city council may by ordinance or resolution grant to board or commission the same power as the city council to compel the attendance of witnesses, to examine them under oath, to compel the production of evidence before it and to administer oaths and affirmations.

SECTION 604. Compensation.

Unless otherwise provided by ordinance, the members of boards and commissions shall serve without compensation for their services as such, but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the city council.

SECTION 605. Removal; Vacancies.

Any member of a board or commission may be removed at any time by a vote of a majority of the membership of the city council and, notwithstanding any other provision of this section mandating city council consideration of removal of a board or commission member, removal may be with or without cause. The issue of whether to declare the office of a board or commission member vacant shall be brought before the city council as follows:

- (a) Upon the resignation of the board or commission member;
- (b) Upon the request of any member of the city council;
- (c) Upon excessive absenteeism, to be defined as absence from three consecutive meetings of such board or commission or for twenty five percent (25%) of the duly scheduled meetings of the board or commission within any fiscal year, unless by permission of such board or commission expressed in its official minutes;
- (d) Upon conviction of any felony or crime of moral turpitude;
- (e) If the member of the board or commission ceases to be an elector of the City;
- (f) Failure of the board or commission member to file a financial disclosure statement as may be required by State law or city ordinance; or
- (g) Such other reason as the city council may determine.

The city council may declare the office of any board or commission member vacant, and the vacancy shall be effective from the date of the declarant unless otherwise specified in the declaration.

Any vacancies in any board or commission shall be filled by appointment by the mayor, with the approval of the city council. Upon a vacancy occurring which leaves an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term.

SECTION 606. Indemnification of Members of Boards and Commissions.

Upon request by any member or former member of any appointed board or commission established pursuant to this article named in any claim or action against him or her for an injury arising out of an act or omission occurring within the scope of his or her duties as a member of such board or commission of the City, made in writing not less than ten (10) days before the trial of the action, and so long as the member cooperates reasonably and in good faith in the defense of the claim or action, the City shall pay any judgment based thereon or any compromise or settlement of the claim or action to which the City has agreed. Where the City conducts the defense of the claim or action pursuant to an agreement with the member or former member of such board or commission, reserving the City's rights not to pay the judgment, compromise, or settlement until it is established the injury arose out of act or omission occurring within the scope of his or her duties as a member of such board or commission, the City shall be required to pay the judgment, compromise, or settlement only if it is established the injury arose out of an act or omission occurring within the scope of his or her duties as a member of such board or commission. The City may indemnify any member or former member of such board or commission for any part of a claim or judgment that is for punitive or exemplary damages only upon a vote to do so by a majority of the membership of the city council.

SECTION 607. Planning Commission.

There shall be a planning commission consisting of five members. There shall be a director of community development whose duties shall be established by ordinance, resolution, or regulation, and who shall be the recording secretary for the planning commission. The director of community development, or his or her designated representative shall attend all planning commission meetings. The planning commission may meet with and receive advice from the city attorney as it or the city attorney may deem necessary. The planning commission shall have all of the following powers and duties, which powers and duties may be modified by ordinance of the city council:

- (a) All duties set out in the California Planning and Zoning Law for a planning agency.
- (b) After public hearing, recommend to the city council any amendment to the general plan or any part thereof, or any zoning ordinance amendments.
- (c) Exercise authority granted to it by ordinance over subdivisions, use permits, or other matters not inconsistent with this Charter.
- (d) Make recommendations to the city council concerning public works.
- (e) Perform other duties specified by the city council not inconsistent with this Charter.

SECTION 608. General Land Use Authority.

The City of Signal Hill is a small unique community that is economically independent, prides itself in personalized service to the residents and business community that it serves, and a community which has created and works to

maintain a high degree of livability for its residents. The City's unique topography, advantageous location near major transportation corridors and hubs, including airport and port facilities, and significant undeveloped property caused by the historic devotion of the land to oil production give the City the potential of being the best planned and most desirable community in the area. At the same time, the transition from an industrial community devoted to oil production to a balanced community known for its livability presents unique challenges. It is the goal of the City to maintain a portion of its industrial legacy, to develop housing for all segments of the population, and to promote commercial development both of a regional character, to establish a sound financial base, and of a neighborhood character, to service the needs of those who work and reside in the City. In promoting "balance" and "livability" it is the goal of the City that residents be able to reside, work, purchase goods, and services, attend school, recreate, and otherwise enjoy a decent and good living in Signal Hill.

Except as otherwise provided by ordinance of the city council the City shall have the full power to enact regulatory land use measures, including but not limited to the following:

(a) Creation of a general plan for the long-term growth and orderly development of the City consistent with the foregoing policies.

(b) Creation of a zoning ordinance in conformity with the general plan which provides the City's general land use regulations.

(c) Enact specific plans, redevelopment agreements, and other similar matters for the regulation and development of land.

(d) Abate public nuisances which depreciate property values.

(e) Make determinations pursuant to the California Environmental Quality Act.

(f) Regulate oil uses and the operation and abandonment of oil wells, pipelines and appurtenant facilities.

(g) Approve the subdivision and resubdivision of property.

(h) Establish a site design and review process to approve individual applications for development to assure quality and compatibility with adjacent uses.

(i) Establish procedures to approve conditional uses, variances and other land use entitlements.

(j) Establish regulations governing the use of property.

(k) Establish measures to mitigate for the impacts of development on adjacent property and the City generally through land use regulations, requirements that the developer provide appropriate infrastructure improvements, impact mitigation fees, assessments for construction of infrastructure improvements and similar measures.

(l) Condition development to provide for the maintenance in a first class condition of all improvements through recorded covenant agreements, assessments and other measures to assure new development is adequately maintained and pays its fair share of the costs imposed.

SECTION 609. Parks and Recreation Commission.

There shall be a parks and recreation commission consisting of five members. The parks and recreation commission shall have all of the following powers and duties, which powers and duties may be modified by ordinance of the city council:

- (a) Act in an advisory capacity to the city council and the city manager.
- (b) Communicate to public officials and the general public the leisure-time needs, facilities, and services of the citizens of the City, so that adequate support may be obtained for programs therefor.
- (c) Recommend general policies concerning all parks and recreation properties, facilities, plans, programs, and activities. It may also recommend a long-range program for the improvement, acquisition, and development of parks and recreation facilities and for the extension of services.
- (d) Perform other duties specified by the city council not inconsistent with this Charter.

SECTION 610. Civil Service Commission.

There shall be a civil service commission whose powers and duties shall be as set forth in Article VII below.

ARTICLE VII. PERSONNEL SYSTEM**SECTION 701. Personnel Rules and Policies.**

The city council may by ordinance establish a system of personnel rules and policies, governing the terms of employment of any or all employees of the City.

The personnel rules and policies may govern, without limitation, the following aspects of the personnel system:

- (a) Classification of employment by employment position between exempt and non-exempt appointments, and determination of “at will” categories of employment positions.
- (b) The preparation, installation, revision and administration of a position classification plan covering all positions in the competitive service.
- (c) The preparation, installation, revision and administration of a plan of compensation corresponding to the position classification plan, providing a rate or range of pay for each class.
- (d) The public announcement of examinations and application for and acceptance of applications for employment and establishing of criteria related thereto.
- (e) The preparation and administration of examinations and the establishment and use of resulting employment lists containing names of persons eligible for appointment.
- (f) The certification and appointment of persons from employment lists, and the making of temporary, emergency, and provisional appointments.
- (g) The establishment of hours of work, attendance and leave regulations, training programs, benefits, conduct guidelines and other conditions of work.

(h) The evaluation of employees during the probationary period and at periodic intervals.

(i) The development of employees' morale, welfare, training, and safety.

(j) The establishment and maintenance of suitable methods of effective communication between employees and their supervisors; between employees and the city manager; and between employees and the city council, relating to conditions of employment in the city service, and the establishment and maintenance of the city's employee-employer relations program consistent with the letter and intent of State law and the City's employee Memoranda of Understanding.

(k) The transfer, promotion, demotion, reinstatement, separation, or any other change of status of employees in the competitive service.

(l) The discipline of employees.

(m) A system or systems for submission to and review by the civil service commission, city manager, city council, personnel manager or other designated person or persons, of designated types of discipline and personnel decisions, for fact-finding, recommendations, final decision or other designated purposes or effects.

(n) The development and administration of policies which assure an unbiased work environment and fully protect the rights of each employee.

(o) The maintenance and use of necessary records and forms, including payroll certification.

(p) The system for any employee-selected board members to be elected and for the board to conduct its business established by the personnel rules.

SECTION 702. Civil Service Commission.

There shall be a civil service commission consisting of five members, unless the city council by ordinance provides for a different number of members, or provides for the discontinuance or dissolution of the civil service commission entirely, in favor of some other board or alternative procedure for the review and recommendation of issues arising under the personnel system. The rules and regulations for appointment of members to the civil service commission shall be as determined by ordinance of the city council. The civil service commission may meet with and receive advice from the city attorney, as it or the city attorney may deem necessary. The civil service commission shall have the following powers and duties, which powers and duties may be modified by ordinance of the city council:

(a) Conduct hearings in accordance with personnel rules and policies adopted by the city council, and make findings and recommendations thereon.

(b) Certify to the appointing power a list, established by the personnel officer, of all persons eligible for appointment to the appropriate position in the classified service. The list shall be established on the basis of merit and fitness ascertained so far as practicable by competitive examination. The commission shall have available to it any and all documents, tests, examinations, work samples, or any combinations thereof which will, in the opinion of the Commission, demonstrate

the fair and impartial administration of the examination process by the personnel officer.

(c) Make recommendations to the city council on amendments to the personnel rules and policies.

(d) Conduct investigations regarding hearings pending before it.

(e) Have the power to compel the attendance of witnesses and the production of documents by way of subpoena, and to examine witnesses appearing before it.

(f) Perform other duties specified by the city council not inconsistent with this Charter.

SECTION 703. Hearings Before Civil Service Commission.

City council may by ordinance establish rules and regulations governing the presentation and hearing of protests, grievances, or questions arising under the personnel system before the civil service commission. Any person aggrieved by any action of the civil service commission may appeal such action to the city council, according to procedures which shall be established by ordinance. The decision of the city council in any such appeal shall be final.

SECTION 704. Contracts with Employees.

The City may enter into any contracts or collective bargaining agreements with its employees, and shall meet and confer with the duly authorized representative of such employees regarding wages, hours and other terms and conditions of employment to be included in any such agreement. If any provision of the general law of the State of California imposes a mandated benefit for employees of general law cities, then so long as that benefit is so mandated for employees of general law cities, the same benefit shall be extended to all employees of the City that would otherwise qualify for the benefit under the general law.

SECTION 705. California Public Employees Retirement System.

Plenary authority under this Charter shall be vested in the City and the city council, and by delegation of the city council, to its several officers, agents, and employees, to do all acts and exercise all authority granted, permitted, or required to enable the City to continue as a contracting city under the California Public Employees Retirement System.

SECTION 706. Termination of California Public Employees Retirement System.

The city council may terminate the contract with the Board of Administration of the California Public Employees Retirement System (CalPERS) only as provided herein. The city council may initiate proceedings for termination of the contract with the Board of Administration of CalPERS by passage of a resolution of intention to do so, and not less than one year after passage of the resolution of intention, by placing an ordinance ordering the termination of the ballot for a vote by the People of Signal Hill. Any action to place such an ordinance on the ballot shall require a vote of two-thirds of the membership of the city council. If the ordinance is passed by a majority vote of the voters voting in an election on the

question, the city clerk shall forward a certified copy of the ordinance so approved to the Board of Administration of (CalPERS) for processing and finalization of the termination.

SECTION 707. Eligibility for Appointed Office.

No person holding or retaining any elective public office, and no person holding any appointed office whose duties are incompatible with the duties to be discharged for the City, shall be eligible for appointment as city manager, city attorney, or a member of any appointed board or commission. No person shall be eligible for appointment as city manager, city attorney, or a member of any appointed board or commission who is a relative by blood or marriage within the third degree of any one or more members of the city council. The city manager, respective department heads, and all other persons empowered by this Charter or ordinance to appoint any person to any appointed position in the City government shall not appoint any person who is a relative by blood or marriage within the third degree of the person making the appointment.

SECTION 708. Illegal Contracts; Financial Interest; Incompatible Employment.

No member of the city council, department head or other officer of the City (except a member of any board or commission), shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party. No member of any board or commission shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party and which comes before the board or commission of which such person is a member for approval or other official action or which pertains to the department, office or agency of the City with which such board or commission is connected. Any contract, sale or transaction in which there shall be such an interest, as specified in this section, shall become void at the election of the City when so declared by resolution of the city council. The general laws of the State of California shall be used in determining what constitutes a financial interest for the purpose of this section, which general laws may be supplemented or modified by regulations of the city council adopted by ordinance. If any member of the city council, department head or other officer of the City, or member of a board or commission shall be financially interested as aforesaid, upon conviction thereof he or she shall forfeit his or her office in addition to any other penalty which may be imposed for such violation of this Charter. No city councilmember, department head, or other officer or employee of the City shall engage in any employment activity or enterprise which is inconsistent, incompatible, or in conflict with his or her duties with the City. The city council may, by ordinance, resolution, or regulation, adopt rules for determining those outside activities which are inconsistent, incompatible, or in conflict with the official duties for the City for the various offices or employment positions involved.

ARTICLE VIII. ELECTIONS

SECTION 800. General Municipal Elections.

General municipal elections for the election of city councilmembers and for such other purposes as the city council may prescribe shall be held in the City on March 6, 2001, and on the first Tuesday in March in each odd numbered year thereafter.

SECTION 801. Special Municipal Elections.

All other municipal elections that may be held by authority of this Charter, or of any law, shall be known as special municipal elections.

SECTION 802. Procedure for Holding Elections.

Unless otherwise provided by ordinance, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exist or hereafter may be amended, for the holding of municipal elections, so far as the same are not in conflict with this Charter.

SECTION 803. Initiative, Referendum and Recall.

There are hereby reserved to the electors of the City the powers of the initiative and referendum and of the recall of municipal elective officers. The provisions of the Elections Code of the State of California, as the same now exist or hereafter may be amended, governing the initiative and referendum and the recall of municipal officers, shall apply to the use thereof in the City so far as such provisions of the Elections Code are not in conflict with the provisions of this Charter.

ARTICLE IX. FISCAL ADMINISTRATION AND CONTRACTS

SECTION 900. Fiscal Year.

The fiscal year of the City government shall be as specified by ordinance of the City Council.

SECTION 901. Annual Budget; Preparation by the City Manager.

At such date as the city manager shall determine, each department head shall furnish to the city manager estimates of revenue and expenditures for the respective department, detailed in such manner as may be prescribed by the city manager. In preparing the proposed budget, the city manager shall review the estimates, hold conferences thereon with the respective department heads, and may revise the estimates.

SECTION 902. Budget, Submission to City Council.

At least thirty days prior to the beginning of each fiscal year, the city manager shall submit to the city council the proposed budget. After reviewing the proposed budget and making such revisions as it may deem advisable, the city council shall determine the time for the holding of a public hearing thereon and shall cause to be published a notice thereof not less than ten days prior to said hearing. Copies of the proposed budget shall be available for inspection by the public in the office of the city clerk at least ten days prior to said hearing.

SECTION 903. Budget, Public Hearing.

At the time and place specified in the notice, the city council shall hold a public hearing on the proposed budget, at which interested persons shall be given the opportunity to be heard and present evidence. The hearing may be continued from time to time by the city council.

SECTION 904. Budget Adoption.

After the conclusion of the public hearing the city council shall make any revisions of the proposed budget it may deem appropriate. On or before the first date of the fiscal year, the city council shall adopt the budget for that fiscal year by resolution. If because of an emergency the city council does not adopt the budget in a timely fashion, one-twelfth of the amount of the total prior fiscal year's budget may be expended each month until the budget is adopted, provided that, if the city manager's estimates project a decrease in revenues from the prior fiscal year, the amount which may be expended in any month shall be reduced by one-twelfth of the total revenue decrease projected. A copy of the approved budget, certified by the city clerk, shall be filed with the director of finance and treasurer and a further copy shall be placed, and shall remain on file, in the office of the city clerk where it shall be available for public inspection. The budget so certified shall be reproduced and copies made available for the use of the public and of departments, offices and agencies of the City.

SECTION 905. Budget, Appropriations.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several departments, offices and agencies for the respective objects and purposes stated. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

At any meeting after the adoption of the budget, the city council may by resolution amend or supplement the budget by motion adopted by the affirmative votes of at least three members so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available funds not included in the budget, or to cancel any appropriation not expended or encumbered.

SECTION 906. Tax Authority and Limits.

(a) Except as may be otherwise specifically provided in this Charter, the City shall have the full power to enact any taxes, assessments, fees, or any other measures for the purpose of raising revenue which charter cities in the State of California may enact, including, but not limited to business and license tax, franchise tax, sales and use tax, property tax, oil barrel tax, hazardous waste facility tax, and transient occupancy tax. The City may levy assessments on property for special benefits, capital construction and maintenance. The City may impose fees and charges for services and benefits received, including franchise fees, or to mitigate impacts caused by any activity, business, enterprise or development.

(b) The city council shall not levy a property tax for municipal purposes, except as otherwise provided in this section, in excess of the maximum amount permissible to the City on the effective date of this Charter, unless authorized by the affirmative votes of two-thirds of those electors voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the electors, or unless authorized for general law cities under the general laws of the State of California.

(c) There may be levied and collected at the same time and in the same manner as other property taxes for municipal purposes are levied and collected, in addition to the above limit, a tax sufficient to meet all liabilities of the City for principal and interest of all bonds and judgments due and unpaid, or to become due during the ensuing fiscal year, which constitute general obligations of the City.

(d) Special levies, in addition to the above limits, may be made annually for the purposes, within the limits, and to the extent that cities may make special levies in addition to their general tax limit, under the codes and statutes of the State as they may exist from time to time. The proceeds of any such special levy shall be used only for the respective purposes for which it is levied.

(e) The city council is specifically authorized to regulate municipal finance and adopt ordinances, resolutions and orders within the municipal affairs of the City, and to void enactments of the State of California contrary thereto, except as otherwise provided by the State Constitution.

SECTION 907. Tax Procedure.

All such taxes, assessments and fees shall be imposed, levied, and collected as prescribed by ordinance of the city council, and in accordance with the State Constitution.

SECTION 908. Bonded Debt Limit.

The City shall not incur an indebtedness for municipal improvements which exceeds in the aggregate fifteen percent of the assessed value of all real and personal property of the City. Within the meaning of this Section, "indebtedness" means bonded indebtedness of the City payable from the proceeds of taxes levied upon taxable property in the City.

The City shall not 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, voting at an election to be held for that purpose, 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 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.

SECTION 909. Revenue Retention.

Any revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by another level of government.

No person, whether elected or appointed, acting on behalf of the City, shall be required to perform any function which is mandated by any other level of government, unless and until funds sufficient for the performance of such function are provided by said mandating authority.

SECTION 910. Presentation of Demands.

All claims for damages against the City shall be governed by the general laws of the State of California, so far as such general laws are applicable. For all claims not otherwise covered by the general laws of the State of California, all claims for damages against the City must be verified and presented to the city clerk within ninety days after the occurrence, event or transaction from which the damages allegedly arose, or within such shorter time as is otherwise provided by law, and shall set forth in detail the name and address of the claimant, the time, date, place and circumstances of the occurrence and the extent of the injuries or damages sustained. All such claims shall be approved or rejected by order of the city council and the date thereof given. City council may delegate its authority to reject claims to the city manager, city attorney, risk manager or other appropriate officer or department head. Any claim not approved or rejected by the city council within forty-five days of presentation of the claim to the city clerk shall be deemed rejected by operation of law.

All other demands against the City must be in writing and may be in the form of a bill, invoice, payroll, or formal demand. Each such demand shall be presented to the director of finance within ninety days after the last item of the account or claim accrued, but claims presented after ninety days may be honored in the discretion of the director of finance. The director of finance shall examine all claims presented. If the amount thereof is legally due and there remains on the books an unexhausted balance of an appropriation against which the same may be charged, the demand shall be approved and a warrant drawn therefor, payable out of the proper fund. Otherwise the claim shall be rejected, but any such rejection may be overruled by the city council.

All such demands must be approved by either the director of finance or the city manager. The director of finance shall transmit all demands, whether endorsed as approved or rejected, and warrants, if any, to the city council. If a demand is not one for an item included within an approved budget appropriation, prior to approval it shall require an amendment to the budget authorizing such payment. Any person dissatisfied with the city's refusal to approve any demand, in whole or in part, may present the same to the city council which, after examining into the matter, may approve or reject the demand in whole or in part.

SECTION 911. Registering Warrants.

Warrants which are not paid for lack of funds shall be registered. All registered warrants shall be paid in the order of their registration when funds therefor are available and may bear interest from the date of registration at such rate as shall be fixed by the city council by resolution.

SECTION 912. Actions Against City.

No suit shall be brought for money or damages against the City or any board, commission or officer thereof until a claim or demand for the same has been presented as provided herein and such claim and demand has been rejected in whole or in part. If rejected in part suit may be brought to recover the whole. The city attorney shall respond to any such suit on behalf of the City.

SECTION 913. Independent Audit.

The city council shall employ, at the beginning of each fiscal year, a qualified certified public accountant who shall, at such time or times as may be specified by the city council, and at such other times as the accountant shall determine, examine the books, records, inventories and reports of all officers and employees who receive, handle or disburse public funds and of all such other officers, employees or departments as the city council may direct. As soon as practicable after the end of the fiscal year, a final audit and a report shall be submitted by such accountant to the city council, one copy thereof to be distributed to each member, one to the city manager, director of finance and general services, and city attorney, respectively, and sufficient additional copies of the audit shall be placed on file in the office of the city clerk where they shall be available for the general public.

SECTION 914. Purchasing Ordinance.

The city council may, by ordinance, establish procedures for the procurement of supplies, services, construction of public works, and the like. Such ordinance may provide requirements and procedures for competitive bidding, except that no competitive bidding shall be required for sole source contracts, contracts for professional services, or contracts undertaken in response to emergency situations. Such ordinance may also establish standards or qualifications for the screening of contractors or providers of goods and services by a prequalification process, so that in specified circumstances factors other than price may be considered, and a competitive registration process may be utilized based upon demonstrated competence and qualifications in planning, design, development, finance, construction, maintenance, improvement, repair and operational characteristics. The purchasing ordinance shall also establish criteria for insurance, bonding, liability, transferability, changes, terms, enforcement and other factors.

SECTION 915. Contracts; Execution.

The City shall not be bound by any contract, except as hereinafter provided, unless it is in writing, approved by the city council and signed on behalf of the City by the mayor and city clerk or by such other officer or officers as shall be designated by the city council. Any of said officers may sign a contract on behalf

of the City when directed to do so by ordinance, resolution, or other order of the city council.

By ordinance or resolution the city council may authorize the city manager to bind the City, with or without a written contract, including by purchase order, for the acquisition of equipment, materials, supplies, labor, services or other items included within the budget approved by the city council, and may impose a monetary limit upon such authority.

The city council may by ordinance or resolution provide a method for the sale or exchange of personal property not needed in the City service or not fit for the purpose for which intended, and for the conveyance of title thereto.

Contracts for the sale of the products, commodities or services of any department or public utility owned, controlled or operated by the City may be made by the manager of such utility or by the head of the department or the city manager upon forms approved by the city manager and at rates fixed by the city council.

The provisions of this section shall not apply to services rendered by any person in the employ of the City.

Any easement, deed, covenant or other document subject to recordation shall be approved by the city council and city attorney provided that by ordinance or resolution the city council may delegate its authority therefor, and the authority to execute such documents, to the city manager.

SECTION 916. Granting of Franchises.

Any person, firm or corporation furnishing the City or its inhabitants with transportation, communication, terminal facilities, water, light, heat, electricity, gas, power, oil pipelines, television, refrigeration, storage or any other public utility or service, or using the public streets, ways, alleys or for the operation of plants works or equipment for the furnishing thereof, or traversing any portion of the City for the transmitting or conveying of any such service elsewhere, may be required by ordinance to have a valid and existing franchise therefor. The city council is empowered to grant such franchise to any person, firm or corporation, whether operating under an existing franchise or not, and to prescribe the terms and conditions of any such grant. It may also provide, by procedural ordinance, the method of procedure and additional terms and conditions of any such grant or the making thereof, all subject to the provisions of this Charter. Nothing in this section, or elsewhere in this article, shall apply to the City, or to any department thereof, when furnishing any such utility or service.

SECTION 917. Resolution of Intention to Grant Franchise; Notice and Public Hearing.

Unless otherwise provided by ordinance of the city council, before granting any franchise, the city council shall pass a resolution declaring its intention to grant the same, stating the name of the proposed grantee, the character of the franchise and the terms and conditions upon which it is proposed to be granted. Such resolution shall fix and set forth the day, hour and place when and where any persons having any interest therein or any objection to the granting thereof may appear

before the city council and be heard thereon. It shall direct the city clerk to publish said resolution at least once, within fifteen days of the passage thereof, in a newspaper of general circulation in the City. Said notice shall be published at least ten days prior to the date of hearing.

At the time set for the hearing the city council shall proceed to hear and pass upon all protests and its decision thereon shall be final and conclusive. Thereafter it may by ordinance grant the franchise on the terms and conditions specified in the resolution of intention to grant the same, subject to the right of referendum of the people, or it may deny the same. If the city council shall determine that changes should be made in the terms and conditions upon which the franchise is proposed to be granted, a new resolution of intention shall be adopted and like proceedings had thereon. In connection with granting any franchise, city council may set and collect any franchise fee it deems reasonable, so long as such fee is not arbitrary or confiscatory.

SECTION 918. Term of Franchise.

Every franchise shall state the term for which it is granted, which shall not exceed fifteen years. Any franchise agreement entered into by the City and effective on the effective date of this Charter, whose term extends beyond twenty years after the effective date of this Charter, shall continue in effect for a period of fifteen years beyond the effective date of the Charter, and no further, provided that any franchisee whose franchise is in effect on the effective date of this Charter may seek an extension of the franchise from city council beyond the fifteen year limit, which city council may grant if it finds the fifteen year limit would impair the franchisee's ability to realize a reasonable return on investment of funds invested prior to the effective date of this Charter, in reliance on the franchise. City council may promulgate rules and regulations for the making and consideration of applications for such extensions of franchises.

SECTION 919. Franchise Inapplicable to City.

No franchise requirement of the City shall apply to the City, nor any subdivision, department, or division thereof.

SECTION 920. Eminent Domain.

No franchise grant shall in any way, or to any extent, impair or affect the right of the City to acquire the property of the grantee thereof either by purchase or through the exercise of the right of eminent domain, and nothing therein contained shall be construed to contract away or to modify or to abridge, either for a term or in perpetuity, the City's right of eminent domain with respect to any public or private utility. In such a proceeding, no value shall be assigned to the franchise rights themselves, but only to any fixtures or equipment, or other interests arising out of the exercise of the franchise rights, as may be compensable under the general laws of the State of California.

Certified to be a true copy by Vivian M. Munson, Deputy City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 10—City of Vallejo

Amendments to the Charter of the City of Vallejo

[Filed with the Secretary of State February 26, 2001.]

SECTION 300 IS AMENDED TO READ AS FOLLOWS:**Section 300 Elective Offices.**

The elective officers of the City shall be the Mayor and six Councilmembers.

SECTION 301 IS AMENDED TO READ AS FOLLOWS:**Section 301 Qualifications.**

No person shall be eligible to or continue to hold any elective office of the City, either by election or appointment, unless he/she is an elector thereof or of territory lawfully annexed thereto for at least thirty (30) days next preceding the last day for filing of nomination papers as fixed by applicable State law, or an equivalent number of days prior to his/her appointment. The residency requirement provided herein shall apply with equal force to write-in candidates.

SECTION 302 IS AMENDED TO READ AS FOLLOWS:**Section 302 Term of Office.**

Each elective officer shall hold office for a term of four (4) years from and after 7:00 p.m. of the first Tuesday in December next succeeding the general municipal election at which he/she was elected, and until his/her successor is elected and qualified.

SECTION 302.1 IS AMENDED TO READ AS FOLLOWS:**Section 302.1 Limitation of Terms of Office.**

No elective officer of the City may hold office for more than two consecutive four-year terms as either Mayor or Councilmember, nor serve in both offices of Mayor and Councilmember for longer than three consecutive four year terms. No person who has held an elective office, or acted as an elected officer for more than two years of a term to which some other person was elected shall be elected to an elective office more than two consecutive subsequent terms. Any person who has served the maximum number of terms as set forth in this Section shall not serve again until at least two years have passed since his/her last date of holding office.

SECTION 303 IS AMENDED TO READ AS FOLLOWS:**Section 303 Vacancies, Filling of.**

Any vacancy occurring in the office of Councilmember during an elected term of office (due to resignation, disqualification, inability to serve or death) shall be filled first by the unsuccessful candidate from the most recent general election receiving the next highest number of votes still remaining on the list of eligibles if the person is available, accepts and is qualified to serve. If no one on the list of eligibles is available, accepts or is ruled unqualified to serve, the Council, by majority vote of the remaining members, shall appoint a qualified person to fill the vacancy. Any such appointee shall hold office until 7:00 p.m. on the first Tuesday in December next succeeding the date of the next general municipal election and until his/her successor qualifies. At the next general municipal election following

any vacancy, a successor shall be elected to serve the remainder of the unexpired term. Whenever a vacancy exists in the office of Mayor during an elected term of office (due to resignation, disqualification, inability to serve or death), the vacancy shall be filled by the Vice Mayor. The Vice-Mayor shall serve a term limited by the existing procedures now being utilized by the Council to elect a Vice-Mayor. At the next general or “special” municipal election following any vacancy, a successor shall be elected to serve the remainder of the unexpired term.

SECTION 304 IS AMENDED TO READ AS FOLLOWS:

Section 304 Vacancy, What Constitutes.

An elective office shall be declared vacant by the Council when the person elected or appointed thereto fails to qualify within fifteen days after his/her certificate of election or appointment has been received, dies, resigns, ceases to be a resident of the City, is absent continuously from the City for a period of more than thirty days without permission from the Council, misses three consecutive regular meetings of the Council without permission from the Council, is convicted of a felony, is judicially determined to be incompetent, forfeits the office under any provision of this Charter, or is removed from office by judicial procedure.

SECTION 305 IS AMENDED TO READ AS FOLLOWS:

Section 305 Compensation.

The Mayor and each Councilmember shall receive the compensation heretofore fixed by Charter until changed by Charter amendment or ordinance. Such compensation fixed by ordinance shall not exceed the amount which the City Council of a general law city, of comparable population, can prescribe under the provisions of State law. In addition, the Mayor and each Councilmember shall receive reimbursement for itemized routine and ordinary expenses incurred in official duty or such reasonable and adequate, as identified in the city’s Administrative Rules, in an amount as may be established by ordinance, which amount shall be deemed to be reimbursement to them of routine and ordinary expenses imposed upon them by virtue of their office.

SECTION 306 IS AMENDED TO READ AS FOLLOWS:

Section 306 Mayor’s Allowance.

In addition, the Mayor shall receive for use in the discharge of the duties and obligations of the office, an allowance to be fixed by ordinance, payable in equal monthly installments, for which vouchers need not be furnished.

SECTION 307 IS AMENDED TO READ AS FOLLOWS:

Section 307 Council.

The Council shall be composed of the Mayor and six Councilmembers. The Council shall be the governing body of the City. All powers of the City shall be vested in the Council except as otherwise provided by law or in this Charter.

SECTION 308 IS AMENDED TO READ AS FOLLOWS:

Section 308 Meetings of the Council.

At 7:00 p.m. on the first meeting in December following each regular municipal election, the Council shall meet at the established Council meeting place, at which

time and place the newly elected Members of Council shall assume the duties of their office. Thereafter, the Council shall meet at least forty (40) times before the next meeting in December following and the Council shall meet at least two (2) times each month. A schedule of regular meetings shall be adopted at the first meeting in December each year for a period of two (2) years hence. Special meetings may be held at the regular place of meeting, either on the call of the Mayor, or on the request of three Members of Council upon twenty-four (24) hours' written notice to each member of the Council. Such notice shall be personally served or left at a place which shall be designated by each Member of Council, provided, however, that such notice may be waived by the written consent of all the members of the Council. Regular meetings may be held at places other than the regular meeting place only in an emergency in which the regular meeting place is untenable, or upon the posting of a public notice at the regular meeting place that the Council is hereby meeting elsewhere, to be designated on the notice, for some purpose of public convenience. Special meetings may be held at locations in the City other than the regular meeting place as determined appropriate by the Council and specified in the notice calling for the special meeting. All regular or special sessions of the Council shall be open to the public, except for executive sessions permitted by law.

SECTION 319 IS AMENDED TO READ AS FOLLOWS:

Section 319 The Vice-Mayor.

At its first meeting in December of each year, the Council shall elect from amongst its members a Vice-Mayor who shall serve for a term of one year and until a successor is elected by the Council. In addition to the regular duties as a Member of Council, the Vice-Mayor shall perform the duties of the Mayor during the Mayor's absence or disability, and may perform at any time any duty of the office of the Mayor as may be delegated by the Mayor.

Article IV

Officers Appointed by the Council

SECTION 400 IS AMENDED TO READ AS FOLLOWS:

Section 400 City Manager.

There is hereby created the office of City Manager, who shall be the chief executive and administrative officer of the City. He/She shall be appointed by resolution approved by at least a majority of all the members of the Council solely on the basis of proven executive and administrative qualifications. He/She must be a citizen of the United States, need not when appointed be a resident of the City or State, but shall become a resident of the City within 90 days after the appointment, and remain a resident during his/her tenure. No member of the Council shall be eligible for appointment as City Manager or acting City Manager during the term for which he/she was elected or for one year thereafter. The City Manager shall have the duties and powers prescribed by this Charter or by ordinance.

SECTION 401 IS AMENDED TO READ AS FOLLOWS:

Section 401 City Attorney.

There shall be a City Attorney, appointed by the Council, who shall serve as legal advisor to the Council, the City Manager, and all City departments, offices and agencies, shall represent the City in legal proceedings, and shall perform other duties as directed by the Council. He/She shall have been at the time of his/her appointment admitted to practice and engaged in the practice of law in the State of California. The Council may appoint, or empower the City Attorney, at his/her request to employ, without regard to civil service provisions, special legal counsel, appraisers, engineers, and other technical and expert services necessary for the handling of any pending or proposed litigation, proceeding, or other legal matter.

SECTION 407 IS AMENDED TO READ AS FOLLOWS:

Section 407 Removal of Appointive Personnel.

d. Before the City Manager may be finally removed, he/she may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than 15 days nor later than 30 days after the request is filed. The City Manager may file a written reply with the Council not later than five days before the hearing.

SECTION 408 IS AMENDED TO READ AS FOLLOWS:

Section 408 Acting City Manager.

By letter filed with the City Clerk, the City Manager shall designate (if this classification or position exists and the Manager desires), and subject to approval of the Council, the Assistant City Manager to exercise the powers and perform the duties of the City Manager during his/her temporary absence or disability. The Council may revoke such designation at any time and appoint another officer of the City to serve until the City Manager shall return or his/her disability shall cease; provided, however, that the Council shall designate an acting City Manager pending a new appointment whenever the position is vacant for any other cause.

Article V

City Manager

SECTION 500 IS AMENDED TO READ AS FOLLOWS:

Section 500 Powers and Duties of City Manager.

The City Manager shall be the chief administrative officer of the City. He/She shall be responsible to the Council for the administration of all City affairs placed in his/her charge by or under this Charter or by ordinance not contrary to this Charter. He/She shall have the following powers and duties:

a. He/She shall appoint, and when he/she deems it necessary for the good of the service, suspend or remove all City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law or this Charter. He/She may authorize any administrative officer who is subject to his/her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

b. He/She shall direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.

c. He/She shall attend all Council meetings unless excused due to temporary absence or disability. In the event of such absence or disability, a designated representative shall attend the Council meetings on the City Manager's behalf. The City Manager or designated representative shall have the right to take part in discussion, but may not vote.

d. He/She shall see that all laws, provisions of this Charter, and acts of the Council, subject to enforcement by him or by officers subject to his/her direction and supervision, are faithfully executed.

e. He/She shall prepare and submit the annual budget and capital program to the Council.

f. He/She shall submit to the Council and make available to the public a complete report on finances and administrative activities of the City as of the end of the fiscal year.

g. He/She shall make such other reports as the Council may require concerning the operations of City departments, offices and agencies subject to his/her direction and supervision.

h. He/She shall keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as he/she deems advisable.

i. He/She shall investigate the operations of the departments and other agencies of the City and all contracts to which the City is a party, and assure proper performance.

j. He/She shall investigate complaints concerning utility operations and see that all permits, privileges and franchises granted by the City are faithfully performed.

k. When directed by the City Council, he/she shall represent the City in its inter-governmental relations, and negotiate contracts for joint governmental actions, subject to Council approval,

l. He/She shall perform such other duties as are specified in this Charter or may be required by the Council.

SECTION 501 IS AMENDED TO READ AS FOLLOWS:

Section 501 Department Heads Responsible to City Manager.

The heads of the administrative departments under the City Manager shall be directly responsible to him/her for the efficient administration of their respective departments. The City Manager may designate acting department heads when necessary to assure the continuity of the City's business. He/She shall have the power, with the approval of the Council, and without reference to personnel provisions of this Charter, to employ experts or consultants to perform work or give advice connected with the departments of the City when he/she finds such work or advice necessary.

SECTION 502 IS AMENDED TO READ AS FOLLOWS:**Section 502 Emergency Powers.**

In the case of general conflagrations, riots, floods, or other emergencies menacing life or property, the City Manager shall marshal all the forces of the different departments of the City for the maintenance of the general security, and shall have the power to deputize or otherwise employ without reference to Civil Service such other persons as he/she may consider necessary for the purpose of protecting the City and its residents; provided, that in an emergency in which military control is established under State or National law, the City Manager shall exercise his/her emergency powers subject to lawful military authority.

SECTION 503 IS AMENDED TO READ AS FOLLOWS:**Section 503 Noninterference.**

Except for the purpose of inquiry into the affairs of the City and the conduct of any City department, office or agency, the Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager and neither the Council or its members shall give orders to any officer or employee either publicly or privately nor shall they attempt to coerce or influence the City Manager in respect to any contract or purchase of supplies or any other administrative action or in any manner direct or request the appointment of any person to, or his/her removal from, office by the City Manager or his/her subordinates. Violation of the provisions of this Section by a member of the Council shall be a misdemeanor, conviction of which shall immediately result in forfeiture of the office of the convicted member.

Article VI**Administrative Organization****SECTION 600 IS AMENDED TO READ AS FOLLOWS:****Section 600 Administrative Organization Authorized.**

The Council shall by ordinance provide the form of organization through which the functions of the City are to be administered. Any combination of duly authorized duties, powers and functions which in the judgment of the Council will provide the most efficient and economical service possible, consistent with the public interest and in keeping with accepted principals of municipal administration may be authorized by such ordinance. All departments, offices, and agencies of the City except the office of City Attorney shall be under the direction and supervision of the City Manager and shall be administered by an officer or employee appointed by him/her subject to his/her discretion. With the consent of the Council, the City Manager may serve as the head of one or more departments, offices or agencies or may appoint one person as the head of two or more of them.

Article VII

Fiscal Administration

SECTION 701 IS AMENDED TO READ AS FOLLOWS:

Section 701 Budget Preparation.

The City Manager and City Council, shall prepare a five year strategic and financial plan to be reviewed and updated annually. The annual budget shall correlate to the proposed plan.

At least 45 days prior to the beginning of each fiscal year, the City Manager shall submit to the Council a budget of proposed expenditures and estimated revenues. This shall include a general fund budget in which proposed expenditures shall not exceed estimated revenues accompanied by an explanatory budget message in such form as he/she deems desirable or as the Council may require. For such purpose, the City Manager, on such schedule and under such terms as he/she may prescribe, shall obtain from the head of each department or other agency of the City estimates of revenue and expenditure in such detail and with such supporting plans and data as he/she may require. The City Manager may revise such estimates in any manner he/she deems advisable. The explanatory budget message of the City Manager to the Council shall explain the budget, both in fiscal terms and in terms of work programs, shall outline the proposed financial policies of the City for the ensuing fiscal year, shall propose priorities for capital expenditures, and shall describe other important features of the budget plan. It shall state the reasons for salient changes from the previous year in cost and revenue, items shall explain any major changes in financial policy, and shall enable the Council to compare the prior and current years' revenues and expenditures to which such proposed revenues and expenditures relate. Estimates of revenue shall include surpluses to be carried over from the current year, plus miscellaneous revenues.

SECTION 702 IS AMENDED TO READ AS FOLLOWS:

Section 702 Council Hearing and Approval.

After submission of the budget by the City Manager, the Council shall publish in one or more newspapers of general circulation in the City the following: a general summary of the budget, information as to times and places where copies of the budget are available for inspection by the public, and the time and place for a public hearing on the budget which shall be no less than two weeks after such publication.

After the public hearing, the Council may revise the budget in any manner it finds necessary and shall adopt a budget for the ensuing fiscal year no later than the last day of the current fiscal year.

If it fails to adopt the budget by this date, the amounts appropriated for current operation for the current fiscal year shall be adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the Council adopts a budget for the ensuing fiscal year. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures

from the funds indicated and shall constitute a levy of the property tax therein proposed.

SECTION 704 IS REPEALED.

Section 704 Tax Rate. Repealed.

SECTION 705 IS REPEALED.

Section 705 Assessment. Repealed.

SECTION 714 IS AMENDED TO READ AS FOLLOWS:

Section 714 Control and Use of Public Utilities Funds.

All funds derived from the operation of any public utility or enterprise by the City shall be deposited in the City treasury, to be managed and expended in accordance with the following policies:

a. From the proceeds of the operation of the utility or enterprise, there shall first be provisions for payment of all personnel-related costs.

b. There shall next be provided funds required to redeem and pay interest on any bond issued for that utility or enterprise which will become due and payable during the next fiscal year.

c. There shall next be provision for current non-personnel operating expenditures, including current maintenance of the physical plant; purchase of materials; supplies and equipment; advertising and the cost of services rendered by other City Departments.

d. There shall next be provisions for additions and improvements foreseen as necessary to meet future requirements of the public, which is not to exceed in any one year 10 percent of the established value of the utility or enterprise.

e. There shall next be paid to the general fund an amount equivalent to franchise fees and City taxes as if the utility or enterprise were privately owned, and for the fair value of any commodity or resource received from the City to make possible the operation of the General Fund.

f. There shall next be provided an adequate reserve to finance replacements required by the normal depreciation of the utility's or enterprise's plant and equipment.

g. All remaining operating profits, the amount of which has been determined by the City Manager with the approval of the City Council, shall be transferred to the general fund.

SECTION 715 IS AMENDED TO READ AS FOLLOWS:

Section 715 Accounting System.

The City Manager shall direct the establishment and supervise the maintenance of a uniform system of accounting, applicable to all departments and other agencies of the City, conforming to modern and accepted practices of public and governmental accounting, which shall be adequate to account for all money on hand and for all income and expenditures in such detail as will provide complete and informative data concerning the financial affairs of the City, and in such manner as will be readily susceptible to audit and review.

SECTION 716 IS AMENDED TO READ AS FOLLOWS:**Section 716 Authorization and Control of Expenditure.**

No expenditure of City funds shall be made except for the purposes and in the manner specified in an appropriation by the Council. The City Manager shall establish and direct such systems of internal control and audit as he/she may find necessary to insure the fulfillment of the purpose of this Section.

SECTION 718 IS AMENDED TO READ AS FOLLOWS:**Section 718 Contracts to Next Lowest Bidder.**

If any contractor fails to enter into any contract awarded to him/her after public advertisement and competitive bidding, the Council may direct the re-advertising of the original proposal or any modification thereof, or may award the contract to the next lowest responsible bidder without re-advertising, provided that such award is not made more than 90 days after the opening of bids.

SECTION 721 IS AMENDED TO READ AS FOLLOWS:**Section 721 Independent Audit.**

The Council shall employ at the beginning of each fiscal year an independent public accountant who shall at such time or times as may be specified by the Council and at such other times as he/she shall determine, examine the books, records, inventories and reports of all officers and employees who receive, handle or disburse public funds, and of such other officers, employees or departments as the Council may direct. The Council may direct that such accountant may conduct the independent audit throughout the fiscal year and make reports at intervals required by the Council, but a report for the entire fiscal year shall be filed within 45 days after the closing of the books for said fiscal year, and copies of such reports shall be filed with the Council and with the City Manager, and shall be available for public inspection and review.

SECTION 724 IS REPEALED.

Section 724 Disbursements. Repealed.

Article VIII**Personnel Administration and Civil Service****SECTION 802 IS AMENDED TO READ AS FOLLOWS:****Section 802 Provisional Appointments.**

Provisional appointments to positions in the competitive civil service, in the absence of an appropriate eligible list may be made pending the creation of an eligible list, but such provisional appointments may not exceed six months and may not be renewed or extended.

SECTION 805 IS AMENDED TO READ AS FOLLOWS:**Section 805 Continuation.**

The rules of the Civil Service Commission shall remain effective until modified as authorized by charter or ordinance.

SECTION 806 IS AMENDED TO READ AS FOLLOWS:**Section 806 Improper Political Activity.**

No City officer or employee shall engage in or participate in any political activity which the City Council, consistent with law, may proscribe by ordinance, nor shall any City officer or employee engage in or participate in any political activity contrary to any general law applicable to such officer or employee. However, a City employee holding a position in the competitive service and filing as a candidate for a compensated City office shall be required to request, and he/she shall be granted, a leave of absence without pay until the date of the election and until his/her term of office expires if he/she is elected.

SECTION 808 IS AMENDED TO READ AS FOLLOWS:**Section 808 Subpoena Power by Civil Service Commission.**

The Civil Service Commission shall have the power to issue subpoenas to compel the production of books, papers and documents and to take testimony on any matter pending before it. If any person subpoenaed fails or refuses to appear or to produce required documents or to testify, a majority of the Commission may find him/her in contempt, and shall have the power to take proceedings in that behalf provided by the general law of the State.

SECTION 809 IS AMENDED TO READ AS FOLLOWS:**Section 809 Employer-Employee Relations, Mediation Arbitration.**

b. The City Manager and/or his/her designated representative(s) shall negotiate in good faith with the recognized employee organizations. The City Council may appoint a committee which shall be composed solely of Council members to assist the City Manager and/or his/her designated representative(s) in said negotiations if the Council in its judgment deems such in the best public interest.

j. The provisions of this Section shall not be construed as making any of the provisions of Section 923 of the Labor Code of the State of California applicable to City employees. The provisions of this Section pertaining to arbitration shall be construed as an "arbitration agreement" for the purpose of making applicable to the extent not in conflict herewith the provisions of Chapter 1 (commencing with Section 1280), Title 9, Part 3 of the Code of Civil Procedure of the State of California. Any employee who at any time participates in a strike or other work stoppage or other concerted work-related action against the City of Vallejo will be considered to have terminated his/her employment with the City and neither the Council nor the Civil Service Commission shall have any power to provide by reinstatement or otherwise for the return or re-entry of said employee into the City service except as a new employee who is employed in accordance with the regular employment practices of the City then in effect for the particular position of employment. The question of whether an employee charged with participating in a strike or work stoppage or other concerted work related action did, in fact, engage in such conduct shall be determined through the disciplinary procedures applicable to employees generally.

Article XI

General Provisions

SECTION 1101 IS AMENDED TO READ AS FOLLOWS:

Section 1101 Prevailing Wage.

Every contract for the construction of public works to be performed at the expense of the City must provide that the contractor, and all sub-contractors shall pay their employees on said work a salary or wage at least equal to the prevailing salary or wage for work of similar character in the locality in which the public work is performed. The contractor or subcontractor shall as a penalty forfeit to the City an amount as provided by State law for each calendar day or portion thereof for each employee paid less than the prevailing salary or wage for any public work done under the contract, and all contracts for public works awarded by the City shall include a stipulation to this effect.

SECTION 1103 IS AMENDED TO READ AS FOLLOWS:

Section 1103 Oaths and Affirmations.

Every officer of the City and every member of a policy and rule making and appellate board and commission (including the secretaries thereof) shall have, in all matters relevant to the office, the power to administer oaths and affirmations.

SECTION 1104 IS AMENDED TO READ AS FOLLOWS:

Section 1104 Suits Against the City.

No suit shall be brought on any claim for money or damages against the City or any of its agencies unless a demand has first been presented to the appropriate official and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except where a shorter period of time is otherwise provided by law, all claims for damages against the City must be presented within six months after the occurrence or transaction on which the claim is based.

SECTION 1106 IS AMENDED TO READ AS FOLLOWS:

Section 1106 Oath of Office.

Every officer of the City before entering upon the duties of his/her office shall take the oath of office as provided by the Constitution of this State.

SECTION 1107 IS AMENDED TO READ AS FOLLOWS:

Section 1107 Definitions.

Unless the provision or the context other requires, as used in this Charter:

- a. "Shall" is mandatory and "may" is permissive.
- b. "City" is the City of Vallejo and "department," "board," "commission," "agency," "officer" or "employee" is a department, board, commission, agency, officer or employee, as the case may be, of the City of Vallejo.
- c. "County" is the County of Solano.
- d. "State" is the State of California.
- e. "Council" is the City Council of the City of Vallejo.
- f. "Member" or "Member of the Council" means any one of the seven members of the Council, including the Mayor.

g. “Officer” means the elective and appointive officers provided in this Charter and the administrative head of any department or agency or major subdivision thereof created by authority of Article VI.

SECTION 1111 IS AMENDED TO READ AS FOLLOWS:

Section 1111 Effective Date.

For the purposes of nominating and electing the Mayor and members of the City Council, this Charter shall take effect from the time of its approval by the State Legislature. For all other purposes, it shall take effect at 8:00 p.m. on the Tuesday next succeeding the date of the general municipal election after its approval by the Legislature.

Certified to be a true copy by Allison Villarante, City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 11—City of Redondo Beach

Amendments to the Charter of the City of Redondo Beach

[Filed with the Secretary of State March 29, 2001.]

Section 19 of Article XIX is amended to read as follows:

Sec. 19. Public works, contracts.

Every contract involving an expenditure of more than fifty thousand dollars (\$50,000) for public works projects, including the construction of improvements of public buildings, streets, drains, sewers, utilities, parks and playgrounds shall be let either to: (1) the lowest responsible bidder, after notice by publication in the official newspaper by one or more insertions, the first of which shall be published at least ten (10) days before the time for opening bids; or (2) the best value design-builds entity or best value design-build-operate entity responding to a request for proposals.

Public works projects of fifty thousand dollars (\$50,000.00) or less may be let to contract by informal bid procedures as shall be set by the City Council by ordinance.

Public works projects of fifteen thousand dollars (\$15,000.00) or less may be performed by employees of the City by force account, by negotiated contract or by purchase order.

The Council may reject any and all bids received whenever in the opinion of the City Council:

(a) The bid or bids do not strictly comply with the notice and specifications.
 (b) The Council finds and determines that the proposed project or purchase should be abandoned.

(c) The Council finds and determines that the materials may be purchased more reasonably on the open market and the work done cheaper by day or City labor.

(d) The Council determines that the bids are higher than anticipated and a new call for bids would result in savings to the City.

(e) The Council determines that it would be in the best interest of the City to delay the work or purchase for an indefinite period of time.

(f) The best interests of the City would be served by a rejection of all bids.

(g) The proposal is not suitable for the project.

Certified to be a true copy by Greg Hill, Mayor and Sandy Forrest, City Clerk.

Date of General Municipal Election: March 6, 2001.

Charter Chapter 12—City of Napa

Amendments to the Charter of the City of Napa

[Filed with the Secretary of State April 3, 2001.]

Section 20 is repealed:

Circulation of Petitions: Petition Circulator—Residency.

Section 20. (Repealed March 6, 2001.)

All sections of the Charter, or parts thereof, in conflict with the repeal of this section are repealed.

Section 22 is repealed:

Circulation of Petitions: Petition Circulator—Registration.

Section 22. (Repealed March 4, 1997.)

All sections of the Charter, or parts thereof, in conflict with the repeal of this section are repealed.

Section 101 is amended to read as follows:

Public works to be done by contract.

Section 101. In the erection, improvement or repair of all public buildings and works, in all street and sewer work, and in all work in and about streams or waterfronts, or, in or about embankments or other works for protection against overflow and erosion, and in furnishing any supplies or materials for the same when the expenditure required exceeds the sum prescribed by Section 20162 of the Public Contract Code of the State of California, or as amended, the same shall be done by contract and shall not be let to other than the lowest and best bidder as determined by the City Council after advertising for sealed proposals for the work contemplated, or supplies or materials required, for five consecutive days in some newspaper printed and published in the City of Napa, or after posting notice inviting sealed proposals therefor for five days on or near the Council Chamber door. Such notice shall distinctly and specifically state the work contemplated to be done or supplies or materials to be furnished; provided, however, the City Council may reject any and all bids, if deemed excessive, and re-advertise for bids or provide for the work to be done by the proper City department, or the supplies or materials to be purchased in the open market; but in no case shall such supplies be

bought at a price as high as the lowest bid received from the responsible bidder. In case no bid is received, the City Council may likewise provide for the work to be done by the proper department or the supplies to be purchased in the open market.

The City Council, in its discretion, shall have the authority to adopt, by ordinance or resolution, criteria and requirements for determining the lowest and best bidder in the award of City contracts under this section and otherwise, including but not limited to, criteria and requirements; (1) affording preference in the award of City contracts to businesses located and persons residing within the City of Napa; and (2) requiring non-discrimination on basis of race, religion, color, national origin, gender, creed or affiliation by persons and businesses bidding on and receiving City contracts. The City Council, in its discretion, also shall have the authority to adopt all or part of the State of California Uniform Construction Cost Accounting Act, Public Contract Code Section 22000, et seq., as amended. If the City Council adopts the expenditure limits and requirements set forth in Public Contract Section 22032, as amended, those limits and requirements shall prevail over the limits and requirements otherwise set forth in Public Contract Code Section 20162 and this section.

Notwithstanding any other provision of this Section, and in addition to the exceptions recognized by at law, the City Council shall have the authority to waive any and all requirements of this section for the erection, improvement or repair of recreational facilities, excepting any ancillary building, parking lot and off-site improvement exceeding \$75,000.00, if the City Council determines by a four-fifths (4/5) vote that one or more community organizations and/or volunteers will perform a substantial portion of the labor to be performed and/or a substantial portion of the materials will be donated at no cost or substantial discount or be paid for by independent contributors or fundraising efforts, and that such voluntary labor and/or donated materials will substantially decrease the cost to the public for such project.

Certified to be a true copy by Ed Henderson, Mayor, and Pamyla Nigliazzo, City Clerk.

Date of Municipal Election: March 6, 2001.

Charter Chapter 13—City of San Jose

Amendments to the Charter of the City of San Jose

[Filed with the Secretary of State April 16, 2001.]

SECTION 1202. SUBMISSION OF CAPITAL IMPROVEMENT PROGRAM; CONTENTS.

At least thirty (30) days prior to the beginning of each fiscal year, or at such earlier time as the Council may specify, the City Manager shall prepare and shall submit to the Council a capital improvement program for the five (5) fiscal years immediately following the fiscal year within which such program is submitted to Council. On or before the day that he or she submits such program to the Council, the City Manager shall also file a copy of the program with the Planning Commission of the City. Such capital program shall include:

- (a) A clear summary of its contents;
- (b) A list of all capital improvements which are proposed to be undertaken during the five fiscal years immediately following the fiscal year within which such program is submitted to the Council with appropriate supporting information as to the necessity of such improvements;
- (c) Cost estimates, method of financing and recommended time schedules for each such improvement; and
- (d) Such other information as the City Manager may deem desirable.

SECTION 1203. ACTION ON CAPITAL PROGRAM.

Upon receipt of the copy of the capital improvement program prepared by the City Manager, the Planning Commission shall consider the program and, at least ten (10) days prior to the time fixed by Council for a public hearing on the capital program, shall submit to the Council a written report setting forth its findings and recommendations respecting such program. The Planning Commission, in its report may recommend such additions, deletions or other amendments as it deems desirable. If it should recommend any capital improvements different from or additional to those proposed by the City Manager, it shall set forth, in its report, the estimated cost thereof and the manner in which it proposes that the same shall be financed.

The Council shall fix a time and place for a public hearing on the capital program as submitted by the City Manager and upon such amendments or changes, if any, as shall have been submitted as aforesaid by the Planning Commission at least ten (10) days prior to the time fixed by Council for a public hearing on the capital program. The Council shall cause a notice of such public hearing to be published not less than ten (10) days prior to said hearing by at least one insertion in a newspaper of general circulation in the City. Copies of the capital program as submitted by the City Manager, and copies of such report as may have been submitted by the Commission, shall be filed and available for inspection by the public in the office of the City Clerk for at least ten (10) days prior to said public hearing. The notice of such public hearing shall state the time and place of hearing and the

times and place when and where copies of the capital program as submitted by the City Manager and the report of the Planning Commission will be available for inspection by the public. At the time and place so advertised or at any time or place to which such public hearing shall from time to time be adjourned, the Council shall hold a public hearing on the capital program as submitted by the City Manager, and on the written report of the Planning Commission, at which interested persons desiring to be heard shall be given reasonable opportunity to be heard.

Upon conclusion of such hearing, the Council shall adopt such a capital program, for the five (5) fiscal years covered by the City Manager's proposed capital program with such amendments as it may deem desirable. Upon its adoption and until adoption of a new budget and a new five (5) year capital program, such capital program, as adopted by the Council, shall serve as a general guide to the Council and to the City administration in the planning and scheduling of capital improvements. From time to time, however, the Council may authorize such departures therefrom as it may deem necessary or desirable.

Section 1217 is amended to read as follows:

SECTION 1217. Bid Requirements.

Contracts are to be let to the lowest responsible bidder as set forth below:

(a) **PUBLIC WORKS PROJECTS.** When the expenditure required for a specific "public works project" (hereinafter defined), excluding the cost of any materials, supplies or equipment which City may have acquired or may separately acquire therefor, will exceed the greater of One Hundred Thousand Dollars (\$100,000) or the amount which a general law city of the State of California may legally expend for a "public project" (as defined by State law) without a contract let to a lowest responsible bidder after notice, it shall be let to the lowest responsible bidder after notice.

For purposes of this Section, "public works project" shall mean a project for the construction, erection, improvement or demolition of any public building, street, bridge, drain, ditch, canal, dam, tunnel, sewer, water system, fire alarm system, electrical traffic control system, street lighting system, parking lot, park or playground. "Public works project" shall not mean or include maintenance of any public works project, or any repairs incidental to such maintenance, or the planting, care or maintenance of trees, shrubbery or flowers.

(b) **NOTICE REQUIREMENT AND PROCEDURE.**

(1) The notice inviting bids shall set a date for the opening of bids, and shall be published at least once, at least ten (10) days before the date set for opening of bids, in a newspaper of general circulation in the City.

(2) All bids, including such bidder's security as may be required, shall be presented under sealed cover.

(3) If the successful bidder fails to execute the contract within the time specified in the notice inviting bids or in the specifications referred to therein, the amount of the security required, if any, may be declared forfeited to the City and

may be collected and paid into its General Fund, and all bonds so forfeited may be prosecuted and the amount thereof collected and paid into such fund.

(4) All bids shall be publicly opened, and the aggregate bid of each bidder declared at a time and place specified in the notice inviting bids.

(5) The Council shall have the right to waive any informalities or minor irregularities in bids or bidding.

(c) APPRENTICESHIP PROGRAM. Nothing herein shall preclude the City from including in any contract provisions that require contractor participation in an apprenticeship program for at-risk youth.

(d) SELECTION OF LOWEST RESPONSIBLE BIDDER. If no bids are received, the Council may readvertise, or have the “public works project” for which no bids are received done, without further complying with this Section.

(1) If two or more bids are the same and the lowest, the Council may accept the one it chooses.

(2) In its discretion, the Council may reject any or all bids presented. If it rejects all bids, the Council may, in its discretion, readvertise.

(3) If, after rejecting all bids for any “public works project” and after readvertising for bids, the Council finds and declares that the bids were excessive, it may have such “public works project” done by City employees without further complying with this Section.

(e) SECTION NOT APPLICABLE. The provisions of this Section shall not apply to any of the following:

(1) Any public work done for the City by any public or governmental body or agency;

(2) Any public work done by any public utility which is either publicly owned or is regulated by the Public Utilities Commission of the State of California where such work involves any property of such public utility or is otherwise of direct concern to both the City and such public utility;

(3) Any public work done by a subdivider, developer or owner of real property in connection with the subdivision or development by him or her of any real property, notwithstanding the fact that such may be subject to entire or partial reimbursement from the City;

(4) Work involving highly technical or professional skill where the peculiar technical or professional skill or ability of the person selected to do such work is an important factor in his or her selection;

(5) Expenditures deemed by the Council to be of urgent necessity for the preservation of life, health or property, provided the same are authorized by resolution of the Council adopted by the affirmative vote of at least eight (8) members of the Council and containing a declaration of the facts constituting the urgency; and

(6) Situations where solicitation of bids would for any reason be an idle act.

(f) PURCHASE OF SUPPLIES MATERIALS AND EQUIPMENT. The procedures for the purchase of supplies materials and equipment shall be as prescribed by ordinance.

Certified to be a true copy by Ron Gonzalez, Mayor, and Patricia L. O'Hearn, City Clerk.

Date of Municipal Election: November 7, 2000.

Charter Chapter 14—City of Los Angeles

Amendments to the Charter of the City of Los Angeles

[Filed with the Secretary of State May 2, 2001.]

Section 1070 is amended to read:

Sec. 1070. Rights and Due Process Procedures.

(a) Applicability; Rights. As used in this section, member shall mean an employee of the Police Department who has peace officer status as defined in California Penal Code Section 830.1. The provisions of this section shall not apply to any member of the Police Department who has not completed the period of probation in his or her entry level position, as provided in Section 1011(a). Non-tenured Police officers, where otherwise entitled by law to a hearing or appeal with regard to proposed or imposed discipline, shall be provided a hearing or appeal under procedures promulgated by the Chief of Police.

The rights of a member, except the Chief of Police and any other member in a position exempt from civil service, to hold his or her office or position and to receive compensation attached to the office or position is hereby declared to be a substantial property right of which the holder shall not be deprived arbitrarily or summarily, nor other than as provided in this section. No member shall be suspended, demoted in rank, suspended and demoted in rank, removed, or otherwise separated from the service of the department (other than by resignation), except for good and sufficient cause shown upon a finding of guilty of the specific charge or charges assigned as cause or causes after a full, fair, and impartial hearing before a Board of Rights, except as provided in subsections (b) and (i). No case of suspension with loss of pay shall be for a period exceeding 65 working days.

(b) Temporary Relief from Duty; Suspension; Demotion. After following predisciplinary procedures otherwise required by law, the Chief of Police may:

(1) temporarily relieve from duty any member pending a hearing before and decision by a Board of Rights on any charge or charges pending against the member, except that a member so relieved shall not suffer a loss of compensation until 30 days after the date on which the member was served with the charge or charges, except as provided for in subsection (q) or whenever the employee is temporarily relieved of duty on a new charge or charges while relieved of duty or serving a suspension based on a prior charge or charges. There shall be a calendar priority for Board of Rights hearings when a member is subject to relief from duty pending a hearing. The Chief of Police in his or her sole discretion shall have the

power to cancel temporary relief from duty, or following relief from duty, to restore the member to duty with or without restrictions pending hearing; or

(2) suspend the member for a total period not to exceed 22 working days with loss of pay and with or without reprimand, subject to the right of the member to a hearing before a Board of Rights as provided in this section; or

(3) demote the member in rank, with or without suspension or reprimand or both, subject to the right of the member to a hearing before a Board of Rights as provided in this section; or

(4) demote the member in rank, with or without temporary relief from duty or cancellation of such relief from duty, subject to the right of the member to a hearing before a Board of Rights as provided in this section.

In the event the member suspended and/or demoted in rank under this subsection files an application for a hearing by a Board of Rights as provided in this section, the suspension and/or demotion shall automatically be stayed pending hearing and decision by the Board of Rights. Provided, however, in the case of any member demoted in conjunction with a temporary relief from duty or cancellation of such relief from duty, the demotion shall not be stayed pending a hearing before and decision by a Board of Rights unless the accused specifically requests in the written application that the Board consider the demotion in conjunction with the appeal of the temporary relief from duty or cancellation of such relief from duty. In the event that the member fails to apply for a hearing within the period prescribed, the member shall be deemed to have waived a hearing, and the suspension and/or demotion shall remain effective unless the Chief of Police requires that a hearing be held.

(c) Limitations Periods. No member shall be removed, suspended, demoted in rank, or suspended and demoted in rank for any conduct that was discovered by an uninvolved supervisor of the department more than one year prior to the filing of the complaint against the member, except in any of the following circumstances:

(1) If the act, omission, or allegation of misconduct is also the subject of a criminal investigation or criminal prosecution, the time during which the criminal investigation or criminal prosecution is pending shall toll the one-year time period.

(2) If the member waives the one-year time period in writing, the time period shall be tolled for the period of time specified in the written waiver.

(3) If the criminal investigation is a multi jurisdictional investigation that requires a reasonable extension for coordination of the involved agencies.

(4) If the investigation involves more than one employee and requires a reasonable extension.

(5) If the investigation involves an employee who is incapacitated or otherwise unavailable.

(6) If the investigation involves a matter in civil litigation where the member is named as a party defendant, the one-year time period shall be tolled while that civil action is pending.

(7) If the investigation involves a matter in criminal litigation where the complainant is a criminal defendant, the one-year time period shall be tolled during the period of that defendant's criminal investigation and prosecution.

(8) If the investigation involves an allegation of workers' compensation fraud on the part of the member.

(9) If a predisciplinary notice is required or utilized and the response results in additional investigation, the one-year period shall be tolled while the additional investigation is pending.

(d) Complaint. Any order of relief from duty, cancellation of relief from duty pending a Board of Rights hearing, suspension, demotion in rank, or suspension and demotion in rank shall contain a statement of the charges assigned as causes. The Chief of Police shall, within five days after the order is served as provided in subsection (e), file with the Board of Police Commissioners a copy of a verified written complaint upon which the order is based, with a statement that a copy of the order and verified complaint was served upon the accused. The complaint shall be verified by the oath of the Chief of Police and shall contain a statement in clear and concise language of all the facts constituting the charge or charges.

(e) Service. The service of any notice, order, or process mentioned in this section, other than service of subpoena, may be made by handing the accused a copy personally. If a copy of any notice, order or process cannot with reasonable diligence be personally served, service may be made by United States mail.

(f) Application for Hearing. Within five days after personal service upon the accused of a copy of the verified complaint, or within ten days after service in any other manner provided for in this section, the member may file with the Chief of Police a written application for a hearing before and decision by a Board of Rights. A Board of Rights is considered a de novo hearing.

(g) Time and Place of Hearing. Upon the selection of a Board of Rights, the Chief of Police shall set the time for (not less than 10 nor more than 30 days thereafter) and designate a place where the hearing is to be held, and shall cause notice thereof to be served upon the accused. After the Board of Rights has first convened, the Board may continue the hearing of the matter to a specific date, and no other notice need be given, except as may be required by order of the Board.

(h) Composition of Board of Rights. The Board of Rights shall be composed of two officers of the rank of captain or above and an individual who is not a member of the department (the civilian member). The members selected as prescribed in this section shall constitute the Board for the purpose of hearing and deciding upon the matter for which it was specially drawn. The qualifications of, selection procedures for, and compensation of the civilian members shall be established by ordinance. Upon the filing of the request for a hearing before a Board of Rights, as provided in subsection (f), the accused shall draw four cards from a box

containing the names on cards of all officers who are qualified to be members of the Board of Rights (except the names of the accused, accuser, the Chief of Police, any staff or command officer specifically exempted by the Chief of Police in accordance with the provisions of the Board of Rights Manual or successor document, and any other officer who may be prejudiced or disqualified by reason of being a material witness to the facts constituting the charges made, otherwise disqualified for cause as determined by the Chief, or who has a conflict of interest). The accused shall select any two of the four names drawn to be members of the Board of Rights.

(i) Failure to Request a Hearing; Failure to Appear. In the event the accused fails to request a hearing before a Board of Rights as provided in subsection (f) within the period prescribed, the Chief may require a hearing to be held before a Board of Rights and may for that purpose, within five days after the expiration of such period, draw two names from a box to sit on the Board.

If a Board of Rights has been constituted for the purpose of hearing and the accused, without reasonable excuse, fails or refuses to appear before the Board at the time and place designated, the Chief of Police may, at his or her discretion, either direct the Board of Rights to proceed with the hearing in the absence of the accused, or the Chief may, without a hearing, impose a penalty of suspension, demotion in rank, suspension and demotion in rank, or removal as he or she deems fit and proper. The Chief shall cause notice of the action to be served upon the member and shall file a statement of the action with the Board of Police Commissioners within five days.

If the accused and Chief both fail to draw and create a Board of Rights within the period prescribed, the complaint shall be null and void.

(j) Oaths, Affirmations and Subpoenas. During an internal investigation, prior to a Board of Rights hearing, or prior to or during other administrative proceedings, the Police Commission may compel the attendance of witnesses and the production of evidence by subpoena. Upon demand of the Police Commission, the City Clerk shall issue a subpoena in the name of the city and attest the same with the corporate seal. The subpoena shall direct and required the attendance of the witnesses or the production of evidence, at the time and place specified. A request to quash a subpoena may be filed with the Police Commission who shall decide the matter. Each Board member shall have the power to administer oaths and affirmations in any investigation or proceeding pending before a Board of Rights, examine witnesses under oath, and compel the attendance of witnesses and the production of evidence by subpoena. Upon demand of any Board member, the City Clerk shall issue a subpoena in the name of the City and attest the same with the corporate seal. The subpoena shall direct and require the attendance of the witnesses or the production of evidence, at the time and place specified. It shall be the duty of the Chief of Police to cause all such subpoenas to be served upon the person or persons required to attend or produce evidence. It shall be the duty of

the Council to provide suitable penalties for disobedience of such subpoenas and the refusal of witnesses to testify or produce evidence.

(k) Legal Advice; Ex Parte Communication. Upon the request of any two Board members, the Board's chairperson shall request an attorney from the City Attorney's office who shall advise the Board on legal matters during or between any session of the hearing. The attorney need not be physically present at the hearing, but may advise the Board telephonically or through other means of communication. The attorney who advises the Board may not advise the department's advocate in the same matter.

Ex Parte communication with members of a Board of Rights regarding the subject matter of the hearing while proceedings are pending is prohibited. No person shall attempt to influence the decision of a Board of Rights except during the hearing and on the record.

(l) Burden of Proof. In Board of Rights proceedings, the department shall have the burden of proving each charge, including those based on conduct punishable in whole or in part as a crime, by a preponderance of the evidence.

(m) Representation; Transcript; Evidence. At the hearing, the accused shall have the right to appear in person and by counsel or representative, (at his or her expense) and make defense to the charge or charges and may produce witnesses and cross-examine witnesses.

All testimony at the hearing shall be given under oath and shall be reported by a stenographer for possible transcription. Upon prepayment of the fee for the preparation thereof, the accused shall be entitled to a certified copy of the transcript; provided, however, when the department has previously had all or a portion of the report transcribed, a copy of the previously prepared report(s) shall be given to the member without charge. When the report is transcribed, the original transcript shall be placed on file in the department.

Evidence of acts, irrespective of whether they were associated with a personnel complaint against the accused and irrespective of the resolution of the complaint, may be considered in the discretion of a Board of Rights if relevant to the charges, such as, if the acts tend to prove that the conduct charged is consistent with a pattern of conduct. The acts may have occurred either before or after the conduct concerning which the member is presently charged.

(n) Finding and Decision. The Board of Rights shall at the conclusion of the hearing make findings of guilty or not guilty on each charge, which findings shall be based only upon the evidence presented at the hearing. If the accused is found not guilty, the Board shall order the member's restoration to duty without loss of pay and without prejudice, and the order shall be self-executing and immediately effective. If the accused is found guilty, the Board of Rights shall prescribe its penalty by written order of:

- (1) suspension for a definite period not exceeding 65 working days with total loss of pay, and with or without reprimand; or
- (2) demotion in rank, with or without suspension or reprimand or both; or

- (3) reprimand without further penalty; or
- (4) removal.

The decision of the Board must be certified in writing and a copy delivered to the Chief of Police as soon as practicable, but in no event later than ten days after the decision of the Board of Rights. Whenever a Board of Rights prescribes a penalty of suspension or removal and the member is not currently relieved from duty, the Chief may temporarily relieve the member from duty pending execution of the order.

For purposes of this section, demotion in rank shall mean reduction in civil service classification. The provisions of this section shall not apply to reductions in pay grade or similar personnel actions caused by reassignment, deselection from bonused positions, and the like. Such personnel actions shall be administered under policies adopted by the department.

(o) Personnel History and Records. The departmental personnel history and records of the accused shall be available to the Board of Rights only if the accused has been found guilty of any charge upon which the member was heard or tried by the Board of Rights, and then only for the purpose of determining a proper penalty. At the penalty stage, the Board may consider the entire departmental personnel history and record of the accused which shall include, among other things, information concerning personnel complaints against the accused that were sustained and information derived from complaints against the accused that were not resolved, to the extent and in the manner allowed by department policy except that the medical package of the accused shall not be considered by the Board with regard to penalty unless such information is relevant to a charge as to which there was a finding of guilty. In prescribing the penalty, the Board shall look to the nature and gravity of the offense of which the member has been found guilty and may at its discretion review the departmental personnel history and record of the member. No item or entry in the record may be considered by the Board except in the presence of the member and only where the member has been given a fair and reasonable opportunity to explain any item or entry unless the member has failed or refused to be present. Personnel records introduced at or considered by the Board are confidential except for any document or information from a document that was publicly disclosed during the hearing.

(p) Imposition; Reduction of Penalty. Within ten days of delivery of a certified copy of the decision of a Board of Rights to the Chief of Police, the Chief shall either uphold the recommendation of the Board of Rights or may, at his or her discretion, impose a penalty less severe than that ordered by the Board of Rights, but may not impose a greater penalty. In the case of a demotion, suspension, demotion and suspension, or removal, the Chief shall cause a copy of the notice of the penalty to be served upon the member and shall file a statement of this action with the Board of Police Commissioners within five days.

(q) Effective Date of Penalty. A removal prescribed by the Board of Rights, or by the Chief of Police if no hearing is had before a Board of Rights, shall relate

back to and be effective as of the date of the relief from duty without pay pending hearing before and decision by the Board; however, where a final decision has been made by the Chief of Police prior to the end of the 30 day period referred to in subsection (b) (1), the removal shall be effective immediately. When there has been no relief from duty, the removal shall be effective upon service of the order. The effective date of any suspension and/or demotion prescribed by the Board of Rights, or by the Chief of Police if no hearing is had before a Board of Rights, shall be determined by policies adopted by the department; provided, that in case of suspension where there has been a temporary relief from duty, the 30 day period referred to in subsection (b) (1) or any portion thereof in which the member received compensation shall not be counted as part of the suspension. Nothing in this section shall preclude the imposition of a suspension without pay when a final decision is made prior to the end of the 30 day period. Practices in effect on the effective date of the most recent amendment to this section shall remain in effect until the adoption of any modification to the policies.

(r) Calendar Days. Except as otherwise provided in this section, all time periods, including those of limitation, shall be calculated in calendar days. When the last day of any such period falls on a weekend or City holiday, the period shall extend to the next business day.

(s) Not Guilty. In any case of a finding of Not Guilty of the accused after a hearing before a Board of Rights, the finding of Not Guilty shall be without prejudice to the member.

(t) Rehearing. At any time within three years after the effective date of removal, the removed member may file a request with the Chief of Police to be reheard or to be heard on the cause of the member's removal, together with a supporting affidavit setting forth in clear and concise language the reasons or grounds for a hearing or rehearing. The Chief shall consider and make a decision on the request and affidavit within 30 days after filing. If the Chief determines that good reason or cause exists for a hearing or rehearing, the Chief shall, without unnecessary delay, cause a Board of Rights to be constituted for the purpose of hearing and deciding upon the matter. The Board of Rights shall, at the conclusion of the hearing, render and certify its findings (independent of any previous findings by any other Board of Rights, or any other court, Board, or other tribunal, or any investigation or report of or discretion exercised by the Chief in such cases where no hearing was had before a Board of Rights) based only upon the evidence presented at the hearing. The Board shall make and certify its decision and order in writing and deliver a copy to the Chief. The Chief shall proceed in the same manner as provided for above after decision by a Board of Rights.

(u) Modification of Penalty. Following the filing of the notice of penalty with the Board of Police Commissioners as required in subsection (p), the Chief of Police may correct a technical error, or where there is good cause shown, may reduce a penalty, including restoration of a person following removal. The provisions of subsection (w) shall not apply to this subsection; however, the member

shall receive full compensation for any penalty or portion thereof already served which has been reduced or nullified by the Chief of Police. The Chief of Police shall file a copy of the modified order or statement of his decision with the Board of Police Commissioners.

(v) Other Legal Rights. This section shall not be construed to affect any rights a member may have to assert other legal rights or remedies in relation to his or her office or position or to the compensation attached thereto, or to appeal to or be heard or tried by any court or other tribunal of competent jurisdiction.

(w) Restoration to Duty. A member restored to duty after removal or temporary relief from duty, or whose suspension or demotion has been overturned in whole or in part, shall be entitled to receive full compensation from the City as if the nullified penal action had not been taken; except that such compensation shall not exceed one year's salary unless otherwise required by law.

(x) Decisions Based on Evidence. Members of a Board of Rights are to make decisions based solely on the evidence before them.

(y) Public Records. The order referred to in subsection (d) and the notice of the penalty referred to in subsection (p) are considered to be a public record at the time of filing of such documents with the Board of Police Commissioners. The Chief of Police or his or her designee shall be the custodian of public records referred to in this section.

(z) Effects of Amending This Section. This section shall not apply to the discipline of any member who was relieved from duty or who appealed a demotion or suspension or both to a Board of Rights.

Section 1. Section 1218 is added to Article XI, to read as follows:

Sec. 1218. Authority of City Council to Establish a Deferred Retirement Option Plan (DROP) by Ordinance.

(a) Council Authority. The Council may by ordinance adopted in accordance with the provisions of this section establish a program whereby a deferred retirement option plan (DROP) is created and offered to sworn members of the Fire and Police Departments on a voluntary basis as an alternative method of benefit accrual in the Fire and Police Pension Plans. The authority granted in this section shall include the authority to make necessary modifications to requirements of other Charter provisions of the various Fire and Police Pension Plans for the specific and limited purpose of implementing a DROP.

(b) Limitations of DROP. The authority given to the Council to establish a DROP is specifically limited as follows:

(1) DROP Shall Be Cost Neutral to the City. Members who elect to participate in the program will have access to a lump sum benefit in addition to their normal monthly retirement allowance at their actual retirement. With regard to plan funding, DROP shall be cost neutral to the City of Los Angeles as defined by the Plan's actuary. DROP shall be designed to ensure that the implementation of the program will not adversely affect the tax-qualified status of the Fire and Police Pension Plans.

(2) Five Year Window Period for Enrollment. There shall be a five-year window period for enrollment, after which the City may review and evaluate DROP and at its sole discretion determine to continue DROP by ordinance.

(3) Operability of this Section. This section shall become inoperative in the event that a demand is made by a bargaining unit representing employees affected by this section that an impasse over a proposed ordinance authorized by this section be resolved by binding arbitration if such arbitration is authorized by law. In such event, pension benefits shall again be determined by Charter provisions in effect at the time this section was adopted. Courts of law shall have the exclusive authority to resolve disputes over whether an ordinance authorized by this section meets the cost neutrality requirement established by this section or satisfies any other legal requirement.

(c) Mode of Adoption. Ordinances adopted pursuant to this section shall be adopted in the same manner as provided in Section 1618 (b), but the City Council shall be advised in writing by an enrolled actuary as to the cost of the proposed program.

Certified to be a true copy by Ruth Galanter, President of the City Council and Konrad Carter, Council Clerk.

Date of Primary Nominating Election: April 24, 2001.

Charter Chapter 15—City of Burbank

Amendments to the Charter of the City of Burbank

[Filed with the Secretary of State June 11, 2001.]

The last sentence of the first paragraph of Section 6 is amended to read as follows:

The time for holding all regular meetings of the Council shall be provided for by ordinance or resolution, but any regular meeting may be adjourned to a time certain, which adjourned meeting shall be a regular meeting for all purposes.

The second paragraph of Section 6 of the Charter is amended to read as follows:

Special meetings may be called as provided by the laws of the State of California.

The last paragraph of Section 6 is amended to read as follows:

Except as otherwise provided by State law, all meetings of the Council shall be open to the public and held in the City Hall or such other place as may be prescribed by ordinance or resolution, unless the Council is compelled to meet elsewhere by reason of fire, flood, earthquake or other emergency. The Council shall adopt rules for conducting its proceedings.

The first paragraph of Section 8 of the Charter is amended to read as follows:

The Council may take official action only by the passage or adoption of ordinances, resolutions or motions, as may be prescribed by the Constitution or laws of the State of California, and the provisions of this Charter; provided that any action of said Council fixing or prescribing a fine, punishment or penalty, or granting any franchise, shall be taken by ordinance. In the absence of any express provision to the contrary in said Constitution, laws or Charter, the Council may choose any of the foregoing three methods of taking such action. All proposed ordinances introduced in the Council shall be in printed form. The enacting clause of all ordinances passed by the Council shall read as follows: "The Council of the City of Burbank does ordain as follows:"

The third paragraph of Section 8 is amended to read as follows:

Except as herein provided no ordinance shall be passed by the Council on the day of its introduction, nor within five (5) days thereafter, nor at any time other than a regular meeting. Every ordinance shall be read in full only when requested by a majority of the Council. A proposed ordinance may be amended or modified between the time of its introduction and the time of its final passage, providing its general scope and original purpose are retained. All ordinances shall be signed by the Mayor and attested by the City Clerk, and the City Attorney's synopsis thereof shall be published at least once in a newspaper of general circulation and shall become effective at 12:01 a.m. on the 31st day from and after the date of the first publication or posting thereof, and in computing said time the day of adoption shall be excluded; provided, however, that an ordinance calling or otherwise relating to an election, or ordinances otherwise specially required by the laws of the State, or ordinances declared by the Council to be necessary as an emergency measure for preserving the public peace, health, safety or welfare or as mandated by a state or federal law, regulation, or permit condition, and containing the reasons for its urgency and passed by not less than four (4) members of the Council, or ordinances relating to bond issues, may be introduced and passed at one and the same meeting, and shall become effective immediately, if the Council shall therein so declare and shall be published in a newspaper of general circulation within fourteen (14) days thereafter. However, no measure creating or abolishing any office or changing the salaries, terms or duties of any office or creating any franchise or special privilege or creating any vested right or interest shall be construed to be an emergency or urgency measure.

Section 8A is amended to read as follows:

The duly adopted and effective ordinances of the City, when compiled, arranged and codified or recodified, may be adopted by reference by passage of an ordinance for such purpose. Detailed regulations not embodied in any ordinance, such as fire, building, plumbing, electrical, and heating and cooling codes, as well as codes on other subjects, may be enacted in the same manner. Amendments to such codes shall be adopted by the same procedures as amendments to ordinances generally. Copies of all codes adopted by reference, that are not commercially available for sale, shall be made available to the public at a reasonable price.

Section 9 is amended to read as follows:

The Mayor shall be the executive head of the City. In case of riot, insurrection or extra-ordinary emergency the Mayor, unless delegated to the City Manager by ordinance, shall assume general control of the City government and all of its branches and be responsible for the suppression of disorders and the restoration of normal conditions. In the name and on behalf of the City, the Mayor shall sign all contracts, deeds, bonds and other legal instruments in which the City is a party and countersign all warrants; provided, however, that the Council may by ordinance or resolution authorize any other person to sign the same. The Mayor shall represent the City at all ceremonial functions of a social or patriotic character when it is desirable or appropriate to have the City represented officially thereat. The Mayor shall not receive any compensation for services rendered except that received as a Council member provided in Section 5.

Section 10 (b) Subsection 8 is amended to read as follows:

8. Be responsible that all ordinances and laws are enforced. It shall be the responsibility and duty of each Department Manager in the City to inform and advise the City Manager of any information indicating lack of law enforcement in the City.

Section 10 (c) of the Charter is amended to read as follows:

(c) In case of the absence of the City Manager from the City, or of any temporary disability to act as such, the Assistant City Manager or such other person designated by the City Manager shall possess the powers and discharge the duties of the City Manager during such absence or disability. If there is no Assistant City Manager, or no person designated by the City Manager to act in his or her absence or disability, the Council shall appoint a City Manager pro tem, who shall possess the powers and discharge the duties of the City Manager during such absence or disability.

The last sentence in Section 11 (a) is amended to read as follows:

The City Attorney shall draft or review all ordinances, contracts, or other legal documents, or proceedings required by the Council or other officials, except as may be otherwise provided, and shall perform such other legal services from time to time as the Council may require.

Section 11 (b) of the Charter is amended to read as follows:

(b) The Council shall have the power to direct and control the prosecution and defense of all suits and proceedings to which the City is a party, or in which it is interested, and upon the recommendation of the City Attorney, may employ special counsel to assist the City Attorney therein and which the City Attorney shall direct and oversee, and shall provide for the compensation and pay of such counsel.

The first sentence of Section 12 is amended to read as follows:

There shall be a City Clerk elected every four (4) years at the primary or general municipal election who shall be Clerk of the Council.

The first sentence of Section 13 is amended to read as follows:

There shall be a City Treasurer elected every four (4) years at the primary or general municipal election.

Section 15 is amended to read as follows:

There shall be a Public Works Department supervised and directed by a Public Works Director appointed by the City Manager.

Section 18 is amended to read as follows:

There shall be a Fire Chief appointed by the City Manager. The Fire Chief shall be head of the Fire Department of the City, and shall have charge and supervision over all matters relating to the prevention and extinguishment of fires, and of all measures necessary to guard and protect all persons and property impaired thereby. During the time of a fire the Fire Chief shall always have supreme authority over the territory involved therein, and all persons in the immediate vicinity of the fire during such time, including police officers, shall be subject to the Fire Chief's orders.

Section 22 is amended to read as follows:

Every elective officer and every chief appointive official, provided for in this Charter, or any officer or employee authorized by ordinance, shall have the power to administer oaths and affirmations, and the City Council, either on its own behalf or upon the written request of any board and commission herein provided shall have the power to issue subpoenas, to compel by subpoena the production of books, papers, and documents, and to take and hear testimony or to order the giving of such testimony concerning any matter or thing pending before the Council or such board or commission.

The last paragraph of Section 27 is amended to read as follows:

The Council shall, by ordinance, order the holding of all elections. Every such ordinance shall specify the object and time of holding any such election. Such ordinance shall also direct the City Clerk to publish, not later than twenty (20) days prior to an election, a list of election precincts, designated polling places therefor, and election officers for each precinct. The ordinance shall also set forth the places of posting by the City Clerk of three (3) copies of such list of election precincts, polling places and election officers. One (1) copy of such list shall be posted on the bulletin board near the main entrance of City Hall; one (1) in the office of the City Clerk; and one (1) in the lobby of the Burbank Water and Power building; and said lists shall so remain until the day after such election. When two (2) or more municipal elections are consolidated by the Council, it shall not be necessary to set forth the precincts, polling places and election officers in more than one (1) list. If a municipal election is consolidated with a state or county election, it shall not be necessary to set forth the precincts, polling places, or election officers, but reference shall be made to the notice, resolution, or ordinance of the Board of Supervisors of Los Angeles County calling such election and fixing precincts, polling places and election officers. All ordinances ordering

the holding or consolidation of elections shall be published once in a newspaper of general circulation at least five (5) days prior to the date of such election.

The last paragraph of Section 28 is amended to read as follows:

The City Clerk shall present the result of the canvass of the returns of said election, together with any and all protests, to the Council at its next regular meeting after the expiration of said time for filing such protests. Unless a protest has been filed, the Council shall accept the canvass of returns by the City Clerk as correct and shall publicly declare the result thereof. When any such protest has been filed, the Council shall fix a time for such recount, not more than seven (7) days thereafter, for the City Clerk to conduct a recount of the ballots in the specified precinct or precincts only and as to said office or proposition. Upon the completion of such recount the Council shall publicly declare the result thereof. The action of the Council shall be final. The Council shall be the judge of the qualifications of all the elective officers of the City.

The title of Section 33 is amended to read as follows:

SECTION 33. WATER AND POWER DEPARTMENT.

The first sentence of Section 33 is amended to read as follows:

There shall be a Burbank Water and Power Department and a General Manager thereof, appointed by the City Manager.

The first sentence of the second paragraph of Section 33 is amended to read as follows:

The Burbank Water and Power Department shall supervise the construction, reconstruction, operation and maintenance of all public utilities now or hereafter owned and operated by the City, including the generation, purchase, distribution and sale of electric energy, water and gas, and may, with the approval of the Council, lease or rent any property connected with or appurtenant to any of its utilities and fix the rental charges thereof.

The first sentence of the third paragraph of Section 33 is amended to read as follows:

All funds received by the Burbank Water and Power Department shall be deposited in the City Treasury to the credit of the Department.

The last paragraph of Section 33 is amended to read as follows:

Funds not immediately needed by the Burbank Water and Power Department may be temporarily loaned to other departments of the City pending collection of tax receipts or other funds owing to such other departments.

Section 34 is amended to read as follows:

There shall be a Library Department and a Library Services Director thereof, appointed by the City Manager and a Board of Library Trustees, the number and terms of the members of which and the powers and duties of which shall be prescribed by ordinance.

Section 35 is amended to read as follows:

There shall be a City Planning Department in the City of Burbank either as a separate department or as a division of another department and a City Planning

Board, the number and terms of the members of which and the powers and duties of which shall be prescribed by ordinance.

Section 36 is amended to read as follows:

SECTION 36. PARK, RECREATION AND COMMUNITY SERVICES DEPARTMENT.

There shall be a Park, Recreation and Community Services Department and a Director thereof appointed by the City Manager and a Park, Recreation and Community Services Board, the number and terms of the members of which and the powers and duties of which shall be prescribed by ordinance.

Section 37 is amended to read as follows:

The Council shall provide for the establishment of a Civil Service System in the City of Burbank based on merit and fitness and shall provide for a Civil Service Board, the number and terms of the members of which and the powers and duties of which shall be prescribed by ordinance.

Section 37A is added to read as follows:

SECTION 37A. DEPARTMENT STRUCTURE.

Any department or function provided for in this Charter or by ordinance, may be subsequently combined with other divisions or departments, redivided, or otherwise reorganized at the discretion of the City Manager.

Section 45 is amended to read as follows:

SECTION 45. DEPOSITS WITH TREASURER.

All moneys collected for the City by an officer or department thereof shall be paid into the treasury daily at the direction of the City Treasurer.

Section 49 is amended to read as follows:

SECTION 49. FINANCIAL REPORTS.

Annual audited financial reports shall be submitted to the Council by the City Manager in such form as may be approved by the Council, and monthly financial reports shall be maintained by and available for public inspection in the Financial Services Department.

Section 52 is amended to read as follows:

The Council shall employ a certified public accountant annually, or, more often to investigate the transactions and accounts of all officers or employees having the collection, custody or disbursement of public money or property, or the powers to approve, allow or audit demands on the treasury.

Section 54 (a) is amended to read as follows:

Every contract involving an expenditure of City moneys of more than One Hundred Thousand Dollars (\$100,000) for public works construction shall be let to the lowest responsible bidder after notice by publication in a newspaper of general circulation by two (2) insertions, the first of which shall be at least ten (10) days before the time for opening bids. Such contracts may be let without advertising for bids if such purchase shall be deemed by the Council to be of urgent necessity for the preservation of life, health, or property or otherwise in the best interests of the City and shall be authorized by resolution passed by at least four

(4) affirmative votes of the Council and containing a declaration of the facts constituting the urgency or benefit. The Council shall have the right to waive any informality or minor irregularity in a bid. The City Manager may reject any and all bids presented and, in his or her discretion, may readvertise for bids, or recommend to the Council to dispense with competitive bidding. If the Council determines to dispense with competitive bidding, it shall do so by resolution, finding that it is in the best interests of the City, and such resolution shall be passed by at least four (4) affirmative votes.

Section 54 (b) is amended to read as follows:

Before making any purchase of, or contract for, supplies, materials, equipment or services (other than professional or contractual services which are, in their nature, unique and not subject to competitive bidding), the City Manager or a designated representative shall provide for competitive bidding under such definitions, conditions, terms, rules and regulations and with such exceptions as the Council shall prescribe by ordinance to be adopted by and only amended by, at least four (4) affirmative votes of the Council.

Section 56 is amended to read as follows:

Every franchise or privilege to construct, maintain, or operate any railroad, or other means of transportation in or over any street or highway, or to lay pipes or conduits, or erect poles or wires or other structures in or across any street or highway for the transmission of gas, electricity, or other commodity, or for the use of public property or places now or hereafter belonging to the City, shall be granted under and in pursuance of the provisions of this Charter, any applicable City ordinances, resolutions or policies and the general laws of the state relating to the granting of such franchises or privileges.

The Council may place any condition on such franchise or privilege not inconsistent with the Constitution or general laws.

Certified to be a true copy by Judie Sarquiz, City Clerk.

Date of Municipal Election: April 10, 2001.

Charter Chapter 16—City of Los Angeles

Amendments to the Charter of the City of Los Angeles

[Filed with the Secretary of State July 10, 2001.]

Section 1224 is added to read:

Section 1224. Authority of City Council to Reactivate Surviving Spouse Benefits to Persons Who Remarried Prior to December 5, 1996.

(a) Council Authority. The Council may by ordinance adopted in accordance with the provisions of this section reactivate the survivor benefit of a Qualified Surviving Spouse under any Tier of the Fire and Police Pension Plan who had

remarried prior to December 5, 1996, and, as a result thereof, had their survivor benefit discontinued.

(b) **Limitations of Ordinance.** The authority given to the Council to reactivate the survivor benefit is specifically limited as follows:

(1) No benefits shall be paid for any period prior to the effective date of this Charter amendment.

(2) **Operability of this Section.** This section shall become inoperative in the event that a demand is made by a bargaining unit representing employees affected by this section that an impasse over a proposed ordinance authorized by this section be resolved by binding arbitration if such arbitration is authorized by law. In such event, pension benefits shall again be determined by Charter provisions in effect at the time this section was adopted.

(c) **Mode of Adoption.** Ordinances adopted pursuant to this section shall be adopted in the same manner as provided in Section 1618(b), but the City Council shall be advised in writing by an enrolled actuary as to the cost of the proposed program.

Section 1. The title of Part 3, Article XI is amended to read:

**FIRE AND POLICE PENSION PLAN
GENERAL PROVISIONS**

Section 2. Section 1200 is amended to read:

Section 1200. **Applicability.**

Each Tier of the Fire and Police Pension Plan shall be governed by the following:

- (a) provisions specific to each Tier as set forth in this Article; and
- (b) these General Provisions for the Fire and Police Pension Plan.

Section 3. Section 1202 is amended to read:

Section 1202. **Definitions.**

For the purposes of the Tiers of the Fire and Police Pension Plan set forth in this Part 3, the following words and phrases shall have the meaning ascribed to them in this section, unless a different meaning is clearly indicated by the context.

- (a) **City:** The City of Los Angeles.
- (b) **Board:** The Board of Fire and Police Pension Commissioners.
- (c) **Plan or System:** The Fire and Police Pension Plan administered by the Board. Any reference in this Part to “Fire and Police Pension Plans” shall be deemed a reference to the Fire and Police Pension Plan.
- (d) **Beneficiary:** Person entitled to receive a benefit from the Plan.
- (e) **Department Member:** A person who is a sworn Member of the Fire Department or a sworn Member of the Police Department.
- (f) **Retired Plan Member:** A person who is a former Plan Member whose active duty status has been terminated and is receiving a regular monthly benefit payment from any Tier of the Fire and Police Pension Plan.

(g) Tier: Any one of the several benefit structures denominated as a “Tier” within the Fire and Police Pension Plan.

(h) Outside Agency: Any governmental entity other than the Fire or Police Departments of the City of Los Angeles.

(i) Transferring Employees: Employees of an Outside Agency who become Department Members pursuant to a merger or contract for fire or police services authorized by action of the Council.

Section 4. Section 1210 is amended to read:

Section 1210. Budget.

(a) Adoption of Annual Budget. The Board of Fire and Police Pension Commissioners shall adopt a budget each year setting forth the administration expense for each Tier of the Fire and Police Pension Plan. The budget shall be adopted at a meeting open to the public. At the discretion of the Council, administrative expense, which includes investment management expense, may be paid from the assets of the Plan.

(b) Separate Items of Budget. The Board shall annually prepare and transmit to the Mayor, Council and Controller a budget setting forth the estimated cost of maintaining the Fire and Police Pension Plan. The budget shall include each of the following separate items, whether such item is positive number or a negative number:

(1) Fire and Police Pension Plan—Tier 1.

(a) A sum equal to that percentage of the salaries of all Tier 1 Members shown in the last actuarial valuation to be required to cover the entry age cost to be paid by the City on account of new entrants into Tier 1. The entry age cost is defined as the level percentage of compensation of new Tier 1 entrants which must be paid into the Plan from their date of entry in order to provide the benefits under the Plan, less the contributions to be made by new entrants during the period of their membership as provided in Section 1324.

(b) A sum, which may be a positive number or a negative number, equal to the dollar amount shown in the last actuarial valuation to be required to amortize the unfunded liabilities of the Plan allocable to Tier 1 for the purpose of preparation of the budget. The unfunded liabilities to be allocated are the present value of all of the assumed obligations under Tier 1 of the Plan, less

(i) the present value of the future contributions to be made by the City under the preceding subsection and by the members under Section 1324, and

(ii) the assets of the Plan allocated for this purpose to the Fire and Police Tier 1 Service Pension Fund and to the Fire and Police Tier 1 General Pension Fund. The amortization period shall be 70 years beginning with the fiscal year 1967–1968.

(c) A sum sufficient to cover the cost, if any, as determined by an actuarial estimate, of benefits granted by the Council under the authority of Section 1330 of Tier 1.

(2) Fire and Police Pension Plan—Tier 2.

(a) A sum equal to that percentage of the salaries of all Tier 2 Members shown in the last actuarial valuation to be required to cover the entry age cost to be paid by the City on account of new System Member entrants into Tier 2. The entry age cost is defined as the level percentage of salary of Tier 2 entrants which must be paid into the Plan from their respective dates of entry in order to provide the benefits pursuant to this Plan, less the deductions to be made from the salaries of new entrants, while they are Tier 2 Members, as provided by Section 1420.

(b) A sum, which may be a positive number or a negative number, equal to that percentage of the aggregate salaries of all members of the Fire Department and of the Police Department who are included under the provisions of Tiers 1, 2, 3 and 4 of this Plan, as shown in the last actuarial valuation required to amortize the unfunded liabilities of the Plan allocable to Tier 2 for the purpose of preparation of the budget, which sum will remain level as a percentage of salary, but which will increase in dollar amount in accordance with the aggregate salary increase assumption. The unfunded liabilities to be allocated are the present value of all of the assumed obligations under Tier 2 of the Plan less:

(i) the present value of the future contributions to be made by the City pursuant to the preceding subsection (2) (a);

(ii) the present value of the deductions to be made from the salaries of the Tier 2 Members; and

(iii) the assets of the Plan allocated for this purpose to the Fire and Police Tier 2 Service Pension Fund and the Fire and Police Tier 2 General Pension Fund.

The amortization period shall be 70 years beginning with the fiscal year 1967–68, except the Board shall assume that the unfunded liabilities of Tier 2 shall be \$258,000,000 as of July 1, 1967. Notwithstanding the foregoing, in the event that the unfunded liability as of any fiscal year beginning on or after July 1, 2001 with respect to Tier 2 is greater than zero, the amortization period for such unfunded liability shall be 30 years if less than the period specified in the preceding sentence. The amortization period for any increases in the unfunded liability for any subsequent fiscal year shall be the amortization period of 70 years beginning with the fiscal year 1967–68 or, if shorter, 30 years with respect to increases in unfunded liabilities resulting from amendment to the Plan and 15 years with respect to increases in unfunded liabilities resulting from actuarial experience losses; the amortization period for any decreases in unfunded liabilities shall remain unchanged.

(c) A sum sufficient to cover the cost, if any, as determined by actuarial estimate, of benefits granted by the Council under the authority of Section 1428 of this Tier 2.

(3) Fire and Police Pension Plan—Tier 3.

(a) A sum equal to that percentage of the salaries of all Tier 3 Members shown in the last actuarial valuation to be required to cover the entry age cost to be paid by the City on account of Tier 3 Member entrants into the Fire and Police Pension

Plan—Tier 3. The entry age cost being defined as the level percentage of salary of new Tier 3 Member entrants which must be paid into the Plan from their respective dates of entry in order to provide the benefits pursuant to the Tier 3 provisions, less the deductions to be made from the salaries of new entrants while they are Tier 3 Members.

(b) A sum, which may be a positive number or a negative number, equal to that percentage of salaries of all Tier 3 Members shown in the last actuarial valuation to be required to amortize the unfunded liabilities of the Plan allocable to Tier 3 for the purpose of preparation of the budget. The unfunded liabilities to be allocated are the present value of all the assumed obligations under Tier 3 of the Plan less:

(i) the present value of the future contributions to be made by the City under the preceding subsection 3(a);

(ii) the present value of the deductions to be made from the salaries of the Tier 3 Members; and

(iii) the assets of the Plan allocated for this purpose to the Fire and Police Pension Plan—Tier 3.

(c) A sum sufficient to cover the cost, if any, as determined by an actuarial estimate, of benefits granted by the City Council by ordinance as authorized by Tier 3.

(4) Fire and Police Pension Plan—Tier 4.

(a) A sum equal to that percentage of the salaries of all Tier 4 Members shown in the last actuarial valuation to be required to cover the entry age cost to be paid by the City on account of Member entrants into Tier 4. The entry age cost is defined as the level percentage of salary of new Tier 4 Member entrants which must be paid into the Plan from their respective dates of entry in order to provide the benefits pursuant to the Tier 4 provisions, less the deductions to be made from the salaries of new entrants while they are Tier 4 Members.

(b) A sum, which may be a positive number or a negative number, equal to that percentage of salaries of all Tier 4 Members shown in the last actuarial valuation to be required to amortize the unfunded liabilities of the Plan allocable to Tier 4 for the purpose of preparation of the budget. The unfunded liabilities to be allocated are the present value of all the assumed obligations under Tier 4 of the Plan less:

(i) the present value of the future contributions to be made by the City pursuant to the preceding subsection 4(a);

(ii) the present value of the deductions to be made from the salaries of the Tier 4 Members; and

(iii) the assets of the Plan allocated for this purpose to the Fire and Police Pension Plan—Tier 4.

(c) A sum sufficient to cover the cost, if any, as determined by an actuarial estimate, of benefits granted by the Council by ordinance as authorized by Tier 4.

(c) General Obligation of the City. For the purpose of providing funds to meet the budget of the Fire and Police Pension Plan, the Council annually shall provide from revenues available to it, funds sufficient to provide the total amount of all positive items, reduced by the total amount of all negative items, in the budget submitted by the Board, such reduction subject to any restrictions imposed by Section 401(h) of the Internal Revenue Code.

Section 5. Section 1220 is added to read:

Section 1220. Merger and Coordination of Separate Tiers.

Notwithstanding any provision of this Part 3 to the contrary, effective July 1, 2001:

(a) The separate Tiers of the Plan shall be merged together and shall thereafter be the single Fire and Police Pension Plan;

(b) The assets of the separate Service Pension Funds, General Pension Funds and other funds described in this Part 3 shall become the assets of the single Plan, but the funds may be accounted for separately by the Board for record keeping, actuarial and other administrative purposes. If the total of the items calculated under Section 1210(b) with respect to a single Tier is a negative number, the assets allocated to that Tier shall be reduced by the amount of such negative number that is applied as an offset to a positive total of items for another Tier. In addition, such offset shall be treated as an increase of assets allocated to such other Tier; and

(c) All of the assets in the Plan, regardless of the fund to which they may be assigned for record keeping, actuarial or other administrative purposes, shall be available to pay any of the benefits provided for under the Plan, except as otherwise provided by Section 401(h) of the Internal Revenue Code.

(d) Notwithstanding the preceding subsections of this section, Member Contributions shall be paid into the applicable Service Pension Fund, and the moneys in the Service Pension Fund(s) shall continue to be applied solely to the payment of service pensions and, if applicable, refunds to Members.

(e) The Council is hereby authorized to provide by ordinance conforming and technical changes to this Part to implement the intention of this Section that the Tiers function as different benefit structures within the single Plan. Ordinances adopted pursuant to this section shall be adopted in the same manner as provided in Section 1618(b) of this Charter.

Section 6. Section 1222 is added to read:

Section 1222. Authority of City Council to Establish a New Pension Tier by Ordinance.

(a) Council Authority. The Council shall by ordinance adopted in accordance with the provisions of this section establish a new tier to be known as Tier 5 to the Fire and Police Pension Plan. Such ordinance shall be adopted by the Council no later than December 31, 2001.

(b) Provisions of Tier 5. The new tier to the Fire and Police Pension Plan shall include the following provisions:

(1) Eligibility for Membership: Each person who shall be appointed as a Department Member on or after January 1, 2002, shall become a Tier 5 Member. In addition, any Plan Member currently in Tiers 2, 3, or 4, as of January 1, 2002, hired prior to that date who makes an irrevocable election in writing during a six to twelve month time period to be specified by the Board of Fire and Police Pension Commissioners after adoption of this section shall become a Tier 5 Member.

(2) Service Pension Formula. Normal Retirement shall be with a minimum of 20 years of service and a minimum age of 50 years. The minimum service pension payable shall be equal to 50% of Final Average Salary at age 50 with 20 years of service. For each year of service after 20 years, an amount of 3% of Final Average Salary shall be provided per year of service, with the exception of the 30th year, in which 4% shall be provided. The maximum percentage of Final Average Salary payable, regardless of length of service, shall be 90% of Final Average Salary. The definition of Final Average Salary shall be the same definition as contained in Tier 3. Notwithstanding the above, a Tier 5 Member may elect a deferred retirement with at least 20 years of service, however, the retirement formula will be identical to that contained in Tier 3.

(3) Member Contributions. Each Tier 5 Member shall contribute by salary deduction at a rate of 9% of the amount of his or her salary, except that further contributions shall not be required from a Tier 5 Member who has served as a Plan Member more than 33 years. The City shall pay 1% of this contribution contingent on the Fire and Police Pension Plan remaining at least 100% actuarially funded for pension benefits. In the event Section 1220 of the Charter becomes inoperative, employee contributions shall increase by one-half the increase in the Normal Cost of Tier 5 over the Normal Cost of Tier 3, immediately prior to the inception of Tier 5, as defined by the Plan's actuary.

(4) Refund of Contributions. Tier 5 Members shall upon termination of employment be entitled to a refund of contributions.

(5) Cost-of-Living Adjustments. The annual cost of living adjustment shall be the equivalent to the provisions of Tier 3, except that there shall also be included a provision providing for the banking of amounts above the maximum annual increase and a provision crediting such banked amounts to members' pensions during years when the applicable Consumer Price Index is less than the maximum permitted.

(6) Recall to Active Duty. The recall to active duty provisions shall be substantially identical to those currently provided for in Tier 2, Charter Section 1410(b).

(7) Compliance with Certain Internal Revenue Code Provisions. Tier 5 shall contain substantially identical provisions regarding compliance with Internal Revenue Code provisions as those set forth in Section 1520 of this Charter.

(8) Other Provisions and Definitions. All other provisions and definitions of Tier 5 not otherwise described herein shall be substantially identical to those of

Tier 3. Notwithstanding the above, Tier 2 Members who elect to transfer into Tier 5, shall retain the existing Tier 2 Survivorship pension benefits contained in Section 1414 of this Charter, subject to the cost of living adjustment described in subsection (5), except that the active duty death survivor benefits shall be calculated at the higher rate currently contained in Tier 3.

(c) Technical Corrections. The Council is hereby authorized to provide conforming and technical changes to Tier 5 that do not result in any additional costs to the Fire and Police Pension Plan.

(d) Operability of the Section. This section shall become inoperative in the event that a demand is made by a bargaining unit representing employees affected by this section that an impasse over a proposed ordinance authorized by this section be resolved by binding arbitration if such arbitration is authorized by law. In such event, pension benefits shall again be determined by Charter provisions in effect at the time this section was adopted. Courts of law shall have the exclusive authority to resolve disputes over whether an ordinance authorized by this section satisfies any legal requirement.

(e) Mode of Adoption. Ordinances adopted pursuant to this section shall be adopted in the same manner as provided in Section 1618(b) of this Charter, but the City Council shall be advised in writing by an enrolled actuary as to the cost of the proposed program.

Certified to be a true copy by Ruth Gallanter, President of the City Council, and Konrad Carter, Council Clerk.

Date of Municipal Election: June 5, 2001.

Charter Chapter 17—City of Monterey

Amendments to the Charter of the City of Monterey

[Filed with the Secretary of State December 27, 2001.]

Current Charter Section 4.8 is deleted and in its place, the following Section 4.8 is inserted:

Sec. 4.8 Contracts For Public Works.

The construction, reconstruction, or improvement of any public work in excess of \$50,000.00, including the supplying of materials, supplies, and labor, shall be let by contract to the lowest responsible bidder after public bidding, except as set forth in this Section. The Council shall, by Ordinance, establish procedures for public bidding, including the contracting for public works less than \$50,000.00 and the purchase of equipment, supplies, materials, or services.

The \$50,000.00 limit set forth above shall be increased by \$5,000.00 on July 1, 2005, and by the same amount on July 1st of each fifth year thereafter.

The City may contract with other governmental agencies or public utility companies for the erection of public works, or for the purchase of equipment, supplies,

materials, or services without the need for bidding if it first finds that the government agency or public utility has substantially complied with the City's bidding or purchasing process.

In the event of an emergency caused by fire, flood, earthquake, storm, or similar disaster, the Mayor or City Manager may order the suspension of normal bidding or purchasing requirements for projects related to abatement of the impacts or effects of such emergency. The City Council shall, if possible, ratify such emergency suspension of procedures within seventy-two (72) hours and consider whether further suspension of procedures is required to abate the impacts of the emergency.

Notwithstanding any provision above, the City Council may award individual annual contracts, referred to as "job order contracts", none of which may exceed one million dollars (\$1,000,000.00) adjusted annually on July 1st to reflect the percentage change in the California Consumer Price Index, for repair, remodeling, paving, sidewalk repair, or other repetitive work to be done according to unit prices. No annual contracts may be awarded for any new construction; however, job order contracts may be utilized for new projects less than \$50,000.00, adjusted as set forth above. The contracts shall be awarded to the lowest responsible bidder and shall be based on plans and specifications for typical work.

For purposes of this section, the term "unit price" shall mean the amount paid for a single unit of an item of work, the term "typical work" shall mean a work description applicable universally or applicable to a large number of individual projects, as distinguished from work specifically described with respect to an individual project, and the term "repair, remodeling, paving, sidewalk repair, or other repetitive work to be done according to unit prices" shall not include design or contract drawings.

Certified to be a true copy by Bonnie L. Gawf, City Clerk.

Date of Municipal Election: November 6, 2001.

